



TOWNSHIP OF GUELPH/ERAMOSA

PROPOSED ZONING BY-LAW

(FEBRUARY 26, 2016)

www.get.on.ca/zoningreview

8348 Wellington Road 124,

P.O. Box 700

Rockwood ON N0B 2K0

Tel: 519-856-9596 ext. 138

Fax: 519-856-2240

Toll Free: 1-800-267-1465

SECTION 1 – TITLE & INTERPRETATION

1.1 Introductory Statement

This document is the Township of Guelph/Eramosa Comprehensive Zoning By-law XX/2016, as amended. The By-law replaces all previous Zoning By-laws in the jurisdiction, as amended.

1.1.1 Purpose of a Zoning By-Law

A Comprehensive Zoning By-law is a precise document used by the Township of Guelph/Eramosa (the Township) to regulate the **use** of land. It states which land **uses** are currently permitted in the Township and provides other detailed information.

The Township's Zoning By-law implements the objectives and policies of the Wellington County Official Plan. The Zoning By-law acts as a legal tool under Ontario's Planning Act for managing the **use** of land and future development in the Township. Zoning By-laws also protect property owners from the development of conflicting land **uses**. Any **use** of land or the **construction** or **use** of any **building** or **structure** not specifically authorized by this By-law is prohibited.

1.1.2 Summary of Each Section

Section	Title	Summary
1	Title & Interpretation	Explains the title given to the entire document, and the purpose of such document.
2	Administration	Provides guidelines on the interpretation and administration of the Zoning By-law.
3	Definitions	Defines many of the words and terms used in the By-law
4	General Provisions	Describes and explains the general regulations which apply to more than one of the Zones in the By-law. The general regulations cover matters such as: accessory buildings or structures , home occupations , outdoor storage, accessory apartments , etc.

5	Parking, Stacking, & Loading	Describes and explains the parking, stacking and loading regulations which apply to more than one of the Zones in the By-law.
6	Agricultural (A)	Sets out the regulations for this Zone. The objective of the Agricultural Zone is to conserve agricultural land and to allow for agricultural use on prime agricultural lands by permitting agricultural uses, uses that support agriculture, and uses that add value to agriculture, while prohibiting uses that are not compatible with or hinder agriculture.
7	Rural Residential (RR)	Sets out the rules for this Zone. The objective of the Rural Residential Zone is to limit uses to rural living in detached dwellings on larger lots , primarily within designated Hamlet Settlement areas.
8	Village Residential Low Density (R1)	Sets out the rules for this Zone. The objective of the Village Residential Low Density Zone is to allow low density residential uses including detached dwellings, semi-detached dwellings, duplex dwellings, and accessory apartments , within areas with full municipal services.
9	Village Residential Medium Density (R2)	Sets out the regulations for this Zone. The objective of the Village Residential Medium Density Zone is to allow medium density residential uses within the Urban Centre, including small lot detached dwellings, semi-detached dwellings , and multi-unit residential dwellings on full municipal services.
10	Village Commercial (C1)	Sets out the regulations for this Zone. The objective of the Village Commercial Zone is to implement the Central Business District policies of the Official Plan by permitting a range of retail, administrative, and cultural uses . The objective is also to allow for intensification and development at a scale appropriate for Rockwood.
11	Village Service Commercial (C2)	Sets out the regulations for this Zone. The objective of the Village Service Commercial Zone is to provide for a range of commercial, service, and administrative uses that provides a transition from the Central Business District/Village Commercial Zone to adjacent residential areas.
12	Hamlet Mixed Use (C3)	Sets out the regulations for this Zone. The objective of the Hamlet Mixed Use Zone is to permit a limited range of commercial and service uses at a scale appropriate to Eden Mills.
13	Highway Commercial (C4)	Sets out the regulations for this Zone. The objective of the Highway Commercial Zone is to allow for a range of commercial uses to support the viability of Hamlet Areas and rural industry.
14	Institutional (I)	Sets out the regulations for this Zone. The objective of the Institutional Zone is to permit institutional uses in

		appropriate locations, such that the uses support creating a complete community.
15	Rural Industrial (M1)	Sets out the regulations for this Zone. The objective of the Rural Industrial Zone is to permit a range of dry industrial uses and limited service commercial uses which require large lots , proximity to transportation routes, and/or need to be close to rural resources.
16	Extractive Industrial (M3)	Sets out the regulations for this Zone. The objective of the Extractive Industrial Zone is to permit uses that support and will not hinder aggregate extraction, in accordance with related policy. In addition the Zone permits uses that are appropriate as rehabilitation, such as agricultural uses and conservation .
17	Disposal Industrial (M4)	Sets out the regulations for this Zone. The objective of the Disposal Industrial Zone is to permit waste disposal, processing and transfer, composting, and recycling facilities, consistent with the Official Plan designation.
18	Open Space (OS)	Sets out the regulations for this Zone. The objective of the Open Space Zone is to limit the permitted uses to active and passive recreational uses , and other associated and supportive uses .
19	Environmental Protection (EP)	Sets out the regulations for this Zone. The objective of the Environmental Protection Zone is to limit uses to protect natural features and human life by prohibiting development in Environmental Protectionous areas, such as floodplains, in consistency with the policies of the Grand River Conservation Authority.
20	Special Provisions	Includes site specific uses and regulations.

1.2 Title

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

1.3 Application

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

1.4 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”.

1.5 Application for Building permit

Simply meeting the regulations of this By-law is not sufficient to be granted a Building permit. Please refer to the ***Corporation’s Building By-law*** for specific requirements.

1.6 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.

1.7 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 _____;
- Schedule “B”, Maps _____;

1.8 Definitions

For the purposes of this By-law, the definitions and interpretations given herein shall govern. Any word not defined, shall assume the common understanding of the word. 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.

DRAFT

[Page intentionally left blank]

DRAFT

SECTION 2 – ADMINISTRATION & ZONES

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 is passed pursuant to Section 34 of the Planning Act, R.S.O., 1990, as amended and 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** or Municipal 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 67 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.

2.9 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 _____, 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
Extractive Industrial	M3
Disposal Industrial	M4
Open Space	OS
Environmental Protection	H

2.10 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 noted above, then the boundary line shall be determined and measured according to the scale on the Zoning Maps, unless a By-law schedule provides greater accuracy.

2.11 Special Provisions

Where the Zone symbol applying to certain lands as shown on Schedule "A" is followed by reference to Section 20 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.

2.12 Holding Zones

Where the Zone symbol applying to certain lands as shown on Schedule "A" is followed by the letter "H" in parentheses (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 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, as amended.

“**Aggregate Processing Facility**”, means a facility **used** to process, crush, screen, wash, store/stockpile, 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 the growing of crops, including nursery, greenhouse, mushroom, and horticultural crops; raising of livestock and other animals for food, fur or fiber; aquaculture; apiaries; agro-forestry; maple syrup production; research and/or breeding station; riding/training stables, and associated on-farm **buildings** and **structures** (including for packing, treating and storing farm products, a **farm related tourism business**, and a **farm product sales outlet**), but does not include an **abattoir**, a **kennel**, or a rendering plant.

“**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-Related Business”, means the supply of goods, materials or services that support **agricultural uses** including, but not limited to, the sale, storage, mixing, distribution or cleaning of seed, feed, fertilizer and chemical products, grain drying, custom spraying, large-animal **veterinary clinic**, and the rental, sales, repair or service of agricultural equipment or implements.

“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 change 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.

“Amenity Area”, means an area within a residential development provided for **recreational uses** or enjoyment of the residents, and excludes any portion of a **parking area** or ingress/egress to a **parking area**.

“Animal Crematorium”, means a licensed facility limited to the cremation of domestic animals. Domestic animals include such animals as cats, dogs and horses.

“Asphalt Plant”, 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 club**, fraternal organization, arena, curling rink, a cinema, a stadium, union hall, or **community centre**.

“Auction House”, means a **building** or **structure** or portion thereof where goods, wares, merchandise, effects or the like are offered for sale to the highest bidder, but does not include a livestock auction.

“Automobile Body/Repair Shop” means a **building** or other **structure** where motor vehicle(s) may be subject to major repairs, parts or systems replacement, body work or

painting. An **automobile body/repair shop** does not include an **automobile sales establishment**, an **automobile service station**, an **automobile washing establishment**, or a **salvage 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, motorcycles, light construction and lawn care equipment, and may include the servicing, repair, cleaning, polishing, and lubrication of motor vehicles, the sale of automotive accessories and related products, and the leasing or renting of passenger motor vehicles.

“**Automobile Service Station**” means a **building** or place where service, maintenance or minor mechanical repair essential to the operation of a motor vehicle is provided and may include one or more gasoline pumps for the sale of gasoline and related motor vehicle or convenience products, together with the necessary pump islands, light standards, kiosk, concrete aprons, canopy, storage tanks, an **automobile washing establishment**, and related facilities required for the dispensing of gasoline. An **automobile service station** does not include an **automobile body/repair shop**.

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

B

“**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**, or **hotel**, or **motel**, or **group home** as defined by this By-law.

“**Body Rub Parlour**”, shall mean thereof where a **body rub** is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the treatments performed are for the purpose of medical or therapeutic treatment and are performed or offered by **person** otherwise duly

qualified, licensed or registered so to do under the laws of the Province of Ontario. This **use** does not include any other **use** defined in this Bylaw.

“Body Rub”, includes the kneading, manipulating, rubbing, massaging, touching or stimulation, by any means, of a **person’s** body or part thereof, but does not include medical or therapeutic treatment given by a **person** otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario. This does not include any other **use** defined in this By-law.

“Brewing-on-Premise Establishment”, means a commercial establishment where individuals produce beer, wine and/or cider, for personal **use** and consumption off the premises, and where beer, wine and/or cider ingredients and materials are purchased and stored.

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

“Buffer Strip”, means an area **used** to visibly separate one **use** from another **use** to shield or block noise, lights, or other nuisances.

“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, cabin, cottage, lodge, or other **recreational trailer**, 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.

“Category A Uses” includes **uses** that generate and handle large volumes of potentially Environmental Protectionous liquid or soluble chemicals and shall include outdoor bulk storage of road salt; bulk storage of chemicals or Environmental Protectionous

substances; bulk storage of tires; lagoons for sewage treatment; sanitary landfill sites; and manufacturing of large volumes of chemicals, resins, paints, varnish, printing inks, adhesives, plastics and reinforced fiberglass plastic.

“Category B Uses”, includes **uses** that generate and handle moderate volumes of potentially Environmental Protectionous liquid or soluble chemicals and/or have effective engineering measures to manage chemical usage (or retroactively engineer systems) and/or can effectively implement Environmental Protection prevention measures and/or may reasonably be relocated and shall include manufacturing and dyeing of textiles; manufacturing of agricultural, commercial and industrial machinery; asphalt batching, paving and roofing establishment; and facilities that use chemicals, resin, paints, varnish printing inks, adhesives, plastics and reinforced fiberglass plastic, snow dumping (i.e. collection and storage of off-site snow).

“Category C Uses”, includes **uses** that handle small volumes (if any) of potentially Environmental Protectionous liquid or soluble chemicals and/or have effective engineering measures to manage chemical usage (or retroactively engineer systems) and/or can effectively implement Environmental Protection prevention measures and/or can reasonably be relocated and/or may provide a potential increase to aquifer vulnerability because of the removal by excavation and/or drilling surficial materials and shall include automated manufacturing of soft drinks, distilleries, breweries; automated production of baked goods, dairy, canned goods, frozen foods, processed food and meat; glass and glass products manufacturing; and machinery equipment rental outlets

“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.

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

“Child Care Centre”, means a facility licensed under Provincial legislation which accommodates a minimum of five children, for the purpose of providing temporary care for a continuous period of time not exceeding twenty-four hours.

“Commercial School”, means a building where instruction is given for hire or gain and includes a music, dance or yoga studio, an art, business or trade educational establishment, and any other such specialized educational business.

“Commercial Motor Vehicle”, means any motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, tow trucks, dump trucks, motor buses and farm tractors, but excludes **trailers**, **recreational trailers**, 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 community **museum**, recreational facility and **banquet hall**, the control of which is vested in the **Corporation**.

“Composting Yard”, means a **lot** or part thereof, **used** for the composting of food waste and organic materials.

“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 Tradesperson Establishment”, means a **building** or part of a **building** from which a service, trade or guild operates or is based from in which manual or mechanical skills are used to install, manufacture, maintain, or repair articles, goods, materials, equipment or real property. The establishment shall include the **buildings**, **structures** and area wherein vehicles, equipment and supplies are parked, stored and maintained for **use** in the trades, and **accessory office** activities. The establishment does not include the retail or wholesale sale of construction or home improvement materials or supplies.

“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.

“Courier Service”, means a **building** or **structure used** for courier pick-up or drop-off services.

D

“Display Parking Space”, means a ***parking space*** provided on-site for the purposes of outdoor display and storage of a motor vehicle, ***accessory*** to an ***automobile sales establishment***. ***Display parking spaces*** are provided in addition to the minimum parking requirement of a permitted ***use*** as established in the parking regulations of this By-law.

“Drive-Thru Establishment” means a place, with or without an intercom order station, where a product or service is available at a service window for delivery to a vehicle as a component of the ***main use***, and shall include an automated bank machine and automatic carwash.

“Dry Cleaning and Laundering 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.

“Dwelling, Accessory Apartment”, means a residential ***dwelling unit***, as defined herein, which is located within and subordinate to a ***detached dwelling*** or a ***semi-detached dwelling***, or ***accessory*** to a commercial ***use***. An ***accessory apartment*** shall contain a kitchen and a bathroom.”

“Dwelling, Apartment”, means a residential dwelling containing three or more ***dwelling units*** each having independent access either directly from the outside or through a common vestibule.

“Dwelling, Cluster Townhouse”, means a ***townhouse*** situated on a ***lot*** in such a way that at least one ***dwelling unit*** does not have legal ***frontage*** on a public ***street***.

“Dwelling, Detached”, means a single dwelling house containing one ***dwelling unit*** and does not include a ***mobile home*** or a ***recreational trailer***.

“Dwelling, Duplex”, means a residential dwelling divided horizontally to contain two independent residential ***dwelling units*** and which have independent entrances either directly from the outside or through a common vestibule. A dwelling that includes an ***accessory apartment*** is not a ***duplex dwelling***.

“Dwelling, Farm Help”, means a dwelling that is ***used*** for the housing of on-site farm labour where the workers assist on the subject farm on a full-time, seasonal basis, where the size and nature of the operation requires additional employment.

“Dwelling, Garden Suite”, means a one-unit detached residential **structure** containing bathroom and kitchen facilities that is **accessory** to an **existing detached dwelling**, and 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.

“Dwelling, Group Home”, means a staff-supported residence operated by a service agency and licensed or funded under a federal or provincial statute, in which three or more **persons** reside under supervision and receive services and supports from the agency as a single housekeeping unit.

“Dwelling, Retirement Home”, means a **building** containing independent **dwelling units** providing accommodation primarily for retired **persons**, and where **accessory** support and health services may be provided, and which may contain **accessory** personal service and **recreational uses** for the residents, but does not include a **long term care facility**.

“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 common vestibule.

“Dwelling, Stacked Townhouse” means a **building** containing two **townhouse dwelling units** divided horizontally, one atop the other, both with independent access to the **street** or courtyard. A **stacked townhouse** can be either a **street fronting townhouse** or a **cluster townhouse**.

“Dwelling, Street Fronting Townhouse”, means **townhouse** located on a **lot** so that each **dwelling unit** has **frontage** on a public **street**.

“Dwelling, Townhouse”, means a residential **building** divided vertically to provide three 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**.

“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

“Entertainment/Recreation Establishment”, means development ***used*** for indoor and outdoor commercial cultural, athletic, amusement, or ***recreational uses*** but does not include gambling or ***uses*** otherwise defined or classified herein.

“Erect or Construct”, means to build, 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 legally existing on October 19, 1999, unless otherwise noted.

F

“Farm Business”, means those small-scale businesses located on a farm, and depend directly on the farm in order for the business to operate. Examples include: ***farm related tourism business, farm product sales outlet***, cottage wineries, value-added processing or packaging, and pick-your-own operations.

“Farm Home Industry”, means an occupation which is carried out on a farm as an ***accessory use***, in accordance with the provisions of this By-law.

“Farm Product Sales Outlet”, means a ***use accessory*** to an active agricultural operation that includes a ***building*** or ***structure*** with commercial retail space for the sale of value-added products produced from the farm corporation. The sale of products not produced on the farm or by the farm corporation is prohibited.

“Farm-Related Tourism Business” means those agriculturally-related tourism ***uses*** that promote enjoyment, education, or activities related to the agricultural operation. The ***main*** activity on the property must be an ***agricultural use***. As such, ***uses*** must:

- a. Be dependent on the existence of the agricultural operation,
- b. Use products that are produced on the property or related to agriculture,
- c. Enhance the agricultural nature of the property, and
- d. Not present any limitation to future agricultural activities.

Such activities could include hay or corn maze, petting zoo, hay/sleigh rides, pumpkin chucking, farm tours, and processing demonstrations.

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

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

“Flood Control Project”, means land **use** practices or **structures** deemed necessary by the Grand River Conservation Authority for the reduction or prevention of flooding.

“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, internal/external stairs, 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.

“Food Processing Plant”, means a **building** or part thereof, other than a **restaurant** or catering service, in which agricultural products are prepared, processed, preserved, graded or stored for eventual human consumption, and includes licensed medical marijuana facilities, but does not include an abattoir or any premises **used** for the slaughtering of animals. A **food processing plant** shall be “dry” **uses** which do not use significant amounts of water in their operation and which do not produce significant amounts of effluent.

“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.

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 growing of plants, shrubs, trees and similar vegetation, buying or selling lawn and garden equipment, furnishings, and supplies, and may include a greenhouse.

“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, 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.

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.

“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 deck;
- 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.

In calculating the **height** of a **building**, any construction used as ornament or for the mechanical operation of the **building**, such as a mechanical penthouse or a chimney, tower, cupola, steeple, spire, belfry, water tank, clock tower, farm **building**, windmill, flag pole, ventilator, or antenna, is not to be included.

“Home Occupation”, means any occupation, profession, business, trade or craft conducted for profit or gain as an **accessory use**, conducted entirely within a **dwelling unit** by a **person** who is a resident of such **dwelling unit**.

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

“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 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 **uses** shall be “dry” **uses** which do not use significant amounts of water and which do not produce significant amounts of effluent.

“Institutional Uses”, means religious, charitable, educational, health or welfare **uses**. Examples include, but are not limited to: **place of worship, medical clinic, social service establishment, long term care facility, school, or child care centre**.

K

“Kennel”, means a place where a minimum of three (3) dogs are housed, groomed, boarded, bred, trained, sold or kept and which is licensed by the Township under the provisions of the Municipal Act, but does not include a **Veterinary Clinic** or **Pet Grooming** as defined herein. Notwithstanding, the definition of **Kennel** does not apply to where dogs are kept as working dogs associated to a **Livestock Facility** as defined. The limit shall be four (4) dogs where the Township is satisfied this criteria has been met.

L

“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, any curb, retaining wall, **parking area**, outdoor storage, or any open space beneath or within any **building** or **structure**, whether surfaced or not.

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

“**Library**”, means a library, branch library, or library distributing station that is approved under the Provincial legislation.

“**Livestock Facility**”, means one or more barns or permanent **structures** intended for keeping or housing of livestock with livestock occupied portions, which are areas of the **structure** where the livestock spend a majority of their time thus allowing substantial amounts of manure to accumulate. A **livestock facility** also includes all manure or material storages and anaerobic digesters. For the purposes of this definition livestock includes animals identified in the Ontario Ministry of Agriculture, Food and Rural Affairs Minimum Distance Separation Implementation Guidelines.

“**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**.

“**Long Term Care Facility**”, means a **building** where residents who require long term personal support services, restorative care, and/or nursing care dwell with supervision without individual cooking facilities, and on a long-term basis, and the facility is licensed in accordance with the Long-Term Care Homes Act, as amended.

“**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 degrees.

“Lot Coverage”, means the 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**, **parking areas**, patios, decks, outdoor swimming pools, 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”, means a **side lot line** which abuts a **street**.

“Lot Line, Interior”, means 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**. In the case of a **corner lot** where the length of the **lot lines** abutting a **street** are equivalent or there are three abutting **streets** the **front lot line** shall be deemed to be the **lot line** where the face of the **building** intended to be the front is located.

“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.

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

“Museum”, means 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 legally 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.

“Non-habitable Room”, 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, veranda, 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**.

O

“Office”, means a **building** or part of a **building** in which a business is conducted or a profession is practiced including associated clerical, administrative, consulting, advisory or training services, but does not include a **medical clinic**, or **veterinary clinic**.

“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 an open area, 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** and may include a private **garage**.

"Parking Lot", means an open area, other than a **street** or **lane**, where the primary **use** of the **lot** is the temporary paid parking of motor vehicles for clients or customers, and includes associated **parking spaces**, driveways, and **parking aisles**. Temporary parking does not allow the continuous parking of any vehicle for more than one 24 hour period. A **parking lot** does not include areas where vehicles for sale or repair are kept or stored, or where impounded, wrecked or otherwise inoperable vehicles are stored. This does not include **accessory parking areas** or **parking areas** associated with residential **uses**.

"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** or residential driveway. Required visitor parking may not occur within a residential driveway.

"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.

"Pet Grooming", means the grooming of a domestic animal, including bathing, cutting of hair, trimming of nails, and other services generally associated with the act of grooming but shall exclude veterinary services, breeding, boarding, and overnight accommodation.

"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 Worship", 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 hall, an auditorium, a convent, an **office** for religious leaders, a children's religious activity room, and an attached **dwelling unit** for a religious leader as **accessory uses**.

“Plaza Complex”, means a group of commercial or industrial establishments 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.

“Private Club”, 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.

“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 Trailer”, 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 trailers, motor homes, camper pick-ups, or camper vans. It does not include a **mobile home**.

“Recreational Use”, means the **use** of land for public or private **parks** and their **accessory** facilities, such as: indoor and outdoor skating rinks, athletic fields, change rooms, picnic areas, swimming pools, outdoor theatres, agricultural fairs and all similar **uses**, excluding a track for the racing of any sort of animals or vehicle.

“Recycling Plant”, means a place where materials such as paper, plastic, cardboard, metal and glass are delivered stored, separated, and processed in order to salvage and reuse material, but does not include **uses** otherwise defined or classified herein.

“Rental Outlet”, means a **building** or part thereof **used** for the rental of tools, appliances, office machines, recreation equipment, light construction equipment, party

supplies or similar items, but does not include the rental of motor or recreational vehicles.

“Restaurant”, a **building** or **structure** or part thereof, where food or refreshments are prepared and offered for retail sale to the public for immediate consumption either on or off the premises, take out or drive thru service.

“Retail 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.

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 school board as defined by Provincial legislation.

“Scientific Research Establishment”, means an establishment where scientific or medical experiments, tests, or investigations are conducted, and where drugs, chemicals, glassware, or other substances or articles pertinent to such experiments, tests, or investigations are manufactured or otherwise prepared for **use** on the premises.

“Seasonal Equestrian Camp”, means a facility which operates from May 1 to October 1 and provides equestrian instruction and **accessory** recreation programming in an overnight camp setting catering to short term guests.

“Self-storage Facility”, means a **building** or group of **buildings** divided into separate self-contained compartments and leased or rented on an individual basis for temporary storage of individuals' property.

“Service Shop”, means a **building** or part of a **building** in which services are provided including but not be limited to a cosmetic services, photography studio, and service or

repair shops. The **accessory** sale of merchandise shall be permitted only as a **accessory use** to the service provided.

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

“**Shipping Container**” means an intermodal freight container that is **used** for the transportation and storage of goods and materials which are loaded onto trucks, trains or ships for the purpose of moving of goods and materials. For the purpose of this definition a **shipping container** does not have wheels and does not include a truck body, trailer or transport trailer.

“**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.

“**Sight Line Triangle**”, means an area free of **buildings**, **structures**, or plantings that measure 1 m or higher.

- In the case of a **corner lot**, the area is to be determined by measuring from the point of intersection of **street lines** on a **corner lot**, 7.6 m along each such **street line** and adjoining such points with a straight line.
- In the case of a driveway, the area is to be determined by measuring the point of intersection formed within a **lot** by the intersection of any driveway line and a **lot line**, 4.5 m from their point of intersection, and adjoining such points with a straight line.
- The triangular-shaped land between the intersecting lines and the straight line joining the points is the **sight line triangle**.

“**Social Service Establishment**” means a **building** or **structure** in which clerical, administrative, consulting, counseling, distributive, and recreation functions for a non-profit social service agency are conducted, but does not include facilities in which overnight accommodation is provided.

“**Specialty Store**” means a **retail store** which falls into one of the following categories and is built at a scale not appropriate for the Village Commercial Zones: **auction house**; antique shop; beer, wine or liquor store; convenience store; furniture and appliance establishment; or lumber yard.

“**Stacking Lane**”, means the portion of a **parking area** exclusively **used** as an unobstructed internal space for queuing motor vehicles utilizing a **drive-thru establishment**.

"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. For the purposes of applying the **setback** provisions of this By-law to development on an **existing lot** a **street** shall include any adjacent unopened road allowance or private road that serves as the legal main access to the **lot**

"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

"Taxi or Bus Depot", means a **structure used** for the boarding or disembarkment of buses or taxis by fare-paying passengers.

"Tractor Trailer", means a truck consisting of a self propelled cab designed to have 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. Both the cab and trailer component individually or together are considered a **tractor trailer** for the purposes of apply the provisions of this by-law. This definition shall not include a **commercial motor vehicle** as defined herein.

"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 Provincial legislation, and includes facilities where animals can be temporarily boarded.

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.

“**Waste Disposal Area**”, means a facility operated by or for the **Corporation** or the **County**, or authorized by the Ministry of Environment, where garbage, refuse or domestic or industrial waste is disposed of or dumped, and shall include a sewage treatment plant or sewage lagoon.

“**Waste Transfer Station**”, means a place authorized by the Ministry of Environment where waste material is collected, sorted, prepared and/or transferred into containers for shipment to a land fill site, recycling facility or other waste disposal facility.

“**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, 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, 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**.

[Page intentionally left blank]

DRAFT

SECTION 4 – GENERAL PROVISIONS

4.1 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 as of _____, so long as it continues to be **used** for that purpose.

4.1.1 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 increase or expand 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 Zones relating to the subject land.

4.1.2 Replacement of Non-Conforming Buildings or Structures

Nothing in this By-law shall prevent the replacement of **non-conforming building** or **structure** where such **building** or **structure** is partially or totally destroyed by fire, explosion, collapse, or other accidental cause, with the exception of flooding, 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. such replacement occurs within a reasonable amount of time; and
4. the **height** and **gross floor area** of such replacement does not exceed the **height** and **gross floor area** of the **building** as it existed prior to such destruction.

4.1.3 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, and 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 as of October 19, 1999, 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.

Notwithstanding the above, *lots* in the Village Commercial Zone which existed as of October 19, 1999 and which have a *lot frontage* less than required and/or have a *lot area* less than required, shall have a minimum *lot frontage* equivalent to their *lot frontage* and/or shall have a minimum *lot area* equivalent to their *lot area*.

Notwithstanding the above, *lots* in the Agricultural Zone which existed as of October 19, 1999 and which have a *lot frontage* less than 120 m and/or have an area less than 35 ha, shall have a minimum *lot frontage* equivalent to their *lot frontage* and/or shall have a minimum *lot area* equivalent to their *lot area*.

4.1.4 Deemed To Comply: Site Plan or Development Agreements and Site Plan Approvals

Where a Site Plan or Development Agreement has been entered into, signed by Owner and the Township and registered on title between January 1, 2010 and _____, but all building permits for the applicable project have not been issued, the provisions in this By-law shall be deemed to be modified to the extent necessary to give effect to the Site Plan or Development Agreement, provided that all building permits are issued prior to _____.

4.2 Accessory Uses

4.2.1 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 habitation except as permitted in this By-law.

4.2.2 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. In no case shall portables, storage/**shipping containers**, freight cars or steel containers be **constructed** or established as an **accessory building** on any **lot** within a Residential Zone.

4.2.3 Location of Accessory Buildings

Any **accessory building** or **structure** 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 **buildings** or **structure** is situated, except when otherwise provided for by this By-law

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

4.2.4 Permitted Floor Area for Accessory Buildings

The maximum **gross floor area** permitted for all **accessory buildings** or **structures** located on a **lot** as is follows:

1. Ten percent (10%) of the total **lot area** for a **lot** in a Residential Zone, and a **lot** in the Agricultural Zone with a **lot area** less than or equal to 8,000 m² (0.8 ha).
2. Five percent (5%) of the total **lot area** for a **lot** in a Commercial, Industrial, Institutional or Open Space Zone.
3. Five percent (5%) of the total **lot area** for a **lot** in the Agricultural Zone with a **lot area** greater than 8,000 m² (0.8 ha) and less than or equal to 350,000 m² (35 ha).

4. One percent (1%) of the total **lot area** or a maximum of 4,000 m² (0.4 ha), whichever is less, for a **lot** in the Agricultural Zone with a **lot area** greater than 350,000 m² (35 ha).

4.3 Shipping Container Regulations

Notwithstanding the other regulations of this By-law the following provisions shall apply to **shipping containers**:

1. Shall only be permitted in the Agricultural, Rural Industrial, and Highway Commercial Zones;
2. Shall not be permitted as the sole **structure** on any property, except in the case of a **self-storage facility**;
3. Shall only be permitted for the **use** of **accessory** storage to a permitted **use**, and shall not be **used** for human habitation, display, advertising, screening, or fencing;
 - a. Notwithstanding the above, a **shipping container** may be permitted for the transportation of goods and materials within the Rural Industrial Zone;
4. Shall only be located to the side or the rear of the permitted **use** provided that it is:
 - a. Screened from view from the **street** and abutting properties;
 - b. Complies with the **lot coverage** and **setback** requirements of the Zone;
 - c. Not be located in any required **yard**; and
 - d. Not located in any required **parking areas** or landscape buffer.
5. Shall be included in all calculations for the purpose of determining maximum **lot coverage**.
6. Shall be in a condition free from rust, peeling paint and any other form of visible deterioration;
7. Not be permitted on any **lot** less than 4 hectares in the Agricultural Zone, and in no case shall a **shipping container** be permitted on a **lot** having less than 0.4 hectares;
8. Shall not exceed a **height** of 3 m and a length of 12 m, and shall not be stacked one on top of the other;
9. The maximum number of **shipping containers** on any property shall be limited to 2;
 - a. Notwithstanding the above, when **used** for the transportation of goods and materials or as a **self-storage facility** within the Rural Industrial Zone no maximum shall apply;
10. Shall comply with the requirements of the Ontario Building Code; and

11. Notwithstanding the above a **shipping container** may be permitted for temporary storage on construction sites in accordance with Section 4.15.

4.4 Accessory Apartment Regulations

4.4.1 Accessory Apartment in Agricultural or Residential Zone Regulations

Wherever an **accessory apartment** is permitted in an Agricultural or Residential Zone by this By-law, such an **accessory apartment** shall only be **constructed** or **used** in accordance with the following:

1. Driveway access to both the **main** dwelling and the **accessory apartment** shall be limited to one access so that no new entrance from the **street** shall be created, except in the case of a **corner lot**, where one entrance from each **street** may exist, subject to Section 4.19 or Section 4.20 as applicable.
2. When exterior alterations to the **main** dwelling are proposed for an attached **accessory apartment**, the siting of an **accessory apartment** shall be to the rear or side of the **main** dwelling, and shall comply with the **yard** and setback requirements of the Zone in which such **buildings** is situated.
3. The maximum **gross floor area** of an **accessory apartment** shall be no more than an amount equal to 45% of the **gross floor area** of the **main** dwelling, to a maximum size of 115 m².
 - a. Notwithstanding the above, if the **accessory apartment** is located in a **basement**, the **accessory apartment** may occupy the whole of the **basement**.
 - b. Where an attached **garage** is converted to create an **accessory apartment** (in whole or in part), the attached **garage** will be included in calculation of the **gross floor area** of the **main** dwelling.
4. A maximum of one **accessory apartment** per **lot** is permitted, and shall be **accessory** to the **main** dwelling.
5. One **parking space** will be provided for the **accessory apartment**, in addition to the required parking for the **main** dwelling.

4.4.2 Accessory Apartment in Commercial Zone Regulations

Wherever an **accessory apartment** is permitted in a Commercial Zone by this By-law, such an **accessory apartment** shall only be **constructed** or **used** in accordance with the following:

1. Driveway access to both the commercial **use** and the **accessory apartment** shall be limited to one access so that no new entrance from the **street** shall be created, with the exception of a **corner lot**, where one entrance will be permitted from each **street**.
2. The **accessory apartment** shall be located above or behind the **main commercial use**.
3. The maximum **gross floor area** of an **accessory apartment** that is located behind a commercial **use** shall be no more than an amount equal to 40% of the **gross floor area** of the commercial **use**, to a maximum size of 115 m².
 - a. Notwithstanding the above, if the **accessory apartment** is located above a commercial **use**, the **accessory apartment** may occupy the whole of the upper level floor.
4. A maximum of one **accessory apartment** per **lot** will exist, and shall be **accessory** to the commercial **use**. Where residential **uses** exist above a commercial **use**, an **accessory apartment** will not be permitted to the **rear** of the commercial **use**.
5. One **parking space** will be provided for the **accessory apartment**, in addition to the required parking for the commercial **use**.

4.5 Garden Suites Regulations

A **garden suite** shall be permitted in the Rural Residential and Agricultural Zones, subject to entering into a Development Agreement with the **Corporation**, in accordance with the associated Corporate Policy. A **garden suite** shall be subject to the following regulations:

1. A **garden suite** shall be prefabricated, portable, and temporary.
2. Driveway access to both the **main dwelling unit** and the **garden suite** shall be limited to one so that no new entrance from the **street** shall be created, except in the case of a **corner lot**, where one entrance from each **street** shall be permitted.
3. The siting of a **garden suite** shall comply with all **setbacks** of the Zone, and shall be located to the rear or side of the **main dwelling unit**, unless sufficient screening and buffering can be demonstrated.

4. The maximum floor area shall be 140 m² provided that the floor area of the ***garden suite*** remains less than that of the ***main dwelling unit***.
5. The maximum ***height*** shall be one ***storey***, and shall not exceed 4.5 m.
6. No ***garden suite*** shall be located closer than 3 m to the ***main dwelling unit*** on the ***lot*** or any ***building*** on an abutting property.
7. Only one ***garden suite*** may be established per ***lot***.
8. All ***garden suites*** shall be provided with adequate water and sewage disposal systems, as per the Ontario Building Code.
9. All ***garden suites*** shall be established as a temporary ***use*** pursuant to Section 39 of the Planning Act.

4.6 Sight Line Triangle

Any ***building***, ***structure***, or object ***erected*** in accordance with this By-law shall comply with the definition of a ***sight line triangle***.

4.7 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***.

4.8 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.

4.9 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, with the following exceptions:

Structure	Relief provided	Yard that must be maintained
Fences, walkways (including inset steps where a slope prohibits walkways), freestanding walls, flagpoles, light standards, hedges, trees, shrubs and similar accessory structures and appurtenances	No yard required	None, provided other restrictions of this By-law such as sight line triangles are maintained.
Window sills, chimney breasts, belt courses, cornices, eaves and other architectural features	1 m into required yard	Required yard less 1 m
Balconies and steps (covered or uncovered), unenclosed porches, or decks.	2.5 m into a required yard	2.5 m yard is required to be maintained.
Fire escapes and exterior staircases	1.5 m into a required side yard or rear yard	Required yard less 1.5 m
Accessory buildings intended for parking of a vehicle	May encroach into a required interior side yard or rear yard	1.5 m yard is required to be maintained
Signs	No yard required	None, provided other restrictions such as any applicable sign by-law are complied with.
A gate house in a Industrial or Open Space Zone	May encroach into a required interior side yard or front yard	None, provided other restrictions of this By-law such as sight line triangles are maintained.
Satellite dishes	May encroach into a required interior side yard or rear yard	3 m yard is required to be maintained
Fuel pump islands and fuel pumps	No yard required	4.5 m yard is required to be maintained
Outdoor amenity area	May encroach into a required interior side yard or rear yard	None, provided other restrictions of this By-law such as sight line triangles are maintained.

4.10 Height Restrictions and Exceptions

No **accessory building** or **structure** shall exceed a **height** of 4.7 m except in the Agricultural Zone, or as otherwise provided in this By-law.

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, spire, an elevator shaft, water storage tank, elevating device, flagpole, television or radio antenna or tower, ventilator, windmill, air conditioner duct, grain drying equipment, clothesline, skylight, or solar collector.

4.11 Buffer Strips

4.11.1 Buffer Strip Requirements

Notwithstanding the **yard** and setback provisions of this By-law, where a **lot** is **used** for a non-residential **use** other than agriculture and the **interior lot line** or **rear lot line** abuts a residential **use**, 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 regulations of Section 4.11.2.

Notwithstanding the **yard** and setback provisions of this By-law, where a **parking lot** is situated on a **lot** along a **lot line** which abuts a residential **use**, a visual barrier shall be provided and maintained along such abutting **lot line** in accordance with the regulations of Section 4.11.2.

Notwithstanding the **yard** and setback provisions of this By-law, where a **lot** is **used** for an extractive **industrial use**, then a strip of land adjoining abutting **lots**, shall be **used** for no other purpose than a **buffer strip** in accordance with the regulations of Section 4.11.2.

4.11.2 Buffer Strip Regulations

1. Minimum width of 1.5 m.
2. A **buffer strip** may consist of:
 - a. a continuous unpierced hedgerow of evergreens or shrubs,
 - b. a solid privacy fence,
 - c. a solid wall,

- d. an earth berm,
- e. or combination thereof.
3. The **buffer strip** shall not be less than 1.5 m 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, flowerbeds, grass or a combination thereof.
4. 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 of the edge of said driveway and/or walk.
5. The planting strip shall be planted and maintained by the owner or owners of the land on which the planting strips are required;
6. The **buffer strip** shall be in accordance with the Township's Landscape Guidelines, as applicable; and
7. A **buffer strip** referred to in this Subsection may form part of any **landscaped area** required by this By-law.

4.12 Home Occupation Regulations

A **home occupation** is permitted within a **dwelling unit** by a resident of said **dwelling unit**, subject to the following regulations:

1. The **home occupation** is clearly secondary to the **main** residential **use** and does not change the residential character of the **dwelling unit** nor create or become a public nuisance in particular in regard to noise, traffic or parking;
2. Only two employees in addition to permanent residents of the **dwelling unit** may be employed;
3. No external storage, external display of goods or materials, or **accessory buildings** may be **used** in relation to a **home occupation**;
4. No external display or advertising other than a fascia or ground **sign** having a maximum area of 0.2 m² which does not include changeable copy or internal illumination;
5. No mechanical equipment, except that which is customarily **used** in dwellings for domestic or household purposes, or for **use** by a dentist, drugless practitioner, physician, or other professional **persons**;
6. Up to 25% of the **gross floor area** of the **dwelling unit** may be **used** for **home occupation** purposes; and
7. The parking requirements of this By-law shall apply to any **home occupation use**, in addition to the required spaces for the **dwelling unit**.

4.13 Farm Home Industry Regulations

1. A **farm home industry** must be located on a farm, and shall be secondary to the **agricultural use**.
2. A **farm home industry** shall include a carpentry shop, a **contractor or tradesperson establishment**, a welding shop, a **machine shop**, a plumbing shop, an electrical shop, furniture fabrication, assembly and repair, tool and equipment repair shop, small engine repair, farm implement repair; or a **use** of a similar nature to those listed above.
3. The **farm home industry** must employ at least one **person** who dwells on the property and may employ two additional employees;
4. All **buildings, structures, parking areas** and loading areas **used** for the **farm home industry** shall not occupy an area exceeding 2% of the **lot**, to a maximum of 0.4 hectares in area.
5. A **farm home industry** must be appropriate for rural servicing and be compatible with **agricultural uses**.
6. There shall be no **open storage** of materials, supplies, tools, equipment or goods which are **used** for, or result from, the **farm home industry**.
7. A **farm home industry** must comply with all applicable by-laws and regulations such as noise and parking regulations.

4.14 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/dwelling units** of the type permitted in that Zone.

4.15 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.

4.16 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.

4.17 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:
- a **salvage yard**;
 - a **mobile home park**;
 - a track or course for the racing and/or testing of motorized vehicles;
 - the boiling of blood, tripe, bones or soaps for commercial purposes;
 - the tanning or storage of uncured hides or skins;
 - the manufacturing of glue or fertilizers from dead animals or from human or animal waste;
 - an abattoir, stockyard, livestock exchange, or dead stock depot;
 - the extracting of oil from fish or animal matter;
 - 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;
 - the keeping or raising of livestock or wild animals in any Residential Zone unless otherwise permitted;
 - a **kenel**;
 - an **adult entertainment establishment**;
 - a **body rub parlour**.

4.18 Well Head Protection Areas

4.18.1 Prohibited and Restricted Uses

Notwithstanding any permitted **uses** in this By-law, in addition to the restricted **uses** listed in Section 4.17, no **person** shall, within the Well Head Protection Areas 1, 2 and 3 as shown on Schedule B to this By-law, **use** any land or **construct, alter** or **use** any **building** or **structure** unless in accordance with the following provisions:

Areas:	Category A Uses	Category B Uses	Category C Uses
WHPA 1	Prohibited	Prohibited	Subject to 5.17.1.1
WHPA 2	Prohibited	Subject to 5.17.1.1	Subject to 5.17.1.1
WHPA 3	Prohibited	Subject to 5.17.1.1	Subject to 5.17.1.1

4.18.1.1 Requirements

Where the **use** is permitted in the underlying zoning category such a **use** may be established or expanded provided that prior to the **Corporation** provides written approval to a risk assessment or hydrogeological analysis completed in accordance with the provisions of the County of Wellington Official Plan

4.18.2 Existing Uses in Well Head Protection Areas

Where an **existing** lawfully established **Category A Use** is located within Well Head Protection Areas 1, 2 and 3 or any **Category B Use** is located within Well Head Protection Area 1, such **use** shall be permitted to continue but shall not be permitted to expand subject to:

1. that prior to the Township provides written approval to a risk assessment or hydrogeological analysis completed in accordance with the provisions of the County of Wellington Official Plan; and
2. the **use** provisions and regulations of the underlying zoning category are complied with; and
3. if required the imposition of performance standards and techniques to reduce overall risk to ground water and surface water resources.

4.19 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.

4.20 Setbacks from Provincial Highways and County Roads

Notwithstanding any other provisions of this By-law, no **building** or **structure** shall be located closer than 25.5 m to **Provincial Highways** or 22.5 m to **County Roads** with the exception of those **buildings** or **structures** located within the boundaries of an Urban Centre or Hamlet as identified in the Wellington County Official Plan. All **buildings** shall be located to the greater of any setback.

This distance shall be measured at a right angle to the **center line** of the **street** abutting such **yard**, commencing from the **center line** 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 road authority, on any **lot** between two **existing buildings** which are not more than 42.7 m apart, a new **building** may be **constructed**, having a setback from the **center line** of the road allowance which is equal to the average setback of the adjacent **buildings** on the same block if the average setback is less than the required **yard**.

4.21 Number of Dwelling Units per Lot

With the exception of multiple-unit dwellings as defined in this By-law, and where otherwise specified in this By-law, no more than one **dwelling unit** shall be **erected** on any **lot**.

Notwithstanding the above, in the case where a dwelling exists on a **lot**, and a new dwelling is proposed to be **constructed** on the same **lot**, with the intention of demolishing the **existing** dwelling once construction on the new dwelling has completed, two dwellings may exist temporarily on the same **lot** in conjunction with the appropriate building permit, and subject to entering into a Development Agreement with the **Corporation**, in accordance with the associated Corporate Policy.

4.22 Outdoor Display

In the Commercial and 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 **yard**, including **sight line triangles**.
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**.

4.23 Outdoor Storage

In the 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 4.11.

4.24 Amenity Areas for Multiple-Unit Buildings

Notwithstanding anything else in this By-law, no **person** shall **use** or **erect** an **apartment building** or **cluster townhouse building** unless an **amenity area** is provided on the same **lot** as the **main** residential **building** or **buildings**. Any required areas shall:

1. be located indoors, outdoors at grade, or outdoors as a rooftop garden.
2. include some permanent features from each category in each outdoor **amenity area**:
 - a. Benches, tables, play **structures**, equipment, or **structures** for human activity such as resting, eating or **recreational uses**.
 - b. Trees, shrubs, gardens or similar landscaping features providing relief to the built environment.
3. include some of the following permanent features in each indoor **amenity area**:
 - a. Benches, tables, play **structures**, equipment, or **structures** for human activity such as resting, eating or **recreational uses**.
4. be accessible to all residents.
5. not be located within 4.5 m of a wall, if located outdoors at grade.
6. include a minimum of 5 m² of **amenity area** per **dwelling unit**, and shall be aggregated into areas of not less than 50 m². No more than 25% of the total **amenity area** may be an outdoor rooftop garden.
7. be designed and located so that the length does not exceed 4 times the width.

4.25 Lots with More than One 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.

Notwithstanding the above, when the **lot** is partially within the Environmental Protection Zone that portion of the **lot** within the Environmental Protection Zone may be **used** in calculating total **lot area**, **lot frontage**, setbacks and **yards**, provided that the lands outside the Environmental Protection Zone meet the requirements of the Ontario Building Code relative to private sanitary treatment and disposal facilities.

4.26 Watercourse Setbacks

No **person** shall **use** any **lot** or **erect**, **alter** or **use** any **building** or **structure** within 30 m from the centre of a watercourse or **municipal drain**.

4.27 Minimum Distance Separation – MDS I AND II

4.27.1 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 October 19, 1999 which are less than 4 ha (9.9 ac).

4.27.2 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 facilities will not be permitted on **lots** less than 8,000 m² (2 ac) in size.

Notwithstanding Section 4.25, for the purposes of this provision if the **lot** is partially within the Environmental Protection Zone that portion of the **lot** within the Environmental Protection Zone will not be **used** in calculating the **lot area**.

4.28 Setbacks from Environmental Protection 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 from the limit of a Environmental Protection Zone.

Notwithstanding the above, the setback may be reduced to that permitted by the applicable approval authority (Grand River Conservation Authority or the County of Wellington) through more detailed mapping on individual sites. Where more detailed mapping is available, minor adjustments may be made without an amendment to this By-law, and the permitted land **uses** of the adjacent Zone will be applied as determined by **Council**.

Notwithstanding the above, the setback may be reduced in the following circumstances:

1. Where a **building** or **structure existing** on October 19, 1999 is located within the required **setback** an addition and/or new **accessory buildings** and **structures** shall be permitted provided that a **setback** of 3 m is maintained.
2. Where a vacant **building lot** existed on October 19, 1999, a building permit may be issued for permitted **buildings** or **structures**, excluding new agricultural **buildings** and **structures** provided that:
 - a. there is no other suitable location on the **lot** outside of the 30 m setback, and
 - b. a setback of at least 3 m from the Environmental Protection Zone boundary is maintained.

SECTION 5 – PARKING, STACKING & LOADING AREA REGULATIONS

5.1 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 **parking areas** as follows:

Use	Parking Requirement (<i>Gross floor area (GFA) unless otherwise specified</i>)
Any other use not specifically listed below	1 space per 46.5 m ² GFA
Assembly Hall	1 space per 28 m ² GFA, with a minimum of 8 spaces
Automobile Body/Repair Shop	4 spaces per repair bay
Automobile Service Station	4 spaces per repair bay
Automotive Sales Establishment	1 space per 40 m ² GFA
Financial Institution	1 space per 20 m ² GFA
Bed and Breakfast Establishment	1 space per room used for accommodation purposes; in addition to the required parking for the dwelling unit .
Building Supply Outlet	1 space per 35 m ² GFA
Commercial School	1 space per 28 m ² GFA
Community Centre	1 space per 28 m ² GFA
Contractor's or Tradesman's Establishment	1 space per 50 m ² GFA
Child Care Centre	1 space per 10 m ² GFA
Dwellings including: Apartments	1.5 spaces per dwelling unit , plus an additional space for every 4 units to be devoted exclusively for visitor parking.

Dwellings including: Accessory Apartments & Garden Suites	1 space per dwelling unit
Dwellings including: Cluster Townhouses & Stacked Townhouses	2 spaces per dwelling unit , plus an additional space per 4 dwelling units to be devoted exclusively for visitor parking
Dwellings including: Detached, Semi-Detached, Duplex, & Street Fronting Townhouses	2 spaces per dwelling unit
Elementary School	2 spaces per classroom
Entertainment/Recreation Establishment	1 space per 50 m ² GFA, with a minimum of 8 spaces
Funeral Home	1 space per 25 m ² GFA
Garden Centre	1 space per 35 m ² GFA
Golf Course / Miniature Golf Course / Golf Driving Range	2 spaces per tee
Group Home	1 space per every employee (to the maximum number present per shift); in addition to the required parking for the dwelling unit .
Hospital	1 space per bed + 1 space per 2 employees
Hotel or Motel	1 space per guest room
Industrial Use	1 space per 90 m ² GFA
Long Term Care Facility	1 space per 4 beds + 1 space per 2 employees
Medical Clinic	1 space per 17 m ² GFA
Office	1 space per 28 m ² GFA
Other Commercial Uses Not Devoted To Retail Nor Explicitly Listed In This Section	1 space per 30 m ² GFA
Place of Worship	1 space per 28 m ² GFA, with a minimum of 8 spaces
Plaza Complex (Commercial Uses Greater Than 600 m ² GFA)	1 space per 28 m ² GFA
Plaza Complex (Commercial Uses Less Than or Equal to 600 m ² GFA)	1 space per 23 m ² GFA

Plaza Complex (Industrial Uses)	1 space per 90 m ² GFA
Restaurant	1 space per 15 m ² GFA
Retail Store	1 space per 20 m ² GFA
Retirement Home	1 space per 5 units
Secondary School	5 spaces per classroom
Service Shop	1 space per 45 m ² GFA
Transport Establishment	1 space per 100 m ² GFA
Veterinary Clinic	1 space per 17 m ² GFA
Warehouse	1 space per 200 m ² GFA
Wholesale Outlet	1 space per 80 m ² GFA

5.1.2 Parking for More Than One Use in a Building

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

5.1.3 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.

5.1.4 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 m from the **main building** and in the same Zone as the **main building**.

5.1.5 Parking Space Size

Every off-street ***parking space*** shall have a minimum stall size of 2.7 m wide by 5.4 m long, unless otherwise stated by this By-law.

5.1.6 Parking Aisle Requirements

Every ***parking aisle*** shall be not less than 6 m in perpendicular width for two-way traffic and 3.5 m in perpendicular width for one-way traffic.

5.1.7 Parking Surfaces and Drainage

All off-street ***parking spaces*** and ***parking 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 ***parking 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***.

The surface of all ramps, driveways, service areas, off-street parking and loading areas for ***automobile service stations*** shall be paved.

5.1.8 Additions to Existing Use

The ***parking area*** requirements referred to herein shall not apply to any ***building*** in existence as on _____ so long as the ***gross floor area***, as it existed on such date, is not increased, and the ***building*** or ***structure*** is ***used*** for a purpose which does not require more ***parking spaces*** according to Section 5.1 of this By-law than was required by its ***use*** on _____.

If an addition or change of ***use*** is made to a ***building*** or ***structure*** as it existed on _____, then additional ***parking spaces*** shall be provided to the number required for such addition or change in ***use***.

Notwithstanding the above, accessible ***parking spaces*** are required as listed in Section 5.1.13.

5.1.8.1 Additions to Existing Use – Rockwood C1 Zone

Notwithstanding Section 5.1.8 if a new ***use*** is proposed which requires more ***parking spaces*** than legally ***existing*** on _____, the new ***use*** shall be permitted without additional ***parking spaces*** being provided.

Notwithstanding Section 5.1.8, where an addition is proposed to any ***building, parking spaces*** shall be required only for the addition, and any legal deficiency in ***parking spaces*** 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 spaces*** shall be required where the proposed addition does not exceed 10% of the ***gross floor area*** of the ***existing building***.

5.1.9 Use of Parking Areas and Spaces

No ***parking area*** or ***parking 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***.

5.1.10 Residential Use Parking Regulations

5.1.10.1 Parking Space Size for Residential Parking Requirements

Every off-street ***parking space*** for a residential ***use*** (excluding ***cluster townhouses*** and ***apartments***) shall have a minimum stall size of 3 m wide by 6 m long. When required ***parking spaces*** occur within an attached or detached ***garage***, the minimum interior dimensions of such ***garage*** will be 3 m wide by 6 m long, and a maximum of two (2) steps may project up to 0.46 m into the required ***parking space***.

5.1.10.2 Parking Area Location for a Residential Use

Notwithstanding the **yard** and setback provisions of this By-law to the contrary, uncovered surface **parking areas** shall be permitted in the required **yards** provided that no part of any **parking area**, other than a driveway, is located closer than 1.1 m to any **street line** or 0.6 m to any **lot line**, and 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. No part of any driveway or **parking area** shall be located within 2 m of a **building** entrance or any window of a **habitable room**.

5.1.10.3 Ingress and Egress to Parking Areas for Residential Uses

The following provisions shall apply to driveways and driveway widenings:

1. A driveway shall be located so as to lead directly from a **street** or **lane** to a required **parking space**, either within a **garage** or outside, through the **front yard** or **exterior side yard**;
2. Driveway width shall be measured along the **lot line**, and the entrance radii shall be in accordance with Township By-laws.
 - a. Notwithstanding the following regulations of this Section, a driveway shall have a minimum width of 3.5 m;
 - b. A driveway may be a maximum width of 50% of the **lot** width or 7.5 m, whichever is less; and shall be located no closer than 0.6 m to the **side lot line**;
 - c. In the case of a **semi-detached dwelling** with an attached **garage** the driveway may extend beyond the width of the attached **garage** to a maximum width of 5.2 m and shall be located no closer than 0.6 m to the **side lot line** which is not located along the common wall of the same dwelling;
 - d. In the case of a **street fronting townhouse** or **cluster townhouse** each driveway shall be separated by a minimum width of 0.6 m.
3. A maximum of one driveway with one access point shall be permitted for each dwelling, except in the case of:
 - a. a **corner lot** where a maximum of one driveway may be permitted from each **street**;
 - b. on a **lot** having a minimum **lot** width of 30 m, where a maximum of two driveways may be permitted; or
 - c. a **semi-detached dwelling**, where each **semi-detached dwelling** may have one driveway.

4. 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.

5.1.10.4 Visitor Parking

All required visitor parking shall be clearly identified, demarcated and reserved. Visitor parking may be located in front or to the side of the **building**, provided it is outside of the required **front yard** or **exterior side yard**.

5.1.10.5 Parking of Commercial Motor Vehicles, Tractor Trailers and Buses in Residential Zones

No **person** shall **use** any **lot**, **building** or **structure** for the parking or storage of any **tractor trailer**, including either the cab and/or trailer, **commercial motor vehicle** or bus in a Residential Zone except as permitted in the following:

1. Such parking or storage of one **commercial motor vehicle** where he/she is the owner or occupant of such **lot**, **building** or **structures**, and provided the vehicle shall not exceed 2722 kg gross vehicle weight or not exceed a length of 9 m or not exceed a **height** of 2 m.
2. Such parking for a **tractor trailer** or **commercial motor vehicle** which is attending a residential premises on a temporary and short-term basis for the purposes of delivery and service.

5.1.10.6 Parking of Recreational Vehicles

The storage or parking of a **recreational trailer**, 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 **recreational trailer**, boat or snowmobile or **accessory** trailer does not exceed 9 m;
2. Such **recreational trailer**, boat or snowmobile or **accessory** trailer may be located in the **rear yard** or **interior side yard** provided it is located no closer than 1 m to the **lot line** or within 2 m of a **building** entrance or any window of a **habitable room**;
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 Section 5.1.10.6.3, 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. Notwithstanding any of the above provisions, driveway parking for the purposes of loading recreational vehicles will be permitted.

5.1.11 Commercial Use Parking Regulations

5.1.11.1 Commercial Plaza Complex Parking

The commercial **plaza complex parking space** requirements shall supersede the individual **use** parking requirements, except in the case when a **restaurant**, **medical clinic**, or **assembly hall** occupies more than 30% of the **gross floor area** of the **plaza complex**. In this case, the **parking space** requirements for the **restaurant medical clinic**, or **assembly hall use** will apply to the **gross floor area** of that **use**, while the remainder of the **gross floor area** of the **plaza complex** will apply to the parking requirements of that **use**.

5.1.11.2 Parking Area Location for a Commercial Use

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 1.1 m to any **street line** or 1.5 m to any **lot line**, except where a commercial **use** abuts a residential **use**, the **parking area** shall be set back 3 m from the **lot line** abutting the residential **use**.

5.1.11.3 Ingress and Egress to Parking areas for Commercial Uses

Ingress and egress, to and from the required **parking spaces** and **parking areas** shall be provided by means of unobstructed driveways or passageways as specified below:

1. Any driveway used for one-way traffic shall have a minimum width of at least 3.5 m but not more than 7.5 m.

2. Any driveway used for two-way traffic shall have a minimum width of at least 6 m but not more than 10 m.
3. Driveway width shall be measured along the **lot line**, and the entrance radii shall be in accordance with Township By-laws. The driveway shall be **setback** 0.3 m from a **side lot line**, not including the **exterior lot line** when it serves as the point of access.
4. 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.
5. The minimum angle of intersection between a driveway and a **street line** shall be 60 degrees.
6. Every **lot** shall be limited to the following number of driveways: one driveway for every 15 m of **frontage** for the first 30 m of **frontage**, and one driveway for each additional 30 m of **frontage**. The location of such driveways will be approved by the relevant road authority.

5.1.12 Agricultural & Industrial Zone Parking Regulations

5.1.11.1 Industrial Plaza Complex Parking

The industrial **plaza complex parking space** requirements shall supersede the individual **use** parking requirements.

5.1.12.2 Parking Area Location for a Agricultural or Industrial Use

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 1.1 m to any **street line** or **lot line**, or as specified below:

1. Where an **industrial use** abuts a residential **use**, the **parking area** shall be set back 3 m from the **lot line** abutting the residential **use**.
2. 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, commercial, institutional or **agricultural use**, the **parking area** shall be set back 9 m from the abutting **lot line**.

5.1.12.3 Ingress and Egress to Parking Areas for Agricultural & Industrial Uses

Ingress and egress, to and from the required ***parking spaces*** and ***parking areas*** shall be provided by means of unobstructed driveways or passageways as specified below:

1. Any driveway used for one-way traffic shall have a minimum width of at least 3.5 m but not more than 7.5 m.
2. Any driveway used for two-way traffic shall have a minimum width of at least 6 m but not more than 12 m.
3. Driveway width shall be measured along the ***lot line***, and the entrance radii shall be in accordance with Township By-laws. The driveway shall be setback 0.3 m from a ***side lot line***, not including the ***exterior lot line*** when it serves as the point of access.
4. 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.
5. The minimum angle of intersection between a driveway and a ***street line*** shall be 60 degrees.
6. Every ***lot*** shall be limited to the following number of driveways: one driveway for every 15 m of ***frontage*** for the first 30 m of ***frontage***, and one driveway for each additional 30 m of ***frontage***. The location of such driveways will be approved by the relevant road authority.

5.1.12.4 Parking of Commercial Motor Vehicles, Tractor Trailers and Buses in the Agricultural Zone

No ***person*** shall ***use*** any ***lot***, ***building*** or ***structure*** for the parking or storage of any ***tractor trailer***, including either a cab and/or trailer, ***commercial motor vehicle*** or bus in any Agricultural Zone except as permitted in the following:

1. The vehicles are operable and currently licensed to the owner, occupant or operator of such a ***lot***, ***building*** or ***structures***;
2. Where the ***lot*** has a ***lot area*** of greater than 8,000 m² (0.8 ha) such parking or storage is limited to a maximum total of three such vehicles including a maximum of one such vehicle not related to a permitted ***use*** on the property. The remaining such vehicles stored or parked on the property shall be ***accessory*** to the permitted ***use***;
3. Where the ***lot*** has a ***lot area*** of less than or equal to 8,000 m² such parking or storage is limited to a maximum total of one such vehicle.

5.1.13 Accessible Parking

Where the parking requirements for any land **use** is 2 or more spaces, 1 space of the first 10 spaces required, plus 1 space of every additional 50 spaces or portion thereof, shall be provided as an accessible **parking space**.

Accessible **parking spaces** for the physically handicapped shall be:

- a minimum width of 4 m and a minimum length of 6 m;
- hard-surfaced and level;
- located near and accessible to an entrance; and
- identified by a **sign** with the International Symbol for Handicapped Persons.

5.2 Stacking Requirements

All **drive-thru establishments** shall comply with the following **stacking lane** regulations:

TYPE OF DRIVE-THRU	MINIMUM STACKING LANE
Drive-thru restaurant	10
Automobile service station gas bar (per pump island)	2
All other drive thru types (including car washes)	4

5.2.1 Stacking Space Size

All stacking spaces shall be rectangular in shape, with a minimum size of 2.7 m wide by 5.4 m long.

5.2.2 Stacking Lane Marking

Stacking lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the **parking area**.

5.3 Loading Space Requirements

Any **lot**, **building** or **structure used** for any purpose involving the receiving, shipping, loading or unloading of **persons**, animals, or things, shall provide on the same **lot** and not forming part of a **street** or **lane**, loading or unloading facilities in accordance with the following schedule:

GROSS FLOOR AREA	MINIMUM NUMBER OF LOADING SPACES REQUIRED
Less than 465 m ²	0 spaces
465 m ² to 930 m ²	1 space
Each additional 930 m ² or portion thereof	1 additional space

5.3.1 Loading Space Size

A **loading space** shall be 10 m long, 3.5 m wide and having a vertical clearance of at least 4 m.

5.3.2 Loading Space Access

Each **loading space** shall be provided with one or more unobstructed driveways of not less than 3.5 m 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.

5.3.3 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.

5.3.4 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 yard** 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.

5.3.5 Additions to Building

The **loading space** requirements referred to herein shall not apply to any **building** in existence as of _____ 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 **gross floor area**, then additional **loading spaces** shall be provided as required by Section 5.3 of this By-law for such addition.

[Page intentionally left blank]

DRAFT

SECTION 6 – AGRICULTURAL (A) ZONE

6.1 Permitted Uses

Within any Agricultural 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 Use** (Section 4.2)
- **Agricultural Use**
- **Agricultural-Related Business**
- **Bed and Breakfast Establishment**
- **Conservation**
- **Dwelling, Accessory Apartment** (Section 4.4)
- **Dwelling, Detached**
- **Dwelling, Garden Suite** (Section 4.5)
- **Dwelling, Group Home**
- **Farm Home Industry** (Section 6.2.9)
- **Farm Business** (Section 6.2.9)
- **Home Occupation**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

6.2 Regulations

Within any Agricultural 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	350,000 m ² (35 ha)
6.2.2	Minimum Lot Frontage	120 m
6.2.3	Minimum Front Yard	12.5 m (Section 4.19 & Section 4.20)
6.2.4	Minimum Rear Yard	7.5 m

6.2.5	Minimum Interior Side Yard	3 m
	Where the <i>interior side lot line</i> abuts a Residential Zone or land in <i>use</i> for residential purposes, the minimum <i>interior side yard</i> width is 7.5 m.	
6.2.6	Minimum Exterior Side Yard	12.5 m (Section 4.19 & Section 4.20)

6.2.7 Livestock Facilities

New *livestock facilities* will not be permitted on *lots* with a *lot area* of less than 8,000 m² (0.8 ha). (Section 4.27)

6.2.8 Regulations for Residential Uses

Notwithstanding the above regulations, *lots used* solely for residential purposes shall be subject to the following regulations:

6.2.8.1	Minimum Lot Area	4,000 m ² (0.4 ha)
6.2.8.2	Minimum Frontage	30 m
6.2.8.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
6.2.8.4	Minimum Rear Yard	7.5 m
6.2.8.5	Minimum Interior Side Yard	3 m
6.2.8.6	Minimum Exterior Side Yard	7.5 m (Section 4.19 & Section 4.20)
6.2.8.7	Maximum Lot Coverage	30%
6.2.8.8	Maximum Building Height	11 m

6.2.9 Farm Home Industries and Farm Businesses

The associated *buildings*, *structures*, parking and loading areas of *farm home industries* and *farm businesses* shall not occupy a combined area exceeding 2% of the *lot area*, to a maximum of 0.4 hectares in area.

SECTION 7 – RURAL RESIDENTIAL (RR) ZONE

7.1 Permitted Uses

Within any Rural Residential 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 Use** (Section 4.2)
- **Bed and Breakfast Establishment**
- **Dwelling, Accessory Apartment** (Section 4.4)
- **Dwelling, Detached**
- **Dwelling, Garden Suite** (Section 4.5)
- **Dwelling, Group Home**
- **Home Occupation**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

7.2 Regulations

Within any Rural Residential 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	4,000 m ² (0.4 ha)
	Existing lots as of October 19, 1999, shall have a minimum lot area of 2,000 m ² (0.2 ha).	
7.2.2	Minimum Lot Frontage	30 m
7.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
7.2.4	Minimum Rear Yard	7.5 m
7.2.5	Minimum Interior Side Yard	3 m
7.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
7.2.7	Maximum Lot Coverage	30%
7.2.8	Maximum Building Height	11 m

DRAFT

SECTION 8 – VILLAGE RESIDENTIAL LOW DENSITY (R1) ZONE

8.1 Permitted Uses

Within any Village Residential Low Density 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 Use** (Section 4.2)
- **Bed and Breakfast Establishment**
- **Dwelling, Accessory Apartment** (Section 4.4)
- **Dwelling, Detached**
- **Dwelling, Duplex**
- **Dwelling, Group Home**
- **Dwelling, Semi-Detached**
- **Home Occupation**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

8.2 Regulations

Within any Village Residential Low Density 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 & Duplex Dwellings:

8.2.1.1	Minimum Lot Area	405 m ²
8.2.1.2	Minimum Lot Frontage	13.5 m
8.2.1.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
8.2.1.4	Minimum Rear Yard	7.5 m

8.2.1.5	Minimum Interior Side Yard	1.8 m
	One side yard must be 3 m if no attached garage or carport is provided	
8.2.1.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
8.2.1.7	Maximum Lot Coverage	35%
8.2.1.8	Maximum Building Height	9 m

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

8.2.2.1	Minimum Lot Area	300 m ²
8.2.2.2	Minimum Lot Frontage	10 m
8.2.2.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
8.2.2.4	Minimum Rear Yard	7.5 m
8.2.2.5	Minimum Interior Side Yard	1.8 m
	Side yard must be 3 m if no attached garage or carport is provided	
8.2.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
8.2.2.7	Maximum Lot Coverage	35%
8.2.2.8	Maximum Building Height	9 m

SECTION 9 – VILLAGE RESIDENTIAL MEDIUM DENSITY (R2) ZONE

9.1 Permitted Uses

Within any Village Residential Medium Density 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 Use** (Section 4.2)
- **Bed and Breakfast Establishment**
- **Dwelling, Accessory Apartment** (Section 4.4)
- **Dwelling, Apartment**
- **Dwelling, Cluster Townhouse**
- **Dwelling, Detached**
- **Dwelling, Duplex**
- **Dwelling, Group Home**
- **Dwelling, Retirement Home**
- **Dwelling, Semi-Detached**
- **Dwelling, Street Fronting Townhouse**
- **Home Occupation**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

9.2 Regulations

Within any Village Residential Medium Density 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 & Duplex Dwellings

9.2.1.1	Minimum Lot Area	405 m ²
9.2.1.2	Minimum Lot Frontage	13.5 m
9.2.1.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
9.2.1.4	Minimum Rear Yard	7.5 m
9.2.1.5	Minimum Interior Side Yard	1.8 m
	One <i>side yard</i> must be 3 m if no attached garage or carport is provided	
9.2.1.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
9.2.1.7	Maximum Lot Coverage	35%
9.2.1.8	Maximum Building Height	9 m

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

9.2.2.1	Minimum Lot Area	300 m ²
9.2.2.2	Minimum Lot Frontage	10 m
9.2.2.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
9.2.2.4	Minimum Rear Yard	7.5 m
9.2.2.5	Minimum Interior Side Yard	1.8 m
	<i>Side yard</i> must be 3 m if no attached garage or carport is provided	
9.2.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
9.2.2.7	Maximum Lot Coverage	35%
9.2.2.8	Maximum Building Height	9 m

9.2.3 Regulations for Apartment Dwellings:

9.2.3.1	Minimum Lot Area	800 m ² for first 4 units plus 100 m ² for each additional unit
9.2.3.2	Minimum Lot Frontage	30 m
9.2.3.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
9.2.3.4	Minimum Rear Yard	7.5 m
9.2.3.5	Minimum Interior Side Yard	4.5 m
9.2.3.6	Minimum Exterior Side Yard	6 m (Section 4.19 & Section 4.20)
9.2.3.7	Maximum Lot Coverage	35%
9.2.3.8	Maximum Building Height	11 m

9.2.4 Regulations for Cluster Townhouse Dwellings:

9.2.4.1	Minimum Lot Area	200 m ² per unit
9.2.4.2	Minimum Lot Frontage	18 m
9.2.4.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
9.2.4.4	Minimum Rear Yard	7.5 m
9.2.4.5	Minimum Interior Side Yard	4.5 m
9.2.4.6	Minimum Exterior Side Yard	6 m (Section 4.19 & Section 4.20)
9.2.4.7	Maximum Lot Coverage	35%
9.2.4.8	Maximum Building Height	9 m

9.2.5 Regulations for Street Fronting Townhouse Dwellings (Per Unit):

9.2.5.1	Minimum Lot Area	200 m ²
9.2.5.2	Minimum Lot Frontage	6 m
9.2.5.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
9.2.5.4	Minimum Rear Yard	7.5 m
9.2.5.5	Minimum Interior Side Yard	2 m
9.2.5.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
9.2.5.7	Maximum Lot Coverage	35%
9.2.5.8	Maximum Building Height	9 m

SECTION 10 – VILLAGE COMMERCIAL (C1) ZONE

10.1 Permitted Uses

Within any Village Commercial 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 Use** (Section 4.2)
- **Commercial School**
- **Courier Service**
- **Dry Cleaning and Laundering Establishment**
- **Dwelling, Accessory Apartment** (Section 4.4)
- **Dwelling, Apartment** (Section 10.2.9)
- **Entertainment/Recreation Establishment**
- **Financial Institution**
- **Funeral Home**
- **Institutional Uses**
- **Office**
- **Parking Lot**
- **Pet Grooming**
- **Restaurant**
- **Retail Store**
- **Service Shop**
- **Taxi or Bus Depot**
- **Veterinary Clinic**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

10.2 Regulations

Within any Village Commercial 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	300 m ²
10.2.2	Minimum Lot Frontage	10 m
10.2.3	Minimum Front Yard	0.0 m (Section 4.19 & Section 4.20)
10.2.4	Minimum Rear Yard	7.5 m
10.2.5	Minimum Interior Side Yard	0.0 m
10.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
10.2.7	Maximum Lot Coverage	80%
10.2.8	Maximum Building Height	11 m

10.2.9 Regulations for Apartment Dwellings:

Apartments are only permitted on the upper floors of commercial establishments. Commercial **uses** must occupy the entire ground floor and no **accessory apartment** shall be permitted.

10.3 C1 Zone Flood Fringe Area - (f) Suffix

In addition to Section 10.2 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:
 - a. the habitable floor space elevation of any new residential **dwelling unit** is located above the regulatory flood elevation;
 - b. no **basements** are allowed;
 - c. mechanical, electrical, air conditioning and heating equipment will be located above the regulatory flood level;
 - d. 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:
 - a. the habitable floor space elevation of any new residential **use** is located above the regulatory flood elevation;
 - b. mechanical, electrical, air conditioning and heating equipment will be located above the regulatory flood level;
 - c. 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:
 - a. mechanical, electrical, air conditioning and heating equipment will be located above the regulatory flood level.
 - b. 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 permit will be required from the Grand River Conservation Authority for all construction and placement or removal of fill occurring within the flood fringe, in addition to any other necessary permits or approvals such as a building permit or site plan approval.

[Page intentionally left blank]

DRAFT

SECTION 11 – VILLAGE SERVICE COMMERCIAL (C2) ZONE

11.1 Permitted Uses

Within any Village Service Commercial 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 Use** (Section 4.2)
- **Assembly Hall**
- **Automobile Service Station**
- **Commercial School**
- **Courier Service**
- **Dry Cleaning and Laundering Establishment**
- **Dwelling, Accessory Apartment** (Section 4.4)
- **Dwelling, Apartment**
- **Dwelling, Cluster Townhouse**
- **Dwelling, Street Fronting Townhouse**
- **Dwelling, Retirement Home**
- **Entertainment/Recreation Establishment**
- **Farmer's Market**
- **Financial Institution**
- **Funeral Home**
- **Garden Centre**
- **Hotel or Motel**
- **Institutional Uses**
- **Office**
- **Parking Lot**
- **Pet Grooming**
- **Plaza Complex**
- **Restaurant**
- **Retail Store**
- **Service Shop**
- **Taxi or Bus Depot**
- **Veterinary Clinic**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

11.2 Regulations

Within any Village Service Commercial 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:

11.2.1	Minimum Lot Area	800 m ²
11.2.2	Minimum Lot Frontage	15 m
11.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
11.2.4	Minimum Rear Yard	7.5 m
11.2.5	Minimum Interior Side Yard	1.8 m
11.2.6	Minimum Exterior Side Yard	7.5 m (Section 4.19 & Section 4.20)
11.2.7	Maximum Building Height	11 m
11.2.8	Maximum Lot Coverage	35 %

11.2.9 Regulations for Apartment Dwellings and Retirement Homes:

11.2.9.1	Minimum Lot Area	800 m ² for first 4 units plus 100 m ² for each additional unit
11.2.9.2	Minimum Lot Frontage	30 m
11.2.9.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
11.2.9.4	Minimum Rear Yard	7.5 m
11.2.9.5	Minimum Interior Side Yard	4.5 m
11.2.9.6	Minimum Exterior Side Yard	6 m (Section 4.19 & Section 4.20)
11.2.9.7	Maximum Lot Coverage	35%
11.2.9.8	Maximum Building Height	11 m

11.2.10 Regulations for Cluster Townhouse Dwellings:

11.2.10.1	Minimum Lot Area	200 m ² per unit
11.2.10.2	Minimum Lot Frontage	18 m
11.2.10.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
11.2.10.4	Minimum Rear Yard	7.5 m
11.2.10.5	Minimum Interior Side Yard	4.5 m
11.2.10.6	Minimum Exterior Side Yard	6 m (Section 4.19 & Section 4.20)
11.2.10.7	Maximum Lot Coverage	35%
11.2.10.8	Maximum Building Height	9 m

11.2.12 Regulations for Street Fronting Townhouse Dwellings (Per Unit):

11.2.12.1	Minimum Lot Area	200 m ²
11.2.12.2	Minimum Lot Frontage	6 m
11.2.12.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
11.2.12.4	Minimum Rear Yard	7.5 m
11.2.12.5	Minimum Interior Side Yard	2 m
11.2.12.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
11.2.12.7	Maximum Lot Coverage	35%
11.2.12.8	Maximum Building Height	9 m

[Page intentionally left blank]

DRAFT

SECTION 12 – HAMLET MIXED USE (C3) ZONE

12.1 Permitted Uses

Within any Hamlet Mixed Use 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 Use** (Section 4.2)
- **Assembly Hall**
- **Dwelling, Accessory Apartment** (Section 4.4)
- **Dwelling, Detached**
- **Dwelling, Group Home**
- **Farmer's Market**
- **Funeral Home**
- **Institutional Uses**
- **Office**
- **Restaurant**
- **Retail Store**
- **Service Shop**
- **Veterinary Clinic**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

12.2 Regulations

Within any Hamlet Mixed Use 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	Minimum Lot Area	4,000 m ² (0.4 ha)
12.2.2	Minimum Lot Frontage	30 m
12.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)

12.2.4	Minimum Rear Yard	7.5 m
12.2.5	Minimum Interior Side Yard	3 m
	Where the interior side lot line abuts a Residential Zone or lands used for residential purposes, the minimum interior side yard width is 7.5 m, unless abutting uses are both residential.	
12.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
12.2.7	Maximum Lot Coverage	35%
12.2.8	Maximum Building Height	11 m

12.2.10 C3 (f) Zone - Flood Plain Area

1. Conversion of **existing** residences to a permitted commercial **use** will require flood proofing measures approved by the Grand River Conservation Authority.
2. An **existing** commercial **building** shall not be converted to a residential **use**.
3. Additions or enlargements to **structures existing** on October 19, 1999 will be permitted up to a maximum of 50% of the **existing ground floor** area with flood proofing measures approved by the Grand River Conservation Authority.
4. Prior to the approval or enlargement of an **existing structure** or change in **use**, a 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.
5. The exact delineation of the C3 (f) Zone 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.

SECTION 13 – HIGHWAY COMMERCIAL (C4) ZONE

13.1 Permitted Uses

Within any Highway Commercial 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 Use** (Section 4.2)
- **Agricultural Service Establishment**
- **Assembly Hall**
- **Auction House**
- **Automobile Sales Establishment**
- **Automobile Service Station**
- **Automobile Washing Establishment**
- **Brewing-on-Premise Establishment**
- **Commercial School**
- **Contractor or Tradesman Establishment**
- **Courier Service**
- **Dry Cleaning and Laundering Establishment**
- **Dwelling, Accessory Apartment** (Section 4.4)
- **Entertainment/Recreation Establishment**
- **Farm Implement Outlet**
- **Farmer's Market**
- **Financial Institution**
- **Funeral Home**
- **Garden Centre**
- **Hotel or Motel**
- **Institutional Uses**
- **Office**
- **Parking Lot**
- **Plaza Complex**
- **Recreational Trailer Sales and Service Establishment**
- **Rental Outlet**
- **Restaurant**
- **Service Shop**
- **Specialty Store**

- ***Taxi or Bus Depot***
- ***Veterinary Clinic***

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

17.3 Regulations

Within any Highway Commercial 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:

13.2.1	Minimum Lot Area	4,000 m ² (0.4 ha)
13.2.2	Minimum Lot Frontage	30 m
13.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
13.2.4	Minimum Rear Yard	7.5 m
13.2.5	Minimum Interior Side Yard	3 m
	Where the interior side lot line abuts a Residential Zone or lands used for residential purposes, the minimum interior side yard width is 7.5 m.	
13.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
13.2.7	Maximum Lot Coverage	40%
13.2.8	Maximum Building Height	11 m
13.2.9	Minimum Landscaped Area	10%

SECTION 14 – RURAL INDUSTRIAL (M1) ZONE

14.1 Permitted Uses

Within any Rural Industrial 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 Retail Store, Wholesale Outlet**, Showroom, **Office**, or facilities for employees including: **Recreational Uses**, a **Child Care Centre**, and a **Restaurant**.
- **Accessory Use** (Section 4.2)
- **Agricultural Service Establishment**
- **Agricultural Supply Establishment**
- **Automobile Body/Repair Shop**
- **Brewing-on-Premise Establishment**
- **Catering Service**
- **Construction Company**
- **Contractor or Tradesperson Establishment**
- **Industrial Use**
- **Plaza Complex**
- **Recreational Trailer Sales and Service Establishment**
- **Rental Outlet**
- **Scientific Research Establishment**
- **Self-Storage**
- **Transport Establishment**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

14.2 Regulations

Within any Rural Industrial 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	Minimum Lot Area	4,000 m ² (0.4 ha)
14.2.2	Minimum Lot Frontage	30 m
14.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
14.2.4	Minimum Rear Yard	7.5 m
14.2.5	Minimum Interior Side Yard	4.5 m
	Where the <i>interior side lot line</i> abuts a Residential Zone or lands in <i>use</i> for residential purposes, the minimum <i>interior side yard</i> width is 7.5 m.	
14.2.6	Minimum Exterior Side Yard	7.5 m (Section 4.19 & Section 4.20)
14.2.7	Maximum Lot Coverage	40%
14.2.8	Maximum Building Height	15 m

14.2.9 Restrictions on Gross Floor Area for Accessory Uses

An *accessory office* shall have a maximum *gross floor area* of 40% of the *gross floor area used* by the *main use*.

An *accessory retail store, wholesale outlet, showroom, or accessory facilities* for employees (including *recreational uses, a child care centre, and a restaurant*) shall have a maximum *gross floor area* no greater than 30% of the *gross floor area* of the *main use*.

SECTION 15 – EXTRACTIVE INDUSTRIAL (M3) ZONE

15.1 Permitted Uses

Within any Extractive Industrial 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 Use** (Section 4.2)
- **Accessory Retail Store, Wholesale Outlet** or **Office**
- **Aggregate Processing Facility**
- **Agricultural Use**
- **Conservation**
- **Pit**
- **Asphalt Plant**
- **Quarry**
- **Wayside Pit** or **Quarry**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

15.2 Regulations

Within any Extractive Industrial 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:

15.2.1 Setbacks for Excavation

No excavation shall occur:

1. within 15 m of any **lot line**;
2. within 30 m 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 from any body of water that is not the result of excavation below the water table.

15.2.2 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 of any **lot line** (Section 4.19 & Section 4.20);
2. within 90 m from any part of the boundary of the site that abuts land Zoned or **used** for residential purposes.

15.2.3 Maximum Building Height 25 m

SECTION 16 – DISPOSAL INDUSTRIAL (M4) ZONE

16.1 Permitted Uses

Within any Disposal Industrial 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 Use** (Section 4.2)
- **Composting Yard**
- **Recycling Plant**
- **Waste Disposal Area**
- **Waste Processing Plant**
- **Waste Transfer Station**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

16.2 Regulations

Within any Disposal Industrial 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:

16.2.1	Minimum Front Yard	30 m (Section 4.19 & Section 4.20)
16.2.2	Minimum Rear Yard	30 m
16.2.3	Minimum Interior Side Yard	30 m
16.2.4	Minimum Exterior Side Yard	30 m (Section 4.19 & Section 4.20)
16.2.5	Maximum Building Height	25 m

[Page intentionally left blank]

DRAFT

SECTION 17 – INSTITUTIONAL (I) ZONE

17.1 Permitted Uses

Within any Institutional 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 Use** (Section 4.2)
- **Assembly Hall**
- **Dwelling, Group Home**
- **Institutional Use**
- **Museum**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

17.2 Regulations

Within any Institutional 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:

17.2.1	Minimum Lot Area	900 m ²
17.2.2	Minimum Frontage	15 m
17.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
17.2.4	Minimum Rear Yard	7.5 m
17.2.5	Minimum Interior Side Yard	3 m
	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.	
17.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
17.2.7	Maximum Lot Coverage	50%

17.2.8	Maximum Building Height	11 m
17.2.10	Minimum Landscaped Area	10%

DRAFT

SECTION 18 – OPEN SPACE (OS1) ZONE

18.1 Permitted Uses

Within any Open Space 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**:

- **Agricultural Use**
- **Accessory Use** (Section 4.2)
- **Accessory Retail Store** or **Office**
- **Campground**
- **Conservation**
- **Dwelling, Detached** (Section 18.2.11)
- **Flood Control Project**
- **Passive Recreation**
- **Recreational Uses**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

18.2 Regulations

Within any Open Space 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	4,000 m ² (0.4 ha)
18.2.2	Minimum Lot Frontage	30 m
18.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
18.2.4	Minimum Rear Yard	7.5 m
18.2.5	Minimum Interior Side Yard	3 m
	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.	

18.2.6	Minimum Exterior Side Yard	7.5 m (Section 4.19 & Section 4.20)
18.2.7	Maximum Lot Coverage	40%
18.2.8	Maximum Building Height	11 m

18.2.10 Restrictions for Agricultural Uses

Within the Open Space Zone, ***agricultural uses*** shall not be allowed within the Urban Centre or Hamlet Areas.

The provisions of the Agricultural Zone shall apply to ***agricultural uses***.

18.2.11 Restrictions for Residential Use

A ***detached dwelling*** may only exist for the purposes of the owner, caretaker, watchman or other similar ***persons*** employed on the ***lot*** on which such ***dwelling unit*** is located. The regulations of the Rural Residential Zone shall be applied to the ***dwelling unit***.

SECTION 19 – OPEN SPACE RESTRICTED (OS2) ZONE

19.1 Permitted Uses

Within any Open Space 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**:

- **Agricultural Use**
- **Accessory Use** (Section 4.2)
- **Conservation**
- **Flood Control Project**
- **Passive Recreation**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

19.2 Regulations

19.2.1 New Detached Dwellings within the Village of Rockwood

Notwithstanding Section 19.1, a **detached dwelling** may be permitted on a **lot existing** as of October 19, 1999 in Rockwood in the Open Space Restricted Zone provided all of the following are satisfied:

1. the approval of the Grand River Conservation Authority and the County of Wellington is obtained;
2. the proposed **building** site is not within the regulatory floodline;
3. the proposed **building** complies with the regulations of the Village Residential Low Density Zone, and all other regulations of this By-law.

19.2.2 Restrictions for Agricultural Uses

Within the Open Space Zone, **agricultural uses** shall not be allowed within the Urban Centre or Hamlet Areas.

The provisions of the Agricultural Zone shall apply to **agricultural uses**.

SECTION 20 – ENVIRONMENTAL PROTECTION (EP) ZONE

20.1 Permitted Uses

Within any Environmental Protection 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 Use** (Section 4.2)
- **Agricultural Use**
- **Conservation**
- **Flood Control Project**
- **Passive Recreation**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

20.2 Regulations

20.2.1 Restrictions on Agricultural Uses

Within the Environmental Protection Zone, **agricultural uses** shall not be allowed within the Urban Centre or Hamlet Areas. 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. Reference should be made to the Schedule and Map noted in italics at the end of the provision.

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

Schedule A, Map 14

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

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

Schedule A, Map 12

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

Schedule A, Map 13

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

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

Schedule A, Map 1

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

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

Schedule A, Map 13

- 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 10

- 21.7** Notwithstanding the provisions of the Highway Commercial (C4) Zone, on the lands described as Part of Lot 15, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a moving and storage business shall be a permitted.

Schedule A, Map 10

- 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 13

- 21.9** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 2, Concession 2, Division "D", in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Highway 6, and consisting of 0.7094 ha (1.75 ac), permitted uses shall be restricted to a detached dwelling unit, 3 apartment units, and a sporting goods supply store having a maximum floor area of 149 m².

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.

Schedule A, Map 1

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

[Amended by By-law 67/2000]

Schedule A, Map 1

- 21.13** [Removed by By-law XX/2016]

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

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:

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

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 Wellington Rd 124, and consisting of 3.6 hectares, a Garden Centre for the wholesale and retail sale (including products grown and/or produced off the site) of plants, trees, shrubs, soil, fertilizers, herbicides, insecticides, peat moss, mulch, gardening tools, sprinkler systems, landscaping products and accessories related to gardening and the planting of trees, shrubs and plants shall be a permitted use.

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

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

[Amended by By-law 57/2005]

Schedule A, Map 1

21.17 Notwithstanding the provisions of the Agricultural (A) and Environmental Protection (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 Wellington Road 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 Wellington 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.

[Amended by By-law 21/2005]

Schedule A, Map 1

21.20 Notwithstanding the provisions of the Rural Residential (RR) and Environmental Protection (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:

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

Schedule A, Map 12

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

- i) Minimum Lot area 975.45 m²
- ii) Minimum Lot Frontage 18.7 m
- iii) Minimum Side Yard (south side of lot) 0.0 m

Schedule A, Map 13

21.22 [Removed by By-law 17/2008]

21.23 [Removed by By-law XX/2016]

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

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 1

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

Schedule A, Map 18

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 Place of Worship, an accessory religious bookstore, and a commercial school shall be permitted uses. The accessory religious bookstore shall have a maximum floor area of 35 m². The commercial school shall have a maximum floor area of 280 m² devoted to classroom use.

Schedule A, Map 1

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 17

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.

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.

Schedule A, Map 1

21.32 Notwithstanding the provisions of the Agricultural (A) Zone, on a portion of the lands described as Part of Lot 7, Concession XI, Division "C", in the former Township of Guelph, illustrated on Schedule "A", meat processing and related wholesale and retail sales uses in one building, with a maximum gross floor area of 576 m², shall be permitted. Meat processing shall not include slaughtering of animals.

Schedule A, Map 1

21.33 Notwithstanding the Highway Commercial (C4) Zone on the lands described as Part of Lot 1 and the South Part of Lot 1, Registered Plan 365, in the former Township of Guelph, illustrated on Schedule "A", the Minimum Lot Frontage shall be 18.8 m.

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.

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.

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.

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 Wellington Road 124, in the former Township of Guelph, illustrated on Schedule “A”, a veterinarian clinic having a maximum floor area of 278.7 m², and one attached Dwelling Unit shall be a permitted use.

Schedule A, Map 18

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

- i) The following uses are permitted:
- Agricultural Research and/or Breeding and/or Grading operation
 - Agricultural Supply Establishment excluding the bulk sale, storage, mixing and distribution of bulk fertilizer or chemical products.
 - Business or Professional Office accessory to a permitted use
 - Contractor or Tradesperson Establishment
 - Health food and health products warehouse and bottling centre
 - Nursery stock warehouse-mail order-distribution centre
 - Commercial Greenhouse, not including a Garden Centre
 - Service Shop
 - Veterinary Clinic excluding outdoor runs or pens
 - Warehouse
 - The uses listed in the Agricultural (A) Zone (Section 5.1 - Permitted Uses) are permitted, excluding the bulk mixing, sale and distribution of bulk fertilizer, rental of fertilizer related equipment and sale of farm chemicals

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

- ii) Minimum Lot area = 1.62 ha (4.0 ac)
- iii) An Office accessory to a permitted use shall have a maximum gross floor area of 40% of the gross floor area used by the permitted use.
- iv) Outdoor storage and display of goods, materials and equipment, accessory to the main use shall be permitted in accordance with the following provisions:
 - a. Shall be located to the rear of the front wall of the main building, but not in a required side yard or a required rear yard.
 - b. Shall not cover more than 20% of the lot area.
 - c. Shall be visually screened from the street.
 - d. Shall not obstruct or occupy any required parking areas.

[Amended by By-law 20/2003] [Amended by By-law 31/2013]

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 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 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 [Removed by By-law 61/2009]

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

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.

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

Schedule A, Map 1

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

- i) Buildings and Structures

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

- ii) Outdoor Storage

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

iii) Off-street Parking

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

iv) Off-street Loading

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

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 detached dwellings shall be permitted.

Schedule A, Map 1

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

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

- xii) maintenance building;
- xiii) a pond for canoeing and boating.

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

Schedule A, Map 3

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

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

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

Schedule A, Map 1

21.51 Notwithstanding the provisions of the Agricultural (A) and Environmental Protection (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 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 Wellington 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 detached dwelling, a distribution business engaged in the sale of goods or commodities to retailers or to individuals by mail order, a painting and graphic arts studio and a workshop for prototype Museum exhibits and uses accessory to the foregoing shall be the sole permitted uses.

Notwithstanding the provisions of the Agricultural (A) Zone, the distribution business referred to above, shall take place within the Office and storage building existing on the date of passing of 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 Bylaw.
- iii) the number of parking spaces provided to the Office and storage building shall be limited to a maximum of five.
- iv) the number of employees who are not occupants of the principal Residential dwelling shall not exceed five.
- v) there shall be no outdoor storage of goods or materials.
- vi) there shall be no on-site retail sales.

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

[Amended by By-law 49/2001]

Schedule A, Map 3

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

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an automobile service 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 ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

Schedule A, Map 1

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

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an automobile service 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 ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

Schedule A, Map 1

21.57 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 8, Concession 3, in the former Township of Eramosa, illustrated on

Schedule “A”, and fronting onto Third Line, no Person shall use land or erect or use a building or structure except in accordance with the following:

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an automobile service 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 ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

Schedule A, Map 1

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

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an automobile service 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 ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

Schedule A, Map 6

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

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an automobile service 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;
- a convenience store.

Regulations

Minimum Lot area	1800 m ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

[Amended by By-law 37/2010]

Schedule A, Map 6

21.60 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 3, Concession 1, in the former Township of Eramosa, illustrated on Schedule “A”, a Long Term Care Facility shall be permitted. The minimum lot area and minimum lot frontage shall be as existing on October 19, 1999.

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 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 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 |
| iii) | Minimum Side Yard: | 7.6 m |
| iv) | Minimum Rear Yard: | 7.6 m |

Schedule A, Map 1

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

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

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 on one side and equivalent to existing, as of October 19, 1999, on the other side.

Schedule A, Map 1

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

Schedule A, Map 1

- 21.66** [Removed by By-law XX/2016]

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

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

Schedule A, Map 7

- 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 October 19, 1999 having a gross floor area no greater than 4,181.5 m².

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

Schedule A, Map 1

21.69 [Removed by By-law XX/2016]

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

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

Schedule A, Map 1

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 ² (7535.0 ft ²) |
| 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 ² (1098 ft ²) |
| 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 ² (5651.2 ft ²) |
| 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 ² (1098.0 ft ²) |
| viii) | | Maximum Height | 9 m |
| ix) | | Servicing Requirements: | |
| | | Every dwelling shall be connected to municipal sanitary sewers and a municipal water supply. | |

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

Schedule A, Map 2

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

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

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

Schedule A, Map 2

21.74 Notwithstanding the provisions of the Village Residential Low Density (R1) Zone, on lands described as Part of Lot 6, Concession 5, in the former Township of Eramosa, illustrated on Schedule "A", in the Village of Rockwood, light Industrial Uses shall be a permitted.

Notwithstanding the provisions of the Village Residential Low Density (R1) Zone, for light Industrial Uses, the lot regulations shall be as existing on October 19, 1999.

Schedule A, Map 2

21.75 Notwithstanding the provisions of the Village Service Commercial (C2) Zone and the general provisions of this By-law, on lands described as Part of Lot 5, Concession 4, illustrated on Schedule "A", in the former Township of Eramosa, in the Village of Rockwood, the number of off-street parking spaces shall be

calculated on the basis of 5.0 spaces per 100 m² (1076.4 ft²) of gross leasable commercial space, plus 1 space for each Residential unit.

Schedule A, Map 2

21.76 [Removed by By-law 69/2005]

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

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

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

Schedule A, Map 1

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 m²

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

[Amended by By-law 49/2001]

Schedule A, Map 2

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

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

Schedule A, Map 2

21.80 Notwithstanding the provisions of the Agricultural (A) Zone and Environmental Protection (H) 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:

- 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.

Schedule A, Map 1

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

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.

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

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

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.

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

Schedule A, Map 1

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

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.

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 or Tradesperson Establishment, provided the use is accessory to the primary Residential use of the property and is conducted by the occupant of the dwelling on the property. The ancillary sale of related building materials may occur on a limited basis, provided it remains clearly secondary to the contracting business.

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

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

Schedule A, Map 1

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.

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

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

Schedule A, Map 16

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

- | | | |
|------|---|---------------------------------|
| i) | Minimum Lot Frontage | 35 m |
| ii) | Maximum Lot Coverage | 10% |
| iii) | Minimum Front Yard | 15.2 m subject to Section 4.19. |
| iv) | Minimum Side Yard: | |
| | On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 7.62 m. | |
| | On a corner lot, the minimum side yard abutting a public street shall be 15.2 m subject to Section 4.19. | |
| v) | Minimum Rear Yard | 15.2 m |
| vi) | Minimum Floor Area | |
| | 1 Storey | 157.9 m ² |
| | 1-1/2 Storey or split level | 185.8 m ² |
| | 2 or 2-1/2 Storey | 22.9 m ² |

Where no basement or cellar is provided, the applicable minimum floor area shall be increased by 18.58 m².

- vii) Maximum Height 2-1/2 Storeys
- viii) Accessory Buildings:
 - a. No accessory building shall be located within 1.8 m of a side or rear lot line, except that the minimum yard abutting a public road shall be 15.2 m subject to Section 4.19.
 - b. Maximum Lot Coverage – 5% provided that the lot coverage of all buildings on the lot does not exceed the maximum lot coverage.

Schedule A, Map 1

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

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 m²; and there shall be no exterior stairways, except open metal fire escapes.

Schedule A, Map 1

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

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

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

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

- i) Minimum Lot area 0.4 ha (1.0 ac)
- ii) Minimum Lot Frontage 30.0 m

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

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

Schedule A, Map 1

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 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; a business or professional Offices and a Retirement Home shall be permitted. The business and professional Offices and Retirement Home will be

permitted up to the maximum gross floor area of and contained in the building as of July 4, 1990.

Schedule A, Map 1

- 21.98** Notwithstanding the provisions of the Open Space (OS) 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

- 21.101** Notwithstanding the provisions of the Agricultural (A) Zone, on the property described as Part of Lot 1, Concession 2, in the former Township of Eramosa, a Place of Worship shall be a permitted use.

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 or Tradesperson Establishment shall be a permitted use.

[Amended by By-law 49/2001]

Schedule A, Map 1

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

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

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

[By-law 63/1999]

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 Bylaw:

- | | | |
|----|------------------|-----------------------|
| i) | Minimum Lot area | 24.163 ha (59.71 ac.) |
|----|------------------|-----------------------|

[By-law 63/1999]

Schedule A, Map 1

21.105 [Removed by By-law 37/2008]

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

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

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

Schedule A, Map 1

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

[By-law 3/2001]

Schedule A, Map 1

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

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 Farm Home Industry shall be a permitted use.

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

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.

[By-law 30/2001]

Schedule A, Map 19

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

[By-law 40/2001]

Schedule A, Map 1

- 21.112** Notwithstanding the definition of “Farm Home Industry”, on a portion of the lands described as Part Lot 16, Concession 5, East of Grand River, including RP 61R-3311, Parts 2 and 4 (former Township of Pilkington), illustrated on Schedule “A” to

this By-law, a “Farm Home Industry” shall be permitted notwithstanding the farmer and/or members of the family do not reside on the subject property.

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

[By-law 50/2001]

Schedule A, Map 1

21.113 [Removed by By-law 31/2003]

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

- i) Section 4.27.1 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 Environmental Protectionous substances and similar products or materials, either as a permitted or accessory use.
 - An Industrial Use which involves metal smelting and refining, metal finishing operations, or the use of significant amounts of chemicals, petroleum products.
- iii) On those lands abutting and located along the northwest lot line, a minimum yard of 16.5 metres shall be required, as shown on Schedule “A” to this By-law. A buffer strip subject to Section 4.11, and having a minimum width of 16.5 metres and located along the northwest lot line shall also be required.
- iv) On those lands abutting the property to the south, a buffer strip subject to Section 4.11 and having a minimum width of 6.0 metres shall be required, as shown on Schedule “A” to this By-law.
- v) Section 4.28 shall not apply to the subject lands.

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

Schedule A, Map 1

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

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

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

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

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

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

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

Schedule A, Map 1

21.116 Notwithstanding Section 4.28 of this By-law, on lands described as 5797 Wellington Road 86, Part Lot 17, East of the Grand River, Concession 5 (former Township of Pilkington), Hamlet of Ariss, illustrated on Schedule "A" to this Bylaw, the minimum setback between buildings or structures (including a private sewage treatment system) and the limits of a Environmental Protection (H) Zone shall be 15 metres.

[By-law 62/2001]

Schedule A, Map 16

21.117 [Removed by By-law 61/2009]

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

[By-law 44/2006]

Schedule A, Map 2

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

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

- i) A Category 3, Class “A” licensed Pit pursuant to the provisions of the Aggregate Resources Act, R.S.O. 1990, as amended, which is restricted to extracting aggregate material no closer than 1.5 metres above the established groundwater table.
- ii) An aggregate processing facility which does not include an asphalt plant, a concrete batching plant, a cement batching 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.

[By-law 43/2002]

Schedule A, Map 1

21.120 Haul Route and Landscape Berm

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

[By-law 43/2002]

Schedule A, Map 1

21.121 Notwithstanding the provisions of Section 4.28, no building or structure (including a private sewage treatment system) shall be constructed within 5 m, from the limit of a Environmental Protection (H) Zone.

[By-law 30/2002]

Schedule A, Map 1

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

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

Schedule A, Map 12

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 Environmental Protection (H) Zone on the northeast limit of the area subject to Special Provision 21.123.

[By-law 46/2002]

Schedule A, Map 1

21.124 Notwithstanding the provisions of the Environmental Protection (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.

[By-law 46/2002]

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" 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]

[By-law 46/2003]

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:

A. Street Townhouse Dwelling units

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

B. Semi-Detached Units

- i) Maximum Lot Coverage For Each Block of Buildings 45%
- ii) Maximum Lot Coverage For An Individual Dwelling Unit On a Lot 55%
- iii) Minimum Landscaped Open Space 25%

[By-law 39/2004]

Schedule A, Map 2

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

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

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

Schedule A, Map 1

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

- i) Section 4.27.1 shall not apply to the subject lands
- ii) The following uses shall be prohibited:
 - A Fuel Storage Establishment
 - An automobile services station
 - Warehousing and/or outdoor storage of fertilizers, herbicides, petroleum products, chemicals or Environmental Protectionous substances and similar products or material, either as a permitted or accessory use.
 - An Industrial Use which involves metal smelting and refining, metal finishing operations, or the use of significant amounts of chemicals, and/or petroleum products.
- iii) Section 4.28 shall not apply.

[By-law 65/2004]

Schedule A, Map 1

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

[By-law 65/2007]

Schedule A, Map 1

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

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

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

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

[By-law 38/2005]

Schedule A, Map 10

21.131 [Removed by By-law 61/2009]

21.132 Notwithstanding the provisions of the Open Space (OS) Zone and Environmental Protection (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
- ii) Permitted uses shall only include Conservation uses as defined below:
“Conservation”, shall mean uses complementary to and compatible with the wise management and preservation of the natural environment, along with any of its significant biophysical features and ecological functions. Conservation may include uses such as reforestation, forest management, fish and wildlife management, erosion control, flood control and passive recreation.

[By-law 83/2005]

Schedule A, Map 1

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

[By-law 4/2006]

Schedule A, Map 1 & 9

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

[By-law 16/2006]

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) detached dwellings shall be permitted.

Notwithstanding the provisions of the Agricultural (A) Zone, if the existing second detached dwelling is rebuilt, the footprint of the new dwelling shall overlap in part with the footprint of the existing dwelling as it existed on the date of the passing of this By-law and access to the second dwelling shall be limited to the existing shared driveway access to Wellington Road 30.

[By-law 15/2006]

Schedule A, Map 1

21.136 Notwithstanding Section 14.2.9, on lands described as 7079 Wellington Road 124, Part Lot 5, Concession 2, Division ‘B’ in the former Township of Guelph, as illustrated on Schedule “A” of 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 (June 15, 2009) of By-law No. 48/2009. Upon approval of the Township, this time period may be extended beyond the three (3) years specified.

[By-law 47/2006] [Amended by By-law 48/2009]

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

[By-law 60/2006]

Schedule A, Map 1

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

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

Schedule A, Map 3

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

- a)
 - i) Two (2) detached dwellings shall be permitted;
 - ii) Access to both dwellings shall be limited to the existing driveway access to Guelph-Nichol Townline;
 - iii) The new dwelling shall be located in proximity to the existing buildings within the area identified in By-law 46/2007.

b) The above provisions are no longer valid upon removal of one of the two detached dwellings.

[By-law 46/2007]

Schedule A, Map 1

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

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

[By-law 60/2007]

Schedule A, Map 1

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

- i) Section 4.28 Setbacks from Environmental Protection (H) Zone does not apply;
- ii) Section 4.26 Municipal Drain Setbacks does not apply; and
- iii) No Person shall use any lot or erect, alter or use any building or structure within 15 m from the centre of the Municipal Drain.

[By-law 83/2007]

Schedule A, Map 1

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

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

[By-law 17/2008]

Schedule A, Map 12

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

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

Schedule A, Map 3

21.144 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 11, Concession 3, Division C in the former Township of Eramosa, illustrated on Schedule "A" to this By-law, the following provisions shall apply:

- i) Minimum Lot area: 1.4 ha (3.5 ac)
- ii) The sale and storage of landscape rocks and related landscape contractor services shall be permitted.
- iii) Outdoor storage and display is permitted subject to:
 - 1. Shall be visually screened from any abutting land Zoned or used for Residential or institutional purposes by a buffer strip in accordance with Section 4.11;
 - 2. Shall not cover more than 80% of the lot area;
 - 3. Shall not be located in any of the required yards;

4. Shall not obstruct or occupy any required parking area;
5. Area to be treated to prevent erosion and the raising of dust and loose particles;
6. Area to be graded and drained so as to prevent the pooling of surface water or the flow of surface water to adjacent lots.

[By-law 19/2008]

Schedule A, Map 10

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

[By-law 37/2008]

Schedule A, Map 3

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

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

[By-law 41/2008]

Schedule A, Map 1

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

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

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

[By-law 57/2008]

Schedule A, Map 1

21.148 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Industrial (M1) Zone, on the land described as Part Lot 1, Concession 6, in the former Township of Eramosa, illustrated on Schedule “A” to this By-law, the following provisions shall apply:

- i) The existing equestrian agricultural use shall be permitted;
- ii) A mini-warehouse/Self-Storage Facility shall be permitted;
- iii) Mini-warehouse/Self-Storage Facility means a building or group of buildings divided into separate self-contained compartments and leased or rented on an individual basis for temporary storage of individual’s property;
- iv) An Office accessory to the mini-warehouse/Self-Storage Facility use shall be permitted subject to:
 - 1. A maximum floor gross floor area no greater than 25% of the combined gross floor area of all the mini-warehouse/ Self-Storage Facility buildings; and
 - 2. The accessory Office be detached from the mini-warehouse/ Self-Storage Facility buildings.

[By-law 58/2008]

Schedule A, Map 1

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

- i) “Farm Product Sales Outlet” shall be permitted use and means a building, structure or use accessory and secondary to the farm for the sale of agricultural/farm related products, from the farm and local farming community and which may be subject to local value added processing are sold at retail to the general public.
 - a) Agricultural/farm related products may include fruit and vegetables, grains, meat, and milk products.
 - b) Local artisans crafts may be sold accessory to the agricultural/farm related products
- ii) “Cottage Winery” shall be a permitted use and means a building, structure or use accessory and secondary to the farm which is used for making wines produced from fruit grown on the site, locally grown fruits and may include imported juices.
 - a) Accessory to the on-site wine production of the ‘Cottage Winery’, limited on-site sale, of the final product shall be permitted subject to applicable licensing requirements.
- iii) “Food Consumption Area” shall be a permitted use and means a limited seating area where products available through other uses permitted on-site can be consumed, provided that:

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

[By-law 24/2009]

Schedule A, Map 1

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

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

[By-law 32/2009]

Schedule A, Map 18

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

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

[By-law 34/2009]

Schedule A, Map 1

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

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

[By-law 73/2009]

Schedule A, Map 1

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

- i) Minimum Lot Frontage = 20.0 m
- ii) No Person shall use the lot or erect, alter or use any building or structure for any purpose except the following permitted uses:
 - a) The primary permitted use shall be vehicular access to lands identified as subject to Special Provision 21.154
 - b) In accordance with Section 4.2 of the By-law a use accessory to the primary permitted use of vehicular access shall be permitted.
- iii) Section 4.22 & Section 4.23 (‘Outdoor Display and Open storage’) does not apply.

[By-law 84/2009]

Schedule A, Map 19

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

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

[By-law 84/2009]

Schedule A, Map 19

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

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

[By-law 87/2009]

Schedule A, Map 1

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

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

[By-law 63/2010]

Schedule A, Map 1

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

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

General Provisions

- ii) Notwithstanding Section 5.1 (Parking Requirements) the following off-street parking requirements shall apply:
 - a) 2 spaces per Dwelling Unit; plus
 - b) 0.5 spaces per Townhouse or Semi-Detached Dwelling Unit to be dedicated and signed for visitor parking and located in shared off-street parking area(s).

- iii) Notwithstanding Section 5.1.10.3 (Ingress and Egress of Parking areas) the driveway associated with Semi-Detached or Townhouse shall be setback 0.0 m from the side lot line where the permitted interior side yard is 0.0 m, not including the exterior lot line when it serves as the point of access.
- iv) Notwithstanding Section 4.9 (Yard Encroachments) balconies and steps and ramps, covered or uncovered, or unenclosed porches or decks may project into any required yard a distance of not more than 3.5 m. Notwithstanding this, no such structure shall be permitted to encroach beyond a point that is closer than 2.5 m from a property boundary.
- v) Notwithstanding Section 4.28 (Setbacks from Environmental Protection (H) Zone) no building or structure shall be constructed within 1.5m from the limit of the Environmental Protection (H) Zone.
- vi) For greater certainty, the balance of the General Provisions of the By-law not specifically superseded herein shall continue to apply.

Village Residential Low Density (R1) Special Provision 21.157

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

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

- viii) Regulations for Detached Dwellings:

a)	Minimum Lot area	350.0 m ²
b)	Minimum Lot Frontage	11.0 m
c)	Minimum Front Yard	6.5 m subject to Section 4.19
d)	Minimum Rear Yard	7.5 m if the lot depth is greater than 33m or 6.5m if the lot depth is less than or equal to 33 m
e)	Minimum Interior Side Yard	
	One Side	1.2 m
	Other Side Yard	0.6 m

- f) A minimum of 1.8 m shall be maintained between adjacent foundations
- g) Minimum Exterior Side Yard 4.5 m subject to Section 4.19
- h) Maximum Lot Coverage 50%
- i) Maximum Height 10.6 m

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

- a) Minimum Lot area 200.0 m² for each Dwelling Unit
- b) Minimum Lot Frontage 8.0 m
- c) Minimum Front Yard 6.5 m subject to Section 4.19
- d) Minimum Rear Yard 7.5 m
- e) Minimum Interior Side Yard
 - One Side 1.5 m
 - Other Side Yard 0.0 m
- f) A minimum of 3.0 m shall be maintained between adjacent foundations.
- g) Minimum Exterior Side Yard 4.5 m
- h) Maximum Lot Coverage 50%
- i) Maximum Height 10.6 m

x) Regulations for Townhouse Dwellings

- a) Minimum Lot area 200.0 m² for each Dwelling Unit
- b) Minimum Lot Frontage 18.0 m
- c) Minimum Width 7.0 m for each Dwelling Unit
- d) Minimum Front Yard 6.5 m to each Dwelling Unit
- e) Minimum Rear Yard 7.5 m to each Dwelling Unit
- f) Minimum Interior Side Yard
 - One Side 1.5 m
 - Other Side Yard 0.0m between attached Dwelling units
- g) A minimum of 3.0 m shall be maintained between the foundations of adjacent blocks of attached Dwelling units.
- h) Minimum Exterior Side Yard 4.5 m
- i) Maximum Lot Coverage 50%
- j) Maximum Height 10.6 m

[By-law 39/2011]

Schedule A, Map 2

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

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

[By-law 69/2011]

Schedule A, Map 1

21.159 Notwithstanding the Agricultural (A) Zone, on lands described as Guelph Division E, Concession 2, Part Lots A & B, Reference Plan 61R 6686, Parts 35, 36, 38 and 42, illustrated on Schedule “A” to this By-law, the following provision shall apply:

- i) Minimum Lot area 31.6 ha (78.0 ac)

[By-law 8/2012]

Schedule A, Map 19

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

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

[By-law 25/2012]

Schedule A, Map 1

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

Permitted Uses

- An agricultural related business including the repair, service and storage of agricultural equipment;

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

[By-law 26/2012]

Schedule A, Map 1

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

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

[By-law 26/2012]

Schedule A, Map 1

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

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

[By-law 30/2012]

Schedule A, Map 1

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

- i) An animal crematorium shall be a permitted use subject to applicable Ministry of the Environment approval(s). The animal crematorium shall be limited to the cremation of domestic animals. Domestic animals include such animals as cats, dogs and horses.

- ii) The animal crematorium shall be located within the existing industrial building and shall not exceed 465 m² of gross floor area within such building.
- iii) The minimum rear yard from the existing industrial building shall be 4.05 m.

[By-law 39/2012]

Schedule A, Map 18

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

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

[By-law 62/2012]

Schedule A, Map 1

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

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

[By-law 61/2012]

Schedule A, Map 1

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

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

[By-law 5/2013]

Schedule A, Map 1

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

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

[By-law 9/2013]

Schedule A, Map 1

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

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

[By-law 29/2013]

Schedule A, Map 2

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

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

[By-law 29/2013]

Schedule A, Map 1

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

- i) "Automobile Sales Establishment" shall be a permitted use.
- ii) Minimum Rear Yard 10.0m
- iii) Municipal Drain Setback (Section 4.26) 14.8m
- iv) Setbacks from a Environmental Protection (H) Zone 10.0m
- v) The maximum number of vehicles parked or stored outside on the lands shall be limited to 550.
- vi) "Display Parking space" refers to a parking space provided on-site for the purposes of outdoor display and storage of a motor vehicle, accessory to an Automobile Sales Establishment. Display Parking spaces are provided in addition to the minimum parking requirement of a permitted use as established in the Parking area Regulations (Section 5.1).
 - a. Maximum Display Parking spaces 480
 - b. Minimum Setback for Display Parking spaces 7.5m
 - c. Display Parking spaces are not subject to the lot area restrictions for Outdoor Display (Section 4.22).
- vii) Any driveway width used for joint ingress or egress shall have a minimum width of at least 3.5 m but not more than 12.0 m.
- viii) "Lot Line, Front" means the lot line abutting Whitelaw Road, where the principal access to the lot is provided, shall be deemed to be the front lot line.
- ix) On-site private wastewater treatment shall be limited to domestic use and may include car washing (subject to necessary approvals), but does not include wastewater associated with service bays, rustproofing and other vehicle related treatments.
- x) No building or structure shall be located closer than 12.2 metres from the Elmira Road right-of-way.

[By-law 60/2013]

Schedule A, Map 12

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

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

[By-law 52/2013]

Schedule A, Map 1

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

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

[By-law 52/2013]

Schedule A, Map 1

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

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

[By-law 53/2013]

Schedule A, Map 1

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

- i) "Contractor and Tradesperson Establishment" shall be an additional permitted use
- ii) Minimum Rear Yard = 1.5 m for the main building of the Contractor or Tradesperson Establishment
- iii) Section 4.2.3 (Location of Accessory Buildings) shall permit existing detached accessory structures to have a rear yard setback of 0.0 m.
- iv) Section 5.1.10.3 (Ingress and Egress to Parking areas) shall permit the existing driveway use for joint ingress or egress to a maximum of 9.7 m.
- v) Section 5.1.10.3 (Ingress and Egress to Parking areas) shall limit the number of driveways to a maximum of three (3).
- vi) Section 4.11.1 (Buffer Strip Requirements) shall permit the required Buffer Strip to be located onsite between the permitted Residential and Non-Residential Use.
- vii) Section 4.28 (Setbacks from Environmental Protection (H) Zone) shall

permit any development on-site that satisfies the setback requirements of the applicable Rural Residential (RR) Zone and the relief granted through this Special Provision to comply with the setbacks required from the Environmental Protection (H) Zone.

[By-law 24/2014]

Schedule A, Map 16

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

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

[By-law 13/2014]

Schedule A, Map 2

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

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

[By-law 19/2014]

Schedule A, Map 1

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

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

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

viii. Front Yard Setback for Existing Buildings 3.9 m

[By-law 12/2015]

Schedule A, Map 1

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

[By-law 22/2015]

Schedule A, Map 1

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

[By-law 28/2015]

Schedule A, Map 1

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

[By-law 31/2015]

Schedule A, Map 1

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

[By-law 71/2015]

Schedule A, Map 2

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

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

[By-law 79/2015]

Schedule A, Map 1

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

- Agricultural Research and/or Breeding and/or Grading Operation
- Agricultural Supply Establishment
- Agricultural Use
- Commercial Greenhouse
- Feed Mill
- Grain Elevator
- Grain Storing, Weighing, Drying Operation
- Livestock Sales Barn
- One Dwelling Unit If Occupied By The Owner, Caretaker, Watchman Or Other Similar Person Employed On The Lot On Which Such Dwelling Unit Is Located.
- Veterinary Clinic

[By-law XX/2016]