

The Corporation of the Township of Guelph/Eramosa

By-law Number 05/2026

A By-law to Establish an Interim Control By-law Pursuant to Section 38 of the Planning Act, R.S.O. 1990 c.P.13 as Amended

WHEREAS Section 38 of the Planning Act, R.S.O. 1990 c.P.13 as amended, authorizes Council to pass an Interim Control By-law prohibiting the use of land, building, or structures within a defined area of the municipality for a period of time not exceeding one year from the date of passage of the Interim Control By-law;

WHEREAS the Township is concerned about the protection and underutilization of rural industrial and/or employment lands, including the development of these lands with uses that do not provide employment opportunities and without main buildings appropriately sized based on the lot area and/or scale of parking and/or storage.

WHEREAS Council has passed a resolution directing the preparation of a Study be undertaken to evaluate Transport Establishments without a permanent, main building that includes an appropriately sized building with gross floor area that contains offices and area dedicated to employees and security, warehousing and repair and/or maintenance that is directly related to the Transport Establishment; and land intensive parking areas and/or storage for the temporary, permanent, and/or overnight parking and/or storage of Tractor Trailers, trucks, transports, trailers, Commercial Motor Vehicles or any combination thereof for profit or gain that may or may not be related , accessory or ancillary to the transportation industry (the "Studied Use").

AND WHEREAS the Study Area shall be the Township of Guelph/Eramosa, specifically lands that are designated and shown on Schedule B3 Land Use Guelph/Eramosa in the County of Wellington Official Plan (last updated December 2025) as Rural Employment Area.

NOW THEREFORE the Council of the Corporation of the Township of Guelph/Eramosa hereby enacts as follows:

1. THAT notwithstanding any other by-law to the contrary, no person shall:
 - a. Use any land, building or structure, or parts thereof except for a use that lawfully existed on the date this by-law was passed and for so long as it continues to be used for such purpose; and/or,
 - b. Construct, alter or expand any building, structure or use of land for a Studied Use.
2. THAT a Zoning By-law Amendment, Site Plan Approval or Minor Variance approval within the defined area that could permit lands, buildings or structures or parts thereof to be used,

constructed, altered or expanded for a Studied Use(s) shall be deemed contrary to this By-law and are prohibited.

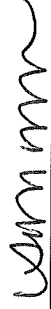
3. THAT notwithstanding any other provision of this By-law to the contrary, this By-law shall not apply to prevent the erection or use of any building or structure for which a permit has been issued under subsection 8(1) of the Building Code Act 1992, prior to the passing of this By-law, and so long as the building or structure, when erected, is used and continues to be used for the purposes for which it was erected and provided the permit has not been revoked under subsection 8(10) of the Building Code Act, 1992.
4. THAT notwithstanding any provision of this By-law to the contrary, this By-law shall not apply to prevent the expansion, erection or use of any building or structure legally established prior to the passing of this By-law.
5. THAT this by-law shall come into force and take effect immediately upon its passing by Council and shall be in effect for a period of one year from the date of passage of this By-law, or until such time that the Study is completed to the satisfaction of the Township, unless this By-law is otherwise extended in accordance with the provision of the *Planning Act*, R.S.O., 1990, c.P.13, as amended;
6. AND THAT the Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*, R.S.O., 1990, c.P.13, as amended.

READ three times and finally passed

this 23 day of February, 2026.



Chris White, Mayor



Amanda Knight, Clerk