



# Township of Guelph/Eramosa

## Consolidated Zoning By-law 57/1999

Adopted October 19, 1999  
Consolidated to March 19, 2007

**Township of Guelph-Eramosa**  
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# AMENDING ZONING BY-LAWS

## CONSOLIDATED ZONING BY-LAW

Consolidated Zoning By-law No. 57/1999 was approved by the Township of Guelph-Eramosa on the 18<sup>th</sup> day of October, 1999. This publication represents an Office Consolidation only of By-law No.57/1999 as amended up to and including March 19, 2007 and is not to be construed as an enactment of the Municipal Council. Specific reference to the parent by-law and all of its amendments (listed in the table below) is required in order to verify accuracy of the information. These documents are available at the Township of Guelph-Eramosa Municipal Office, 8348 Wellington Road 124, P.O. Box 3000, Rockwood, Ontario.

Zoning By-law No.34/95 (referred to as Rockwood South Village Subdivision) was originally approved by the Township of Eramosa on June 5, 1995. It is a separate zoning by-law which is contained under Tab C of this publication and applies to lands in the Village of Rockwood as delineated on Schedule A, Map 2. This publication does not represent a consolidation of By-law No.34/95, however, all of the amendments to By-law No. 34/95 have been included in the table below and under Tab C.

By-law No.	Amendment to By-law No.	Amendment	Name	Location	Approved 3rd Reading	Status
63/1999	57/1999	21.103, 21.104	Fernandes	Lot 3, Con 5, Division B (Guelph)	22-Nov-99	In Effect
64/1999	57/1999	21.105	Nadalin	SW Half Lot 12 Con. 7, (Eramosa)	6-Dec-99	In Effect
7/2000	34/95	-	Seaton	Blk. 78, RP 61M- 15 (Rockwood)	21-Feb-00	In Effect
9/2000	34/95	-	Seaton	Pt. Lot 3, Con. 4, (Rockwood)	20-Mar-00	In Effect
41/2000	57/1999	21.106	McColeman	Pt. Lot 14, Con. 2, (Pilkington)	2-Aug-00	In Effect

By-law No.	Amendment to By-law No.	Amendment	Name	Location	Approved 3rd Reading	Status
56/2000	57/1999	21.95	Kurtz	Lot 14, Con.5 (Pilkington)	2-Oct-00	In Effect
67/2000	57/1999	21.12	Sommerfeld	Lots 15 and 16, Con. 6, Division D (Guelph)	18-Dec-00	In Effect
3/2001	57/1999	21.107	Busato	Lot 19, Con. 5, (Eramosa)	8-Jan-01	In Effect
11/2001	57/1999	Lift Holding Provision (portion)	Bernardi	Lot 3 Con. 4 (Rockwood)	5-Mar-01	In Effect
15/2001	57/1999	21.109	Meyer	Lot 13 Con. 4 (Eramosa)	17-Apr-01	Repealed by by-law 70/2001
17/2001	57/1999	21.108	MacPherson	Lot 20, Con. 7 (Eramosa)	7-May-01	In Effect
22/2001	34/95	-	Seaton	Pt. Of West Half Lots 3 and 4, Con. 5 (Rockwood)	11-Jun-01	In Effect
23/2001	34/95	-	Seaton	Pt. Of West Half Lots 3 and 4, Con. 5 (Rockwood)	11-Jun-01	In Effect
30/2001	57/1999	21.11	Metrus	Pt. Lot A, Con 2, Division E (Guelph)	3-Jul-01	In Effect
40/2001	57/1999	21.111	Scott	Pt. Lot 22, Con. 3 (Eramosa)	7-Aug-01	In Effect
49/2001	57/1999	General Housekeeping	Township	Various	4-Sep-01	In Effect
50/2001	57/1999	21.112	Smith	Pt. Lot 16, Con. 5, EGR (Pilkington)	4-Sep-01	In Effect
54/2001	57/1999	21.113, as per OMB order 0208	JATM	Pt. Lot 14, Con. 3, Div. D (Guelph)	17-Sep-01	In Effect 4-Feb-02

By-law No.	Amendment to By-law No.	Amendment	Name	Location	Approved 3rd Reading	Status
59/2001	57/1999	Rural Home Industry Amendment	Township	-	1-Oct-01	In Effect
61/2001	57/1999	Edit Map 16	Township	Ariss	15-Oct-01	Repealed by by-law 64/2001
62/2001	57/1999	21.116	Zieske	Lot 17, Con. 5 (Pilkington-Ariss)	15-Oct-01	In Effect
64/2001	57/1999	Repeal 61/2001	Township	Ariss	5-Nov-01	In Effect
70/2001	57/1999 and 15/2001	Amend 21.109	Meyer	Lot 13, Con. 4 (Eramosa)	19-Nov-01	In Effect
71/2001	57/1999	21.77	Barrett	Pt. Lot 21, Con. 6 (Eramosa)	19-Nov-01	In Effect
5/2002	57/1999	21.117	Cox	Pt. Lot 20, Con. 2 (Eramosa)	18-Feb-02	In Effect
6/2002	57/1999	21.115	Camp Brebeuf	Pt. Lot 7, Con. 5 (Eramosa)	4-Feb-02	In Effect
26/2002	57/1999	21.114	Mudge	Pt. Lot 1, Con. 6 (Eramosa)	16-Dec-02	In Effect
30/2002	57/1999	21.121	Gamble	Pt. Lot 19, Con. 5, EOGR (Pilkington)	3-Jun-02	In Effect
39/2002	57/1999	21.122	Morrison	Pt Lot 17, Plan 365	6-Aug-02	In Effect
43/2002	57/1999	Rezone, 21.119, 21.120, as per OMB decisions 0952	Mt. Elgin Dairy	Pt. Lot 19 and 20, (21.119) and Part Lot 18 (21.120) Con. 3, Div B (Guelph)	N/A	In Effect 12-July-02
46/2002	57/1999	21.123, 21.124	Reimers	Pt. Lot 8, Con 3, Div. C (Guelph)	16-Sep-02	In Effect

<b>By-law No.</b>	<b>Amendment to By-law No.</b>	<b>Amendment</b>	<b>Name</b>	<b>Location</b>	<b>Approved 3rd Reading</b>	<b>Status</b>
47/2002	34/95	Rezone, Lift Holding Provision	Seaton	Pt. Block 79, Plan 61M-15 (Rockwood Ridge Sub. Phase 1-20' strip)	16-Sep-02	In Effect
48/2002	57/1999	Amend 21.72	Bernardi	Pt. Lot 3, Con. 4, (Eramosa)	16-Sep-02	In Effect
14/2003	57/1999	Rezone	Zieske	Pt. Lot 17, Con. 5 EOGR (Pilkington)	3-Mar-03	In Effect
18/2003	34/95	Lift Holding Provision	Seaton	Pt. of the W1/2 Lots 3 and 4, Con. 5 (Eramosa)	17-Mar-03	In Effect
20/2003	57/1999	21.38	Purity Plus	Pt. Lot 5, Con. 5 (Eramosa)	7-Apr-03	In Effect
31/2003	57/1999	Remove 21.113, Rezone	Guelph Wellington Association for Community Living	Pt. Lot 14, Con 3, Div. D (Guelph)	2-Jun-03	In Effect
41/2003	57/1999	Rezone	Scheltz	Pt. Lot 18, Con 1 EOGR (Pilkington)	7-Jul-03	In Effect
46/2003	57/1999	21.125	Easton	Pt. Lot 17, Con. 5 EOGR (Pilkington)	5-Aug-03	In Effect
47/2003	57/1999	Rezone	Fellows	Pt. Lot 1, Con. 6 (Eramosa)	3-Nov-03	In Effect
66/2003	34/95	Lift Holding Provision & Amendments	Seaton	Rockwood Ridge Subdivision	20-Oct-03	In Effect
9/2004	34/95	Lift Holding Provision	Seaton	Rockwood Ridge Subdivision, Phase 2C	1-Mar-04	In Effect

<b>By-law No.</b>	<b>Amendment to By-law No.</b>	<b>Amendment</b>	<b>Name</b>	<b>Location</b>	<b>Approved 3rd Reading</b>	<b>Status</b>
10/2004	34/95	Lift Holding Provision	Seaton	Rockwood Ridge Subdivision, Phase 2D	15-Mar-04	In Effect
38/2004	57/1999	Amend 21.72	Bernardi	Bernardi Subdivision	17-May-04	In Effect
39/2004	57/1999	21.126	Charleston Homes	Charleston Homes Subdivision	17-May-04	In Effect
43/2004	57/1999	21.127	Ross	Pt. Lot 9, Conc. 1 (Eramosa)	8-Jun-04	In Effect
64/2004	57/1999	Rezone	Zieske	Pt. Lot 17, Conc 5., EOGR (Pilkington)	3-Aug-04	In Effect
65/2004	57/1999	21.128	Whitford	Pt. Lot 1, Conc. 6 (Eramosa)	3-Aug-04	In Effect
5/2005	57/1999	Lift Holding Provision (portion)	Bernardi	Lot 3 Con. 4 (Rockwood)	24-Jan-05	In Effect
15/2005	57/1999	Amend 21.114	Mudge	Pt. Lot 1, Con. 6 (Eramosa)	4-Apr-05	In Effect
21/2005	57/1999	Amend 21.19	Hopewell Children's Home Inc.	Pt. Lot 21 and 22, Conc. 6, Division D (Guelph)	21-Mar-05	In Effect
38/2005	57/1999	21.130	Capital Paving	Pt. Lots 7 and 8 Conc. 2, Division C (Guelph)	6-Jun-05	In Effect
56/2005	34/95	Rezone & Amendments	Seaton	Rockwood Ridge Subdivision, Pt Lots 3 and 4, Conc. 5 (Eramosa)	17-Oct-05	In Effect
57/2005	57/1999	21.16	Boshier, McMillan	Pt. Lot 7, Conc. 6, Division C (Eramosa)	6-Sep-05	In Effect
69/2005	57/1999	Remove 21.76	BJC Architects Inc	Pt. Lot 5, Conc. 1 (Eramosa)	7-Nov-05	In Effect

<b>By-law No.</b>	<b>Amendment to By-law No.</b>	<b>Amendment</b>	<b>Name</b>	<b>Location</b>	<b>Approved 3rd Reading</b>	<b>Status</b>
83/2005	57/1999	21.131, 21.132	GRCA	Pt. Lot 2, Conc. 9 Division C (Guelph)	19-Dec-05	In Effect
4/2006	57/1999	Rezone and 21.133	Dunk, Barrie Hill United Church	Pt Lots 20 and 21, Conc. 1 (Eramosa)	16-Jan-06	In Effect
15/2006	57/1999	21.135	Carberry	Lot 16 and pt Lot17, Conc. 4 Division B (Guelph)	6-Mar-06	In Effect
16/2006	57/1999	21.134	Hilton	Pt. Lot 12, Conc. 7 (Eramosa)	6-Mar-06	In Effect
18/2006	57/1999	Hazard Zone Update	Township	Various	20-Mar-06	In Effect
39/2006	57/1999	Lift Holding Provision	Scott	Pt Lot 22, Conc. 3 (Eramosa)	15-May-06	In Effect
44/2006	57/1999	21.118	Gates	Blk 93 & Pt Blk 94, Plan 781(Eramosa)	19-Jun-06	In Effect
47/2006	57/1999	21.136	Fortress Trucking	Pt Lot 5, Conc 2, Division B (Guelph)	4-Jul-06	In Effect
60/2006	57/1999	21.137	Heffernan	Pt Lot 18, Conc. 4 EOGR (Pilkington)	18-Sep-06	In Effect
64/2006	57/1999	21.95	Kurtz	Pt Lot 14, Conc. 5, EOGR (Pilkington)	2-Oct-06	In Effect
N/A	57/1999	Appendix A & B	Township	Township Wide	Council 19-Mar-07	In Effect

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# SECTION 1 – TITLE AND INTERPRETATION

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## 1.1 TITLE

This By-law shall be known as the "ZONING BY-LAW" of the Corporation of the Township of Guelph-Eramosa.

## 1.2 APPLICATION

The provisions of this By-law shall apply to all those lands lying within the Township of Guelph-Eramosa.

## 1.3 INTERPRETATION OF WORDS

In this By-law:

1. The word "shall" is mandatory
2. Words used in the present tense include the future tense, and the converse.
3. Words used in the plural number include the singular number, and the converse.
4. Unless the text requires otherwise:
  - i. The word "used" shall include "designed to be used", "arranged to be used" and "intended to be used".
  - ii. The word "occupied" shall include "designed to be occupied", "arranged to be occupied" and "intended to be occupied".
5. The use of masculine gender shall include females as well as males and the converse.

## 1.4 APPLICATION FOR PERMITS

In addition to all the requirements of the Corporation's Building By-law, or any other By-law of The Corporation, every application for a building permit shall be accompanied by a plan in duplicate, a copy of which shall be retained by the Corporation, drawn to scale and showing the following:

1. The true dimensions of the lot to be built upon or otherwise used;
2. The proposed location, height and dimensions of any building, structure or use proposed for such a lot;

3. The proposed location and dimensions of any yards, setbacks, landscaped open space, off-street parking spaces and/or off-street loading spaces required by this By-law.
4. The location of all existing buildings or structures on the lot.
5. A statement signed by the owner or authorized agent, indicating the exact use proposed for each aforesaid building, structure or use, and all information necessary to determine if such proposed or existing building or structure or use conforms with the requirements of this By-law.

Notwithstanding the provisions of this By-law, a building permit shall be required for all buildings occupying an area greater than 10.0m<sup>2</sup> (108.0 ft<sup>2</sup>) or as otherwise classified as a designated structure in accordance with Part 2 of the Ontario Building Code.

## **1.5 REFERENCE TO STATUTES & AGENCIES**

Any reference to any statute within the body of this By-law shall be deemed to refer to the statutes contained in the Revised Statutes of Ontario, 1990, as amended from time to time and shall be deemed to include any successor Statute thereof. Any reference to an agency by name shall be deemed to include any successor thereof.

## **1.6 SCHEDULES TO THE BY-LAW**

The following schedules, together with the notations and references thereon, are included in and form part of this By-law:

Schedule "A", Maps 1 to 19.

## **1.7 REDUCTION OF YARDS TO NON-COMPLIANCE**

No lot shall be reduced in area by the conveyance, mortgage or other alienation of a part thereof so that any remaining yard or other open space is less than that required by this By-law. If any such reduction occurs, such lot and any building or structure thereon shall not thereafter be used by any person unless and until the said yard or requirements of this By-law are complied with.

## **1.8 DEFINITIONS**

For the purposes of this By-law, the definitions and interpretations given herein shall govern. The presence of definitions of various uses contained in this By-law does not necessarily mean the use is permitted within the Corporation unless specifically listed as a permitted use in a Zone or Zones.

## **1.9 METRIC-IMPERIAL MEASUREMENTS & CONVERSION**

All measurements have been provided in both metric and imperial. For the purposes of this By-law, the metric measurement shall be used for purposes of determining compliance with the By-law. Imperial measurements are provided for convenience only.

# SECTION 2 – ADMINISTRATION

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## **2.1 CONFORMITY REQUIREMENTS**

No person shall use any land or construct, alter or use any building or structure, or part thereof, except in conformity with the provisions of this By-law. Further, no person shall sever any lands from any existing lot if the effect of such action is to cause the original, adjoining, remaining or new building, structure or lot to be in contravention of this By-law.

## **2.2 COMPLIANCE WITH OTHER BY-LAWS**

Nothing in this By-law shall relieve any person from the obligation to comply with the requirements of any other By-law of the Municipality or the obligation to obtain any other license, permit, authority or approval lawfully required by a government authority having jurisdiction to make such restrictions.

In the event of conflict between this By-law and any other By-law, this By-law shall prevail.

## **2.3 PERSON DESIGNATED TO ADMINISTER BY-LAW**

This By-law shall be administered and enforced by such person or persons as shall be appointed from time to time by By-law of The Corporation as the “By-law Enforcement Officer”.

## **2.4 PENALTIES**

Any person or corporation convicted of a breach of any provision of this By-law shall be subjected to such penalties or orders provided for in Section 66 of the Planning Act, R.S.O., 1990, as amended. Such penalties shall include:

1. on a first conviction to a fine of not more than \$25,000; and
2. on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

Where a corporation is convicted, the maximum penalty that may be imposed is,

1. on a first conviction a fine of not more than \$50,000; and
2. on a subsequent conviction a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted

## **2.5 IF BY-LAW PROVISIONS HELD INVALID**

If any provision of this By-law, including any part of the zoning as shown on the zone maps, is for any reason held to be invalid, it is hereby declared to be the intention, that all the remaining provisions shall remain in full force and effect until repealed.

## **2.6 PUBLIC ACQUISITION**

No person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any lot has or have been conveyed to or are required by any public authority.

## **2.7 REMEDIES**

Where any matter or thing is required to be done by a person under the provisions of this By-law, Council may direct that in default of its being done by that person, such matter or thing shall be done at the expense of the person in default and may recover the expenses thereof with interest permitted in accordance with the Municipal Act.

## **2.8 LANDS ZONED BY BY-LAW 34-95**

Zoning By-law 34-95 shall apply to the lands identified on Schedule "A", Map 2, and is hereby included as Appendix C of this By-law.

# INDEX OF DEFINITIONS

## A

Abattoir  
 Accessory  
 Adult Entertainment  
 Establishment  
 Aggregate  
 Aggregate Processing  
 Facility  
 Agricultural Use  
 Agricultural Service  
 Establishment  
 Agricultural Supply  
 Establishment  
 Alter  
 Asphalt Plant, Portable  
 Assembly Hall  
 Automobile Body/Repair  
 Shop  
 Automobile Sales  
 Establishment  
 Automobile Service Station  
 Automobile Washing  
 Establishment

## B

Bank or Financial  
 Institution  
 Banquet Hall  
 Basement  
 Bed and Breakfast  
 Establishment  
 Boarding or Lodging  
 House  
 Building  
 Building By-Law  
 Building Height or Height  
 Building Supply Outlet  
 Business or Professional  
 Office  
 By-Law Enforcement  
 Officer

## C

Campground  
 Cellar

Cemetery  
 Centre Line  
 Church  
 Club, Private  
 Commercial School  
 Commercial Motor Vehicle  
 Community Centre  
 Conservation  
 Contractor or Tradesman  
 Establishment  
 Contractor's Yard  
 Convenience Store  
 Converted Dwelling  
 Corporation  
 Council  
 County  
 County Road  
 Custom Workshop

## D

Daylighting Triangle  
 Day Nursery  
 Density Net  
 Dry Cleaning  
 Establishment  
 Dry Cleaning Plant  
 Dwelling, Apartment  
 Dwelling, Converted  
 Dwelling, Detached  
 Dwelling, Duplex  
 Dwelling, Fourplex  
 Dwelling House  
 Dwelling, Semi-Detached  
 Dwelling, Townhouse  
 Dwelling, Triplex  
 Dwelling Unit

## E

Erect or Construct  
 Existing

## F

Farmer's Market

Farm Implement Outlet  
 Farm Produce Sales Outlet  
 Floor Area, Gross  
 Floor Area, Ground  
 Fuel Storage  
 Establishment  
 Funeral Home  
 Furniture Store

## G

Garage  
 Garden Centre  
 Garden Suite  
 Gas Bar  
 Golf Course  
 Grade, Finished  
 Group Home

## H

Habitable Room  
 Home Industry, Rural  
 Home Occupation  
 Hospital  
 Hotel or Motel

## I

Industrial Use  
 Industrial Mall

## K

Kennel

## L

Landscaped Area  
Lane  
Loading Space  
Lot  
Lot Area  
Lot, Corner  
Lot Coverage  
Lot Depth  
Lot Frontage  
Lot, Interior  
Lot Line  
Lot Line, Exterior  
Lot Line, Interior  
Lot Line, Front  
Lot Line, Rear  
Lot Line, Side  
Lot, Through

## M

Machine Shop  
Main  
Medical Clinic  
Mobile Home  
Mobile Home Park  
Motor Home  
Municipal Drain  
Museum

## N

Non-Conforming

## O

Outdoor Display & Sales Area  
Open Storage

## P

Park  
Parking Aisle  
Parking Area  
Parking Space  
Person  
Personal Service Shop  
Pit

Place of Entertainment or Recreation  
Plaza Complex  
Provincial Highway  
Passive Recreation

## Q

Quarry

## R

Recreational Uses  
Restaurant  
Retail Establishment  
Retail Food Store  
Retirement Home

## S

Salvage Yard  
Satellite Dish  
Sawmill  
School  
Service Shop  
Setback  
Sign  
Storey  
Street  
Street Line  
Structure

## T

Tavern or Public House  
Tractor Trailer  
Trailer, Recreational  
Transport Establishment

## U

Use

## V

Veterinary Clinic

Video Rental

## W

Warehouse  
Wayside Pit or Quarry  
Wholesale Outlet

## Y

Yard  
Yard, Front  
Yard, Front Depth  
Yard, Rear  
Yard, Rear Depth  
Yard, Side  
Yard, Side-Exterior  
Yard, Side-Interior  
Yard, Side Width  
Yard, Required

## SECTION 3 – DEFINITIONS

Illustrations depicting definitions are provided for clarification and convenience only, and can be found in Appendix D.

### A

**“Abattoir”**, means a building or structure, designed and used, or part thereof, for the slaughtering of animals.

**“Accessory”**, means a use, building or structure located on the same lot, attached or detached from the main building, which is subordinate and incidental to the main use and is not used for human habitation unless specifically permitted in this By-law. Such uses shall include, but are not limited to, a private garage, a greenhouse, a pool, a satellite dish, or a storage building.

**“Adult Entertainment Establishment”**, means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods and / or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

**“Aggregate”**, means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock, other than metallic ores, or other prescribed material pursuant to the Aggregate Resources Act.

**“Aggregate Processing Facility”**, means a facility used to process, crush, screen, wash, storage / stockpiling, and/or sort aggregate resources, and includes an asphalt plant, a concrete batching plant, a cement manufacturing plant, a brick and tile manufacturing plant, an aggregate transfer station, and stockpiling / blending of recycled aggregate resources.

**“Agricultural Use”**, means a use of land, buildings or structures for farming or agriculture and includes apiaries; aviaries; berry or bush crops; breeding, raising or training horses or cattle; greenhouses; farms devoted to the hatching, raising and marketing of chickens, turkeys, or other fowl or game birds, animals, fish or frogs; farms for grazing; flower gardening; muck farms; field crops; research and/or breeding station; mushroom farms; nurseries; orchards; riding stables; the raising of sheep or goats, the raising of swine; or the breeding, boarding or sale of domestic animals; tree crops; truck gardening; woodlots; and such uses or enterprises as are customarily carried on in the field of general agriculture, and may include accessory packing, treating, storing, and sale of produce produced on the premises but does not include an abattoir, a kennel, or a rendering plant. A farm includes a detached dwelling house accessory to the main farming or agricultural use.

**“Agricultural Service Establishment”**, means the buying or selling of commodities and services that support agricultural uses and shall include the sales and service of welding and machinery repair, farm drainage and excavation, well drilling, custom spraying, tillage, planting, harvesting and grading services.

**“Agricultural Supply Establishment”**, means the supply of goods, materials or services that support agricultural uses including the sale, storage, mixing, distribution or cleaning of seed, feed, fertilizer and chemical products and the rental, sales, repair or service of agricultural equipment or

implements or any combination of the foregoing.

“**Alter**, when used in reference to a building or part thereof, shall mean to change any one or more of the internal or external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word "alter" means to decrease the width, depth or area thereof or to decrease the width, depth or area of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words "altered" and "alteration" shall have corresponding meanings.

“**Asphalt Plant, Portable**”, means a facility:

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

“**Assembly Hall**” means a building or part of a building in which facilities are provided for athletic, charitable, civic, cultural, educational, political, religious or social purposes, and shall include a banquet hall, private clubs, fraternal organization, arena, curling rink, a cinema, a stadium, union hall, or community centre.

“**Automobile Body/Repair Shop**”, means a building or other structure where major repairs to and/or body work, or painting of, motor vehicles is carried on, but does not include an automobile sales establishment, an automobile service station, or a wrecking yard.

“**Automobile Sales Establishment** means a building and/or lot used for the display and sale / lease of new and used motor vehicles, motorized recreational vehicles, motorized recreational vehicles, light construction and lawn care equipment, and may include the servicing, repair, cleaning, polishing, and lubrication of motor vehicles, the sale of automotive accessories, gasoline fuel, and related products, and the leasing or renting of motor vehicles.

“**Automobile Service Station**”, means a building or place where automotive fuel and automotive products are kept for sale and where service, maintenance or mechanical repair to motor vehicles, and an automatic car wash may be provided, but does not include auto body repair and painting.

“**Automobile Washing Establishment**”, means a building or place used for the washing or cleaning of motor vehicles by automatic or self-serve washing equipment.

## B

“**Bank or Financial Institution**, means the premises of a bank, credit union, trust company, loan or mortgage company, investment firm, or financial consultants.

“**Banquet Hall**, means a service commercial establishment used for the purposes of catering to banquets, weddings, receptions or similar functions for which food and beverages are prepared and served on the premises, but does not include a caterer's establishment.

“**Basement**”, shall mean that portion of a building which is partly below grade level and which has at least one-half of its height from floor to ceiling above grade.

“**Bed and Breakfast Establishment**”, shall mean a dwelling in which the

proprietor resides and supplies up to four furnished rooms to overnight guests on a temporary basis for monetary gain. It does not include a restaurant, hotel, motel, group home, rooming or boarding establishment or any other form of dwelling as defined by this By-law.

**“Boarding or Lodging House”**, means a dwelling house, containing not more than four rooms used or maintained for the accommodation of the public, in which the owner or head lessee supplies, for hire or gain, lodgings with or without meals for three or more persons, other than the owner, lessee, or tenant of the dwelling, or members of his immediate family, but does not include any other establishment otherwise defined or classified herein.

**“Building”**, means any structure used or intended to be used for shelter, accommodation or enclosure of persons, animals or chattels but does not include a fence, sign, travel trailer or vehicle.

**“Building By-Law”**, means a by-law passed pursuant to the Ontario Building Code Act as amended.

**“Building Height or Height”**, shall mean the vertical distance between the finished grade of the centre of the front of the building, and;

- a) in the case of a flat roof, the highest point of the roof surface or parapet wall;
- b) in the case of a mansard roof, the ridge;
- c) in the case of a gabled, hip, gambrel or one-slope roof, the average level between eaves and ridge, except that a one-slope roof having a slope of less than 20 degrees from the horizontal shall be considered a flat roof for the purposes of this By-law.

Building Height shall be exclusive of any accessory roof construction, such as a chimney, tower, solar collector, steeple, or television antenna.

**“Building Supply Outlet”**, means a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail or wholesale and may include the fabrication of certain materials related to home improvement.

**“Business or Professional Office”** shall mean a building or a part of a building in which one or more persons are employed in the management, direction or conducting of a public or private agency, business or brokerage house or where professionally qualified persons are employed for the purpose of giving advice, or consultation.

**“By-Law Enforcement Officer”** shall mean a person, appointed by the Council of the Corporation who shall enforce this By-law.

## C

**“Campground”**, means a public or privately operated facility catering to short-term guests, but not year-round residents, whose accommodation is a tent, travel trailer, cabins, cottages, lodges, or other recreational vehicle, and such a facility may include an office, variety store catering to guests, picnic shelters, laundry room, games room, swimming area, and other outdoor recreational facilities.

**“Cellar”**, shall mean that portion of a building which is partially or completely underground and which has more than one-half of its height from floor to finished ceiling below finished grade.

**“Cemetery”**, means a cemetery or crematorium within the meaning of the *Cemeteries Act*, as amended from time to time.

“**Centre Line**”, means that line which bisects the original road allowance of a public street or highway.

“**Church**”, shall mean a building used by a religious congregation or organization and dedicated exclusively to worship and related religious, social and charitable activities and may include a church hall, a church auditorium, a convent, an office of a clergyman, a Sunday School, a parish hall, a rectory or manse or a day nursery as accessory uses.

“**Club, Private**”, means a building or part of a building used as a meeting place for members of a chartered organization, not operated for profit, and may include a lodge, service club, fraternal organization.

“**Commercial Greenhouse**”, shall mean a building or structure used for the growing of plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such buildings or structure, but are sold directly from such lot to the general public.

“**Commercial School**”, means a school where instruction is given for hire or gain and includes a studio of a dance or music teacher, an art, business or trade school, and any other such specialized school conducted for hire or gain.

“**Commercial Motor Vehicle**”, means any motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, tow trucks, motor buses and farm tractors, but excludes trailers, motor homes and tractor trailers as defined herein.

“**Community Centre**”, means a building or part of a building used for community activities and/or community facilities such as a public library, museum, recreational facilities and banquet or reception halls, the

control of which is vested in the municipality.

“**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.

“**Contractor or Tradesman Establishment**”, means a building or part of a building from which a service operates or is based from in which manual or mechanical skills are used to install, maintain or repair articles, goods, materials, equipment or real property.

“**Contractor’s Yard**”, means the buildings, structures and yard wherein vehicles, equipment and supplies are parked, stored and maintained for use in the construction and/or renovation trades. Office use, as well as minor maintenance and assembly work normally considered to be accessory to the trade are permitted. It does not include the retail or wholesale sale of construction or home improvement materials or supplies.

“**Convenience Store**” shall mean a retail store having a floor area of not more than 300 m<sup>2</sup> (3229.3 ft<sup>2</sup>) wherein various convenience goods and items of day to day use or necessity are kept and offered for retail sale and may include a gas bar as defined herein.

“**Corporation**”, means the Corporation of the Township of Guelph-Eramosa.

“**Council**” means the Council of The Corporation of the Township of Guelph-Eramosa.

“**County**”, means the Corporation of the County of Wellington.

“**County Road**”, means a street under the jurisdiction of The Corporation of the County of Wellington.

“**Custom Workshop**” means a building, or part of a building, used by a trade, craft or guild for the manufacture of small quantities of made-to-measure clothes or articles and includes upholstering but does not include woodworking or furniture manufacture, or any other factory or shop production otherwise defined in this By-law.

## D

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

“**Day Nursery**”, shall mean premises that receives more than five (5) children who are not of common parentage primarily for the purpose of providing temporary care or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, as defined in the Day Nurseries Act, as amended.

“**Density Net**”, shall mean the ratio of dwelling units to lot area.

“**Dry Cleaning Establishment**”, shall mean a building used for the purpose of receiving articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing or cleaning

elsewhere and for the pressing and/or distribution of any such articles or goods which have been subjected to any such process.

“**Dry Cleaning Plant**” shall mean a building where dry cleaning, cleaning or pressing of articles or goods of fabric is carried on and

- a) in which only non-flammable solvents are or can be used which do not emit noxious odours or fumes and
- b) in which noise or vibration do not cause a nuisance or inconvenience within or outside the premises.

“**Dwelling, Apartment**” means a residential dwelling containing five or more dwelling units each of which access is obtained through a common entrance at street level and through a common corridor or hallway from the inside. **Accessory Apartment** shall mean a residential dwelling unit, as defined herein, which is fully contained within a single-detached or a semi-detached dwelling or when accessory to a commercial use shall be located above or behind the main commercial use.

“**Dwelling, Detached**” means a single dwelling house containing one (1) dwelling unit only and does not include a mobile home or a travel trailer

“**Dwelling, Duplex**” means a residential dwelling divided horizontally to contain two residential dwellings and which have independent entrances either directly from the outside or through a common vestibule.

“**Dwelling, Converted**, shall mean a dwelling house that existed prior to the passing of this By-law, which has been altered or converted into two (2) or more dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.

“**Dwelling, Fourplex**” means a residential dwelling divided vertically into two **duplex** dwellings.

“**Dwelling House**, shall mean a building containing one or more dwelling units, occupied or capable of being occupied as a home or residence, but shall not include a travel trailer, mobile home, or a group home as defined in this By-law.

“**Dwelling, Semi-Detached**” shall mean one of a pair of two attached dwelling units, divided by whole or in part by a common vertical wall, each of which has an independent entrance directly from the outside or through a vestibule.

“**Dwelling, Townhouse** means a residential building divided vertically to provide four or more dwelling units, each unit having independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit. A **street townhouse** shall be so located on a lot so that each dwelling unit has frontage on a public street. The dwelling units of a **cluster townhouse** do not require frontage on a public street.

“**Dwelling, Triplex**” means a residential dwelling divided horizontally to provide three residential dwelling units each having independent entrances either directly from the outside or through a common vestibule.

“**Dwelling Unit**”, means a room or group of rooms designed, occupied or intended to be occupied as an independent and separate housekeeping unit, for one or more persons, providing kitchen and sanitary facilities and sleeping accommodations for the exclusive use of the occupants, and having a private entrance from outside the building or from a common hallway or stairway inside the building.

## E

“**Erect or Construct**”, means to build, construct, reconstruct, place, or relocate and, without limiting the generality of the word, also includes:

- a) any preliminary operation such as excavating, filling or draining;
- b) alteration to any existing building or structure by an addition enlargement, extension or other structural change; and
- c) any work which requires a building permit.

Constructed and construction shall have corresponding meanings.

“**Existing**”, shall mean existing on the day of the passing of this By-law.

## F

“**Farmer’s Market**”, means an establishment or premises where the farm products of the local farming community are sold at retail from covered or open air areas designated for individual retailers.

“**Farm Implement Outlet**”, means an establishment devoted to the sale and repair of farm machinery and accessories.

“**Farm Produce Sales Outlet**”, means a building structure or use accessory to a farm for the sale of farm produce, produced on the farm, to the general public.

“**Floor Area, Gross**”, means the sum total of the horizontal areas of each floor whether any such floor is above or below grade measured between the exterior faces of the exterior walls of the building or structure of the level of each floor, but excluding

- a) a cellar
- b) any part of the building or structure which is used for

mechanical or heating equipment, the storage or parking of motor vehicles, locker storage and laundry facilities, unenclosed verandas, sunrooms or porches or an attic;

- c) enclosed malls, courts or atriums for non-residential uses between individual uses.

**“Floor Area, Ground”**, means the maximum area of a building at finished grade measured between the exterior faces of the exterior walls exclusive of any part of the building or structure which is used for mechanical or heating equipment, the storage or parking of motor vehicles, locker storage and laundry facilities, and unenclosed verandas, sunrooms or porches.

**“Fuel Storage Establishment”** means an establishment where petroleum gasoline, fuel oil, gas, propane or other fuels are stored in tanks for wholesale distribution or bulk sales but does not include facilities for the sale of fuels for private motor vehicles.

**“Funeral Home”** shall mean a building or part of a building established or maintained for the purpose of providing funeral services or funeral supplies limited to the disposition of human remains.

**“Furniture Store”**, means a retail store where furniture and related items are displayed, stored and offered for sale.

## G

**“Garage”**, means an accessory building or that part of a main building used for the storage of a motor vehicle(s) of the owner, tenant or occupant of the lot upon which such garage is located and includes a carport.

**“Garden Centre”** shall mean a building or part of a building and/or adjacent

land used for the purpose of buying or selling lawn and garden equipment, furnishings, supplies, and may include a greenhouse.

**“Garden Suite”**, means a one-unit detached residential structure containing bathroom and kitchen facilities that is accessory to an existing single-detached residential unit. A garden suite is intended to serve the "temporary" needs of adult children, elderly parents, farm help, etc. A garden suite is a factory-built, portable, and non-seasonal residential dwelling unit. A mobile home as defined herein may be used as a garden suite in Agricultural zones.

**“Gas Bar”**, means one or more pump islands, each consisting of one or more fuel pumps, which may include a shelter/kiosk having a gross floor area of not more than 18.6 m<sup>2</sup> (200.2 ft<sup>2</sup>) which may be used for the sale of automotive fluids and small accessories for motor vehicles but shall not be used for repairs, oil changes, or greasing.

**“Golf Course”**, means a public or private area operated for the purpose of playing golf, including associated accessory recreational uses such as a club house, swimming pool and tennis courts; and may include driving ranges, miniature courses and similar uses operated for commercial purposes.

**“Grade, Finished”**, means the average level of the finished ground adjoining a building or structure at all exterior walls.

**“Group Home”**, means a single housekeeping unit in a residential dwelling in which a range of three to ten persons excluding supervisory staff or receiving family live under supervision and who by reasons of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well-being. The group home must be licensed or

approved under an Act of the Parliament of Canada or the Province of Ontario.

## H

**“Habitable Room**, shall mean any room in a residential unit used or capable of being used by one or more persons for living, sleeping, eating, food preparation or sanitation. Non-habitable means any room located within a dwelling unit that is not a habitable room, including, but not so as to limit the generality of the foregoing, a laundry room, pantry, lobby, corridor, stairway, closet, verandah, porch, balcony, private garage, unfinished attic, cellar, boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.

**“Home Industry, Rural**, means any occupation which is carried on within a farm as an accessory use and only by a farmer and/or by the members of the family residing on the farm, provided that:

- a) this definition shall include a retail outlet for farm produce or farm supplies, an insurance or real estate office, contractors and tradesmen establishment, or a service shop but shall not include any use otherwise defined or classified herein.
- b) there are no persons employed other than members of the family and one additional employee;
- c) there is no display, other than a sign, to indicate to persons outside, that any part of the dwelling house, or accessory structure or lot is being used for such purposes;
- d) such rural home occupation is clearly secondary to the main agricultural use and does not change the agricultural character of the farm unit nor create or become a public nuisance, in

particular in regard to noise, traffic, or parking;

- e) there shall be no open storage of materials, supplies, tools, equipment or goods which are used for, or result from, the rural home occupation;
- f) all buildings, structures, parking and loading areas used for the purpose of a rural home industry shall not occupy an area exceeding 0.4 hectares in area.

**“Home Occupation**, means any occupation for gain or support conducted entirely within a dwelling house or unit by members of the family residing in such dwelling house or unit provided that:

- a) there is no external display or advertising other than a sign having a maximum area of 1.0 m<sup>2</sup>;
- b) there is no external storage or display of goods or materials;
- c) there are no persons employed other than members of the family and one additional employee;
- d) there is no mechanical or other equipment used except that which is customarily employed in dwellings for domestic or household purposes or for use by a dentist, drugless practitioner, physician, or other professional persons;
- e) not more than 25% of the gross floor area of the dwelling house or unit is used for the purposes of home occupation uses;
- f) such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling house or unit nor create or become a public nuisance in particular in regard to noise, traffic or parking;
- g) the parking requirements of this By-law shall apply to any home occupation use;
- h) notwithstanding any other provisions contained in this By-law, no accessory buildings or yards can be used in conjunction with a home occupation.

## L

**“Hospital”**, means a hospital as defined in The Private Hospitals Act, as amended, or a sanatorium as defined in The Private Sanatorium Act as amended or a hospital as defined in The Public Hospitals Act .

**“Hotel or Motel”**, means a building or a group of connected buildings used primarily for the purpose of catering to the needs of the public by furnishing sleeping accommodation and which may supply food but does not include a boarding or lodging house, an apartment, a guest house or a dwelling house. Accessory uses may include a restaurant, a lounge, a convenience store, a gift store, or a recreation facility.

## I

**“Industrial Use”**, means the manufacturing, processing, production, fabrication, packaging, assembly, stamping, treating, finishing, testing or warehousing of goods or raw materials.

**“Industrial Mall”**, means a building or a group of buildings designed, developed, owned and managed as a unit in which separate spaces are leased or occupied by permitted industrial uses. No more than 30% of the total floor area of an industrial mall shall be devoted to accessory office and/or related commercial uses.

## K

**“Kennel”**, means an establishment where dogs and cats are housed, groomed, bred, boarded, trained, or sold and which is licensed by the Corporation under The Municipal Act but does not include a veterinarian clinic as defined herein.

**“Landscaped Area”** shall mean the open unobstructed space from ground to sky at grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

**“Lane”** shall mean a public or private thoroughfare or way, which affords only a secondary means of access to abutting property but does not include a street.

**“Loading Space”**, means an off-street space on the same lot with a building or on a lot contiguous to a building or group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials pertinent to such permitted use.

**“Lot”**, means a parcel or tract of land:

- a) which is a whole lot as shown on a Registered Plan of Subdivision. A Registered Plan of Subdivision for the purposes of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a by-law passed pursuant to The Planning Act; or
- b) is a separate parcel of land without any abutting lands being owned by the same owner or owners; or
- c) the description of which is the same as in a deed which has been given consent pursuant to The Planning Act; or
- d) is the whole remnant remaining to an owner or owners after a

conveyance made with consent pursuant to The Planning Act.

**“Lot Area”**, means the total horizontal area within the lot lines of a lot.

**“Lot, Corner”**, means a lot situated at the intersection of two or more streets, provided that the angle of intersection of such streets is not more than one hundred and thirty-five (135) degrees.

**“Lot Coverage”**, means that percentage of the lot area covered by the area of all buildings and structures measured at the ground. For the purposes of calculating lot coverage, patios, decks, steps or balconies shall not be considered.

**“Lot Depth”**, means the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, lot depth means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. When there is no rear lot line, lot depth means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

**“Lot Frontage”**, means the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point equal to the setback of the required minimum front yard depth from the front lot line.

**“Lot, Interior”** means a lot abutted by lots on directly opposite sides.

**“Lot Line”**, means any boundary of a lot.

**“Lot Line, Exterior”** shall mean the side lot line which abuts a street.

**“Lot Line, Interior”** shall mean a lot line which does not abut a street

**“Lot Line, Front”**, means in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.

**“Lot Line, Rear”** shall mean the lot line farthest from and opposite to the front lot line.

**“Lot Line, Side”**, means a lot line other than a front or rear lot line.

**“Lot, Through”**, means a lot bounded on two opposite sides by improved streets.

## M

**“Machine Shop”**, means a workshop in which work is machined to size and assembled.

**“Main”**, when used to describe a use, a building or a structure, means a use, building or a structure, which constitutes or within which a principal use of the lot is conducted.

**“Medical Clinic”**, means a building or part thereof, used exclusively by physicians, dentists, drugless practitioners, their staff and patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a clinic may include administrative offices, waiting and treatment rooms, laboratories and dispensaries directly associated with the clinic, but shall not include accommodations for in-patient care or operating rooms nor include a Veterinary Clinic as defined herein.

**“Mobile Home”** means a prefabricated dwelling house constructed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), designed and equipped for year-round occupancy

and containing suitable sanitary facilities including a flush toilet, shower or bathtub within the unit but does not include a motor home or travel trailer as defined herein.

**“Mobile Home Park”**, means a lot used exclusively for the siting of two or more mobile homes, together with potential accessory uses which may include a convenience store, laundry room or other commercial use catering to Mobile Home Park residents and may also include indoor and outdoor recreational facilities for the use of Mobile Home Park residents.

**“Motor Home”**, means a self-propelled vehicle designed for temporary living, sleeping and eating accommodation of persons and includes a camper pick-up and camper van.

**“Municipal Drain”** means a watercourse or sewer which carries storm surface water and drainage as defined by the Ontario Drainage Act.

**“Museum”** shall mean an institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of historical interest.

## N

**“Non-Conforming**, means a use, a building or a structure which existed at the date of the passing of this By-law and which does not comply with the permitted uses and/or other provisions of this By-law for the Zone(s) in which such use, building or structure is located.

## O

**“Outdoor Display and Sales Area”** means a portion of a lot, used in conjunction with a business located within the building or structure on the same property, for the exhibiting or selling of seasonal produce, merchandise or the supply of services.

**“Open Storage** shall mean the storage of raw materials, equipment, vehicles or other materials which are not enclosed within a building or structure, but does not include a parking lot.

## P

**“Passive Recreation**, shall mean the use of land and/or water for the purpose of passive leisure activity such as walking, hiking and cycling where buildings and structures are limited to those necessary to support the passive leisure activities. Passive recreation may also include a woodlot, a wildlife sanctuary, and a conservation area.

**“Park”**, means a park, playground or playfield including therein one or more athletic fields, field houses, community centres, bleachers, swimming pools, wading pools, greenhouses, bandstands, skating rinks, tennis courts, bowling greens, curling rinks, skiing, refreshment rooms, arenas or similar uses.

**“Parking Aisle”** means a portion of a parking area which abuts parking spaces to which it provides access and which is not used for the parking of vehicles.

**“Parking Area”** means an area provided for the parking of motor vehicles and may include aisles, parking spaces and related ingress and egress lanes but shall not include any part of a public street. A `parking area' may include a private garage.

**“Parking Space”**, means an area exclusive of any aisles or ingress or egress lanes, for the temporary parking or storage of motor vehicles, and may include a private garage.

**“Person**, means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context of this By-law can apply according to law.

**“Personal Service Shop**, means a building or part of a building in which persons are employed in providing services and otherwise administering to the individual and personal needs of persons, and includes such establishments as barber shops, beauty parlours, automatic laundry shops, hairdressing shops, health clinics, service or repair shops, shoe repair and shoe shine shops, tailor shop and depots for collecting dry cleaning and laundry.

**“Pit”**, means land or land under water where unconsolidated aggregate material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, and has not been rehabilitated, but shall not include a quarry as defined herein, an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

**“Place of Entertainment or Recreation”**, means a motion picture or other theatre, arena, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink, dance hall or music hall, but does not include any place of entertainment or amusement otherwise defined or classified herein.

**“Plaza Complex”**, means a group of commercial and / or industrial

business establishments (excluding manufacturing, warehouse, or wholesaling) which is planned, developed, managed and operated as a unit with shared on-site parking and containing three or more separated spaces for lease and/or occupancy.

**“Provincial Highway”**, means a street under the jurisdiction of the Ministry of Transportation Ontario.

## Q

**“Quarry”**, means land or land under water where consolidated aggregate has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, and that has not been rehabilitated, but shall not include a pit as defined herein, an excavation incidental to the erection of a building or structure for which a building permit has been granted by The Corporation or an excavation incidental to the construction of any public works.

## R

**“Recreational Uses”** means the use of land for such uses as public or private parks and facilities, and shall include: playgrounds, playfields, racquetball club, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, change rooms, washrooms, equipment rooms, golf courses, miniature golf, golf driving ranges, trails for snowmobiles, picnic areas, swimming pools, wading pools, day camps, community and recreation centres, bleachers, bandstands, outdoor theatres, skiing, fishing, hunting, agricultural fairs, exhibits and displays and all similar uses, together with necessary and accessory buildings and structures, but does not include a track for the racing of

animals, motor vehicles, snowmobiles, all-terrain vehicles or motor cycles.

**“Restaurant**, means a building or part thereof, other than a tavern, 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, and may include uses such as a coffee shop, dairy bar or diner.

**“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.

**“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.

**“Retirement Home”** shall mean a building or part of a building providing accommodation primarily for retired persons with or without meals where common lounges, recreation rooms and medical care facilities may be provided and shall include a home for the aged or rest home as within the meaning of The Homes For The Aged and Rest Homes Act, and a nursing home within the meaning of the Nursing Homes Act but shall not include a hotel as defined herein.

## S

**“Salvage Yard”** means an establishment where goods, wares, merchandise, and articles are dismantled or processed for further use and/or where such goods, wares, merchandise and articles are stored and kept for sale wholly or partly in the open and shall include a junk yard, a

scrap metal yard, and an automobile wrecking yard.

**“Satellite Dish”** means an antenna intended for or capable of being used for receiving or collecting communication signals from a satellite.

**“Sawmill**, means a building, structure or area where timber is cut or milled, and temporarily stored either to finished lumber, or as an intermediary step.

**“School”**, means a school under the jurisdiction of a Board as defined in The Ministry of Education Act.

**“Service Shop”** means a building or part of a building not otherwise defined or classified herein for the servicing or repairing of articles, goods or materials.

**“Setback”**, means the horizontal distance from the streetline of the road allowance, measured at right angles to such streetline to the nearest part of any building or structure on the lot.

**“Sign”**, means a name, identification, description, device, display, or illustration which is affixed to, or represented directly or indirectly upon a building, structure or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.

**“Storey”**, means that portion of a building which is situated between the top of any floor and the top of the floor next to it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it. It does not include a basement, cellar or attic.

**“Street”**, shall mean a public thoroughfare, other than a lane, which is maintained by a public road authority and which is open and passable during all seasons.

**“Street Line”**, means the limit of the street allowance and is the dividing line between a lot and a street.

**“Structure”**, means anything constructed or erected, either permanent or temporary, which is fixed to or resting on or below the ground.

## T

**“Tavern or Public House**, means a tavern or a public house as defined in the Liquor Licence Act, but does not include a hotel or restaurant.

**“Tractor Trailer”**, means a truck consisting of a self propelled cab and having temporarily attached thereto, a trailer consisting of one or more axles designed to be pulled by the cab for the purpose of carrying goods or materials. This definition shall not include a commercial motor vehicle as defined herein.

**“Trailer, Recreational**, means any portable unit so constructed as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle; and which is capable of being used for the temporary living, sleeping, or eating accommodations, but not occupied continuously or as a principal residence. It may include travel trailers, tent, tent trailers, motor homes, camper pick-up, camper vans. It does not include a park model trailer.

**“Transport Establishment”**, means 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.

## U

**“Use”**, means the purpose for which a lot or a building or structure, or any combination thereof, is designed, arranged, intended, occupied, or maintained and "uses" shall have a corresponding meaning. "Use" when used as a verb, or "to use", shall have a corresponding meaning.

## V

**“Veterinary Clinic”**, means a building or part thereof wherein animals of all kinds are treated or kept for treatment by a registered veterinarian within the meaning of The Veterinarian Act, and includes facilities where animals can be temporarily boarded.

**“Video Rental”** means the rental of video tapes or disks and equipment for home viewing and includes accessory uses such as the sale of video tapes or disks and snack foods.

## W

**“Warehouse”**, means a building or part thereof which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food stuff, substances, articles or things.

**“Wayside Pit or Quarry** shall mean a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on a road right-of-way.

**“Wholesale Outlet”**, means a building or part of a building in which goods, wares, merchandise or articles are offered or kept for sale to persons for resale purposes and/or to industrial or commercial users.

## Y

**“Yard”**, means a space appurtenant to a building, structure or excavation, located on the same lot as the building, structure or excavation, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in this By-law.

**“Yard, Front”** means a yard extending from side lot line to side lot line and from and parallel to the street line, to the nearest wall of building or structure on the lot, disregarding open or uncovered terraces or steps or minor architectural projections.

**“Yard, Front Depth**, means the least horizontal dimension between the front lot line of the lot or the chord of the front lot line of the lot and the nearest part of any building, structure or excavation on the lot.

**“Yard, Rear”** means a yard extending from side lot line to side lot line and from rear lot line (or apex of the side lot lines if there is no rear line), to the nearest part of the main building or structure on the lot, disregarding open or uncovered terraces or steps or minor architectural projections.

**“Yard, Rear Depth”**, means the least horizontal dimension between the rear lot line of the lot and the nearest part of any building or excavation on the lot.

**“Yard, Side** means a yard, extending from the required front yard to the required rear yard and from the side lot line to the nearest part of the main building or structure on the lot, disregarding open or uncovered terraces or steps or minor architectural projections. In the case of a lot with no rear lot line, the side yard shall extend from the front yard to the opposite side yard.

**“Yard, Side - Exterior** means a side yard immediately adjoining a public street.

**“Yard, Side - Interior”** means a side yard other than an exterior side yard.

**“Yard, Side Width”** means the least horizontal dimension between the side lot line of the lot and the nearest part of any building, structure or excavation on the lot.

**“Yard, Required”**, means a yard with the minimum front yard depth, rear yard depth, or side yard width as required by this By-law. A required side yard shall extend from the required front yard to the required rear yard.



# SECTION 4 – ZONES

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## 4.1 ZONES AND ZONING MAPS

For the purpose of this By-law, the maps attached hereto as Schedule "A" shall be referred to as the Zoning Maps for the Municipality and are hereby declared to form part of this By-law. The following zones are hereby established as illustrated on the maps attached hereto as Schedule "A", Maps 1 to 19 , and such zones may be referred to by the appropriate symbol:

ZONES	SYMBOLS
Agricultural	A
Rural Residential	RR
Village Residential Low Density	R1
Village Residential Medium Density	R2
Village Commercial	C1
Village Service Commercial	C2
Hamlet Mixed Use	C3
Highway Commercial	C4
Institutional	I
Rural Industrial	M1
Agricultural Business	M2
Extractive Industrial	M3
Disposal Industrial	M4
Open Space	OS
Hazard	H

## 4.2 INTERPRETATION OF ZONE BOUNDARIES

Where any uncertainty exists as to the location of the boundary of any of the said zones, as shown on the Zoning Maps, the following rules shall apply:

- 1) Where any zone boundary is indicated as following a highway, a street, lane, watercourse or railway right-of-way, such zone boundary shall be construed to follow the centre line of the street, lane, watercourse, or railway right-of-way.
- 2) Where zoning boundaries are indicated as approximately following lot lines, such lot lines shall be deemed to be the said boundary.

- 3) Where zoning boundaries are indicated as approximately parallel to the line of any street and the distance from such street is not indicated, such zoning boundaries shall be construed as being parallel to such street and the distance therefrom shall be determined by the use of the scale shown on the zoning maps.
- 4) Where zoning boundaries follow the corporate limits of the Municipality, the corporate limits are the boundary;
- 5) Where zoning boundaries follow a shoreline, the boundary is the shoreline.

Where any zone boundary is left uncertain after application of the provisions of paragraphs a), b), c), d), and e) noted above, then the boundary line shall be determined according to the scale on the Zoning Maps.

Zone boundaries shall be measured in accordance with the scale on the Zoning Maps unless dimensions shown on the Zoning Maps provide greater accuracy.

### **4.3 SPECIAL PROVISIONS**

Where the zone symbol applying to certain lands as shown on Schedule "A" is followed by reference to Section 21 of this By-law, then special provisions apply to such lands and such special provisions shall be found by reference to that Section of the By-law specified. Lands denoted in this manner shall be subject to all the restrictions of the zone except as otherwise provided for by the special provisions.

### **4.4 HOLDING ZONES**

Where the zone symbol applying to certain lands as shown on Schedule "A" is followed by a dash and the letter "H" (ie. RR-H) the lands have been placed in a "Holding Zone" pursuant to Section 36 of the Planning Act, as amended. The Holding Symbol "H" shall be removed at such time in the future when plans to develop the lands have been submitted and approved by the Corporation or such other conditions as deemed appropriate by the Corporation have been met. When the Holding Symbol has been removed, the lands shall be developed according to the requirements of the Zone used in conjunction with the Holding Symbol.

Notwithstanding the above, non-structural agricultural uses, existing uses, open space uses, a detached dwelling, and accessory uses thereof, shall be permitted as interim uses on lands in a "Holding Zone", until the Holding Symbol "H" is removed.

# SECTION 5 – GENERAL PROVISIONS

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## **5.1 NON-CONFORMING USES, BUILDINGS, STRUCTURES AND LOTS**

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

### **5.1.1 Strengthening of Non-Conforming Buildings**

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of a building or structure which is used for a use not conforming with this By-law, so long as the strengthening or restoration does not alter the height, size, shape or volume of the building or structure or change its use to other than a conforming one.

Where for any reason, a non-conforming use has ceased, such non-conforming use shall not be permitted to resume and any future use of land, building or structure shall thereafter conform to the permitted uses of the zone relating to the subject land.

### **5.1.2 Replacement of Non-Conforming Buildings or Structures**

Nothing in this By-law shall prevent the replacement of non-conforming where such building or structure is partially or totally destroyed by fire, explosion, collapse, act of God or other accidental cause, provided that:

- 1) the building or structure is occupied by the same use or a permitted use;
- 2) such replacement is located on or within the limits of the foundation walls of the building as they existed prior to such destruction.
- 3) the height and floor area of such replacement does not exceed the height and floor area of the building as it existed prior to such destruction.

### **5.1.3 Lots Having Less Lot Area And/Or Lot Frontage**

Where a lot having a lesser lot area and/or lot frontage of not more than 20% less than that required herein is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry or Land Titles Office at the date of the passing of this By-law, or where such a lot is created as a result of an expropriation, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that all other requirements of this By-law are complied with.

## **5.2 ACCESSORY USES**

### **5.2.1 Use of Accessory Buildings**

Where this By-law provides that a building or structure may be constructed, altered or used for a purpose, that purpose may also include any accessory use, building or structure, but shall not include:

- 1) Any occupation for gain or profit conducted within a residential zone, except as may be permitted by this By-law.
- 2) Any building used for human habitat except as may be permitted in this By-law.
- 3) An accessory dwelling unit, except as may be permitted by this By-law.

### **5.2.2 Establishment of an Accessory Building or Use**

No accessory building or accessory use shall be constructed or established on any lot or site until the main building has commenced construction, except for "Temporary Use" purposes as may be permitted elsewhere in this By-law.

### **5.2.3 Location**

Except as otherwise provided herein, any accessory building or structure which is not an integral part of the main building shall be erected to the rear of the required front yard and shall comply with the yard and setback requirements of the zone in which such building or structure is situated.

- 1) Such accessory buildings and uses shall be no closer than 1.2 m (3.9 ft) to the interior side or rear lot line.
- 2) Satellite dishes shall be no closer than 3.0 m (9.8 ft) from any lot line.

**5.2.4 Height**

Except as otherwise provided herein, no accessory building or structure shall exceed 5.0 m (16.4 ft) in height.

**5.2.5 Lot Coverage**

Except as otherwise provided herein, the total lot coverage of all accessory buildings on a lot shall not exceed 15% of the lot area.

The area of an outdoor swimming pool shall not be included in the above calculations.

**5.3 PARKING AREA REGULATIONS**

**5.3.1 Parking Requirements**

The owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said premises from time to time, parking spaces and areas as follows:

<b>Use</b>	<b>Parking Requirement</b>
Single detached, semi detached, duplex, converted dwelling, triplex, fourplex, street fronting townhouses	2 spaces per dwelling unit
Apartments and Cluster Townhouses	1.5 spaces per dwelling unit
Senior Citizen Accommodation	1 space per 5 dwelling units
Residential Dwelling Units in a Portion of a Non-residential Building	1 space per dwelling unit
Retail commercial use	1 space per 28.0 m <sup>2</sup> (301.4 ft <sup>2</sup> ) gross floor area
Convenience store	1 space per 15.0 m <sup>2</sup> (161.5 ft <sup>2</sup> ) gross floor area
Bank or financial institution	1 space per 15.0 m <sup>2</sup> (161.5 ft <sup>2</sup> ) gross floor area
Commercial plaza complex	1 space per 20.0 m <sup>2</sup> (215.3 ft <sup>2</sup> ) gross floor area
Automobile Body / Repair Shop	4 spaces per repair bay, minimum of 6
Automotive Sales Establishment	1 space per 46.5 m <sup>2</sup> (500.5 ft <sup>2</sup> ) gross floor area
Automobile Service Station	4 spaces per service bay
Business or Professional Office	1 space per 28.0 m <sup>2</sup> (301.4 ft <sup>2</sup> ) gross floor area
Other commercial uses not devoted to retail trade	1 space per 28.0 m <sup>2</sup> (301.4 ft <sup>2</sup> ) gross floor area
Public Building	1 space per 28.0 m <sup>2</sup> (301.4 ft <sup>2</sup> ) gross floor area
Gas bar	1 space per fuel pump island
Automobile Washing Establishment	Manual Car Wash: 1 space plus 3 waiting spaces per bay

Use	Parking Requirement
	Automatic Car Wash: 1 space plus 6 waiting spaces per bay
Funeral home	1 space per 25.0 m <sup>2</sup> (269.1 ft <sup>2</sup> ) gross floor area
Golf Course / Miniature Golf Course / Golf Driving Range	3 spaces for each 2 tees or holes
Medical or veterinary clinic	3 spaces per physician or practitioner
Personal service shop	1 space per 46.5 m <sup>2</sup> (500.5 ft <sup>2</sup> ) gross floor area
Restaurant	1 space per 5 m <sup>2</sup> (53.8 ft <sup>2</sup> ) floor area devoted to public use
Tavern	1 space per 5 m <sup>2</sup> (53.8 ft <sup>2</sup> ) floor area devoted to public use
Elementary school	5 spaces plus 1 parking space per classroom
Secondary school	5 spaces plus 1 parking space per classroom
Auditorium, Arena, Auction House, Theatre, Church, Sports or Community Centre and other places of assembly, unless otherwise mentioned in this section	1 space for each 4 seats
Hotel or motel	1.5 spaces per guest room
Boarding or Lodging House	1 space per dwelling unit, plus 1 per room/unit for rent
Contractor's or Tradesman's Establishment	1 space per 15 m <sup>2</sup> (161.5 ft <sup>2</sup> ) gross floor area
Industrial Use/Industrial Mall	1 space per 90 m <sup>2</sup> (968.8 ft <sup>2</sup> ) gross floor area with a minimum of 5 spaces
Day Nursery	1 space per 10 m <sup>2</sup> (107.6 ft <sup>2</sup> ) gross floor area
Retirement / Nursing Home	1 space per 4 beds + 1 space per 4 employees
Hospital	1 space per 2 beds + 1 space per 4 employees
Group Home	1 space per 2 beds + 1 space for every two employees
Truck Terminal	1 space per 100 m <sup>2</sup> (1076.4 ft <sup>2</sup> ) gross floor area
Warehouse	1 space per 185.0 m <sup>2</sup> (1991.4 ft <sup>2</sup> ) gross floor area
Wholesale Outlet	1 space per 80.0 m <sup>2</sup> (861.1 ft <sup>2</sup> ) gross floor area
Retail Food Store	1 space per 46.5 m <sup>2</sup> (500.5 ft <sup>2</sup> ) gross floor area
Furniture, Appliance Department Store	1 space per 70.0 m <sup>2</sup> (753.5 ft <sup>2</sup> ) gross floor area
Lumber Yard or Building Materials	1 space per 27.9 m <sup>2</sup> (300.3 ft <sup>2</sup> ) of Dealer retail floor area
Any other use not specifically listed above	1 parking space per 46.5 m <sup>2</sup> (500.5 ft <sup>2</sup> ) gross floor area

### 5.3.2 Calculation of Off-Street Parking Spaces

Where the calculation of off-street parking requirements results in a fraction, then the number of parking spaces to be provided will be rounded to the next highest whole number.

### **5.3.3 Location of Required Off-Street Parking Spaces**

Unless otherwise provided in this By-law, required off-street parking spaces shall be located on the same lot as the principal or main building or on a lot no more than 90.0 m (295.3 ft) from the main building and in the same zone as the main building.

### **5.3.4 Size of Parking Spaces**

Every off-street parking space shall have a minimum stall size of 2.7 m (8.9 ft) wide by 5.4 m (17.7 ft) long.

### **5.3.5 Parking Aisle Requirements**

Every parking aisle shall be not less than 6.0 m (19.7 ft) in perpendicular width for two-way traffic and 3.5 m (11.5 ft) in perpendicular width for one-way traffic.

### **5.3.6 Parking for More Than One Use in a Building**

When a building or structure accommodates more than one type of use as set out in this By-law, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate types of uses, unless otherwise provided for in this By-law.

### **5.3.7 Parking Area Location On Lot**

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback provided that no part of any parking area, other than a driveway, is located closer than 1.0 m (3.3 ft) to any street line, or as specified below:

- 1) A parking area for a residential use containing three or more dwelling units shall only be located in the rear yard.
- 2) A parking space for residential units with individual private driveways may be located abutting the street line provided that not more than 50% of the required front yard is used for driveways and parking areas.
- 3) Where a Highway Commercial, Open Space, Institutional, or Industrial Use abuts a Residential Zone, the parking area shall be set back 3 m (9.8 ft) from the lot line abutting the Residential Zone.
- 4) For Extractive Industrial / Disposal Industrial Uses, parking shall be permitted in the Rear Yard and Interior Side Yard

and where such uses abut a Residential, Highway Commercial, Institutional or Agricultural use, the parking area shall be set back 9 m (29.5 ft) from the abutting lot line.

### **5.3.8 Ingress and Egress to Parking Areas**

Ingress and egress, to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3.5 m (11.5 ft) but not more than 9.0 m (29.5 ft) in perpendicular width.

- 1) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9.0 m (29.5 ft).
- 2) The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 7.5 m (24.6 ft).
- 3) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- 4) Every lot shall be limited to the following number of driveways:
  - i. Up to the first 30 m (98.4 ft) of frontage not more than 2 driveways; and
  - ii. For each additional 30 m (98.4 ft) of frontage not more than 1 additional driveway

Provided that there is at least 7.5 m (24.6 ft) between each driveway intersection with the street line and subject to the approval of the Township of Guelph-Eramosa and/or the County of Wellington Roads Departments and/or the Ministry of Transportation of Ontario.

### **5.3.9 Parking Surfaces and Drainage**

All off-street parking spaces and areas shall be constructed of a stable surface and treated to prevent erosion and the raising of dust and loose particles. Surface cover shall consist of asphalt, crushed stone, paving brick, concrete or similar hard-surfaced materials. All off-street parking spaces and areas shall be graded and drained so as to prevent the pooling of surface water on them or the flow of surface water onto adjacent lots.

### **5.3.10 Additions to Existing Use**

The parking area requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased, and the building or structure is used for a purpose which does not require more parking spaces according to Subsection 5.3.1 of this By-law than were required by its use at the date of passing of this By-law.

If an addition or change of use is made to a building or structure as it existed at the date of passing of this By-law, then additional parking spaces shall be provided to the number required for such addition or change in use.

### **5.3.11 Use of Parking Areas and Spaces**

No parking area or space permitted or required under this By-law shall be used for any other purpose than the parking of vehicles used in conjunction with the permitted uses on the lot.

### **5.3.12 Commercial Motor Vehicles, Tractor Trailers & Buses in Residential Zones**

No person shall use any lot, building or structure in a Residential Zone for the parking or storage of any commercial motor vehicle unless he is the owner or occupant of such lot, building or structure, and provided that said vehicle shall not exceed 2721.6 kilograms (6000 lbs.) gross vehicle weight and provided that not more than one commercial motor vehicle is stored in accordance with this Section.

No person shall use any lot, building or structure in a Residential Zone for the parking or storage of any tractor trailer or part thereof. This provision shall not include commercial motor vehicles, and tractor trailers which attend a residential premises for the purposes of delivery and service.

Within the Agricultural Zone, a maximum of two school buses which are operable and currently licensed may be parked or stored on any lot.

### **5.3.13 Unlicensed and Inoperable Motor Vehicles**

Unless specifically provided for by this By-law, no person shall provide outside storage for any motor vehicle which is unlicensed and inoperable. Notwithstanding the above, in the Agricultural Zone, no more than two such vehicles may be

stored for parts usage. In such cases, they shall not be visible either from the road or an abutting residential use. Farm equipment is exempt from this regulation.

### 5.3.14 Parking for the Physically Handicapped

Where the parking requirements for any land use is 20 or more spaces, 1 space of the first 20 so required, plus 1 space for each additional 50 spaces or portion thereof, shall be provided as a parking space for the physically handicapped. Parking spaces for the physically handicapped shall be:

- a minimum width of 4.0 m (13.1 ft);
- a minimum length of 5.4 m (17.7 ft);
- hard-surfaced and level;
- located near and accessible to an entrance; and,
- identified by a sign with the International Symbol for Handicapped Persons.

## 5.4 LOADING SPACE REGULATIONS

### 5.4.1 Loading Space Requirements

The owner or occupant of any lot, building or structure in a Commercial or Industrial Zone, erected or used for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise and raw materials, shall provide and maintain at the premises, on the lot occupied by the building or structure and not forming part of a street or lane, within the Zone in which such use is located, loading or unloading facilities comprising one or more loading or unloading spaces 9.0 m (29.5 ft) long, 3.5 m (11.5 ft) wide and having a vertical clearance of at least 3.6 m (11.8 ft), and in accordance with the following schedule:

TOTAL FLOOR AREA	NUMBER OF LOADING SPACES REQUIRED
0 to 464.5 m <sup>2</sup> (0 to 5000 ft <sup>2</sup> )	0
Exceeding 464.5 m <sup>2</sup> (5000 ft <sup>2</sup> ) to 929 m <sup>2</sup> (10,000 ft <sup>2</sup> )	1
Exceeding 929 m <sup>2</sup> (10,000 ft <sup>2</sup> ) but not 2,322.5 m <sup>2</sup> (25,000 ft <sup>2</sup> )	2

Exceeding 2,322.5 m <sup>2</sup> (25,000 ft <sup>2</sup> ) but not 4,645 m <sup>2</sup> (50,000 ft <sup>2</sup> )	3
Exceeding 4,645 m <sup>2</sup> (50,000 ft <sup>2</sup> ) but not 7,432 m <sup>2</sup> (80,000 ft <sup>2</sup> )	4
Exceeding 7,432 m <sup>2</sup> (80,000 ft <sup>2</sup> )	4 plus 1 additional space for each additional 9,290 m <sup>2</sup> (100,000 ft <sup>2</sup> ) or fractional part thereof in excess of 7,432 m <sup>2</sup> (80,000 ft <sup>2</sup> )

#### 5.4.2 Loading Space Access

Each loading space shall be provided with one or more unobstructed driveways of not less than 3.5 m (11.5 ft) in width. Such driveway shall be contained within the lot on which the spaces are located and are accessible from a street or lane. No part of such driveway shall be used for the parking or temporary storage of vehicles.

#### 5.4.3 Loading Space Surface

The driveways, loading and unloading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles and with provisions for drainage facilities.

#### 5.4.4 Loading Space Location

All loading spaces shall be so arranged as to avoid interference with the movement of traffic on public streets. No loading spaces shall occupy any required front or required exterior side yard, nor be situated upon any street, lane or required parking space unless set back from the street line a minimum distance of 20 m (65.6 ft).

#### 5.4.5 Additions to Building

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area as it existed at such date is not increased.

If an addition is made to the building or structure which increases the floor area, then additional loading space shall be provided as required by Subsection 5.4.1 of this By-law for such addition.

## **5.5 DAYLIGHTING TRIANGLE OR SIGHT TRIANGLE**

On a corner lot within the triangular space formed by the street lines and a line drawn from a point on one street line to a point on the other street line, each point being 7.62 m (25.0 ft) measured along the street line from the point of intersection of the street lines, no building, structure, parking area, or planting which would obstruct the vision of drivers of motor vehicles shall be erected. Such triangular space may hereinafter be called a "sight triangle".

Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

The provisions of this section shall also apply to land which abuts one or more unopened public streets.

## **5.6 STREET FRONTAGE REQUIRED**

No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected has frontage on an improved street.

## **5.7 THROUGH LOTS**

Where a lot which is not a corner lot has frontage on more than one street, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of the zone or zones in which such lot is located.

## **5.8 YARD ENCROACHMENTS**

Every part of any yard required to be provided in any zone shall be open and unobstructed from the ground to the sky, except that:

- 1) In any yard, there may be established or maintained the usual projections of window sills, chimney breasts, belt courses, cornices, eaves and other architectural features, provided however that no such features shall project more than 1 m (3.3 ft) into any required yard
- 2) Balconies and steps, covered or uncovered, or unenclosed porches or decks may project into any required yard a distance of not more than 2.5 m (8.2 ft) . Notwithstanding this, no such structure shall be permitted to encroach beyond a point that is closer than 2.5 m (8.2 ft) from a property boundary;

- 3) Fire escapes and exterior staircases may project into any required side or rear yard a distance of not more than 1.5 m (4.9 ft);
- 4) Signs may be constructed in accordance with the provisions of any Sign By-law of the Municipality;
- 5) Fences, freestanding walls, flagpoles, light standards, and similar accessory structures and appurtenances, and hedges, trees, and shrubs are permitted in any required yard, subject to any other restrictions of this by-law such as Day Lighting Triangles.
- 6) Notwithstanding the yard and setback provisions of this By-law to the contrary, in an Industrial Zone, a gate house shall be permitted in a front or side yard.

## **5.9 HEIGHT RESTRICTION EXCEPTION**

The height regulations of this By-law shall not apply to any ornamental dome, clock tower, chimney, belfry, storage silos, barn, grain elevator, cupola, steeple, church spire, an elevator shaft, water storage tank, elevating device, flagpole, television or radio antenna or tower, ventilator, windmill, air conditioner duct, grain drying equipment, skylight or solar collector.

## **5.10 BUFFER STRIPS**

### **5.10.1 Requirements for Non-Residential Uses**

Notwithstanding the yard and setback provisions of this By-Law, where a lot is used for a Non-Residential purpose other than agriculture and the interior side or rear lot line abuts a Residential Zone or lot used for residential purposes, then a strip of land adjoining such abutting lot line, shall be used for no other purpose than a Buffer Strip in accordance with the provisions of this Subsection.

### **5.10.2 Regulations**

- 1) Minimum width of 1.5 m (4.9 ft).
- 2) A Buffer Strip may consist of a continuous unpierced hedgerow of evergreens or shrubs, a solid privacy fence, a solid wall or an earth berm, or combination thereof, not less than 1.5 m (4.9 ft) in height, immediately adjacent to the lot line or portion thereof along which such Buffer Strip is required. The remainder of the strip may be used for shrubs, flower beds, grass or a combination thereof.
- 3) In all cases where the ingress and egress of a driveway and/or walk extend through a Buffer Strip, it shall be

permissible to interrupt the buffer strip within 1.5 m (4.9 ft) of the edge of said driveway and/or walk.

- 4) The planting strip shall be planted and maintained by the owner or owners of the land on which the planting strips are required;
- 5) Subject to site plan approval, a solid fence or wall of equivalent height may be considered as an alternative to a planting strip. When considering such an alternative buffer, regard shall be given to the location, height, materials, finishing and porosity of the wall or fence, as well as the site's characteristics.
- 6) A Buffer Strip referred to in this Subsection may form part of any Landscaped Open Space required by this By-law.

## **5.11 RECREATIONAL VEHICLES IN A RESIDENTIAL ZONE**

The storage or parking of a travel trailer, motor home, boat, snowmobile, accessory trailer, or similar recreational vehicles, shall be permitted in a Residential Zone or on a lot used for residential purposes, provided that:

- 1) The length of such travel trailer, motor home, boat or snowmobile or accessory trailer does not exceed 9 m (29.5 ft);
- 2) Such travel trailer, motor home, boat or snowmobile or accessory trailer is located in the rear yard or interior side yard provided it is located no closer than 1 m (3.3 ft) to the lot line;
- 3) The owner or occupant of any lot or building shall not store or park more than three of the vehicles listed above;
- 4) Notwithstanding the provisions of 3), the limitations imposed therein shall not restrict the number of vehicles that are fully enclosed within a garage or dwelling unit provided that such vehicles are owned by the occupant of such lot.

## **5.12 DWELLING UNITS BELOW GRADE**

No dwelling unit shall, in its entirety, be located in a cellar. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used for no other purpose but a furnace room, laundry room, storage room, recreation room or for a similar use only and shall not be used for sleeping accommodation.

## **5.13 PUBLIC USES**

The provisions of this By-law shall not apply to the use of any lot or to the erection or use of any building or structure for purposes of providing public

services by The Corporation or the County as defined by The Municipal Act, any telephone or telegraph company, any natural gas transmission and distribution system operated by a company and possessing all the necessary powers, rights, licences and franchises, any Conservation Authority established by the Government of Ontario, any Department of the Government of Ontario or Canada, including Ontario Hydro or agent thereof, any use permitted under The Railway Act or any other statute of Ontario or Canada governing railway operations, including tracks, spurs and other railway facilities provided that an above ground use in a Residential Zone shall be enclosed in a building designed and maintained in general harmony with residential buildings/dwellings of the type permitted in that Zone.

#### **5.14 TEMPORARY USES**

Nothing in this By-law shall prevent the use of any land, or the erection or use of any building, trailer or structure for a construction camp, work camp, temporary accommodation tool shed, scaffold or other building or structure incidental to and necessary for construction work on the premises, but only for so long as such use, building or structure is necessary for such construction work which has not been finished or abandoned. The temporary use will be subject to the retention of a valid Building Permit.

#### **5.15 USES PERMITTED IN ALL ZONES**

The following uses are permitted in all zones within The Corporation:

- 1) The use of any land as a public park, playground, street, walkway, site for a statue, monument, cenotaph, fountain, or other memorial or ornamental structure.
- 2) The installation or maintenance of a watermain, sanitary sewer main, storm sewer main, pumping station, gas main, pipeline, storm water management facility, lighting fixture, overhead or underground electrical services, cable television, telegraph or telephone line or associated tower or transformer, together with any installations or structures appurtenant thereto.
- 3) The use of land for a street or a public railway, including any installations, structures appurtenant thereto.

#### **5.16 USES RESTRICTED IN ALL ZONES**

- 1) No use shall be permitted which due to its nature, or the materials used therein, or emissions issuing therefrom, is determined to be a noxious trade, business or manufacturing process.
- 2) No land, building, or structure shall be used if it is likely to create a public nuisance or danger to health or danger from

fire or explosion except in accordance with the provisions and regulations under the Gasoline Handling Act.

- 3) No use shall be permitted where the approval of private water or sanitary treatment and disposal facilities has not been obtained from the Chief Building Official or the Ministry of the Environment, as the case may be.
- 4) The following uses are prohibited throughout the Corporation, either alone or in conjunction with other uses except as is otherwise specifically provided herein:
  - i) a salvage yard;
  - ii) a mobile home park;
  - iii) a track or course for the racing and/or testing of motorized vehicles;
  - iv) the boiling of blood, tripe, bones or soaps for commercial purposes;
  - v) the tanning or storage of uncured hides or skins;
  - vi) the manufacturing of glue or fertilizers from dead animals or from human or animal waste;
  - vii) an abattoir, stockyard, livestock exchange, or dead stock depot;
  - viii) the extracting of oil from fish or animal matter;
  - ix) any use which causes the emission of corrosive gasses, toxic gasses or radioactive gasses or, into any zone other than an Industrial Zone, or electromagnetic fields, heat, glare, non-agricultural odours, noise, vibrations, dust, dirt, fly ash or smoke which does not comply with emission regulations as may be established from time to time by the Province of Ontario, the Government of Canada, or any agencies thereof;
  - x) a food and/or meat processing plant;
  - xi) the keeping or raising of livestock or wild animals in any residential zone unless otherwise permitted;
  - xii) a kennel;
  - xiii) an adult entertainment establishment.

## **5.17 GREATER RESTRICTIONS**

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a government authority having jurisdiction to make such restrictions.

## **5.18 SETBACKS FROM PROVINCIAL HIGHWAYS AND COUNTY ROADS**

Notwithstanding any other provisions of this By-law, no building or structure shall be located closer than 27.5 m (90.2 ft) to Provincial Highways and Wellington County Roads with the exception of those

buildings or structures located within the boundaries of an urban centre or hamlet as identified on Maps 2 to 19 of this by-law. This shall be measured at a right angle to the centreline of the street abutting such yard, commencing from the centreline in the direction of the applicable yard of such lot or parcel of land.

Notwithstanding anything else in this by-law, subject to the approval of the appropriate roads authority, on any lot between two existing buildings which are not more than 42.7 m (140.1 ft) apart, a new building may be constructed, having a setback from the centreline of the road allowance which is equal to the average setback of the adjacent buildings on the same block.

#### **5.19 NUMBER OF RESIDENTIAL BUILDINGS PER LOT**

With the exception of multiple-unit dwellings as defined in this By-law, and where otherwise specified in this By-law, not more than one residential building shall be erected on any lot.

#### **5.20 OUTDOOR DISPLAY**

In the Highway Commercial, Village Commercial, Village Service Commercial, Hamlet Mixed Use, and Rural Industrial zones, the outdoor display of goods, accessory to the main use, for sale or hire shall be permitted in accordance with the following provisions:

- 1) Shall not cover more than 40% of the lot area.
- 2) Shall not be located within a required side yard.
- 3) Shall not obstruct or occupy any required parking area.
- 4) Area to be constructed of a stable surface and treated to prevent erosion and the raising of dust and loose particles.
- 5) Area to be graded and drained so as to prevent the pooling of surface water or the flow of surface water onto adjacent lots.

#### **5.21 OUTDOOR STORAGE**

In the Agricultural Business, Highway Commercial and Rural Industrial zones, the outdoor storage of goods, materials, and equipment, accessory to the main use, shall be permitted in accordance with the following provisions:

- 1) Located to the rear of the front wall of the main building, but not in a required side yard nor a required rear yard.
- 2) Not cover more than 40% of the lot area.

- 3) Shall be visually screened from the street and any abutting land zoned or used for residential or institutional purposes by a buffer strip in accordance with Section 5.10.

## **5.22 LOTS WITH MORE THAN ONE USE OR ZONE**

Where a lot is divided into two or more zones, each separately zoned portion of the lot within the separate zones shall be considered a separate lot for zoning purposes and shall be used in accordance with the provisions which are applicable to each zone, except:

- 1) when the lot is partially within the Hazard (H) Zone that portion of the lot within the Hazard Zone may be used in calculating total lot area, lot frontage, setbacks and yards, provided that the lands outside the Hazard Zone meet the requirements of the Ontario Building Code relative to private sanitary treatment and disposal facilities.

## **5.23 MUNICIPAL DRAINS SETBACKS**

No person shall use any lot or erect, alter or use any building or structure within 30 m (98.4 ft) from the centre of an open municipal drain, and 15 m (49.2 ft) from the centre of an enclosed municipal drain.

## **5.24 MINIMUM DISTANCE SEPARATION – MDS I AND II**

### **5.24.1 MDS I – New Non-Farm Uses**

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted within a zone, shall be erected or altered unless it complies with the Minimum distance Separation (MDS I), as may be amended, calculated using the formulas set out in Appendix “A” to this By-law. Notwithstanding, the above provisions shall not apply to lots existing as of the date of the passing of this By-law which are less than 4 ha (9.9 ac).

### **5.24.2 MDS II – New or Expanding Livestock Facilities**

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II) as may be amended, calculated using the Formulas set out in Appendix “B” to this By-law. Notwithstanding the above, an existing manure storage system which does not meet the MDS II requirements, may be replaced by a more compatible system which results in a reduction in the

separation distance required, provided the livestock housing capacity is not increased.

Notwithstanding the above, new livestock housing facilities will not be permitted on lots less than 0.8 ha (2.0 ac) in size.

## **5.25 REGULATIONS FOR GARDEN SUITES**

Where permitted by this By-law, a garden suite shall be subject to the following provisions:

- 1) Driveway access to both the main dwelling and the garden suite shall be limited to one so that no new entrance from the street shall be created.
- 2) The siting of a garden suite shall be in accordance with the provisions for accessory uses (Section 5.2).
- 3) The maximum floor area shall be 92.9 m<sup>2</sup> (1000.0 ft<sup>2</sup>).
- 4) The maximum height shall be one storey, and shall not exceed 4.5 m (14.8 ft).
- 5) No garden suite shall be located closer than 3.0 m (9.8 ft) to the main residence on the lot or any building on an abutting property.
- 6) Only one garden suite may be established per lot.
- 7) All garden suites shall be provided with adequate water and sewage disposal systems.
- 8) All garden suites shall be established as a temporary use pursuant to Section 39 of the Planning Act.

## **5.26 SETBACKS FROM HAZARD (H) ZONE**

Notwithstanding any other provisions of this By-law, no building or structure (including a private sewage treatment system) shall be constructed within 30 m (98.4 ft) from the limit of a Hazard (H) Zone.

Notwithstanding the above setback:

- 1) Where a building or structure existing on the date of passing of this bylaw is located within a required setback an addition shall be permitted provided that a setback of 3 m (9.8 ft) is maintained.
- 2) Where a dwelling existing on the date of the passing of this by-law is located within a required setback, new accessory buildings and structures shall be permitted provided a setback of 3 m (9.8 ft) is maintained.
- 3) Where a vacant building lot existed on the date of the passing of this By-law, a building permit may be issued for permitted buildings or structures, excluding new agricultural buildings and structures provided that:

# 5-18

- there is no other suitable location on the lot outside of the 30.0m (98.4ft) setback, and
- a setback of at least 3.0m (9.8ft) from the Hazard Zone boundary is maintained.

# SECTION 6 – AGRICULTURAL (A) ZONE

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## 6.1 PERMITTED USES

Within any Agricultural (A) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- An agricultural use
- A bed and breakfast establishment
- A detached dwelling unit
- A farm produce sales outlet
- A group home in the detached dwelling house
- A home occupation
- A rural home industry
- A portable asphalt plant used by a public road authority or its agent or contractor
- A wayside pit or quarry opened up and used by a public road authority or its agent or contractor
- The mixing, sale, and distribution of fertilizer
- The rental of fertilizer related equipment
- The sale of seed and farm chemicals
- Grain drying
- Conservation

## 6.2 REGULATIONS

Within any Agricultural (A) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

### 6.2.1 Minimum Lot Area                      35 ha (86.5 ac)

Notwithstanding the above minimum area, lots in the Agricultural Zone which existed as of the date of passing of this Zoning By-Law and which have an area less than 35 ha (86.5 ac), shall have a minimum lot area equivalent to their lot area.

# 6-2

**6.2.2 Minimum Lot Frontage** 120 m (393.7 ft)

Notwithstanding the above minimum frontage, lots in the Agricultural Zone which existed as of the date of passing of this Zoning By-Law and which have a lot frontage less than 120 m (393.7 ft), shall have a minimum lot frontage equivalent to their lot frontage.

**6.2.3 Minimum Front Yard** 12.5 m (41.0 ft) subject to Section 5.18

**6.2.4 Minimum Rear Yard** 7.5 m (24.6 ft)

**6.2.5 Minimum Interior Side Yard** 3.0 m (9.8 ft)

Where the Interior Side Lot Line abuts a Residential Zone or land in use for residential purposes, the Minimum Interior Side Yard Width is 7.5 m (24.6 ft).

**6.2.6 Minimum Exterior Side Yard** 12.5 m (41.0 ft) subject to Section 5.18

**6.2.7 Minimum Distance Separation**

The provisions of Section 5.24, Minimum Distance Separation – MDS I and MDS II shall apply to all permitted uses within the Agricultural (A) Zone.

**6.2.8 Regulations For Residential Uses**

Notwithstanding the above regulations, existing residential lots or a parcel of land created by a consent in conformity with the County Official Plan for residential purposes shall be subject to the following regulations:

- 6.2.8.1 Minimum Lot Area: 0.4 ha (1.0 ac)
- 6.2.8.2 Minimum Frontage: 30.0 m (98.4 ft)
- 6.2.8.3 Minimum Front Yard: 7.5 m (24.6 ft) subject to Section 5.18
- 6.2.8.4 Minimum Rear Yard: 7.5 m (24.6 ft)
- 6.2.8.5 Minimum Interior Side Yard: 3.0 m (9.8 ft)
- 6.2.8.6 Minimum Exterior Side Yard: 7.5 m (24.6 ft) subject to Section 5.18
- 6.2.8.7 Maximum Lot Coverage: 30%
- 6.2.8.8 Maximum Building Height: 11.0 m (36.1 ft)

**6.2.9 Minimum Gross Floor Area for a Detached Dwelling House**

140 m<sup>2</sup> (1507.0 ft<sup>2</sup>)

# SECTION 7: RURAL RESIDENTIAL (RR) ZONE

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## 7.1 PERMITTED USES

Within any Rural Residential (RR) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- A bed and breakfast establishment
- A detached dwelling unit
- A home occupation
- A converted dwelling unit
- A group home
- A church
- A public park

## 7.2 REGULATIONS

Within any Rural Residential (RR) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

### 7.2.1 Minimum Lot Area 0.4 ha (1.0 ac)

Existing lots or lots in approved Draft Plans of Subdivision as of the date of passing of this By-law, shall have a minimum lot area of 0.2 hectares (0.5 ac).

### 7.2.2 Minimum Lot Frontage 30 m (98.4 ft)

### 7.2.3 Minimum Front Yard 7.5 m (24.6 ft) subject to Section 5.18

### 7.2.4 Minimum Rear Yard 7.5 m (24.6 ft)

### 7.2.5 Minimum Interior Side Yard 3.0 m (9.8 ft)

# 7-2

**7.2.6 Minimum Exterior Side Yard** 4.5 m (14.8 ft) subject to Section 5.18

**7.2.7 Maximum Lot Coverage** 30%

**7.2.8 Maximum Building Height** 11 m (36.1 ft)

**7.2.9 Minimum Gross Floor Area for a Detached Dwelling**

140 m<sup>2</sup> (1507.0 ft<sup>2</sup>)

**7.2.10 No Buildings or Structures on Leaching Bed Area**

No buildings or structures of any kind including a dwelling house, a patio, swimming pool, deck or accessory building or structure, shall be erected, installed or maintained or any portion of a lot which is identified as a primary or reserve leaching bed area.

**7.2.11 Minimum Distance Separation**

The provisions of Section 5.24, Minimum Distance Separation – MDS I and MDS II shall apply to all permitted uses within the Rural Residential (RR) Zone.

# SECTION 8 – VILLAGE RESIDENTIAL LOW DENSITY (R1) ZONE

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## 8.1 PERMITTED USES

Within any Village Residential Low Density (R1) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- An accessory apartment
- A detached dwelling
- Semi-detached dwelling
- Duplex dwelling
- Home occupation
- Bed and breakfast establishment
- Public open space uses

## 8.2 REGULATIONS

Within any Village Residential Low Density (R1) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

### 8.2.1 Regulations for Detached Dwellings

8.2.1.1	Minimum Lot Area	405.0 m <sup>2</sup> (4359.6 ft <sup>2</sup> )
8.2.1.2	Minimum Lot Frontage	13.5 m (44.3 ft)
8.2.1.3	Minimum Front Yard	6.0 m (19.7 ft) subject to Section 5.18
8.2.1.4	Minimum Rear Yard	7.5 m (24.6 ft)
8.2.1.5	Minimum Interior Side Yard	
	One Side	1.8 m (5.9 ft) (One side yard must be 3.0 m (9.8 ft) if no attached garage or carport is provided)
	Other Side	1.8 m (5.9 ft)

8.2.1.6	Minimum Exterior Side Yard	4.5 m (14.8 ft) subject to Section 5.18
8.2.1.7	Maximum Lot Coverage	35%
8.2.1.8	Maximum Building Height	9.0 m (29.5 ft)

## 8.2.2 Regulations for Semi-Detached Dwellings (Each Unit):

8.2.2.1	Minimum Lot Area	300.0 m <sup>2</sup> (3229.3 ft <sup>2</sup> )
8.2.2.2	Minimum Lot Frontage	10.0 m (32.8 ft)
8.2.2.3	Minimum Front Yard	6.0 m (19.7 ft) subject to Section 5.18
8.2.2.4	Minimum Rear Yard	7.5 m (24.6 ft)
8.2.2.5	Minimum Interior Side Yard One Side	1.8 m (5.9 ft) (Side yard must be 3.0 m (9.8 ft) if no attached garage or carport is provided)
8.2.2.6	Minimum Exterior Side Yard	4.5 m (14.8 ft) subject to Section 5.18
8.2.2.7	Maximum Lot Coverage	35%
8.2.2.8	Maximum Building Height	9.0 m (29.5 ft)

## 8.2.3 Regulations for Duplex Dwellings:

8.2.3.1	Minimum Lot Area	600.0 m <sup>2</sup> (6458.6 ft <sup>2</sup> )
8.2.3.2	Minimum Lot Frontage	18.0 m (59.1 ft)
8.2.3.3	Minimum Front Yard	6.0 m (19.7 ft) subject to Section 5.18
8.2.3.4	Minimum Rear Yard	7.5 m (24.6 ft)
8.2.3.5	Minimum Interior Side Yard One Side	3.0 m (9.8 ft)
	Other Side	3.0 m (9.8 ft)
8.2.3.6	Minimum Exterior Side Yard	4.5 m (14.8 ft) subject to Section 5.18
8.2.3.7	Maximum Lot Coverage	35%
8.2.3.8	Maximum Building Height	9.0 m (29.5 ft)

# SECTION 9 – VILLAGE RESIDENTIAL MEDIUM DENSITY (R2) ZONE

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**9.1 PERMITTED USES**

Within any Village Residential Medium Density (R2) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- An accessory apartment
- A detached dwelling
- Semi-detached dwelling
- Duplex dwelling
- Townhouse dwelling (cluster and street)
- Apartment dwelling
- Home occupation
- Bed and breakfast establishment
- Public open space uses

**9.2 REGULATIONS**

Within any Village Residential Medium Density (R2) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

**9.2.1 Regulations for Detached Dwellings**

9.2.1.1	Minimum Lot Area	405.0 m <sup>2</sup> (4359.6 ft <sup>2</sup> )
9.2.1.2	Minimum Lot Frontage	13.5 m (44.3 ft)
9.2.1.3	Minimum Front Yard	6.0 m (19.7 ft) subject to Section 5.18
9.2.1.4	Minimum Rear Yard	7.5 m (24.6 ft)
9.2.1.5	Minimum Interior Side Yard One Side	1.8 m (5.9 ft) (One side yard must be 3.0 m (9.8 ft) if no attached garage)

	Other Side	1.8 m (5.9 ft)
9.2.1.6	Minimum Exterior Side Yard	4.5 m (14.8 ft) subject to Section 5.18
9.2.1.7	Maximum Lot Coverage	35%
9.2.1.8	Maximum Building Height	9.0 m (29.5 ft)

## 9.2.2 Regulations for Semi-Detached Dwellings (Each Unit):

9.2.2.1	Minimum Lot Area	300.0 m <sup>2</sup> (3229.3 ft <sup>2</sup> )
9.2.2.2	Minimum Lot Frontage	10.0 m (32.8 ft)
9.2.2.3	Minimum Front Yard	6.0 m (19.7 ft) subject to Section 5.18
9.2.2.4	Minimum Rear Yard	7.5 m (24.6 ft)
9.2.2.5	Minimum Interior Side Yard One Side	1.8 m (5.9 ft) (Side yard must be 3.0 m (9.8 ft) if no attached garage or carport is provided)
9.2.2.6	Minimum Exterior Side Yard	4.5 m (14.8 ft) subject to Section 5.18
9.2.2.7	Maximum Lot Coverage	35%
9.2.2.8	Maximum Building Height	9.0 m (29.5 ft)

## 9.2.3 Regulations for Duplex Dwellings:

9.2.3.1	Minimum Lot Area	600.0 m <sup>2</sup> (6458.6 ft <sup>2</sup> )
9.2.3.2	Minimum Lot Frontage	18.0 m (59.1 ft)
9.2.3.3	Minimum Front Yard	6.0 m (19.7 ft) subject to Section 5.18
9.2.3.4	Minimum Rear Yard	7.5 m (24.6 ft)
9.2.3.5	Minimum Interior Side Yard One Side	3.0 m (9.8 ft)
	Other Side	3.0 m (9.8 ft)
9.2.3.6	Minimum Exterior Side Yard	4.5 m (14.8 ft) subject to Section 5.18

9.2.3.7	Maximum Lot Coverage	35%
9.2.3.8	Maximum Building Height	9.0 m (29.5 ft)

**9.2.4 Regulations for Apartment Dwellings:**

9.2.4.1	Minimum Lot Area	800.0 m <sup>2</sup> (8611.4 ft <sup>2</sup> ) for first 4 units plus 100 m <sup>2</sup> (1076.4 ft <sup>2</sup> ) for each additional unit
9.2.4.2	Minimum Lot Frontage	30.0 m (19.4 ft)
9.2.4.3	Minimum Front Yard	6.0 m (19.7 ft) subject to Section 5.18
9.2.4.4	Minimum Rear Yard	7.5 m (24.6 ft)
9.2.4.5	Minimum Side Yard	
	Interior	4.5 m (14.8 ft)
	Exterior	6.0 m (19.7 ft) subject to Section 5.18
9.2.4.6	Maximum Lot Coverage	35%
9.2.4.7	Maximum Building Height	11.0 m (36.1 ft)

**9.2.5 Regulations for Cluster Townhouse Dwellings:**

9.2.5.1	Minimum Lot Area	200.0 m <sup>2</sup> (656.2 ft <sup>2</sup> ) per unit
9.2.5.2	Minimum Lot Frontage	18.0 m (59.1 ft)
9.2.5.3	Minimum Front Yard	6.0 m (19.7 ft) subject to Section 5.18
9.2.5.4	Minimum Rear Yard	7.5 m (24.6 ft)
9.2.5.5	Minimum Side Yard	
	Interior	4.5 m (14.8 ft)
	Exterior	6.0 m (19.7 ft) subject to Section 5.18
9.2.5.6	Maximum Lot Coverage	35%
9.2.5.7	Maximum Building Height	9.0 m (29.5 ft)

**9.2.6 Regulations for Street Townhouse Dwellings (Per Unit):**

9.2.6.1	Minimum Lot Area	200.0 m <sup>2</sup> (656.2 ft <sup>2</sup> )
9.2.6.2	Minimum Lot Frontage	6.0 m (19.7 ft)

9.2.6.3	Minimum Front Yard	6.0 m (19.7 ft) subject to Section 5.18
9.2.6.4	Minimum Rear Yard	7.5 m (24.6 ft)
9.2.6.5	Minimum Side Yard	
	Interior	2.0 m (6.6 ft)
	Exterior	4.5 m (14.8 ft) subject to Section 5.18
9.2.6.6	Maximum Lot Coverage	35%
9.2.6.7	Maximum Building Height	9.0 m (29.5 ft)

## 9.2.7 Play Areas for Multiple-Unit Buildings:

Notwithstanding anything else in this By-law, no person shall use land or erect or use an apartment building or cluster townhouse building unless a play area for children is provided on the same lot as the main residential building or buildings, with the exception of any townhouses where each dwelling unit is located on an individual registered lot held under separate ownership (i.e. a "freehold" street townhouse). Any required play areas shall:

- 1) have an area of at least 4.5 m<sup>2</sup> (48.4 ft<sup>2</sup>) for each dwelling unit;
- 2) be enclosed with a fence;
- 3) be located at least 4.5 m (14.8 ft) from the nearest wall of the building;
- 4) be accessible to the building without the necessity of crossing a parking lot, and
- 5) be provided in one location at the rear or side of the main building.

# SECTION 10 – RURAL INDUSTRIAL (M1) ZONE

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## 10.1 PERMITTED USES

Within any Rural Industrial (M1) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- An agricultural service establishment
- An agricultural supply establishment
- An automobile body / repair shop
- A construction company
- A contractor or tradesman establishment
- A contractor's yard
- A fuel storage establishment
- An industrial use, including an industrial mall
- A lumber yard
- A machine shop
- An automobile service station
- A parking lot
- A portable asphalt plant operated by a public road authority or its agent or contractor
- A retail outlet, wholesale outlet, a showroom, or a business office accessory to permitted use
- A service shop
- A scientific research establishment
- A transport establishment
- A warehouse
- A welding shop
- A woodworking shop

## 10.2 REGULATIONS

Within any Rural Industrial (M1) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

- 10.2.1 Minimum Lot Area** 0.4 ha (1.0 ac)

# 10-2

- |               |                                   |   |
|---------------|-----------------------------------|---|
| <b>10.2.2</b> | <b>Minimum Lot Frontage</b>       | 30.0 m (98.4 ft)                        |
| <b>10.2.3</b> | <b>Minimum Front Yard</b>         | 7.5 m (24.6 ft) subject to Section 5.18 |
| <b>10.2.4</b> | <b>Minimum Rear Yard</b>          | 7.5 m (24.6 ft)                         |
| <b>10.2.5</b> | <b>Minimum Interior Side Yard</b> | 4.5 m (14.8 ft)                         |

Where the Interior Side Lot Line abuts a Residential Zone or lands in use for residential purposes, the minimum Interior Side Yard Width is 7.5 m (24.6 ft).

- |               |  |   |
|---------------|--|---|
| <b>10.2.6</b> | <b>Minimum Exterior Side Yard</b>                                    | 7.5 m (24.6 ft) subject to Section 5.18 |
| <b>10.2.7</b> | <b>Maximum Lot Coverage</b>  | 40%                                     |
| <b>10.2.8</b> | <b>Maximum Building Height</b>                                       | 15 m (49.2 ft)                          |
| <b>10.2.9</b> | <b>Retail, Wholesale or Office Uses Accessory to a Permitted Use</b> |   |

A retail outlet, wholesale outlet, a showroom or business office accessory to a permitted use shall have a maximum gross floor area no greater than 25% of the main building or structure and shall be located within the main building or structure.

## **10.2.10 Outdoor Display and Open Storage**

The display and storage of goods and materials is permitted outside any building in accordance with the provisions outlined in Sections 5.20 and 5.21 respectively.

# SECTION 11 – AGRICULTURAL BUSINESS (M2) ZONE

---

## 11.1 PERMITTED USES

Within any Agricultural Business (M2) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- An agricultural supply establishment
- An agricultural use
- A commercial greenhouse
- 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.
- An agricultural research and/or breeding and/or grading operation
- A feed mill
- A grain elevator
- A grain storing, weighing, drying operation
- A livestock sales barn
- A business or professional office accessory to a permitted use
- A rural home industry
- A portable asphalt plant operated by a public road authority or its agent or contractor
- A sawmill
- A veterinary clinic
- A welding shop

## 11.2 REGULATIONS

Within any Agricultural Business (M2) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

- |               |                             |                  |
|---------------|-----------------------------|------------------|
| <b>11.2.1</b> | <b>Minimum Lot Area</b>     | 0.4 ha (1.0 ac)  |
| <b>11.2.2</b> | <b>Minimum Lot Frontage</b> | 30.0 m (98.4 ft) |

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**11.2.3 Minimum Front Yard** 7.5 m (24.6 ft) subject to Section 5.18

**11.2.4 Minimum Rear Yard** 7.5 m (24.6 ft)

**11.2.5 Minimum Interior Side Yard** 6.0 m (19.7 ft)

Where the Interior Side Lot Line abuts a Residential Zone or land in use for residential purposes, the minimum Interior Side Yard Width is 10 m (32.8 ft).

**11.2.6 Minimum Exterior Side Yard** 10.0 m (32.8 ft) subject to Section 5.18

**11.2.7 Maximum Lot Coverage** 40%

**11.2.8 Minimum Landscaped Area** 10%

**11.2.9 Maximum Building Height** 15 m (49.2 ft)

**11.2.10 Open Storage**

The storage of goods and materials is permitted outside any building in accordance with the provisions contained in Section 5.21.

# SECTION 12 – EXTRACTIVE INDUSTRIAL (M3) ZONE

---

## 12.1 PERMITTED USES

Within any Extractive Industrial (M3) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- An accessory single detached dwelling
- An aggregate processing facility
- An agricultural use
- A pit
- A portable asphalt plant
- A quarry
- A retail outlet, wholesale outlet or business office accessory to a permitted use
- A structure or machinery accessory to a permitted use
- A wayside pit or quarry
- Conservation

## 12.2 REGULATIONS

Within any Extractive Industrial (M3) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

### 12.2.1 Setbacks for Excavation

No excavation shall occur:

- 1) within 15 m (49.2 ft) of any lot line;
- 2) within 30 m (98.4 ft) from any part of the boundary of the site that abuts: a public road or highway; or land zoned or used for residential purposes;
- 3) within 30 m (98.4 ft) from any body of water that is not the result of excavation below the water table.

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## 12.2.2 Setbacks for Buildings, Structures and Stockpiles

No person shall pile aggregate, topsoil, subsoil or overburden, locate any processing plant or place, build or extend any building or structure:

- 1) within 30 m (98.4 ft) of any lot line;
- 2) within 90 m (295.3 ft) from any part of the boundary of the site that abuts land zoned or used for residential purposes

## 12.2.3 Maximum Building Height      25 m (82.0 ft)

## 12.2.4 Earth Berms and Buffer Strips

The above noted setback requirements do not apply with respect to earth berms and buffer strips that are intended to screen adjacent lands from operations on the site or provide other forms of mitigation.

# SECTION 13 – DISPOSAL INDUSTRIAL (M4) ZONE

---

## 13.1 PERMITTED USES

Within any Disposal Industrial (M4) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- A composting yard
- A waste disposal area
- A waste transfer station
- A waste processing and/or recycling plant

## 13.2 REGULATIONS

Within any Disposal Industrial (M4) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

- |               |  |                |
|---------------|--|----------------|
| <b>13.2.1</b> | <b>Minimum Front Yard</b>                | 30 m (98.4 ft) |
| <b>13.2.2</b> | <b>Minimum Rear Yard</b>                 | 30 m (98.4 ft) |
| <b>13.2.3</b> | <b>Minimum Interior Side Yard</b>        | 30 m (98.4 ft) |
| <b>13.2.4</b> | <b>Minimum Exterior Side Yard</b>        | 30 m (98.4 ft) |
| <b>13.2.5</b> | <b>Maximum Building Height</b>           | 15 m (49.2 ft) |
| <b>13.2.6</b> | <b>Use of Front, Side and Rear Yards</b> |                |

Earth berms and/or buffer strips, that are intended to screen adjoining lands from operations on the site, may be located within front, side and rear yards.



# SECTION 14 – VILLAGE COMMERCIAL (C1) ZONE

---

## 14.1 PERMITTED USES

Within any Village Commercial (C1) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- Accessory residential apartment(s)
- Antique shop
- Automobile service station
- Bank or financial institution
- Beer, wine or liquor store
- Boutique, craft or speciality shop
- Business or professional office
- Commercial school
- Convenience store
- Day nursery or day care centre
- Dry cleaning and laundering establishment
- Funeral home
- Gas bar
- Institutional uses
- Library
- Medical clinic
- Parking lot
- Personal service shop
- Place of entertainment or recreation
- Restaurant
- Retail store
- Service shop
- Taxi or bus depot or courier service
- Veterinary clinic
- Video rental

## 14.2 REGULATIONS

Within any Village Commercial (C1) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

### 14.2.1 Regulations for Lots With Frontage on Main Street (Rockwood):

14.2.1.1	Minimum Lot Area	n/a
14.2.1.2	Minimum Lot Frontage	n/a
14.2.1.3	Minimum Front Yard	0.0 m (0.0 ft) subject to Section 5.18
14.2.1.4	Minimum Rear Yard	7.5 m (24.6 ft)
14.2.1.5	Minimum Interior Side Yard	0.0 m (0.0 ft)
14.2.1.6	Minimum Exterior Side Yard	4.5 m (14.8 ft) subject to Section 5.18
14.2.1.7	Maximum Lot Coverage	80%
14.2.1.8	Maximum Building Height	11.0 m (36.1 ft)

### 14.2.2 Regulations for Lots Not Having Frontage on Main Street (Rockwood):

14.2.2.1	Minimum Lot Area	300 m <sup>2</sup> (3229.3 ft <sup>2</sup> )
14.2.2.2	Minimum Lot Frontage	10.0 m (32.8 ft)
14.2.2.3	Minimum Front Yard	3.0 m (9.8 ft) subject to Section 5.18
14.2.2.4	Minimum Rear Yard	7.5 m (24.6 ft)
14.2.2.5	Minimum Interior Side Yard One Side	3.0 m (9.8 ft)
14.2.2.6	Minimum Exterior Side Yard	4.5 m (14.8 ft) subject to Section 5.18
14.2.2.7	Maximum Lot Coverage	50%
14.2.2.8	Maximum Building Height	11.0 m (36.1 ft)

### 14.2.3 Location of Parking for Commercial Uses

In any C1 Zone within the Village of Rockwood, parking shall be provided on the same lot subject to the General Provisions as set forth in Section 5 of this By-law, except that commercial uses fronting on Main Street may provide parking on a different

lot than the one the main building is situated on if the parking area is located within 90.0 m (295.3 ft) of the main building.

#### **14.2.4 Parking Exemption - Rockwood**

Where, in any C1 Zone within the Village of Rockwood, a building exists on the date of passing of this by-law, or where a building or use is established in accordance with this by-law, and where a proposal is made to change the use of any such building to a different use without increasing the floor area of the building:

- 1) The new use shall be permitted without additional parking being provided notwithstanding that additional parking spaces may be required pursuant to Section 5 of this by-law;
- 2) Notwithstanding the foregoing, parking shall be required in accordance with this by-law where the change in use is from a residential use to any other permitted use;
- 3) Where an addition is proposed to any building, parking shall be required only for the addition, and any legal deficiency in parking for the existing building shall not be required to be made up, unless the proposed addition results in the loss of existing parking spaces. No additional parking shall be required where the proposed addition does not exceed 10% of the gross floor area of the existing building.

#### **14.2.5 C1 Zone Flood Fringe Area - (f) Suffix**

Within any Zone C1 (f), no land shall be used and no building or structure shall be erected or used except in accordance with the regulations set forth in subsections 14.2.1 and 14.2.2.

Notwithstanding any provisions contained within subsections 14.2.1 and 14.2.2, any new development or redevelopment proposed within the C1(f) area are also subject to the regulations of the Grand River Conservation Authority which include the following:

- 1) Development, redevelopment or a major addition/renovation for permitted residential uses shall be permitted in the flood fringe provided that the structure is floodproofed to the regulatory level and that:
  - i) the habitable floor space elevation of any new residential dwelling unit is located above the regulatory flood elevation;

- ii) no basements are allowed;
  - iii) mechanical, electrical, air conditioning and heating equipment will be located above the regulatory flood level;
  - iv) safe access is provided.
- 2) Minor renovation/addition to existing residential buildings in the flood fringe shall be permitted provided any new habitable floor space is, where feasible, above the regulatory flood level, and in no case lower than the elevation of the existing ground floor level.
- 3) Conversion of an existing commercial building to a residential use in the flood fringe will be permitted provided the building is floodproofed to the regulatory flood level and that:
- i) the habitable floor space elevation of any new residential use is located above the regulatory flood elevation;
  - ii) mechanical, electrical, air conditioning and heating equipment will be located above the regulatory flood level;
  - iii) safe access is provided.
- 4) Any commercial development or redevelopment of existing commercial structures shall be permitted provided that the building or structure is floodproofed to the regulatory flood level and that:
- i) mechanical, electrical, air conditioning and heating equipment will be located above the regulatory flood level.
  - ii) where practical, building openings will be located above the regulatory flood level. Where doorway elevations are permitted below the regulatory flood level, the openings will be floodproofed to the satisfaction of the Grand River Conservation Authority.
- 5) A Fill, Construction and Alteration to Waterways Permit will be required from the Grand River Conservation Authority for all construction and placement or removal of fill occurring within Zone C1(f), in addition to any other necessary permits or approvals such as a building permit or site plan approval.

## **14.2.6 Residential Uses**

- 1) Notwithstanding Section 14.1, existing detached dwellings are recognized as a permitted use within the C1 zone.

- 2) Notwithstanding Section 14.1, new detached dwellings may be erected within the C1 zone on any lot which does not have frontage on Main Street. Such detached dwellings shall be erected in accordance with the lot requirements of the R1 zone.

**14.2.7 Outdoor Display**

The display of goods and materials is permitted outside any building in accordance with the provisions outlined in Sections 5.20.

**14.3 REGULATIONS FOR AUTOMOBILE SERVICE STATIONS & ANY NON-RESIDENTIAL USE WITH PUMP ISLANDS FOR THE RETAIL SALE OF AUTOMOTIVE FUELS**

- 14.3.1 Minimum Lot Area** 0.4 ha (1.0 ac)
- 14.3.2 Minimum Lot Frontage** 30.0 m (98.4 ft)
- 14.3.3 Minimum Front Yard** 10.0 m (32.8 ft) subject to Section 5.18
- 14.3.4 Minimum Rear Yard** 7.5 m (24.6 ft)
- 14.3.5 Minimum Interior Side Yard** 3.0 m (9.8 ft)

Where the Interior Side Lot Line abuts a Residential Zone or land in use for residential purposes, the minimum interior side yard width is 7.5 m (24.6 ft).

- 14.3.6 Minimum Exterior Side Yard** 7.5 m (24.6 ft) subject to Section 5.18
- 14.3.7 Minimum Landscaped Area** 10%
- 14.3.8 Maximum Building Height** 11.0 m (36.1 ft)
- 14.3.9 Pump Island Location**

Notwithstanding any other provisions of this By-law, to the contrary, a pump island may be located within any front yard or exterior side yard provided:

- 1) Light standards, signs, fuel pump islands and fuel pumps may be located in any required minimum yard at a distance of not less than 4.5 m (14.8 ft) from any street line.

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- 2) Where the lot is a corner lot, no portion of any pump island shall be located within a Daylight Triangle as defined in this by-law.
- 3) A residential dwelling unit is not permitted as an accessory use in the same building as an automobile service station.
- 4) A buffer strip shall be required where an automobile service station abutts a residential use.
- 5) The surface of all ramps, driveways, service areas, off-street parking and loading areas shall be paved.

# SECTION 15 – VILLAGE SERVICE COMMERCIAL (C2) ZONE

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## 15.1 PERMITTED USES

Within any Village Service Commercial (C2) Zone, 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 uses:

- An accessory residential apartment(s)
- An accessory use in accordance with Section 5.2 of this By-law
- Any use permitted in the R1 Zone
- Antique shop
- Assembly hall
- Automobile sales and service
- Automobile service station
- Bank or financial institution
- Beer, wine or liquor store
- Boutique, craft or specialty shop
- Building supply outlet
- Business or professional office
- Commercial school
- Convenience store
- Day nursery or day care centre
- Dry cleaning and laundering establishment
- Farm supply dealer
- Farmer's market
- Funeral home
- Garden centre, greenhouse or nursery
- Gas bar
- Institutional uses
- Library
- Medical clinic
- Motel
- Nursing home
- Parking lot
- Personal service shop
- Place of entertainment or recreation
- Processing, storage and sales of agricultural products
- Recreational trailer sales and service establishment

Restaurant  
 Retail store  
 Service shop  
 Taxi or bus depot or courier service  
 Veterinary clinic  
 Video rental

## 15.2 REGULATIONS

Within any Village Service Commercial (C2) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

- |               |   |  |
|---------------|---|--|
| <b>15.2.1</b> | <b>Minimum Lot Area</b>                 | 800 m <sup>2</sup> (2624.7 ft <sup>2</sup> ) |
| <b>15.2.2</b> | <b>Minimum Lot Frontage</b>             | 15.0 m (49.2 ft)                             |
| <b>15.2.3</b> | <b>Minimum Front Yard</b>               | 7.5 m (24.6 ft) subject to Section 5.18      |
| <b>15.2.4</b> | <b>Minimum Rear Yard</b>                | 7.5 m (24.6 ft)                              |
| <b>15.2.5</b> | <b>Minimum Interior Side Yard</b>       |  |
|               | One Side                                | 1.8 m (5.9 ft)                               |
|               | Other Side                              | 3.0 m (9.8 ft)                               |
| <b>15.2.6</b> | <b>Minimum Exterior Side Yard</b>       | 7.5 m (24.6 ft) subject to Section 5.18      |
| <b>15.2.7</b> | <b>Maximum Building Height</b>          | 11.0 m (36.1 ft)                             |
| <b>15.2.8</b> | <b>Maximum Lot Coverage</b>             | 35 %   |
| <b>15.2.9</b> | <b>Regulations for Residential Uses</b> |  |

Any permitted R1 zone use shall be erected in accordance with the applicable R1 zone provisions.

### 15.2.10 Outdoor Display

The display of goods and materials is permitted outside any building in accordance with the provisions outlined in Sections 5.20.

### 15.3 REGULATIONS FOR AUTOMOBILE SERVICE STATIONS & ANY NON-RESIDENTIAL USE WITH PUMP ISLANDS FOR THE RETAIL SALE OF AUTOMOTIVE FUELS

15.3.1	<b>Minimum Lot Area</b>	0.4 ha (1.0 ac)
15.3.2	<b>Minimum Lot Frontage</b>	30.0 m (98.4 ft)
15.3.3	<b>Minimum Front Yard</b>	10.0 m (32.8 ft) subject to Section 5.18
15.3.4	<b>Minimum Rear Yard</b>	7.5 m (24.6 ft)
15.3.5	<b>Minimum Interior Side Yard</b>	3.0 m (9.8 ft)

Where the Interior Side Lot Line abuts a Residential Zone or land in use for residential purposes, the minimum interior side yard width is 7.5 m (24.6 ft).

15.3.6	<b>Minimum Exterior Side Yard</b>	7.5 m (24.6 ft) subject to Section 5.18
15.3.7	<b>Minimum Landscaped Area</b>	10%
15.3.8	<b>Maximum Building Height</b>	11.0 m (36.1 ft)
15.3.9	<b>Pump Island Location</b>	

Notwithstanding any other provisions of this By-law, to the contrary, a pump island may be located within any front yard or exterior side yard provided:

- 1) Light standards, signs, fuel pump islands and fuel pumps may be located in any required minimum yard at a distance of not less than 4.5 m (14.8 ft) from any street line.
- 2) Where the lot is a corner lot, no portion of any pump island shall be located within a Daylight Triangle as defined in this by-law.
- 3) A residential dwelling unit is not permitted as an accessory use in the same building as an automobile service station.
- 4) A buffer strip shall be required where an automobile service station abuts a residential use.
- 5) The surface of all ramps, driveways, service areas, off-street parking and loading areas shall be paved.



# SECTION 16 – HAMLET MIXED USE (C3) ZONE

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## 16.1 PERMITTED USES

Within any Hamlet Mixed Use (C3) Zone, 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 uses:

- Accessory residential apartment(s)
- Accessory single detached dwelling
- An accessory use in accordance with Section 5.2 of this By-law
- Any use permitted in the RR Zone
- Antique shop
- Boutique, craft or speciality shop
- Business or professional office
- Convenience store
- Farm supply dealer
- Farmer's market
- Funeral home
- Institutional uses
- Library
- Medical clinic
- Personal service shop
- Processing, storage and sales of agricultural products
- Restaurant
- Retail store
- Service shop
- Veterinary clinic
- Video rental

## 16.2 REGULATIONS

Within any Hamlet Mixed Use (C3) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

- |               |                             |                  |
|---------------|-----------------------------|------------------|
| <b>16.2.1</b> | <b>Minimum Lot Area</b>     | 0.4 ha (1.0 ac)  |
| <b>16.2.2</b> | <b>Minimum Lot Frontage</b> | 30.0 m (98.4 ft) |

- |               |                                   |   |
|---------------|-----------------------------------|---|
| <b>16.2.3</b> | <b>Minimum Front Yard</b>         | 7.5 m (24.6 ft) subject to Section 5.18 |
| <b>16.2.4</b> | <b>Minimum Rear Yard</b>          | 7.5 m (24.6 ft)                         |
| <b>16.2.5</b> | <b>Minimum Interior Side Yard</b> | 3.0 m (9.8 ft)                          |

Where the interior side lot line abuts a Residential Zone or lands used for residential purposes, the minimum side yard width is 7.5 m (24.6 ft).

- |               |                                   |   |
|---------------|-----------------------------------|---|
| <b>16.2.6</b> | <b>Minimum Exterior Side Yard</b> | 4.5 m (14.8 ft) subject to Section 5.18 |
| <b>16.2.7</b> | <b>Maximum Lot Coverage</b>       | 35%                                     |
| <b>16.2.8</b> | <b>Maximum Building Height</b>    | 11.0 m (36.1 ft)                        |
| <b>16.2.9</b> | <b>Residential Uses:</b>          |   |

Permitted residential uses are subject to the provisions of the RR zone.

**16.2.10 C3 Zone Flood Plain Area - (f) Suffix**

- 1) Residential uses are subject to the provisions of the RR Zone;
- 2) Conversion of existing residences to a permitted commercial use will require flood proofing measures approved by the Grand River Conservation Authority.
- 3) An existing commercial building shall not be converted to a residential use.
- 4) Additions or enlargements to structures existing on the date of passage of this By-law will be permitted up to a maximum of fifty (50) percent of the existing ground floor area with flood proofing measures approved by the Grand River Conservation Authority.
- 5) Prior to the approval or enlargement of an existing structure or change in use, a "Fill, Construction and Alteration to Waterways" permit is required from the Grand River Conservation Authority pursuant to Ontario Regulation 149/90 as amended by 69/93 for land located below the elevation of the Regulatory Flood Line.
- 6) The exact delineation of the Zone C3 (f) limits shall be determined in consultation with the Grand River Conservation Authority. The applicant may be required to

obtain the services of a qualified professional to determine the exact elevations on their land.

**16.2.11 Outdoor Display**

The display of goods and materials is permitted outside any building in accordance with the provisions outlined in Section 5.20.



# SECTION 17– HIGHWAY COMMERCIAL (C4) ZONE

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## 17.1 PERMITTED USES

Within any Highway Commercial (C4) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- An agricultural service establishment
- An antique shop
- An auction house
- An automobile sales establishment
- An automobile service station
- An assembly hall
- A bank or financial institution
- A beer, wine or liquor store
- A boutique, craft or speciality shop
- A business or professional office
- A commercial greenhouse
- A commercial school
- A contractor or tradesman establishment
- A day nursery or day care centre
- A drapery and clock sales establishment
- A dry cleaning establishment
- A dwelling unit above or attached to each permitted use
- A farm implement outlet
- A farm produce sales outlet
- A funeral home
- A furniture and appliance establishment
- A garden centre
- A gas bar
- A hardware store
- A hotel or motel
- A personal service shop
- A parking lot
- A place of entertainment or recreation
- A rental outlet
- A restaurant
- A service shop

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- A tavern or public house
- A taxi or bus depot or courier service
- A variety or convenience store
- A veterinary clinic
- A video rental outlet

## 17.2 REGULATIONS

Within any Highway Commercial (C4) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

- |               |                                   |   |
|---------------|-----------------------------------|---|
| <b>17.2.1</b> | <b>Minimum Lot Area</b>           | 0.4 ha (1.0 ac)                         |
| <b>17.2.2</b> | <b>Minimum Lot Frontage</b>       | 30.0 m (98.4 ft)                        |
| <b>17.2.3</b> | <b>Minimum Front Yard</b>         | 7.5 m (24.6 ft) subject to Section 5.18 |
| <b>17.2.4</b> | <b>Minimum Rear Yard</b>          | 7.5 m (24.6 ft)                         |
| <b>17.2.5</b> | <b>Minimum Interior Side Yard</b> | 3.0 m (9.8 ft)                          |

Where the interior side lot line abuts a Residential Zone or lands used for residential purposes, the minimum side yard width is 7.5 m (24.6 ft).

- |                |   |   |
|----------------|---|---|
| <b>17.2.6</b>  | <b>Minimum Exterior Side Yard</b>       | 4.5 m (14.8 ft) subject to Section 5.18 |
| <b>17.2.7</b>  | <b>Maximum Lot Coverage</b>             | 40%                                     |
| <b>17.2.8</b>  | <b>Maximum Building Height</b>          | 11.0 m (36.1 ft)                        |
| <b>17.2.9</b>  | <b>Minimum Landscaped Area</b>          | 10%                                     |
| <b>17.2.10</b> | <b>Outdoor Display and Open Storage</b> |   |

The display and storage of goods and materials is permitted outside any building in accordance with the provisions contained in Sections 5.20 and 5.21 respectively.

**17.3 REGULATIONS FOR AUTOMOBILE SERVICE STATIONS & ANY NON-RESIDENTIAL USE WITH PUMP ISLANDS FOR THE RETAIL SALE OF AUTOMOTIVE FULES**

<b>17.3.1</b>	<b>Minimum Lot Area</b>	0.4 ha (1.0 ac)
<b>17.3.2</b>	<b>Minimum Lot Frontage</b>	30.0 m (98.4 ft)
<b>17.3.3</b>	<b>Minimum Front Yard</b>	10.0 m (32.8 ft) subject to Section 5.18
<b>17.3.4</b>	<b>Minimum Rear Yard</b>	7.5 m (24.6 ft)
<b>17.3.5</b>	<b>Minimum Interior Side Yard</b>	3.0 m (9.8 ft)

Where the Interior Side Lot Line abuts a Residential Zone or land in use for residential purposes, the minimum interior side yard width is 7.5 m (24.6 ft).

<b>17.3.6</b>	<b>Minimum Exterior Side Yard</b>	7.5 m (24.6 ft) subject to Section 5.18
<b>17.3.7</b>	<b>Minimum Landscaped Area</b>	10%
<b>17.3.8</b>	<b>Maximum Building Height</b>	11.0 m (36.1 ft)
<b>17.3.9</b>	<b>Pump Island Location</b>	

Notwithstanding any other provisions of this By-law, to the contrary, a pump island may be located within any front yard or exterior side yard provided:

- 1) Light standards, signs, fuel pump islands and fuel pumps may be located in any required minimum yard at a distance of not less than 4.5 m (14.8 ft) from any street line.
- 2) Where the lot is a corner lot, no portion of any pump island shall be located within a Daylight Triangle as defined in this by-law.
- 3) A residential dwelling unit is not permitted as an accessory use in the same building as an automobile service station.
- 4) A buffer strip shall be required where an automobile service station abutts a residential use.
- 5) The surface of all ramps, driveways, service areas, off-street parking and loading areas shall be paved.

# 17-4

## **17.4 REGULATIONS FOR A DWELLING UNIT ABOVE OR ATTACHED TO EACH PERMITTED USE**

- 17.4.1** Each dwelling unit shall be completely self-contained.
- 17.4.2** Each dwelling unit shall have a direct means of access to an improved street or private lane.
- 17.4.3** Each dwelling unit shall have a minimum floor area of 74.3 m<sup>2</sup> (799.8 ft<sup>2</sup>)

# SECTION 18 INSTITUTIONAL (I) ZONE

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## 18.1 PERMITTED USES

Within any Institutional (I) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- An assembly hall
- A cemetery
- A church
- A day nursery
- A dwelling unit if occupied by the owner, caretaker, watchman or other similar person employed on the lot on which such dwelling unit is located.
- A firehall
- A group home
- A hospital
- A medical clinic
- A museum
- A park
- A parking lot
- A public library
- A retirement home
- A school

## 18.2 REGULATIONS

Within any Institutional (I) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

### 18.2.1 Minimum Lot Area

- |          |  |   |
|----------|--|---|
| 18.2.1.1 | All Uses With Full Municipal Services    | 900 m <sup>2</sup><br>(9687.8 ft <sup>2</sup> ) |
| 18.2.1.2 | All Uses Without Full Municipal Services | 0.4 ha<br>(1.0 ac)                              |

# 18-2

## 18.2.2 Minimum Frontage

18.2.2.1 All Uses With Full Municipal Services 15.0 m  
(49.2 ft)

18.2.2.2 All Uses Without Full Municipal Services 30.0 m  
(98.4 ft)

18.2.3 Minimum Front Yard 7.5 m (24.6 ft) subject to  
Section 5.18

18.2.4 Minimum Rear Yard 7.5 m (24.6 ft)

18.2.5 Minimum Interior Side Yard 3.0 m (9.8 ft)

Where the Interior Side Lot Line abuts a Residential Zone or land in use for residential purposes, the minimum Interior Side Yard Width is 7.5 m (24.6 ft).

18.2.6 Minimum Exterior Side Yard 4.5 m (14.8 ft) subject to  
Section 5.18

18.2.7 Maximum Lot Coverage 50%

18.2.8 Maximum Building Height 11.0 m (36.1 ft)

## 18.2.9 Minimum Gross Floor Area for a Detached Dwelling House

140 m<sup>2</sup> (1507.0 ft<sup>2</sup>)

18.2.10 Minimum Landscaped Area 10%

# SECTION 19 – OPEN SPACE (OS) ZONE

---

## 19.1 PERMITTED USES

Within any Open Space (OS) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- An agricultural use
- A campground
- One dwelling unit if occupied by the owner, caretaker, watchman or other similar persons employed on the lot on which such dwelling unit is located
- A flood control project
- A park
- A parking lot
- A portable asphalt plant operated by a public road authority or its agent or contractor
- A public library
- A rural home industry
- A retail outlet or business office accessory to a permitted use
- Conservation
- A wayside pit or quarry opened up and used by a public road authority or its agent or contractor
- Recreational Uses
- Sites of historical or archaeological significance

## 19.2 REGULATIONS

Within any Open Space (OS) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

- |               |                             |   |
|---------------|-----------------------------|---|
| <b>19.2.1</b> | <b>Minimum Lot Area</b>     | 0.4 ha (1.0 ac)                         |
| <b>19.2.2</b> | <b>Minimum Lot Frontage</b> | 30.0 m (98.4 ft)                        |
| <b>19.2.3</b> | <b>Minimum Front Yard</b>   | 7.5 m (24.6 ft) subject to Section 5.18 |
| <b>19.2.4</b> | <b>Minimum Rear Yard</b>    | 7.5 m (24.6 ft)                         |

# 19-2

**19.2.5 Minimum Interior Side Yard** 3.0 m (9.8 ft)

Where the Interior Side Lot Line abuts a Residential Zone or land in use for residential purposes, the Minimum Interior Side Yard Width is 7.5 m (24.6 ft).

**19.2.6 Minimum Exterior Side Yard** 7.5 m (24.6 ft) subject to Section 5.18

**19.2.7 Maximum Lot Coverage** 40%

**19.2.8 Maximum Building Height** 11.0 m (36.1 ft)

**19.2.9 Minimum Gross Floor Area for a Detached Dwelling House**

140 m<sup>2</sup> (1507 ft<sup>2</sup>)

**19.2.10 Special Provisions For Agricultural Uses**

Within the Open Space (OS) Zone, agricultural uses shall not be allowed within Village and Hamlet areas.

The provisions of the Agricultural (A) Zone shall apply to agricultural uses.

# SECTION 20 – HAZARD (H) ZONE

---

## 20.1 PERMITTED USES

Within any Hazard (H) Zone, 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 uses:

- An accessory use in accordance with Section 5.2 of this By-law
- An agricultural use
- Bed and breakfast establishment and home occupation within existing detached dwellings
- A dwelling unit existing as of the date of passing of this By-law
- A flood control project
- A park
- Conservation
- Passive recreation

## 20.2 REGULATIONS

Within any Hazard (H) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following requirements:

<b>20.2.1</b>	<b>Minimum Lot Area</b>	0.4 ha (1.0 ac)
<b>20.2.2</b>	<b>Minimum Lot Frontage</b>	30.0 m (98.4 ft)
<b>20.2.3</b>	<b>Minimum Front Yard</b>	7.5 m (24.6 ft) subject to Section 5.18
<b>20.2.4</b>	<b>Minimum Rear Yard</b>	7.5 m (24.6 ft)
<b>20.2.5</b>	<b>Minimum Interior Side Yard</b>	3.0 m (9.8 ft)
<b>20.2.6</b>	<b>Minimum Exterior Side Yard</b>	7.5 m (24.6 ft) subject to Section 5.18
<b>20.2.7</b>	<b>Maximum Lot Coverage</b>	5%
<b>20.2.8</b>	<b>Maximum Building Height</b>	11.0 m (36.1 ft)

# 20-2

## **20.2.9 Permanent Buildings & Structures (Including Accessory Buildings and Structures)**

Any building or structure existing at the time of passing of this By-law may be replaced, rebuilt or altered, provided that any such replacement, rebuilding or alteration does not enlarge the gross floor area of the original building or structure by more than 50%, subject to the approval of the Conservation Authority where applicable.

No new buildings or structures of a permanent nature shall be permitted, except as otherwise noted in this By-law.

Notwithstanding the above, buildings or structures erected by a Conservation Authority, or any other building or structure erected for a public use under the provisions of this By-law are permitted.

## **20.2.10 Minimum Gross Floor Area for a Detached Dwelling House**

140 m<sup>2</sup> (1507 ft<sup>2</sup>)

## **20.2.11 New Detached Dwellings within the Village of Rockwood Hazard (H) Zone**

A detached dwelling may be permitted on an existing lot of record within the Hazard (H) zone provided all of the following are satisfied:

- 1) the approval of the Grand River Conservation Authority is obtained;
- 2) the proposed building site is not within the regulatory floodline;
- 3) the proposed building complies with all other regulations of this By-law.

## **20.2.12 Special Provisions For Agricultural Uses**

Within the Hazard (H) Zone, agricultural uses shall not be allowed within Village and Hamlet areas.

Further, the provisions of the Agricultural Zone shall apply to agricultural uses.

## 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. Unless otherwise noted in the margin, reference should be made to Schedule A, Map 1.

**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.

Schedule A,  
Map 14

**21.2** Notwithstanding the provisions of the Highway Commercial (C1) 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:

Schedule A,  
Map 12

- i) open storage of goods and materials
- ii) motel
- iii) hotel

**21.3** Notwithstanding the provisions of the Highway Commercial (C1) 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.

Schedule A,  
Map 13

**21.4** Notwithstanding the provisions of the Agricultural (A) 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:

Schedule A,  
Map 1

- i) Minimum Lot Area - 3.0 ha (7.4 ac)
- ii) Minimum Lot Frontage - 100 m (328.1 ft)

# 21-2

Schedule A,  
Map 13

**21.5** Notwithstanding the provisions of the Highway Commercial (C1) 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 (4.0 ft)
- iii) Minimum Rear Yard - 1.83 m (6.0 ft)

Schedule A,  
Map 10

**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.

Schedule A,  
Map 13

**21.7** Notwithstanding the provisions of the Highway Commercial (C1) 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.

Schedule A,  
Map 13

**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).

Schedule A,  
Map 1

**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 single detached residence, 3 apartment units, and a sporting goods supply store having a maximum floor area of 149 m<sup>2</sup> (1603.9 ft<sup>2</sup>).

Schedule A,  
Map 1

**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 autobody repair shop and a motor vehicle sales and service establishment shall be permitted.

Schedule A,  
Map 1

**21.11** Notwithstanding the provisions of the Agricultural (A) Zone, on the property known as the Guelph Centre of Spirituality and described as Lots 3 to 10 inclusive, Concession 3 and Parts of Lots 4 to 10 inclusive, in Concession 2, Division "D", Parts of Lots 5, 6, 7 and 8 in Concession 2 and Parts of Lots 6, 7, and 8, Concession 1, Division "D", in the former Township of Guelph, illustrated on Schedule "A",

permitted uses shall include institutional uses related to the activities of the Guelph Centre of Spirituality, 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 (ie. Canadian Jesuits offices, computer facilities, reception room, kitchens, etc.), and works of charity and mercy, farming and education, and a daycare 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 church or religious use shall be permitted uses and the Minimum Lot Area shall be 10.8 ha (26.68 ac).

Schedule A,  
Map 1

**21.13** Notwithstanding the provisions of the Hazard (H) 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", a park, picnic area or playground shall not be permitted.

Schedule A,  
Map 17

**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 use of a Home for Retarded Persons shall be permitted. A Home for Retarded Persons is defined in accordance with the Homes for Retarded Persons Act (1982), as amended. In addition, a home for retarded persons shall be licensed pursuant to the regulations under the Homes for Retarded Persons Act and shall be operated as a single housekeeping unit in a residential dwelling in which 3 to 10 persons, exclusive of staff or receiving family, live as a family under responsible supervision consistent with the needs of its particular residents.

Schedule A,  
Map 1

**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:

Schedule A,  
Map 1

- |      |                   |                   |
|------|-------------------|-------------------|
| i)   | Minimum Lot Area  | - 0.4 ha (1.0 ac) |
| ii)  | Minimum Lot Width | - 30.5 m (100 ft) |
| iii) | Minimum Side Yard | - 6.1 m (20.0 ft) |
| iv)  | Minimum Rear Yard | - 1.5 m (4.9 ft)  |

- v) Parking Spaces - 4
- vi) Loading Spaces - 1
- vii) Maximum Building Height - 10.7 m (35.1 ft)
- viii) No outdoor storage shall be permitted

Schedule A,  
Map 1

**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 County Road No. 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:

- i) Minimum Lot Area - 3.6 ha (8.8 ac)
- ii) Minimum Lot Width - 145 m (475 ft)
- iii) Minimum Side Yard - 3.4 m (11.2 ft)

Schedule A,  
Map 1

**21.17** Notwithstanding the provisions of the Agricultural (A) and Hazard (H) 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 County Road No. 86, a 27-hole golf course and accessory uses shall be permitted.

Schedule A,  
Map 1

**21.18** Notwithstanding the provisions of the Open Space (OS) 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 County Road No. 30, offices and accessory uses shall be permitted.

Schedule A,  
Map 1

**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. For the purposes of this Section, a Group Home shall mean a Group Home for the developmentally handicapped in a dwelling unit licensed, approved or supervised by the Province of Ontario, under a general or specific Act, for specialized or group accommodations for a maximum of twenty-two (22) residents, exclusive of staff or receiving family, living as a family under responsible 24 hour supervision.

**21.20** Notwithstanding the provisions of the Rural Residential (RR) and Hazard (H) 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:

Schedule A,  
Map 12

- i) The boundary between the Rural Residential (RR) Zone and the adjacent Hazard (H) Zone is defined as elevation 335.4 m (1100.4 ft) above mean sea level.
- ii) The elevation of all building openings shall be at a minimum elevation of 335.7 m (1101.4 ft) above mean sea level.
- iii) Any portion of a lot situated with the Hazard (H) Zone may be added to that portion of the lot within the Rural Residential (RR) Zone for the purpose of satisfying the Minimum Lot Area of the Rural Residential (RR) Zone.

**21.21** Notwithstanding the provisions of the Highway Commercial (C1) 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:

Schedule A,  
Map 13

- i) Minimum Lot Area -975.45 m<sup>2</sup> (10,500 ft<sup>2</sup>)
- ii) Minimum Lot Frontage -18.7 m (61.4 ft)
- iii) Minimum Side Yard (south side of lot) -0.0 m (0.0 ft)

**21.22** Notwithstanding the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lots 5, 6 and 7, Plan No. 375, in the former Township of Guelph, illustrated on Schedule "A", a home for the aged shall be a permitted use.

Schedule A,  
Map 12

**21.23** Notwithstanding the provisions of the Rural Residential (RR) Zone on the lands described as Part of Lots 5, 6, 7 and 8, Concession 2, Division "B", and Parts of Lots 7, 8, 9 and 10 and all of Lots 11, 12 and 13, in Registered Plan 365, and Part of Bedford Road closed by By-law, the whole parcel being shown as Part 1 on Reference Plan 61R-4846, in the former Township of Guelph, illustrated on Schedule "A", no building or structure of any kind (including a dwelling, patio, swimming pool, deck or accessory building) shall be erected, installed, or maintained on any portion of a lot which is identified as a primary or reserve leaching bed area on the site plan of the lot approved by and filed with the Chief Building Official of the Township of Guelph-Eramosa. In addition, no lot shall have a Lot Area less than 0.20 ha (0.5 ac).

Schedule A,  
Map 12

# 21-6

Schedule A,  
Map 1

**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 church or a religious use and a private school shall be permitted uses.

Schedule A,  
Map 1

**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.

Schedule A,  
Map 18

**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 convalescent home shall be a permitted use.

Schedule A,  
Map 1

**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.

Schedule A,  
Map 1

**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 church or a religious use, an accessory religious bookstore, and a commercial school shall be permitted uses. The accessory religious bookstore shall have a maximum floor area of 35 m<sup>2</sup> (376.8 ft<sup>2</sup>). The commercial school shall have a maximum floor area of 280 m<sup>2</sup> (3014 ft<sup>2</sup>) devoted to classroom use.

Schedule A,  
Map 17

**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).

Schedule A,  
Map 1

**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 (65.6 ft).

Schedule A,  
Map 1

**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 m<sup>2</sup> (6200.2 ft<sup>2</sup>), shall be permitted. Meat processing shall not include slaughtering of animals.

Schedule A,  
Map 1

- 21.33** Notwithstanding the Highway Commercial (C1) 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 (61.7 ft).

Schedule A,  
Map 12

- 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 (113.5 ft).

Schedule A,  
Map 1

- 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 (111.6 ft).

Schedule A,  
Map 1

- 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 (72.2 ft).

Schedule A,  
Map 17

- 21.37** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lots 9 and 10, Division "B", with the municipal address of 5041 County Road 124, in the former Township of Guelph, illustrated on Schedule "A", a veterinarian clinic having a maximum floor area of 278.7 m<sup>2</sup> (3000.0 ft<sup>2</sup>), and one attached dwelling unit shall be a permitted use.

Schedule A,  
Map 18

- 21.38** Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 5, Concession 5, in the former Township of Eramosa, illustrated on Schedule "A", a nursery stock warehouse-mail order-distribution centre, a health food and health products warehouse and bottling centre and uses accessory to the foregoing shall be permitted. Notwithstanding the provisions of the Agricultural (A) Zone, the minimum lot area shall be 1.62 ha (4.0 ac).

Schedule A,  
Map 1

# 21-8

Schedule A,  
Map 1

**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.

Schedule A,  
Map 1

**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 single detached dwellings shall be permitted.

Schedule A,  
Map 1

**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 single detached dwellings shall be permitted, and the maximum distance between the two residential dwellings shall be 39.6 m (129.9 ft).

Schedule A,  
Map 1

**21.42** Notwithstanding the general provisions of this By-law and the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 13, Concession 6, in the former Township of Eramosa, illustrated on Schedule "A", two single detached dwellings shall be permitted.

Schedule A,  
Map 1

**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 single detached dwellings shall be permitted.

Schedule A,  
Map 1

**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 (147.6 ft).

Schedule A,  
Map 1

**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.

Schedule A,  
Map 1

**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 (each side) 6.0 m (19.7 ft)
- ii) Minimum Rear Yard 10.6 m (34.8 ft)
- 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:

Schedule A, Map 1
----------------------

i) Buildings and Structures

All buildings and structures devoted to the additional uses permitted by this by-law shall not exceed 1,200 m<sup>2</sup> (12,917.1 ft<sup>2</sup>) 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 (5.9 ft) and no outdoor storage shall be located within 4.5 m (14.8 ft) of any property line.

iii) Off-Street Parking

Not less than one (1) Off-Street Parking Space shall be provided for each 46 m<sup>2</sup> (495.2 ft<sup>2</sup>) 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 m<sup>2</sup> (3001.1 ft<sup>2</sup>) 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.

Schedule A,  
Map 1

**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 single detached dwellings shall be permitted.

Schedule A,  
Map 3

**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 Church 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.

Schedule A,  
Map 1

**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 single 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 (0.0 ft)
- iii) Minimum Side Yard 6.0 m (19.7 ft)
- iv) Minimum Rear Yard 6.0 m (19.7 ft)

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

Schedule A,  
Map 1

**21.52** Notwithstanding the 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” and fronting onto County Road 29, metal fabricating shall be a permitted use.

Schedule A,  
Map 3

**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.

Schedule A,  
Map 1

**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 single 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.

Schedule A,  
Map 3

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 this 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 this 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 single detached dwelling shall be located on the area identified as Part "A".

Schedule A,  
Map 1

**21.55** Notwithstanding the provisions of the Agricultural (A) 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, 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 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	1800 m <sup>2</sup> (19,375.7 ft <sup>2</sup> )
Minimum Lot Width	40.0 m (131.2 ft)
Minimum Side Yard	1/2 building height but not less than 4.5 m (14.8 ft)
Minimum Rear Yard	7.5 m (24.6 ft)
Accessory Buildings Maximum Height	4.5 m (14.8 ft)

**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 County Road 124, no person shall use land or erect or use a building or structure except in accordance with the following:

Schedule A,  
Map 1

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an automobile service 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	1800 m <sup>2</sup> (19,375.7 ft <sup>2</sup> )
Minimum Lot Width	40.0 m (131.2 ft)
Minimum Side Yard	1/2 building height but not less than 4.5 m (14.8 ft)
Minimum Rear Yard	7.5 m (24.6 ft)
Accessory Buildings	
Maximum Height	4.5 m (14.8 ft)

**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:

Schedule A,  
Map 1

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an automobile service 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	1800 m <sup>2</sup> (19,375.7 ft <sup>2</sup> )
Minimum Lot Width	40.0 m (131.2 ft)
Minimum Side Yard	1/2 building height but not less than 4.5 m (14.8 ft)
Minimum Rear Yard	7.5 m (24.6 ft)
Accessory Buildings	
Maximum Height	4.5 m (14.8 ft)

**21.58** Notwithstanding the provisions of the Agricultural (A) 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 no person shall use land or erect or use a building or structure except in accordance with the following:

Schedule A,  
Map 6

### Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an automobile service 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	1800 m <sup>2</sup> (19,375.7 ft <sup>2</sup> )
Minimum Lot Width	40.0 m (131.2 ft)
Minimum Side Yard	1/2 building height but not less than 4.5 m (14.8 ft)
Minimum Rear Yard	7.5 m (24.6 ft)

Accessory Buildings  
Maximum Height 4.5 m (14.8 ft)

**21.59** Notwithstanding the provisions of the Agricultural (A) 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, no person shall use land or erect or use a building or structure except in accordance with the following:

Schedule A,  
Map 6

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an automobile service 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	1800 m <sup>2</sup> (19,375.7 ft <sup>2</sup> )
Minimum Lot Width	40.0 m (131.2 ft)
Minimum Side Yard	1/2 building height but not less than 4.5 m (14.8 ft)
Minimum Rear Yard	7.5 m (24.6 ft)

Accessory Buildings  
Maximum Height 4.5 m (14.8 ft)

**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 nursing home shall be permitted. The minimum lot area and minimum lot frontage shall be as existing on the date of passing of this by-law.

Schedule A,  
Map 1

**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

Schedule A,  
Map 1

feed mill shall be permitted. The minimum lot area and minimum lot frontage shall be as existing on the date of passing of this by-law.

Schedule A,  
Map 1

**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 single detached dwelling
- uses accessory to the foregoing

#### Lot Requirements

- |       |                    |                    |
|-------|--------------------|--------------------|
| (i)   | Minimum Lot Area:  | 2.0 ha (4.9 ac)    |
| (ii)  | Minimum Lot Width: | 118.0 m (387.1 ft) |
| (iii) | Minimum Side Yard: | 7.6 m (24.9 ft)    |
| (iv)  | Minimum Rear Yard: | 7.6 m (24.9 ft)    |

**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:

Schedule A,  
Map 1

- 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 m<sup>2</sup> (1830.0 ft<sup>2</sup>), exclusive of outdoor runs or pens.

Schedule A,  
Map 1

**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 (14.8 ft) on one side and equivalent to existing 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's yard and buildings, structures and uses accessory thereto shall be permitted uses.

Schedule A,  
Map 1

**21.66** Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 13, Concession 1, in the former Township of Eramosa, illustrated on Schedule “A”, an accessory apartment as existing on the date of passing of this by-law shall be a permitted use.

Schedule A,  
Map 7

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

- i) Minimum Lot Frontage 39.9 m (130.9 ft)
- ii) Minimum Side Yard - One Side 4.5 m (14.8 ft)  
- Other Side 4.0 m (13.1 ft)

**21.67** Notwithstanding the provisions of the Agricultural (A) 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:

Schedule A,  
Map 7

- i) Minimum Lot Area 0.15 ha (0.37 ac)
- ii) Minimum Lot Frontage 31.4 m (103.0 ft)

**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 passing of this By-law having a gross floor area no greater than 4,181.5 m<sup>2</sup> (45,010.8 ft<sup>2</sup>).

Schedule A,  
Map 1

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

**21.69** 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”, no building or structure shall be erected, and no septic system, including a

Schedule A,  
Map 1

primary or reserve leaching bed shall be installed, within 30 m (98.4 ft) of lands within a Hazard (H) Zone.

Schedule A,  
Map 1

**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 single 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 1<sup>st</sup>, 1997.

Schedule A,  
Map 2

**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 m<sup>2</sup> (7535.0 ft<sup>2</sup>)
- 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 m<sup>2</sup> (1098 ft<sup>2</sup>)
- 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.

Schedule A,  
Map 2

**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 m<sup>2</sup> (5651.2 ft<sup>2</sup>)
- 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 m <sup>2</sup> (1098.0 ft <sup>2</sup> )
viii)	Maximum Height	9 m
ix)	Servicing Requirements: Every dwelling shall be connected to municipal sanitary sewers and a municipal water supply.	

**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:

Schedule A,  
Map 2

- 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 a Hazard (H) Zone, no buildings or structures shall be erected within 7.6 m (24.9 ft) 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.

Schedule A,  
Map 2

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 passing of this 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 m<sup>2</sup> (1076.4 ft<sup>2</sup>) of gross leasable commercial space, plus 1 space for each residential unit.

Schedule A,  
Map 2

**21.76** Removed by By-law 69/2005

Schedule A,  
Map 10

Schedule A,  
Map 1

**21.77** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part Lot 21, Concession 6, 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 ten years from the day of passing of By-law No.71/2001.

Schedule A,  
Map 2

**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 <sup>2</sup> (2152.9 ft <sup>2</sup> ) |
| ii)   | Minimum Lot Frontage  | - 8.0 m (26.2 ft)                                |
| iii)  | Minimum Front Yard  | - 6.0 m (19.7 ft)                                |
| iv)   | Minimum Rear Yard   | - 7.5 m (24.6 ft)                                |
| v)    | Minimum Side Yard Adjacent to a Lot Line Separating a Block of Attached Units   | - 1.8 m (5.9 ft)                                 |
| vi)   | Minimum Yard Between Attached Dwelling Units  | - 0.0 m (0.0 ft)                                 |
| vii)  | Minimum Exterior Side Yard  | - 4.5 m (14.8 ft)                                |
| vii)  | Maximum Lot Coverage for Each Block of Buildings  | - 40%  |
| viii) | Maximum Lot Coverage for An Individual Dwelling Unit On a Lot   | - 50%  |
| ix)   | Minimum Landscaped Open Space   | - 30%  |
| x)    | Maximum Building Height   | - 9.0 m (29.5 ft)                                |
| xi)   | Minimum Required Parking Spaces per Lot   | - 2.0  |
| xii)  | Maximum Number of Bedrooms  | - 2  |
| i)    | Covered porches may project into the required front yard provided an unobstructed yard of 4.5 m (14.8 ft) is provided and in the required side yard, provided an unobstructed yard of 1.5 m (4.9 ft) is provided. |  |

- ii) Where a rear yard abuts a Hazard Zone, a minimum building setback of 4.5 m (14.8 ft) is required from the zone line, subject to approval by the Conservation Authority.
- iii) Maximum height of accessory buildings shall be 4.5 m (14.8 ft).
- iv) Tandem parking is permitted.

**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.

Schedule A,  
Map 2

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).

Schedule A,  
Map 1

**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:

Schedule A,  
Map 1

- 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 single detached dwellings and accessory uses thereto shall be permitted.

Schedule A,  
Map 1

**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.

Schedule A,  
Map 1

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 m<sup>2</sup> (1593.1 ft<sup>2</sup>).
- iii) Minimum Lot Area: 20 ha (49.4 ac)

Schedule A,  
Map 1

**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 (85.0 ft).

Schedule A,  
Map 1

**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).

Schedule A,  
Map 1

**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 (98.4 ft)
- iii) Minimum Interior Side Yard 7.5 m (24.6 ft)
- iv) Minimum Exterior Side Yard 10.5 m (34.5 ft) subject to Section 5.18
- v) Minimum Front Yard 20.0 m (65.6 ft) subject to Section 5.18
- vi) Minimum Rear Yard 7.5 m (24.6 ft) subject to Section 5.18. 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 (196.9 ft), including outside storage
- ix) Accessory Buildings:

- Minimum Side & Rear Yards 3.0 m (9.8 ft), except where a side or rear yard abuts a street, where the yard shall be 12.0 m (39.4 ft) subject to Section 5.18.
- 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 (9.8 ft) 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.

**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 (196.9 ft) and no accessory building or structure shall be permitted in said rear yard.

Schedule A,  
Map 1

**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 (11.2 ft).

Schedule A,  
Map 1

**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's yard, 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.

Schedule A,  
Map 1

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

- i) Minimum Lot Frontage: 30.48 m (100.0 ft)
- ii) Minimum Lot Area: 0.38 ha (0.94 ac)
- iii) Maximum Lot Coverage: 15 %
- iii) Minimum Sideyard for Existing Accessory Buildings: 1.22 m (4.0 ft)
- iv) Maximum Lot Coverage for Accessory Buildings: 10%, provided the lot coverage for all buildings does not exceed

15% in (iii).

vi) 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 m<sup>2</sup> (1000.0 ft<sup>2</sup>).
- 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.

Schedule A,  
Map 16

**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.

Schedule A,  
Map 16

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 ten percent 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 (28.8 ft).

**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:

Schedule A, Map 1
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- i) Minimum Lot Frontage      35 m (114.8 ft)
- ii) Maximum Lot Coverage    10 percent
- iii) Minimum Front Yard      15.2 m (49.9 ft) subject to  
Section 5.18.
- iv) Minimum Side Yard:
  - a) 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 (25.0 ft)
  - b) On a corner lot, the minimum side yard abutting a public street shall be 15.2 m (49.9 ft) subject to Section 5.18.
- v) Minimum Rear Yard        15.2 m (49.9 ft)
- vi) Minimum Floor Area
 

1 Storey	157.9 m <sup>2</sup> (1699.7 ft <sup>2</sup> )
1-1/2 Storey or split level	185.8 m <sup>2</sup> (2000.0 ft <sup>2</sup> )
2 or 2-1/2 Storey	222.9 m <sup>2</sup> (2399.4 ft <sup>2</sup> )

Where no basement or cellar is provided, the applicable minimum floor area shall be increased by 18.58 m<sup>2</sup> (200.0 ft<sup>2</sup>).

- vii) Maximum Height         2-1/2 Storeys
- viii) Accessory Buildings:
  - a) No accessory building shall be located within 1.8 m (5.9 ft) of a side or rear lot line, except that the minimum yard abutting a public road shall be 15.2 m (49.9 ft) subject to Section 5.18.
  - b) Maximum Lot Coverage - 5 percent 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

Schedule A, Map 1
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Township of Pilkington, illustrated on Schedule “A”, a single detached dwelling shall not be permitted.

Schedule A,  
Map 1

**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 accessory apartment 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 m<sup>2</sup> (1640.5 ft<sup>2</sup>); and there shall be no exterior stairways, except open metal fire escapes.

Schedule A,  
Map 1 and  
By-law  
64/2006

**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 in Zoning Bylaw 57/1999, and shall not include noxious uses identified in Section 5.16 of Zoning Bylaw 57/999.

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 (98.4 ft)
- iii) Minimum Interior Side Yard 7.5 m (24.6 ft)
- iv) Minimum Exterior Side Yard 10.5 m (34.5 ft) subject to Section 5.18
- v) Minimum Front Yard 20.0 m (65.6 ft) subject to Section 5.18
- vi) Minimum Rear Yard 7.5 m (24.6 ft) subject to Section 5.18. 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 (196.9 ft), including outside storage
- ix) Accessory Buildings:
  - Minimum Side & Rear Yards 3.0 m (9.8 ft), except where a side or rear yard abuts a street, where the yard shall be 12.0 m

(39.4 ft) subject to Section 5.18.

- 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 (9.8 ft) 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 Schedule "A" of this bylaw.

**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.

Schedule A,  
Map 1

**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 the uses permitted within Special Provision 21.11, 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.

Schedule A,  
Map 1

**21.98** Notwithstanding the provisions of the Agricultural (A) Zone on the property described as Part of Lot 17, Concession 5, in the former Township of Guelph, a duplex dwelling shall be permitted.

Schedule A,  
Map 1

**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.

Schedule A,  
Map 2

**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.

Schedule A,  
Map 1

Schedule A,  
Map 1

**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 church shall be a permitted use.

Schedule A,  
Map 1

**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's yard shall be a permitted use.

Schedule A,  
Map 1

**21.103** Notwithstanding the provisions of the Agricultural (A) Zone and the Hazard (H) Zone, on the lands described as Part of Lot 3, Concession 5, Division "B", illustrated on Schedule "A" to this By-law, a contractor's yard 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 (324 ft.)

Schedule A,  
Map 1

**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 By-law:

- i) Minimum Lot Area 24.163 ha (59.71 ac.)

Schedule A,  
Maps 1, 5

**21.105** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of the Southwest Half of Lots 12 & 13, Concession 7, in the Township of Guelph/Eramosa (former Township of Eramosa), illustrated on Schedule "A" to this By-law, the following provisions shall apply:

- i) Minimum Lot Area 16.411 ha (40.55 ac.)
- ii) Minimum Lot Frontage 20.0 m (65.62 ft.)

Schedule A,  
Map 1

**21.106** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part Lot 14, Concession 2, East of the Grand River, illustrated on Schedule "A" (Map 1) to this By-law, a garden suite shall be a permitted use for a period of time which shall not exceed ten years from the day of passing of By-law No. 41/2000.

Schedule A,  
Map 1

**21.107** Notwithstanding the General Provision 5.26 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 Hazard (H) Zone.”

**21.108** Notwithstanding the definition of Minimum Gross Floor Area and Section 5.12 (Dwelling Units Below Grade), 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.

Schedule A,  
Map 1

**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 rural home industry shall be a permitted use.

Schedule A,  
Map 1

**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.

Schedule A,  
Map 1

**21.111** Notwithstanding the Holding Zone provisions of Section 4.4 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.

Schedule A,  
Map 1

**21.112** Notwithstanding the definition of “Rural Home Occupation”, 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 “Rural Home Occupation” shall be permitted notwithstanding the farmer and /or members of the family do not reside on the subject property.

Schedule A,  
Map 1

All other provisions of the “Rural Home Occupation” definition shall apply.

**21.113** Removed by By-law 31/2003

Schedule A,  
Map 1 and  
By-law  
15/2005

**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 5.24.1 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 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 property 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 5.10, and having a minimum width of 16.5 metres and located along the northwest property line shall also be required.
- iv. On those lands abutting the property to the south, a buffer strip subject to Section 5.10, and having a minimum width of 6.0 metres shall be required, as shown on Schedule “A” to this By-law.
- v. Section 5.26 of By-law 57/1999 shall not apply to the subject lands.

**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 by-law, a Residential and Day Camp shall be a permitted use.

Schedule A,  
Map 1

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.

**21.116** Notwithstanding Section 5.26 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 By-law, the minimum setback between buildings or structures (including a private sewage treatment system) and the limits of a Hazard (H) zone shall be 15 metres.

Schedule A,  
Map 16

**21.117** Notwithstanding the provisions of Section 5.26, on lands described as Part Lot 20, Concession 2 (also known as Part 1, Plan 61R-8139), illustrated on Schedule “A” to this by-law, no building or structure (including a private sewage treatment system) shall be constructed within 7 m (22.97 ft) from the limit of a Hazard (H) zone.

Schedule A,  
Map 16

**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 5.6 of By-law No. 57/1999.

Schedule A,  
Map 2

**21.119** Category 3 – Class “A” Licenced Pit (Above Extraction Only) Notwithstanding the permitted uses of Section 12 – Extractive Industrial (M3) Zone, on the lands described as Part of Lots 19 and 20, Concession 3, Division B, in the Township of Guelph-

Schedule A,  
Map 1 and  
By-law  
43/2002

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” licenced 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 plant, 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.

**21.120** Haul Route and Landscape Berm

Schedule A,  
Map 1 and  
By-law  
43/2002

Notwithstanding the permitted uses of Section 12 – 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” licenced 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.

**21.121** Notwithstanding the provisions of Section 5.26, no building or structure (including a private sewage treatment system) shall be constructed within 5 m (32.8 ft.), from the limit of a Hazard (H) zone.

Schedule A,  
Map 1

**21.122** Notwithstanding the provisions of the Rural Residential (RR) Zone on the lands described as Part Lot 17, Plan 365, illustrated on Schedule “A” to this by-law, an Automobile 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. 39/2002. [passed August 6, 2002]

Schedule A,  
Map 12

For the purpose of this zoning by-law amendment, an Automobile Repair Shop is defined as follows:

“An Automobile Repair Shop means a building or other structure where repairs to motor vehicles are carried on, but does not

include an automobile body shop, an automobile sales establishment, an automobile service station or a wrecking yard.”

- 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 a Hazard (H) zone on the north east limit of the area subject to Special Provision 21.123.

Schedule A,  
Map 1

- 21.124** Notwithstanding the provisions of the Hazard (H) 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.

Schedule A,  
Map 1

- 21.125** Notwithstanding the provisions of the Agricultural (A) Zone on the land described as Part Lot 17, Concession 5, East of the Grand River, former Township of Pilkington, illustrated on Schedule “A” (Map 1) to this by-law, a garden suite shall be a permitted use for a period of time which shall not exceed ten years from the day of passing of By-law 46/2003. [passed August 5,2003]

Schedule A,  
Map 1

- 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:

Schedule A,  
Map 2

- A. Street townhouse dwelling units
- i. Minimum Lot Area – 200m<sup>2</sup> (2152.9 ft.<sup>2</sup>)
  - ii. Minimum Lot Frontage – 8.0m (26.2 ft)
  - iii. Minimum Front Yard – 6.0 m (19.7 ft)
  - iv. Minimum Rear Yard – 7.5 m (24.6 ft)
  - v. Minimum Side Yard Adjacent to Lot Line Separating a Block of Attached Units – 1.8 m (5.9 ft)
  - vi. Minimum Yard Between Attached Dwelling Units – 0.0 m (0.0 ft)
  - vii. Minimum Exterior Side Yard – 4.5 m (14.8 ft)
  - 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 (29.5 ft)
- xii. Covered porches may project into the required Front Yard provided an unobstructed yard of 4.5 m (14.8 ft) is provided and in the required side yard, provided an unobstructed yard of 1.5 m (4.9 ft) is provided.
- xiii. Where a rear yard abuts a Hazard Zone, a minimum building setback of 6.0 m (14.8 ft) is required from the zone line subject to approval by the Conservation Authority.
- xiv. Maximum height of accessory buildings shall be 4.5 m (14.8 ft)
- 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%

**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:

Schedule A,  
Map 1

- a) This definition shall not include a “Retail Establishment” or “Retail Food Store” as otherwise defined by Zoning Bylaw No. 57/1999;
- b) There are no persons employed other than members of the family and two additional employees;
- 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) Not more than 65 m<sup>2</sup> (700 ft<sup>2</sup>) of gross floor area is used for the purpose of retail sales.

**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:

Schedule A,  
Map 1

- i. Section 5.24.1 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 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 5.26 of By-law 57/1999 shall not apply.

**21.129 RESERVED.**

**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 5.2 of this By-law;
- 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 single 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 12.2.1 of Zoning By-law 57/1999, 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 12.2.1 of Zoning By-law Number 57/1999, no excavation setback shall be required along the common westerly side lot line, as shown on Schedule "A" to this By-law.

Schedule A, Map 1 and By-law 38/2005
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**21.131** Notwithstanding the provisions of the Agricultural (A) Zone, the following Special Provision shall apply on lands described as Part

Schedule A, Map 1
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Lot 2, Concession 9, Division C, in the former Township of Guelph, as illustrated on Schedule “A” of this By-law:

- i. Section 5.26 of By-law 57/1999 shall not apply to the subject lands.

Schedule A,  
Map 1

**21.132** Notwithstanding the provisions of the Open Space (OS) Zone and Hazard (H) 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 (86.15 ft)
- ii. Permitted uses shall only include Conservation uses as defined in Zoning By-law No. 57/1999.

Schedule A,  
Map 1 and 9

**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 (8.2 ft.)  
(Existing Church building)
- ii. Minimum Interior Side Yard -2.5 metres (8.2 ft.)  
(Existing house / manse)

Schedule A,  
Map 1

**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.

Schedule A,  
Map 1

**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) single detached dwellings shall be permitted.

Notwithstanding the provisions of the Agricultural (A) Zone, if the existing second single 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.

**21.136** Notwithstanding Section 10.2.9, on lands described as 7079 Wellington Road 124, Part Lot 5, Concession 2, Divisions 'B' in the former Township of Guelph, as illustrated on Schedule "A" to this By-law, a temporary portable office building shall be a permitted use on the property for a period of time which shall not exceed three (3) years from the date of passing of By-law 47/2006. Upon approval of the Township, this time period may be extended beyond the three (3) years specified. [passed July 4, 2006]

Schedule A,  
Map 18

**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 (22.7ac), as illustrated on Schedule "A" of this By-law.

Schedule A,  
Map 1