



TOWNSHIP OF GUELPH/ERAMOSIA

PROPOSED ZONING BY-LAW TRACKED CHANGES

(OCTOBER 20, 2015)

www.get.on.ca/zoningreview

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FULL TEXT CHANGES

LEGEND:

Added

Removed

Moved From

Moved To (And Potentially Changed)

To be further researched

SECTION 1 – TITLE & INTERPRETATION

1.1 Introductory Statement

This document is the Township of Guelph/Eramosa Comprehensive Zoning By-law _____, 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 City to regulate the use of land. It states exactly what land uses are currently permitted in the Township and provides other detailed information such as:

- The permitted uses on a lot,
- The permitted building placement,
- The required number of parking spaces, and much more.

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 the 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.
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 agriculture 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	Hazard (H)	Sets out the regulations for this Zone. The objective of the Hazard Zone is to limit uses to protect natural features and human life by prohibiting development in hazardous areas, such as floodplains, in consistency with the policies of the Grand River Conservation Authority.
20	Special Provisions	Includes site specific uses and regulations.

1.1.3 How to Use This By-Law

1. The Township has two different Zoning By-laws: 57/1999 & 34-95.
 - a. If you live in the south-east corner of Rockwood (east of Highway 7 and south of Harris St., excluding the Noble Ridge development) your property may be zoned under Zoning By-law 34-95.
 - b. All other areas are zoned under Zoning By-law 57/1999.
2. Locate your property on Schedule "A", Map 1.
3. If your property is in a dark gray area, Schedule "A", Maps _____, provide additional detail.
4. The letter near/on your property represents the zone of that property, as described in the map legend.
5. Look at the appropriate zone section of the appropriate Zoning By-law (57/1999 or 34-95). These sections outline the specific permitted uses and regulations which apply to your property.
6. If you see a number on the property, in the format "21.____", your property is also zoned with a "Special Provision". This can be found in Section 20.
7. General regulations (i.e. accessory buildings, garden suites, etc.) that apply to all properties within the Township are found in Section 5 of the By-law, and should be reviewed to determine whether they apply to your property. Parking and Loading regulations can be found in Section 6.
8. Definitions for all of the terms can be found in Section 3 of the By-law.

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 **these** 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”.
5. ~~The use of masculine gender shall include females as well as males and simply meeting the converse.~~

1.5 ~~Application for Building Permit~~ **Application for Permits**

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

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

~~Notwithstanding the provisions of this By-law, a building permit shall be required for all buildings occupying an area greater than 10.0 m² (108.0 ft²) or as otherwise classified as a designated structure in accordance with Part 2 of the Ontario Building Code.~~

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 REDUCTION OF YARDS TO NON-COMPLIANCE~~

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

1.7 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.

~~1.9 METRIC IMPERIAL MEASUREMENTS & CONVERSION~~

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

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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
Hazard	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 according to the scale on the Zoning Maps.

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

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 a dash and the letter "H" (ie. RR-H) the lands have been placed in a "Holding Zone" pursuant to Section 36 of the Planning Act, as amended. The Holding Symbol "H" shall be removed at such time in the future when plans to develop the lands have been submitted and approved by the Corporation or such other conditions as deemed appropriate by the Corporation have been met. When the Holding Symbol has been

removed, the lands shall be developed according to the requirements of the Zone used in conjunction with the Holding Symbol.

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

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SECTION 3 – DEFINITIONS

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

A

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

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

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

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

“**Aggregate Processing Facility**”, means a facility used to process, crush, screen, wash, **storage/stockpiling 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 farming or agriculture and includes apiaries; aviaries; berry or bush crops; breeding, raising or training horses or cattle; greenhouses; farms devoted to the hatching, raising and marketing of chickens, turkeys, or other fowl or game birds, animals, fish or frogs; farms for grazing; flower gardening; muck farms; field crops; research and/or breeding station; mushroom farms; nurseries; orchards; riding stables; the raising of sheep or goats, the raising of swine; or the breeding, boarding or sale of domestic animals; tree crops; truck gardening; woodlots; and such uses or enterprises as are customarily carried on in the field of general agriculture, and~~

~~may include accessory packing, treating, storing, and sale of produce produced on the premises but does not include an abattoir, a kennel, or a rendering plant. A farm includes a detached dwelling house accessory to the main farming or agricultural use.~~

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 fibre; 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 Produce 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 Supply Establishment”~~ **“Agricultural-Related Business”**, means the supply of goods, materials or services that support agricultural uses including the sale, storage, mixing, distribution or cleaning of seed, feed, fertilizer and chemical products, **grain drying, custom spraying, large-animal veterinary clinic**, and the rental, sales, repair or service of agricultural equipment or implements or any combination of the foregoing.

“Alter”, when used in reference to a building or part thereof, shall mean to change any one or more of the internal or external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word "alter" means to ~~decrease~~ **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.

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

“Asphalt Plant, Portable”, means a facility:

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

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

"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, a gas bar or a wrecking yard.

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

“**Automobile Service Station**” means a building or place where service, maintenance or 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 the accessory sale of automotive products and/or a gas bar and/or an automobile washing establishment.** 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

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

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

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

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

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

“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 Bylaw.

“Brewing-on-Premises 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 equipment and storage area is used for a fee by the same individuals~~ **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 Height or Height”, shall mean the vertical distance between the finished grade of the centre of the front of the building, and;~~

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

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

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

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

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

C

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

“Category A Uses” includes uses that generate and handle large volumes of potentially hazardous liquid or soluble chemicals and shall include outdoor bulk storage of road salt; bulk storage of chemicals or hazardous 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 hazardous liquid or soluble chemicals and/or have effective engineering measures to manage chemical usage (or retroactively engineer systems) and/or can effectively implement hazard 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 contractor yards; 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 hazardous liquid or soluble chemicals and/or have effective engineering measures to manage chemical usage (or retroactively engineer systems) and/or can effectively implement hazard 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 from time to time.

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

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

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

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

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

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

“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~~ **Tradesman** 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 yard 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.**

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

~~“Convenience Store”, shall mean a retail store having a floor area of not more than 300 m² (3229.3 ft²) wherein various convenience goods and items of day to day use or necessity are kept and offered for retail sale and may include a gas bar as defined herein.~~

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

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

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

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

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

D

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

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

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

“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.

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

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

“Dwelling, Accessory Apartment”, means a residential dwelling unit, as defined herein, which is located within and subordinate to a single-detached 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.

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

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

“Dwelling, 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 (1) dwelling unit only and does not include a mobile home or a travel trailer

“Dwelling, Duplex”, means a residential dwelling divided horizontally to contain two **independent** residential dwellings 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, Fourplex”, means a residential dwelling divided vertically into two duplex dwellings.~~

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

“Dwelling, 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 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 vestibule.

"Dwelling, Stacked Townhouse" means a building containing two townhouses divided horizontally: one atop the other.

"Dwelling, Street 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 four or more dwelling units, each unit having independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit. ~~A street townhouse shall be so located on a lot so that each dwelling unit has frontage on a public street. The dwelling units of a cluster townhouse do not require frontage on a public street.~~

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

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

E

"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, construct, reconstruct, place, or relocate and, without limiting the generality of the word, also includes:

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

Constructed and construction shall have corresponding meanings.

"Existing", shall mean **legally** existing on ~~the day of the passing of this By-law.~~ **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 Sales Outlet, cottage wineries, value-added processing or packaging, and pick-your-own operations.

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

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

“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.

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

~~“Farm Implement Outlet”~~, means a building, structure or use accessory to an operating farm or permitted agricultural use for the sale of agricultural products, produced on or by the farm or agricultural use, to the general public.

~~“Farm Sales Outlet”~~, means a building, structure or use accessory to an operating farm or permitted agricultural use for the sale of agricultural products, produced on or by the farm or agricultural use, to the general public.

“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 no use significant amounts of water in their operation and which do not produce significant amounts of effluent.

“Food Vendor”, means a person who sells food from a vehicle or cart which is temporarily located on a road or sidewalk in a location selected for its access to public travelling by foot or vehicle.

“Fuel Storage Establishment”, means an establishment where petroleum gasoline, fuel oil, gas, propane, or other fuels are stored in tanks for wholesale distribution

or bulk sales but does not include facilities for the sale of fuels for private motor vehicles.

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

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

G

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

“**Garden Centre**”, shall mean a building or part of a building and/or adjacent land used for the purpose of **growing of plants, shrubs, trees and similar vegetation**, buying or selling lawn and garden equipment, furnishings, supplies, and may include a greenhouse.

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

~~“Gas Bar” means a building or place which is used for the sale of automotive fuels containing one or more fuel pumps together with the necessary pump islands, canopy, storage tanks and kiosk having a gross floor area of not more than 18.6 m² (200.2 ft²) which may be used for the sale of small automotive accessories and fluids and convenience products.~~

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

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

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

H

“**Habitable Room**”, shall mean any room in a residential unit used or capable of being used by one or more persons for living, sleeping, eating, food preparation or sanitation. ~~Non-habitable means any room located within a dwelling unit that is not a habitable room, including, but not so as to limit the generality of the foregoing, a laundry room, pantry, lobby, corridor, stairway, closet, 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.~~

“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, church spire, belfry, water tank, clock tower, farm building, windmill, flag pole, ventilator, or antenna, is not to be included.

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

- a) ~~this definition shall include a retail outlet for farm produce or farm supplies, an insurance or real estate office, contractors and tradesmen~~

- ~~establishment, or a service shop but shall not include any use otherwise defined or classified herein.~~
- ~~b) there are no persons employed other than members of the family and one additional employee;~~
 - ~~c) there is no display, other than a sign, to indicate to persons outside, that any part of the dwelling house, or accessory structure or lot is being used for such purposes;~~
 - ~~d) such rural home occupation is clearly secondary to the main agricultural use and does not change the agricultural character of the farm unit nor create or become a public nuisance, in particular in regard to noise, traffic, or parking;~~
 - ~~e) there shall be no open storage of materials, supplies, tools, equipment or goods which are used for, or result from, the rural home occupation;~~
 - ~~f) all buildings, structures, parking and loading areas used for the purpose of a rural home industry shall not occupy an area exceeding 0.4 hectares in area.~~

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

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

- ~~a) there is no external display or advertising other than a fascia or ground sign having a maximum area of 0.2 m² which does not~~
- ~~b) include changeable copy or internal illumination;~~
- ~~c) there is no external storage or display of goods or materials;~~
- ~~d) there are no persons employed other than members of the family and one additional employee;~~
- ~~e) d) there is no mechanical or other equipment used except that which is customarily employed in dwellings for domestic or household purposes or for use by a dentist, drugless practitioner, physician, or other professional persons;~~
- ~~f) not more than 25% of the gross floor area of the dwelling house or unit is used for the purposes of home occupation uses;~~
- ~~g) such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling house or~~

~~unit nor create or become a public nuisance in particular in regard to noise, traffic or parking;~~

~~h) the parking requirements of this By-law shall apply to any home occupation use;~~

~~i) notwithstanding any other provisions contained in this By-law, no accessory buildings or yards can be used in conjunction with a home occupation.~~

“Hospital”, means a hospital as defined in The Private Hospitals Act, as amended, or ~~a sanatorium as defined in The Private Sanatorium Act as amended or a hospital as defined in~~ The Public Hospitals Act, **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 ~~a boarding or lodging house,~~ an apartment, a guest house or a dwelling house. Accessory uses may include a restaurant, a lounge, a convenience store, a gift store, or a recreation facility.

I

“Industrial Use”, means the manufacturing, processing, production, fabrication, packaging, assembly, stamping, treating, finishing, testing or warehousing of goods or raw materials. Industrial uses shall be “dry” uses which do not use significant amounts of water in their operation and which do not produce significant amounts of effluent.

~~“Industrial Mall”, means a building or a group of buildings designed, developed, owned and managed as a unit in which separate spaces are leased or occupied by permitted industrial uses.~~

“Institutional Uses”, means the use of land, buildings or structures for religious, charitable, educational, health or welfare purposes, examples include, but are not limited to, **a: 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) and a maximum of fifty (50) 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 includes a veterinary

clinic 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, ~~whether surfaced or not~~, any curb, retaining wall, parking area 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 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 ~~dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur-gearing animals, deer & elk, game animals, birds and other~~ 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 (135) 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, patios, decks, outdoor swimming pools, **parking areas**, steps or balconies shall not be considered.

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

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

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

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

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

“**Lot Line, Interior**”, ~~shall mean~~ **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.

“Mini-warehouse/self storage”, 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.

“**Mobile Home**”, means a prefabricated dwelling house constructed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), designed and equipped for year-round occupancy and containing suitable sanitary facilities including a flush toilet, shower or bathtub within the unit but does not include a motor home or travel trailer as defined herein.

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

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

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

“**Museum**”, **shall** mean **s** 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 practised including associated clerical, administrative, consulting, advisory or training services and includes a Social Service Establishment, 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 a park, playground or playfield including therein one or more athletic fields, field houses, community centres, bleachers, swimming pools, wading pools, greenhouses, bandstands, skating rinks, tennis courts, bowling greens, curling rinks, skiing, refreshment rooms, arenas or similar uses.

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

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

~~“**Personal Service Shop**”, means a building or part of a building in which persons are employed in providing services and otherwise administering to the individual and personal needs of persons, and shall include but not be limited to a barber, hairdresser, beautician, aesthetician, tailor, dressmaker, shoemaker, tanning salon, photography studio, laundromat, depots for collecting dry cleaning and laundry, health clinics, and service or repair shops. The accessory sale of merchandise shall be permitted only as a secondary use to the personal service provided.~~

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

~~“**Place of Entertainment or Recreation**”, means a lot and/or building or part thereof used for gatherings, meetings and activities of a cultural, athletic, amusement or recreational nature such as a theatre, arena, auditorium, public hall, billiard or pool room, bowling alley, skating rink, dance hall or music hall, digital gaming but does not include any gambling or uses otherwise defined or classified herein.~~

“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 church hall, a church auditorium, a convent, an office of a clergyman, a Sunday School, a parish hall, a rectory or a manse as accessory uses.

“**Plaza Complex**”, means a group of commercial **and/or** industrial **business** establishments **(excluding manufacturing, warehouse, or wholesaling)** which is planned, developed, managed and operated as a unit with shared on-site parking and containing three or more separated spaces for lease and/or occupancy.

“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, tent trailers, motor homes, camper pick-up, camper vans. It does not include a Mobile Home.

“**Recreational Uses**”, 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.

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

"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 ~~a video rental outlet or~~ the rental of motor or recreational vehicles.

"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~~ **thru** service.

~~"Retail Establishment", means a building or structure or part thereof, in which goods, merchandise, substances, or articles are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.~~

"Retail Food Store", means a building or structure or part thereof in which food, goods, wares, merchandise, substances, or articles are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.

~~"Retirement Home", shall mean a building or part of a building providing accommodation primarily for retired persons with or without meals where common lounges, recreation rooms and medical care facilities may be provided and shall include a home for the aged or rest home as within the meaning of The~~

~~Homes For The Aged and Rest Homes Act, and a nursing home within the meaning of the Nursing Homes Act but shall not include a hotel as defined herein.~~

S

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

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

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

“**School**”, means a school under the jurisdiction of a **School** Board as defined ~~in The Ministry of Education Act,~~ **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 secondary use to the service provided.** ~~not otherwise defined or classified herein for the servicing or repairing of articles, goods or materials.~~

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

“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, counselling, 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; and 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-in use.

“**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 principal 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.

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

“**Transport Establishment**”, means the use of land, buildings, structures or parts thereof, where trucks and transports or buses are rented, leased, serviced, repaired, loaded or

unloaded, kept for hire, stored or parked for dispatching as common carriers or where goods are temporarily stored for further shipment.

U

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

V

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

~~“**Video Rental Outlet**”, means an establishment where electronic entertainment media such as video cassette tapes, DVD’s, Blu-ray Discs or current media storage formats and video games are rented or sold and where equipment necessary for the use of such media may be rented or sold and may also include the sale, rental or service of electronic equipment such as televisions, stereos, mobile phones and computers.~~

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 Township or the County of Wellington, 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, Front Depth”**, means the least horizontal dimension between the front lot line of the lot or the chord of the front lot line of the lot and the nearest part of any building, structure or excavation on the lot.~~

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

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

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

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

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

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

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

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 ~~on the date of the passing of this By-law~~ 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, ~~act of God,~~ 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 floor area of such replacement does not exceed the height and 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 is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry or Land Titles Office ~~at the date of passing of this By-law~~ **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 which exceed the 20% and are within the Village Commercial Zone, shall be deemed to comply with this by-law.

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 Agreements and Site Plan Approvals

Where a Site Plan Agreement has been entered into, signed by Owner and the Township between January 1, 2010 and _____, and such agreement has been registered on title, but a Building Permit for the applicable project has not been issued, the provisions amended, deleted, or added as part of By-law _____ shall be deemed to be modified to the extent necessary to give effect to the Site Plan Agreement, provided that the Building Permit is 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 habitat except as **may be** permitted in this By-law.

~~3. An accessory dwelling unit, except as may be permitted by 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 **or used for residential purposes.**

4.2.3 Location of Accessory Buildings

~~Any accessory building or structure which is attached to the main building shall be erected to the rear of the required front yard and shall comply with the yard and setback requirements of the zone in which such buildings or structure is situated.~~

~~Any accessory building or structure which is detached from the main building shall be erected to the rear of the required front yard and shall comply with the yard and setback requirements of the zone in which such buildings is situated with the following exceptions:~~

~~1) Such accessory buildings and uses shall be no closer that 0.6 m to the interior side or rear lot line unless intended for parking or storage of a vehicle where a minimum interior side yard or rear yard setback of 1.2 m (3.9 ft) is required.~~

~~2) Satellite dishes shall be no closer than 3.0 m (9.8 ft) from any lot line~~

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 or any portion of a lot which is identified as a leaching bed or septic system area.

5.2.4 Height of Accessory Buildings

~~No accessory building or structure shall exceed a height of 4.7 m (15.1 ft) except on lands zoned Agricultural (A) where a maximum height of 7.5 m (24.6 ft) is permitted, or as otherwise provided herein.~~

4.2.4 Permitted Floor Area for Accessory Buildings

The maximum **total 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 (A) 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 (A) 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 (A) 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 (A), Rural Industrial (M1), Agricultural Business (M2), and Highway Commercial (C4) zones;**
- 2. Shall not be permitted as the sole structure on any property, except in the case of a mini-storage/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 (M1) and Agriculture Business (M2) zones;
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 40,000 m² in an Agricultural (A) 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 mini-storage/self-storage facility within the Rural Industrial (M1) and Agriculture Business (M2) zones 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 principal 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 6.1.10.2 or Section 6.1.12.2 as applicable.
2. When exterior alterations to the principal residential dwelling are proposed for an attached accessory apartment, the siting of an accessory apartment shall be to the rear or side of the principal 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 principal 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 principal dwelling.
4. A maximum of one accessory apartment per lot is permitted, and shall be accessory to the principal dwelling.
5. One parking space will be provided for the accessory apartment, in addition to the required parking on the principal residence.
6. Adequate servicing is required.

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.
2. When exterior or interior alterations to a commercial use are proposed for an accessory apartment, 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.
6. Adequate water and wastewater servicing is required.

4.5 Garden Suites Regulations

A garden suite shall be permitted in all 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 provisions:

1. A garden suite shall be prefabricated, portable, and temporary.
2. Driveway access to both the principal dwelling and the garden suite shall be limited to one so that no new entrance from the street shall be created.
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 principal dwelling, 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 principal dwelling.
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 residence 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.**

5.3 PARKING AREA REGULATIONS

5.3.1 Parking Requirements

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

Use	Parking Requirement
Any other use not specifically listed below	1 parking space per 46.5 m² (500.5 ft²) gross floor area
Apartments and Cluster Townhouses	1.5 spaces per dwelling unit
Auditorium, Arena, Auction House, Theatre, Church, Sports or Community Centre and other places of assembly, unless otherwise mentioned in this section	1 space for each 4 seats or 1 space per 70 m² (753.5 ft²) of gross floor area, whichever is greater, with a minimum of 8 spaces
Automobile Body / Repair Shop	4 spaces per repair bay, minimum of 6
Automotive Sales Establishment	1 space per 46.5 m² (500.5 ft²) gross floor area
Automobile Service Station	4 spaces per service bay
Automobile Washing Establishment	Manual Car Wash: 1 space plus 3 spaces in advance of each car wash stall/bay. Automatic Car Wash: 1 space plus 6 spaces in advance of and 1 space at the terminus of each car wash stall/bay
Bank or financial institution	1 space per 15.0 m² (161.5 ft²) gross floor area
Boarding or Lodging House	1 space per dwelling unit, plus 1 per

	room/unit for rent
Business or Professional Office	1 space per 28.0 m ² (301.4 ft ²) gross floor area
Golf Course / Miniature Golf Course / Golf Driving Range	3 spaces for each 2 tees or holes
Commercial plaza complex	1 space per 20.0 m ² (215.3 ft ²) gross floor area
Contractor's or Tradesman's Establishment	1 space per 15 m ² (161.5 ft ²) gross floor area
Convenience store	1 space per 15.0 m ² (161.5 ft ²) gross floor area
Day Nursery	1 space per 10 m ² (107.6 ft ²) gross floor area
Dwellings including: Single detached, semi detached, duplex, converted dwelling, triplex, fourplex, street fronting townhouse	2 spaces per dwelling unit
Elementary school	5 spaces plus 1 parking space per classroom
Funeral home	1 space per 25.0 m ² (269.1 ft ²) gross floor area
Furniture, Appliance Department Store	1 space per 70.0 m ² (753.5 ft ²) gross floor area
Gas bar	1 space per fuel pump island
Group Home	1 space per 2 beds + 1 space for every two employees
Hospital	1 space per 2 beds + 1 space per 4 employees
Hotel or motel	1.5 spaces per guest room
Industrial Use/Industrial Mall	1 space per 90 m ² (968.8 ft ²) gross floor area
with a minimum of 5 spaces	
Lumber Yard or Building Materials	1 space per 27.9 m ² (300.3 ft ²) of Dealer retail
floor area	
Medical or veterinary clinic	3 spaces per physician or practitioner
Other commercial uses not devoted to retail trade	1 space per 28.0 m ² (301.4 ft ²) gross floor area
Personal service shop	1 space per 46.5 m ² (500.5 ft ²) gross floor area
Public Building	1 space per 28.0 m ² (301.4 ft ²) gross floor area
Residential Dwelling Units in a Portion of a Non-residential Building	1 space per dwelling unit

Restaurant	1 space per 5m ² (53.8 ft ²) floor area devoted to public use or 1 space per 20.0 m ² (215.3ft ²) of gross floor area, whichever is greater.
Retail commercial use	1 space per 28.0 m ² (301.4 ft ²) gross floor area
Retail Food Store	1 space per 46.5 m ² (500.5 ft ²) gross floor area
Retirement / Nursing Home	1 space per 4 beds + 1 space per 4 employees
Secondary school	5 spaces plus 1 parking space per classroom
Senior Citizen Accommodation	1 space per 5 dwelling units
Tavern	1 space per 5 m ² (53.8 ft ²) floor area devoted to public use
Truck Terminal	1 space per 100 m ² (1076.4 ft ²) gross floor area
Warehouse	1 space per 185.0 m ² (1991.4 ft ²) gross floor area
Wholesale Outlet	1 space per 80.0 m ² (861.1 ft ²) gross floor area

5.3.2— Calculation of Off-Street Parking Spaces

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

5.3.3— Location of Required Off-Street Parking Spaces

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

5.3.4— Size of Parking Spaces

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

5.3.5 Parking Aisle Requirements

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

5.3.6 Parking for More Than One Use in a Building

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

5.3.7 Parking Area Location On Lot

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback provided that no part of any parking area, other than a driveway, is located closer than 1.1 m (3.3 ft) to any street line, or as specified below:

- 1) A parking area for a residential use containing three or more dwelling units shall only be located in the rear yard.
- 2) A parking space for residential units with individual private driveways may be located abutting the street line provided that not more than 50% of the required front yard is used for driveways and parking areas.
- 3) Where a Highway Commercial, Open Space, Institutional, or Industrial Use abuts a Residential Zone, the parking area shall be set back 3 m (9.8 ft) from the lot line abutting the Residential Zone.
- 4) For Extractive Industrial / Disposal Industrial Uses, parking shall be permitted in the Rear Yard and Interior Side Yard and where such uses abut a Residential, Highway Commercial, Institutional or Agricultural use, the parking area shall be set back 9 m (29.5 ft) from the abutting lot line.

5.3.8 Ingress and Egress to Parking Areas

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

- 1) Any driveway used for one-way ingress or egress shall have a minimum width of at least 3.5 m (11.5 ft) but not more than 7.5 m (24.6 ft)
- 2) Any driveway used for joint ingress or egress shall have a minimum width of at least 3.5 m (11.5 ft) but not more than 9.0 m (29.5 ft).
- 3) Driveway width shall be measured along the lot line and throughout the length of the driveway.
- 4) The driveway shall be setback 0.3 m (1.0 ft) from a side lot line, not including the exterior lot line when it serves as the point of access.
- 5) The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 7.5 m (24.6 ft).
- 6) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- 7) Every lot shall be limited to the following number of driveways:
 - i. For Residential Zones, a maximum of one driveway accessed from the front lot line or rear lot line, and one driveway accessed from the exterior lot line;
 - ii. For all other Zones one driveway for every 15 m (49.2 ft) of frontage for the first 30 m (98.4 ft) of frontage, and one driveway for each additional 30 m (98.4 ft) of frontage.

5.3.9 Parking Surfaces and Drainage

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

5.3.10 Additions to Existing Use

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

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

~~5.3.11 Use of Parking Areas and Spaces~~

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

~~5.3.12 Parking of Commercial Motor Vehicles, Tractor Trailers and Buses~~

~~No person shall use any lot, building or structures 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 (1) commercial vehicle where he/she is the owner or occupant of such lot, building or structures, and provided the vehicle shall not exceed 2721.6 kilograms (6,000 lbs) gross vehicle weight or not exceed a length of 9.0 m (29.5 ft) or not exceed a height of 2.0 m (6.6 ft).~~
- ~~2) Such parking for a tractor trailer or commercial vehicle which is attending a residential premises on a temporary and short-term basis for the purposes of delivery and service.~~

~~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 0.8 ha (2.0 ac) such parking or storage is limited to a maximum total of three (3) such vehicles including a maximum of one (1) 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 0.8 ha (2.0 ac) such parking or storage is limited to a maximum total of one (1) such vehicle.

5.3.13 Parking of Recreational Vehicles

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

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

5.3.14 Unlicensed and Inoperable Motor Vehicles

Unless specifically provided for by this By-law, no person shall provide outside storage for any motor vehicle which is unlicensed and inoperable. Notwithstanding the above, in the Agricultural Zone, no more than two such vehicles may be stored for parts usage. In such cases, they shall not be visible either from the road or an abutting residential use. Farm equipment is exempt from this regulation.

5.3.15 Accessible Parking

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

Accessible parking spaces for the physically handicapped shall be:

- minimum width of 4.0 m (13.1 ft);
- a minimum length of 6.0 m (19.7 ft);
- hard-surfaced and level;
- located near and accessible to an entrance; and
- identified by a sign with the International Symbol for Handicapped Persons.

5.4—LOADING SPACE REGULATIONS

5.4.1—Loading Space Requirements

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

TOTAL FLOOR AREA	NUMBER OF LOADING SPACES REQUIRED
0 to 464.5 m ² (0 to 5000 ft ²)	0
Exceeding 464.5 m ² (5000 ft ²) to 929 m ² (10,000 ft ²)	1
Exceeding 929 m ² (10,000 ft ²) but not 2,322.5 m ² (25,000 ft ²)	2
Exceeding 2,322.5 m ² (25,000 ft ²) but not 4,645 m ² (50,000 ft ²)	3
Exceeding 4,645 m ² (50,000 ft ²) but not 7,432 m ² (80,000 ft ²)	4

Exceeding 7,432 m² (80,000 ft²) 4 plus 1 additional space for each additional 9,290 m² (100,000 ft²) or fractional part thereof in excess of 7,432 m² (80,000 ft²)

5.4.2 Loading Space Access

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

5.4.3 Loading Space Surface

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

5.4.4 Loading Space Location

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

5.4.5 Additions to Building

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

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

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.

~~DAYLIGHTING TRIANGLE OR SIGHT TRIANGLE~~

~~On a corner lot within the triangular space formed by the street lines and a line drawn from a point on one street line to a point on the other street line, each point being 7.62 m (25.0 ft) measured along the street line from the point of intersection of the street lines, no building, structure, parking area, or planting greater than a height of 1.0 m (3.2 ft) which would obstruct the vision of drivers of motor vehicles shall be erected. Such triangular space may hereinafter be called a "sight triangle".~~

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

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

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, **except that with the following exceptions:**

1. **Fences, walkways (including inset steps where a slope prohibits walkways), freestanding walls, flagpoles, light standards, hedges, trees, shrubs and similar accessory structures and appurtenances are permitted in any required yard, subject to any other restrictions of this By-law such as Sight Line Triangles.**
2. **The usual projections of window sills, chimney breasts, belt courses, cornices, eaves and other architectural features shall project no more than 1 m into any required yard**
3. **Balconies and steps (covered or uncovered), unenclosed porches, or decks may project into any required yard a maximum distance of 2.5 m, while ensuring that a minimum distance of 2.5 m from any lot line is maintained;**
4. **Fire escapes and exterior staircases may project into any required side or rear yard a distance of 1.5 m;**
5. **Accessory buildings intended for parking or storage of a vehicle may encroach into a required interior side or rear yard, while ensuring that a minimum distance of 1.5 m from any lot line is maintained.**
6. **Signs may be constructed in accordance with the provisions of any applicable Sign By-law;**
7. **A gate house shall be permitted in a required front or side yard in an Industrial or Open Space Zone.**
8. **Satellite dishes may encroach into any required side or rear yard, while ensuring that a minimum distance of 3 m from any lot line is maintained.**
9. **Light standards, signs, fuel pump islands and fuel pumps may be located in any required minimum yard at a distance of not less than 4.5 m from any street line for a Automobile Service Station or Gas Bar.**

~~1) In any yard, there may be established or maintained the usual projections of window sills, chimney breasts, belt courses, cornices, eaves and other architectural features, provided however that no such features shall project more than 1 m (3.3 ft) into any required yard~~

~~2) Balconies and steps, covered or uncovered, or unenclosed porches or decks may project into any required yard a distance of not more than 2.5 m (8.2 ft). Notwithstanding this, no such structure shall be permitted to encroach beyond a point that is closer than 2.5 m (8.2 ft) from a property boundary;~~

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

4.10 Height Restrictions and Exceptions

No accessory building or structure shall exceed a height of 4.7 m except on lands zoned Agricultural (A), 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, church spire, an elevator shaft, water storage tank, elevating device, flagpole, television or radio antenna or tower, ventilator, windmill, air conditioner duct, grain drying equipment, clothesline, skylight or solar collector.

4.11 Buffer Strips

4.11.1 **Buffer Strip Requirements** ~~for Non-Residential Uses~~

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

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 provisions of this Subsection.

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

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. ~~Subject to site plan approval, a solid fence or wall of equivalent height may be considered as an alternative to a planting strip. When considering such an alternative buffer, regard shall be given to the location, height, materials, finishing and porosity of the wall or fence, as well as the site's characteristics.~~
7. **The Buffer Strip shall be in accordance with the Township's Landscape Guidelines, as applicable; and**
8. A Buffer Strip referred to in this Subsection may form part of any Landscaped Open Space required by this By-law.

5.11 [intentional blank section]

5.12 DWELLING UNITS BELOW GRADE

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

4.12 Home Occupation Regulations

Home occupations are permitted within a dwelling unit by a resident of said dwelling unit, subject to the following regulations:

- 1. The home occupations 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;**
- 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 or other equipment, except that which is customarily employed in dwellings for domestic or household purposes, or for use by a dentist, drugless practitioner, physician, or other professional persons;**
- 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's yard, 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 may only employ the tenants of the property and two additional employees;
4. All buildings, structures, parking 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 agriculture.
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.

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/dwellings 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. a salvage yard;
 - b. a mobile home park;
 - c. a track or course for the racing and/or testing of motorized vehicles;
 - d. the boiling of blood, tripe, bones or soaps for commercial purposes;
 - e. the tanning or storage of uncured hides or skins;
 - f. the manufacturing of glue or fertilizers from dead animals or from human or animal waste;
 - g. an abattoir, stockyard, livestock exchange, or dead stock depot;
 - h. the extracting of oil from fish or animal matter;
 - i. 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;
 - ~~j. food vendor;~~
 - k. the keeping or raising of livestock or wild animals in any residential zone unless otherwise permitted;
 - l. a kennel;
 - m. an adult entertainment establishment.
 - n. 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 5.17, 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 Township 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 Wellington County Roads with the exception of those buildings or structures located within the boundaries of an Urban Centre or Hamlet as identified ~~on Maps 2 to 19 of this by-law~~ **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 centreline of the street abutting such yard, commencing from the centreline in the direction of the applicable yard of such lot or parcel of land

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

4.21 Number of Residential Buildings per Lot

With the exception of multiple-unit dwellings as defined in this By-law, and where otherwise specified in this By-law, ~~not~~ no more than one residential building 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, subject to entering into a Development Agreement with the Corporation, in accordance with the associated Corporate Policy.

4.22 Outdoor Display

In the ~~Highway Commercial, Village Commercial, Village Service Commercial, Hamlet Mixed Use, and Rural Industrial~~ **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 ~~side~~ 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 Agricultural Business, Highway Commercial and Rural Industrial zones, the outdoor storage of goods, materials, and equipment, accessory to the main use, shall be permitted in accordance with the following provisions:

1. Located to the rear of the front wall of the main building, but not in a required side yard nor a required rear yard.
2. Not cover more than 40% of the lot area.
3. Shall be visually screened from the street and any abutting land zoned or used for residential or institutional purposes by a buffer strip in accordance with Section 5.11.

4.24 Play 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 a play area for children is provided on the same lot as the main residential building or buildings. Any required play areas shall:

1. have an area of at least 4.5 m² for each dwelling unit;
2. be enclosed with a fence;
3. be located at least 4.5 m from the nearest wall of the building;

4. be accessible to the building without the necessity of crossing a parking lot, and
5. be provided in one location at the rear or side of the main building.

4.25 Lots with More Than One Use or Zone

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

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

4.26 Municipal Drains Open Watercourse Setbacks

No person shall use any lot or erect, alter or use any building or structure within 30 m from the centre of an open **watercourse or** municipal drain, **and 15 m from the centre of an enclosed 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 in size.

Notwithstanding Section 5.24, for the purposes of this provision if the lot is partially within the Hazard (H) zone that portion of the lot within the Hazard (H) Zone will not be used in calculating the lot area.

~~5.26 REGULATIONS FOR GARDEN SUITES~~

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

- ~~1) Driveway access to both the main dwelling and the garden suite shall be limited to one so that no new entrance from the street shall be created.~~
- ~~2) The siting of a garden suite shall be in accordance with the provisions for accessory uses (Section 5.2).~~
- ~~3) The maximum floor area shall be 92.9 m² (1000.0 ft²).~~
- ~~4) The maximum height shall be one storey, and shall not exceed 4.5 m (14.8 ft).~~
- ~~5) No garden suite shall be located closer than 3.0 m (9.8 ft) to the main residence on the lot or any building on an abutting property.~~

~~6) Only one garden suite may be established per lot.~~

~~7) All garden suites shall be provided with adequate water and sewage disposal systems.~~

~~8) All garden suites shall be established as a temporary use pursuant to Section 39 of the Planning Act.~~

4.28 Setbacks from Hazard (H) Zone

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

Notwithstanding the above, the setback may be reduced to that permitted by the ~~Grand River Conservation Authority in accordance with its authority provided under the Conservation Authorities Act, R.S.O. 1990 or~~ 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 ~~the date of passing of this bylaw~~ **October 19, 1999** is located within ~~a~~ **the** required setback an addition ~~shall be permitted provided that a setback of 3 m is maintained.~~ **and/or** ~~Where a dwelling existed on the date of the passing of this by-law is located within a required setback~~ new accessory buildings and structures shall be permitted provided **that** a setback of 3 m is maintained.
2. Where a vacant building lot existed on ~~the date of passing of this bylaw~~ **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 Hazard Zone boundary is maintained.

Parking, Stacking and Loading Area Regulations

THIS SECTION HAS BEEN APPEALED TO THE ONTARIO MUNICIPAL BOARD

DRAFT

Original Regulation	Proposed Regulation	Comments/Justification
Apartments and Cluster Townhouses - 1.5 spaces per dwelling unit	Apartments - 1.5 spaces per dwelling unit; plus an additional space for every 4 units to be devoted exclusively for visitor parking. Cluster Townhouses - 2 spaces per dwelling unit; plus an additional space per 4 dwelling units to be devoted exclusively for visitor parking.	Adding visitor parking for high-density dwellings is proposed in order to ensure sufficient parking since on street parking for visitors is often not possible.
Auditorium, Arena, Auction House, Theatre, Church, Sports or Community Centre and other places of assembly, unless otherwise mentioned in this section - 1 space for each 4 seats or 1 space per 70 m ² (753.5 ft ²) of gross floor area, whichever is greater, with a minimum of 8 spaces	Assembly Hall - 1 space per 28 m ² GFA, with a minimum of 8 spaces Community Centre - 1 space per 28 m ² GFA	Assembly Hall definition includes Arena, Church, etc. Difficult to base requirements on number of seats, when a building has yet to be built.
Automobile Body / Repair Shop - 4 spaces per repair bay, minimum of 6	Automobile Body / Repair Shop - 4 spaces per repair bay	Removed minimum number of spaces, which would be exceeded by 2 repair bays
Automotive Sales Establishment - 1 space per 46.5 m ² (500.5 ft ²) gross floor area	Automotive Sales Establishment - 1 space per 40 m ² GFA	Requirement has been increased to be more in line with neighbouring municipalities which range between 1 space/25 m ² GFA; & 1 space/32 m ² .
Automobile Washing Establishment - Manual Car Wash: 1 space plus 3 spaces in advance of each car wash stall/bay. Automatic Car Wash: 1 space plus 6 spaces in advance of and 1 space at the terminus of each car	Removed	Discussed in Stacking Lane Requirements

wash stall/bay		
Bank or financial institution - 1 space per 15.0 m ² (161.5 ft ²) gross floor area	Bank or financial institution - 1 space per 20 m ² GFA	Requirement has been reduced to be more in line with neighbouring municipalities which range between 1 space/15 m ² GFA; & 1 space/28 m ² .
Boarding or Lodging House - 1 space per dwelling unit, plus 1 per room/unit for rent	Removed	Use not permitted in any zone
Golf Course/Miniature Golf Course/Golf Driving Range - 3 spaces for each 2 tees or holes	Golf Course/Miniature Golf Course/Golf Driving Range - 2 spaces per tee	Requirement has been reduced to be more in line with neighbouring municipalities which range between 1.5 space/tee; & 12 spaces/tee.
Commercial plaza complex - 1 space per 20.0 m ² (215.3 ft ²) gross floor area	Plaza Complex (greater than 600 m ² GFA) - 1 space per 28 m ² GFA Plaza Complex (less than or equal to 600 m ² GFA) - 1 space per 23 m ² GFA	Requirement has been reduced to be more in line with neighbouring municipalities which range between 1 space/22 m ² GFA; & 1 space/27 m ² .
Contractor's or Tradesman's Establishment - 1 space per 15 m ² (161.5 ft ²) gross floor area	Contractor's or Tradesman's Establishment - 1 space per 50 m ² GFA	Requirement has been reduced to be more in line with neighbouring municipalities which range between 1 space/40 m ² GFA; & 1 space/50 m ² .
Elementary school - 5 spaces plus 1 parking space per classroom	Elementary school - 2 parking space per classroom	Requirement has been changed to be more in line with neighbouring municipalities which range between 1 space/classroom & 2 spaces/classroom

Group Home - 1 space per 2 beds + 1 space for every two employees	Group Home - 1 space per every employee (to the maximum number present per shift); in addition to the required parking for the dwelling unit.	Requirement has been changed to be more in line with neighbouring municipalities which range between 1 space/building + 1 space for staff; & 1 space/staff member + required parking for the dwelling unit.
Hospital - 1 space per 2 beds + 1 space per 4 employees	Hospital - 1 space per bed + 1 space per 2 employees	Requirement has been increased to account for visitor parking.
Hotel or motel - 1.5 spaces per guest room	Hotel or motel - 1 space per guest room	Requirement has been reduced to be more in line with neighbouring municipalities which require 1 space/guestroom.
Lumber Yard or Building Materials - 1 space per 27.9 m ² (300.3 ft ²) of Dealer retail floor area	Contractor's Yard - 1 space per 50 m ² GFA	Requirement has been reduced to be more in line with neighbouring municipalities which range between 1 space/40 m ² GFA; & 1 space/50 m ² .
Medical or veterinary clinic - 3 spaces per physician or practitioner	Medical or veterinary clinic - 1 space per 17 m ² GFA	A requirement based on floor area can be better administered and enforced
Other commercial uses not devoted to retail trade - 1 space per 28.0 m ² (301.4 ft ²) gross floor area	Other Commercial Uses Not Devoted To Retail Nor Explicitly Listed In This Section - 1 space per 30 m ² GFA	Requirement has been reduced to be more in line with neighbouring municipalities require 1 space/30 m ² GFA.
Personal service shop - 1 space per 46.5 m ² (500.5 ft ²) gross floor area	Personal service shop - 1 space per 45 m ² GFA	Requirement has been increased to be more in line with neighbouring municipalities which range between 1 space/16.5 m ² GFA; & 1 space/40 m ² .

Residential Dwelling Units in a Portion of a Non-residential Building - 1 space per dwelling unit	Removed	Captured via Accessory Apartment requirements
Restaurant - 1 space per 5m ² (53.8 ft ²) floor area devoted to public use or 1 space per 20.0 m ² (215.3ft ²) of gross floor area, whichever is greater.	Restaurant - 1 space per 15 m ² GFA	The current regulation is difficult to administer. The proposed regulation is consistent with other municipalities.
Retail commercial use - 1 space per 28.0 m ² (301.4 ft ²) gross floor area	Retail Store - 1 space per 20 m ² GFA	Requirement has been increased to be more in line with neighbouring municipalities which range between 1 space/16.5 m ² GFA; & 1 space/20 m ² GFA.
Retail Food Store - 1 space per 46.5 m ² (500.5 ft ²) gross floor area	Removed	Use not defined or permitted.
Retirement / Nursing Home - 1 space per 4 beds + 1 space per 4 employees	Nursing Home - 1 space per 4 beds + 1 space per 2 employees	Requirement has been changed to be more in line with neighbouring municipalities which range between 1 space/ 4 beds + 1 spaces/3 staff; 1 space/3 beds; & 1 space/2 beds.
Secondary school - 5 spaces plus 1 parking space per classroom	Secondary school - 5 spaces per classroom	Requirement has been changed to be more in line with neighbouring municipalities which range between 3 spaces/classroom & 5 spaces/classroom
Warehouse - 1 space per 185.0 m ² (1991.4 ft ²) gross floor area	Warehouse - 1 space per 200 m ² GFA	Requirement has been reduced to be more in line with neighbouring municipalities which range between 1 space/200 m ² GFA; & 1 space/15,000 m ²

OTHER PROPOSED CHANGES:**Section 5.3.10.1 *Parking Space Size for Residential Parking Requirements***

This regulation has changed to require 6 m long parking spaces for the required residential parking spaces so that driveways and garages are large enough to accommodate vehicle overhang

**Section 5.3.11.3 *Ingress and Egress to Parking Areas for Commercial Uses*, and
Section 5.3.12.2 *Ingress and Egress to Parking Areas for Agricultural & Industrial Uses***

The maximum driveway width for commercial uses is proposed to increase from 7.5 metres to 10 metres and the maximum driveway width for Agricultural and Industrial uses is proposed to increase from 7.5 metres to 12 metres. The purpose of this change is to facilitate the wider turns required by large vehicles and trucks.

Section 5.3.14 *Unlicensed and Inoperable Motor Vehicles*

This regulation has been removed since it is addressed by property standards.

Section 5.3.10.4 *Visitor Parking*

A new regulation is proposed to stipulate how visitor parking should be identified.

Section 5.3.11.1 *Plaza Complex Parking*

New regulation proposed to provide regulations for commercial plazas. The parking requirements are similar to those in neighbouring municipalities.

Section 5.3.14 *Stacking Lane Requirements*

New regulation to provide minimum number of spaces in stacking lanes for drive-thrus.

Section 5.3.7 *Parking Area Location on Lot* has been removed and replaced with **Section 5.3.10.2** *Parking Area Location for a Residential Use*, **Section 5.3.11.2** *Parking Area Location for a Commercial Use*, and **Section 5.3.12.1** *Parking Area Location for a Agricultural or Industrial Use*. The new regulations are intended to accommodate different types of uses, and tolerances for parking adjacent to different uses.

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SECTION 6 – AGRICULTURAL (A) ZONE

6.1 Permitted Uses

Within any Agricultural (A) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- **Accessory Use (Section 4.2)**
 - Agricultural use
 - ~~An accessory use in accordance with Section 5.2 of this By-law~~
- **Agriculture-Related Business**
 - Bed and breakfast establishment
 - Conservation
- **Dwelling, Accessory Apartment (Section 4.4)**
 - **Dwelling**, Detached ~~dwelling unit~~
 - ~~• Farm produce sales outlet~~
 - ~~• Grain drying~~
 - **Dwelling**, Group home ~~in the detached dwelling house~~
- **Farm Business (Section 6.2.9)**
 - Home occupation
 - ~~• Mixing, sale, and distribution of fertilizer~~
 - ~~• Portable asphalt plant used by a public road authority or its agent or contractor~~
 - ~~• Rental of fertilizer related equipment~~
 - **Farm Rural** home industry **(Section 6.2.9)**
 - ~~• Sale of seed and farm chemicals~~
 - ~~Wayside pit or quarry opened up and used by a public road authority or its agent or contractor~~

Notwithstanding the above list, permitted uses may be restricted through the general provisions ~~and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.~~

6.2 Regulations

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

6.2.1	Minimum Lot Area	350,000 m² (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 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.	
6.2.6	Minimum Exterior Side Yard	12.5 m (Section 4.19 & Section 4.20)

6.2.1 Minimum Lot Area — 35 ha (86.5 ac)

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

6.2.2 Minimum Lot Frontage — 120 m (393.7 ft)

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

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

6.2.4 Minimum Rear Yard — 7.5 m (24.6 ft)

6.2.5 Minimum Interior Side Yard 3.0 m (9.8 ft)

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

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

6.2.7 Minimum Distance Separation and Livestock Facilities

The provisions of Section 5.25, Minimum Distance Separation – MDS I and MDS II shall apply to all permitted uses including new and existing livestock facilities within the Agricultural (A) Zone.

Notwithstanding the above, new livestock facilities will not be permitted on lots with a lot area of less than 0.8 ha (2.0 ac). **(Section 4.26 & 4.27)**

6.2.8 Regulations For Residential Uses

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

<u>6.2.8.1</u>	<u>Minimum Lot Area</u>	<u>4,000 m² (0.4 ha)</u>
<u>6.2.8.2</u>	<u>Minimum Frontage</u>	<u>30 m</u>
<u>6.2.8.3</u>	<u>Minimum Front Yard</u>	<u>7.5 m (Section 4.19 & Section 4.20)</u>
<u>6.2.8.4</u>	<u>Minimum Rear Yard</u>	<u>7.5 m</u>
<u>6.2.8.5</u>	<u>Minimum Interior Side Yard</u>	<u>3 m</u>
<u>6.2.8.6</u>	<u>Minimum Exterior Side Yard</u>	<u>7.5 m (Section 4.19 & Section 4.20)</u>
<u>6.2.8.7</u>	<u>Maximum Lot Coverage</u>	<u>30%</u>
<u>6.2.8.8</u>	<u>Maximum Building Height</u>	<u>11 m</u>

6.2.8.1 Minimum Lot Area: 0.4 ha (1.0 ac)

6.2.8.2 Minimum Frontage: 30.0 m (98.4 ft)

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

6.2.8.4 Minimum Rear Yard: 7.5 m (24.6 ft)

6.2.8.5 Minimum Interior Side Yard: 3.0 m (9.8 ft)

6.2.8.6 Minimum Exterior Side Yard: 7.5 m (24.6 ft) subject to Section 5.18

6.2.8.7 Maximum Lot Coverage: 30%

6.2.8.8 Maximum Building Height: 11.0 m (36.1 ft)

6.2.9 Minimum Gross Floor Area for a Detached Dwelling House 140 m² (1507.0 ft²)

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, to a maximum of 0.4 hectares in area.

SECTION 7 – RURAL RESIDENTIAL (RR) ZONE

7.1 Permitted Uses

Within any Rural Residential (RR) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- Accessory use ~~in accordance with (Section 4.2) of this By-law~~
- Bed and breakfast establishment
- ~~Church~~
- ~~Converted dwelling unit~~
- **Dwelling, Accessory Apartment (Section 4.4)**
- **Dwelling**, Detached ~~dwelling unit~~
- **Dwelling, Garden Suite (Section 4.5)**
- **Dwelling**, Group home
- Home occupation
- **Place of Worship**
- ~~Public park~~

Notwithstanding the above list, permitted uses may be restricted through the general provisions ~~and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.~~

7.2 Regulations

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

7.2.1 Minimum Lot Area — 0.4 ha (1.0 ac)

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

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

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

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

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

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

~~7.2.7 Maximum Lot Coverage 30%~~

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

	Minimum Lot Area	4,000 m ² (0.4 ha)
7.2.1	Existing lots or lots in approved Draft Plans of Subdivision as of the date of passing of this By-law, shall have a minimum lot area of 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

~~7.2.9 Minimum Gross Floor Area for a Detached Dwelling 140 m² (1507.0 ft²)~~

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

~~No buildings or structures of any kind including a dwelling house, a patio, swimming pool, deck or accessory building or structure, shall be erected,~~

~~installed or maintained or any portion of a lot which is identified as a primary or reserve leaching bed area.~~

~~7.2.11 Minimum Distance Separation~~

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

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SECTION 8 – VILLAGE RESIDENTIAL LOW DENSITY (R1) ZONE

8.1 Permitted Uses

Within any Village Residential Low Density (R1) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- Accessory use ~~in accordance with~~ (Section 4.2) ~~of this By-law~~
- Bed and breakfast establishment
- **Dwelling**, Accessory apartment **(Section 4.4)**
- **Dwelling**, Detached ~~dwelling~~
- **Dwelling**, Duplex ~~dwelling~~
- **Dwelling, Garden Suite (Section 4.5)**
- **Dwelling, Group Home**
- **Dwelling**, Semi-detached ~~dwelling~~
- Home occupation
- ~~Public open space uses~~

Notwithstanding the above list, permitted uses may be restricted through the general provisions ~~and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.~~

8.2 Regulations

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

8.2.1 Regulations for Detached **& Duplex** Dwellings

8.2.1.1 ~~Minimum Lot Area~~ ~~405.0 m² (4359.6 ft²)~~

8.2.1.2	Minimum Lot Frontage	13.5 m (44.3 ft)
8.2.1.3	Minimum Front Yard	6.0 m (19.7 ft) subject to Section 5.18
8.2.1.4	Minimum Rear Yard	7.5 m (24.6 ft)
8.2.1.5	Minimum Interior Side Yard	
	One Side	1.8 m (5.9 ft) (One side yard must be 3.0 m (9.8 ft) if no attached garage or carport is provided)
	Other Side	1.8 m (5.9 ft)
8.2.1.6	Minimum Exterior Side Yard	4.5 m (14.8 ft) subject to Section 5.18
8.2.1.7	Maximum Lot Coverage	35%
8.2.1.8	Maximum Building Height	9.0 m (29.5 ft)

8.2.1.1	Minimum Lot Area	405 m²
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	300.0 m² (3229.3 ft²)
8.2.2.2	Minimum Lot Frontage	10.0 m (32.8 ft)
8.2.2.3	Minimum Front Yard	6.0 m (19.7 ft) subject to Section 5.18
8.2.2.4	Minimum Rear Yard	7.5 m (24.6 ft)
8.2.2.5	Minimum Interior Side Yard	
	One Side	1.8 m (5.9 ft) (Side yard must be 3.0 m (9.8 ft) if no attached garage or carport is provided)
8.2.2.6	Minimum Exterior Side Yard	4.5 m (14.8 ft) subject to Section 5.18

8.2.2.7	Maximum Lot Coverage	35%
8.2.2.8	Maximum Building Height	9.0 m (29.5 ft)

8.2.2.1	Minimum Lot Area	300 m²
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

8.2.3 Regulations for Duplex Dwellings:

8.2.3.1	Minimum Lot Area	600.0 m² (6458.6 ft²)
8.2.3.2	Minimum Lot Frontage	18.0 m (59.1 ft)
8.2.3.3	Minimum Front Yard	6.0 m (19.7 ft) subject to Section 5.18
8.2.3.4	Minimum Rear Yard	7.5 m (24.6 ft)
8.2.3.5	Minimum Interior Side Yard	
	One Side	3.0 m (9.8 ft)
	Other Side	3.0 m (9.8 ft)
8.2.3.6	Minimum Exterior Side Yard	4.5 m (14.8 ft) subject to Section 5.18
8.2.3.7	Maximum Lot Coverage	35%
8.2.3.8	Maximum Building Height	9.0 m (29.5 ft)

SECTION 9 – VILLAGE RESIDENTIAL MEDIUM DENSITY (R2) ZONE

9.1 Permitted Uses

Within any Village Residential Medium Density (R2) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- ~~An~~ accessory use ~~in accordance with~~ (Section 4.2) ~~of this By-law~~
- Bed and breakfast establishment
- Dwelling, ~~An~~ accessory apartment (Section 4.4)
- Dwelling, Apartment ~~dwelling~~
- Dwelling, Cluster Townhouse
- Dwelling, Detached ~~dwelling~~
- Dwelling, Duplex ~~dwelling~~
- Dwelling, Garden Suite (Section 4.5)
- Dwelling, Group Home
- Dwelling, Retirement Home
- Dwelling, Semi-detached ~~dwelling~~
- Dwelling, Street Townhouse
- Home occupation
- ~~Public open space uses~~
- ~~Townhouse dwelling (cluster and street)~~

Notwithstanding the above list, permitted uses may be restricted through the general provisions.

9.2 Regulations

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

9.2.1 Regulations for Detached & Duplex Dwellings

~~9.2.1.1 Minimum Lot Area 405.0 m² (4359.6 ft²)~~

~~9.2.1.2 Minimum Lot Frontage 13.5 m (44.3 ft)~~

~~9.2.1.3 Minimum Front Yard 6.0 m (19.7 ft) subject to Section 5.18~~

~~9.2.1.4 Minimum Rear Yard 7.5 m (24.6 ft)~~

~~9.2.1.5 Minimum Interior Side Yard~~

~~One Side 1.8 m (5.9 ft)~~

~~(One side yard must be 3.0 m (9.8 ft) if no attached garage or carport is provided)~~

~~Other Side 1.8 m (5.9 ft)~~

~~9.2.1.6 Minimum Exterior Side Yard 4.5 m (14.8 ft) subject to Section 5.18~~

~~9.2.1.7 Maximum Lot Coverage 35%~~

~~9.2.1.8 Maximum Building Height 9.0 m (29.5 ft)~~

9.2.1.1	Minimum Lot Area	405 m²
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 side yard 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 300.0 m² (3229.3 ft²)~~

9.2.2.2 ~~Minimum Lot Frontage 10.0 m (32.8 ft)~~

9.2.2.3 ~~Minimum Front Yard 6.0 m (19.7 ft) subject to Section 5.18~~

9.2.2.4 ~~Minimum Rear Yard 7.5 m (24.6 ft)~~

9.2.2.5 ~~Minimum Interior Side Yard~~

~~One Side 1.8 m (5.9 ft)~~

~~(Side yard must be 3.0 m (9.8 ft) if no attached garage or carport is provided)~~

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

9.2.2.7 ~~Maximum Lot Coverage 35%~~

9.2.2.8 ~~Maximum Building Height 9.0 m (29.5 ft)~~

9.2.2.1	Minimum Lot Area	300 m²
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
	Side yard 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 Duplex Dwellings:

- 9.2.3.1 Minimum Lot Area 600.0 m² (6458.6 ft²)
- 9.2.3.2 Minimum Lot Frontage 18.0 m (59.1 ft)
- 9.2.3.3 Minimum Front Yard 6.0 m (19.7 ft) subject to Section 5.18
- 9.2.3.4 Minimum Rear Yard 7.5 m (24.6 ft)
- 9.2.3.5 Minimum Interior Side Yard
 - One Side 3.0 m (9.8 ft)
 - Other Side 3.0 m (9.8 ft)
- 9.2.3.6 Minimum Exterior Side Yard 4.5 m (14.8 ft) subject to Section 5.18
- 9.2.3.7 Maximum Lot Coverage 35%
- 9.2.3.8 Maximum Building Height 9.0 m (29.5 ft)

9.2.4 Regulations for Apartment Dwellings:

- 9.2.4.1 Minimum Lot Area 800.0 m² (8611.4 ft²) for first 4 units plus 100 m² (1076.4 ft²)
for each additional unit
- 9.2.4.2 Minimum Lot Frontage 30.0 m (99.4 ft)
- 9.2.4.3 Minimum Front Yard 6.0 m (19.7 ft) subject to Section 5.18
- 9.2.4.4 Minimum Rear Yard 7.5 m (24.6 ft)
- 9.2.4.5 Minimum Side Yard
 - Interior 4.5 m (14.8 ft)
 - Exterior 6.0 m (19.7 ft) subject to Section 5.18
- 9.2.4.6 Maximum Lot Coverage 35%
- 9.2.4.7 Maximum Building Height 11.0 m (36.1 ft)

9.2.3.1	Minimum Lot Area	800 m ² for first 4 units plus 100 m ² for each additional unit
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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

9.2.5 Regulations for Cluster Townhouse Dwellings:

[9.2.5.1](#) [Minimum Lot Area](#) [200.0 m² \(656.2 ft²\) per unit](#)

[9.2.5.2](#) [Minimum Lot Frontage](#) [18.0 m \(59.1 ft\)](#)

[9.2.5.3](#) [Minimum Front Yard](#) [6.0 m \(19.7 ft\) subject to Section 5.18](#)

[9.2.5.4](#) [Minimum Rear Yard](#) [7.5 m \(24.6 ft\)](#)

[9.2.5.5](#) [Minimum Side Yard](#)
[Interior](#) [4.5 m \(14.8 ft\)](#)

[Exterior](#) [6.0 m \(19.7 ft\) subject to Section 5.18](#)

[9.2.5.6](#) [Maximum Lot Coverage](#) [35%](#)

[9.2.5.7](#) [Maximum Building Height](#) [9.0 m \(29.5 ft\)](#)

9.2.4.1	Minimum Lot Area	200 m² 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

9.2.6 Regulations for Street Townhouse Dwellings (Per Unit):

9.2.6.1 Minimum Lot Area 200.0 m² (656.2 ft²)

9.2.6.2 Minimum Lot Frontage 6.0 m (19.7 ft)

9.2.6.3 Minimum Front Yard 6.0 m (19.7 ft) subject to Section 5.18

9.2.6.4 Minimum Rear Yard 7.5 m (24.6 ft)

9.2.6.5 Minimum Side Yard
Interior 2.0 m (6.6 ft)

Exterior 4.5 m (14.8 ft) subject to Section 5.18

9.2.6.6 Maximum Lot Coverage 35%

9.2.6.7 Maximum Building Height 9.0 m (29.5 ft)

9.2.5.1	Minimum Lot Area	200 m²
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

9.2.7 Play Areas for Multiple-Unit Buildings:

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

6. have an area of at least 4.5 m² (48.4 ft²) for each dwelling unit;
7. be enclosed with a fence;
8. be located at least 4.5 m (14.8 ft) from the nearest wall of the building;
9. be accessible to the building without the necessity of crossing a parking lot, and
10. be provided in one location at the rear or side of the main building.

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SECTION 10 – VILLAGE COMMERCIAL (C1) ZONE

10.1 Permitted Uses

Within any Village Commercial (C1) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- **An** accessory use **in accordance with** (Section 4.2) **of this By-law**
- ~~Antique shop~~
- ~~Automobile service station~~
- ~~Bank or~~ financial institution
- ~~Beer, wine or liquor store~~
- ~~Boutique, craft or speciality shop~~
- ~~Business or professional~~ office
- Commercial school
- **Courier Service**
- ~~Convenience store~~
- ~~Day nursery or day care centre~~
- **Dwelling**, Accessory ~~residential~~ apartment **(s)** **(Section 4.4)**
- **Dwelling, Apartment (Section 10.2.9)**
- Dry cleaning and laundering establishment
- **Entertainment/Recreation Establishment**
- Funeral home
- ~~Gas bar~~
- Institutional uses
- ~~Library~~
- ~~Medical clinic~~
- Parking lot
- Personal service shop
- ~~Place of entertainment or recreation~~
- Restaurant
- Retail store
- Service shop

- Taxi or bus depot **or courier service**
- Veterinary clinic
- ~~Video Rental Outlet~~

Notwithstanding the above list, permitted uses may be restricted through the general provisions **and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.**

10.2 Regulations

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

14.2.1.1 Minimum Lot Area n/a

14.2.1.2 Minimum Lot Frontage n/a

14.2.1.3 Minimum Front Yard 0.0 m (0.0 ft) subject to Section 5.18

14.2.1.4 Minimum Rear Yard 7.5 m (24.6 ft)

14.2.1.5 Minimum Interior Side Yard 0.0 m (0.0 ft)

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

14.2.1.7 Maximum Lot Coverage 80%

14.2.1.8 Maximum Building Height 11.0 m (36.1 ft)

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

14.2.2.1 Minimum Lot Area 300 m² (3229.3 ft²)

14.2.2.2 Minimum Lot Frontage 10.0 m (32.8 ft)

14.2.2.3 Minimum Front Yard 3.0 m (9.8 ft) subject to Section 5.18

~~14.2.2.4 Minimum Rear Yard 7.5 m (24.6 ft)~~

~~14.2.2.5 Minimum Interior Side Yard
One Side 3.0 m (9.8 ft)~~

~~14.2.2.6 Minimum Exterior Side Yard 4.5 m (14.8 ft) subject to Section 5.18~~

~~14.2.2.7 Maximum Lot Coverage 50%~~

~~14.2.2.8 Maximum Building Height 11.0 m (36.1 ft)~~

~~14.2.3 Location of Parking for Commercial Uses~~

~~In any C1 Zone within the Village of Rockwood, parking shall be provided on the same lot subject to the General Provisions as set forth in Section 5 of this By-law, except that commercial uses fronting on Main Street may provide parking on a different lot than the one the main building is situated on if the parking area is located within 90.0 m (295.3 ft) of the main building.~~

~~14.2.4 Parking Exemption - Rockwood~~

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

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

be required where the proposed addition does not exceed 10% of the gross floor area of the existing building.

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

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

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

~~Notwithstanding any provisions contained within subsections 14.2.1 and 14.2.2~~ **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 Fill, Construction and Alteration to Waterways Permit will be required from the Grand River Conservation Authority for all construction and placement or removal of fill occurring within Zone C1(f), in addition to any other necessary permits or approvals such as a building permit or site plan approval.

14.2.6 Residential Uses

1. Notwithstanding Section 14.1, existing detached dwellings are recognized as a permitted use within the C1 zone.
2. Notwithstanding Section 14.1, new detached dwellings may be erected within the C1 zone on any lot which does not have frontage on Main Street. Such detached dwellings shall be erected in accordance with the lot requirements of the R1 zone.

10.4 Existing Detached Dwelling Uses

Notwithstanding Section 10.1, detached dwellings existing as of _____ are recognized as a permitted use within the C1 zone and shall comply with the following regulations:

10.4.1 Regulations for Detached & Duplex Dwellings

10.4.1.1	Minimum Lot Area	405 m ²
10.4.1.2	Minimum Lot Frontage	13.5 m
10.4.1.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
10.4.1.4	Minimum Rear Yard	7.5 m
10.4.1.5	Minimum Interior Side Yard	1.8 m
	One side yard must be 3 m if no attached garage or carport is provided	
10.4.1.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
10.4.1.7	Maximum Lot Coverage	35%
10.4.1.8	Maximum Building Height	9 m

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

10.4.2.1	Minimum Lot Area	300 m ²
10.4.2.2	Minimum Lot Frontage	10 m
10.4.2.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
10.4.2.4	Minimum Rear Yard	7.5 m
10.4.2.5	Minimum Interior Side Yard	1.8 m
	Side yard must be 3 m if no attached garage or carport is provided	
10.4.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
10.4.2.7	Maximum Lot Coverage	35%
10.4.2.8	Maximum Building Height	9 m

14.2.7 Outdoor Display

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

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

14.3.1 Minimum Lot Area 0.4 ha (1.0 ac)

14.3.2 Minimum Lot Frontage 30.0 m (98.4 ft)

14.3.3 Minimum Front Yard 10.0 m (32.8 ft) subject to Section 5.18

14.3.4 Minimum Rear Yard 7.5 m (24.6 ft)

14.3.5 Minimum Interior Side Yard 3.0 m (9.8 ft)

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

~~14.3.6 Minimum Exterior Side Yard 7.5 m (24.6 ft) subject to Section 5.18~~

~~14.3.7 Minimum Landscaped Area 10%~~

~~14.3.8 Maximum Building Height 11.0 m (36.1 ft)~~

~~14.3.9 Pump Island Location~~

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

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

SECTION 11 – VILLAGE SERVICE COMMERCIAL (C2) ZONE

11.1 Permitted Uses

Within any Village Service Commercial (C2) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- **An** accessory use **in accordance with** (Section 4.2) **of this By-law**
- ~~Antique shop~~
- ~~Any use permitted in the R1 Zone~~
- Assembly hall
- ~~Automobile sales and service~~
- Automobile service station
- ~~Bank or~~ financial institution
- ~~Beer, wine or liquor store~~
- ~~Boutique, craft or specialty shop~~
- ~~Building supply outlet~~
- ~~Business or professional~~ office
- Commercial school
- **Courier Service**
- ~~Convenience store~~
- ~~Day nursery or day care centre~~
- Dry cleaning and laundering establishment
- **Dwelling, An** accessory **residential** apartment ~~(s)~~ **(Section 4.4)**
- **Dwelling, Apartment**
- **Dwelling, Cluster Townhouse**
- **Dwelling, Street Townhouse**
- **Entertainment/Recreation Establishment**
- ~~Farm supply dealer~~
- Farmer's market
- Funeral home
- Garden centre, ~~greenhouse or nursery~~
- ~~Gas bar~~

- Hotel or Motel
- Institutional uses
- ~~• Library~~
- ~~• Medical clinic~~
- ~~• Nursing home~~
- Parking lot
- Personal service shop
- ~~• Place of entertainment or recreation~~
- ~~• Processing, storage and sales of agricultural products~~
- ~~• Recreational trailer sales and service establishment~~
- Restaurant
- Retail store
- Service shop
- Taxi or bus depot ~~or courier service~~
- Veterinary clinic
- ~~• Video Rental Outlet~~

Notwithstanding the above list, permitted uses may be restricted through the general provisions ~~and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.~~

11.2 Regulations

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

~~15.2.1 Minimum Lot Area 800 m² (2624.7 ft²)~~

~~15.2.2 Minimum Lot Frontage 15.0 m (49.2 ft)~~

~~15.2.3 Minimum Front Yard 7.5 m (24.6 ft) subject to Section 5.18~~

~~15.2.4 Minimum Rear Yard 7.5 m (24.6 ft)~~

~~15.2.5 Minimum Interior Side Yard~~

~~One Side 1.8 m (5.9 ft)~~

~~Other Side 3.0 m (9.8 ft)~~

~~15.2.6 Minimum Exterior Side Yard 7.5 m (24.6 ft) subject to Section 5.18~~

~~15.2.7 Maximum Building Height 11.0 m (36.1 ft)~~

15.2.8 Maximum Lot Coverage 35 %

11.2.1	Minimum Lot Area	800 m²
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 %

15.2.9 Regulations for Residential Uses

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

11.2.9 Regulations for Existing Detached & Duplex Dwellings, as of

11.2.9.1	Minimum Lot Area	405 m²
11.2.9.2	Minimum Lot Frontage	13.5 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	1.8 m
	One side yard must be 3 m if no attached garage or carport is provided	
11.2.9.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
11.2.9.7	Maximum Lot Coverage	35%

11.2.9.8	Maximum Building Height	9 m
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11.2.10 Regulations for Existing Semi-Detached Dwellings (Each Unit), as of _____

11.2.10.1	Minimum Lot Area	300 m²
11.2.10.2	Minimum Lot Frontage	10.0 m
11.2.10.3	Minimum Front Yard	6.0 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	1.8 m
	Side yard must be 3 m if no attached garage or carport is provided	
11.2.10.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
11.2.10.7	Maximum Lot Coverage	35%
11.2.10.8	Maximum Building Height	9 m

11.2.11 Regulations for Apartment Dwellings:

11.2.11.1	Minimum Lot Area	800 m² for first 4 units plus 100 m² for each additional unit
11.2.11.2	Minimum Lot Frontage	30 m
11.2.11.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
11.2.11.4	Minimum Rear Yard	7.5 m

11.2.11.5	Minimum Interior Side Yard	4.5 m
11.2.11.6	Minimum Exterior Side Yard	6 m (Section 4.19 & Section 4.20)
11.2.11.7	Maximum Lot Coverage	35%
11.2.11.8	Maximum Building Height	11 m

11.2.12 Regulations for Cluster Townhouse Dwellings:

11.2.12.1	Minimum Lot Area	200 m ² per unit
11.2.12.2	Minimum Lot Frontage	18 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	4.5 m
11.2.12.6	Minimum Exterior Side Yard	6 m (Section 4.19 & Section 4.20)
11.2.12.7	Maximum Lot Coverage	35%
11.2.12.8	Maximum Building Height	9 m

11.2.13 Regulations for Street Townhouse Dwellings (Per Unit):

11.2.13.1	Minimum Lot Area	200 m ²
11.2.13.2	Minimum Lot Frontage	6 m
11.2.13.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
11.2.13.4	Minimum Rear Yard	7.5 m

11.2.13.5	Minimum Interior Side Yard	2.0 m
11.2.13.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
11.2.13.7	Maximum Lot Coverage	35%
11.2.13.8	Maximum Building Height	9.0 m (29.5 ft)

15.2.10 Outdoor Display

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

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

15.3.1 Minimum Lot Area 0.4 ha (1.0 ac)

15.3.2 Minimum Lot Frontage 30.0 m (98.4 ft)

15.3.3 Minimum Front Yard 10.0 m (32.8 ft) subject to Section 5.18

15.3.4 Minimum Rear Yard 7.5 m (24.6 ft)

15.3.5 Minimum Interior Side Yard 3.0 m (9.8 ft)

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

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

15.3.7 Minimum Landscaped Area 10%

15.3.8 Maximum Building Height 11.0 m (36.1 ft)

15.3.9 Pump Island Location

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

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

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SECTION 12 – HAMLET MIXED USE (C3) ZONE

12.1 Permitted Uses

Within any Hamlet Mixed Use (C3) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- ~~• Accessory single detached dwelling~~
- **Added** An accessory use **Removed** in accordance with **Added** (Section 4.2) **Removed** of this By-law
- ~~• Antique shop~~
- **Added** Any use permitted in the RR Zone
- Assembly Hall
- ~~• Boutique, craft or speciality shop~~
- **Added** Business or professional office
- ~~• Convenience store~~
- ~~• Farm supply dealer~~
- **Added** Dwelling, Accessory **Added** residential apartment **Removed** (s) **Added** (Section 4.4)
- **Added** Dwelling, Detached
- **Added** Dwelling, Group Home
- Farmer's market
- Funeral home
- Institutional uses
- ~~• Library~~
- **Added** Medical clinic
- Personal service shop
- ~~• Processing, storage and sales of agricultural products~~
- Restaurant
- Retail store
- Service shop
- Veterinary clinic
- ~~• Video Rental Outlet~~

Notwithstanding the above list, permitted uses may be restricted through the general provisions ~~and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.~~

12.2 Regulations

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

~~16.2.1 Minimum Lot Area 0.4 ha (1.0 ac)~~

~~16.2.2 Minimum Lot Frontage 30.0 m (98.4 ft)~~

~~16.2.3 Minimum Front Yard 7.5 m (24.6 ft) subject to Section 5.18~~

~~16.2.4 Minimum Rear Yard 7.5 m (24.6 ft)~~

~~16.2.5 Minimum Interior Side Yard 3.0 m (9.8 ft)~~

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

~~16.2.6 Minimum Exterior Side Yard 4.5 m (14.8 ft) subject to Section 5.18~~

~~16.2.7 Maximum Lot Coverage 35%~~

~~16.2.8 Maximum Building Height 11.0 m (36.1 ft)~~

~~16.2.9 Residential Uses:~~

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

12.2.1	Minimum Lot Area	4,000 m² (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 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 Zone Flood Plain Area - (f) Suffix~~ **C3 (f) Zone - Flood Plain Area**

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

16.2.11 Outdoor Display

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

SECTION 13– HIGHWAY COMMERCIAL (C4) ZONE

13.1 Permitted Uses

Within any Highway Commercial (C4) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- Agricultural service establishment
- ~~Antique shop~~
- An accessory use ~~in accordance with~~ (Section 4.2) ~~of this By-law~~
- Auction house
- Automobile sales establishment
- Automobile service station
- **Automobile Washing Establishment**
- ~~Assembly hall~~
- ~~Bank or~~ financial institution
- ~~Beer, wine or liquor store~~
- ~~Boutique, craft or speciality shop~~
- Brewing on premises establishment
- ~~Business or professional~~ office
- ~~Commercial greenhouse~~
- Commercial school
- Contractor or tradesman establishment
- **Courier Service**
- ~~Convenience store~~
- ~~Day nursery or day care centre~~
- Dry cleaning and laundering establishment
- ~~Dwelling unit above or attached to each permitted use~~
- **Dwelling, Accessory Apartment (Section 4.4)**
- **Entertainment/Recreation Establishment**
- Farm implement outlet
- ~~Farm produce sales outlet~~
- **Farmer's Market**
- Funeral home

Furniture and appliance establishment

- Garden centre
- ~~Gas bar~~
- ~~Hardware store~~
- Hotel or motel
- **Institutional Uses**
- Personal service shop
- Parking lot
- ~~Place of entertainment or recreation~~
- Recreational trailer sales and service establishment
- Rental outlet
- Restaurant
- Service shop
- **Specialty Store**
- Taxi or bus depot ~~or courier service~~
- Veterinary clinic
- ~~Video rental outlet~~

Notwithstanding the above list, permitted uses may be restricted through the general provisions ~~and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.~~

17.3 Regulations

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

~~17.2.1 Minimum Lot Area 0.4 ha (1.0 ac)~~

~~17.2.2 Minimum Lot Frontage 30.0 m (98.4 ft)~~

~~17.2.3 Minimum Front Yard 7.5 m (24.6 ft) subject to Section 5.18~~

~~17.2.4 Minimum Rear Yard 7.5 m (24.6 ft)~~

~~17.2.5 Minimum Interior Side Yard 3.0 m (9.8 ft)~~

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

~~17.2.6 Minimum Exterior Side Yard 4.5 m (14.8 ft) subject to Section 5.18~~

17.2.7 Maximum Lot Coverage 40%

17.2.8 Maximum Building Height 11.0 m (36.1 ft)

17.2.9 Minimum Landscaped Area 10%

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 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%

17.2.10 Outdoor Display and Open Storage

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

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

17.3.1 Minimum Lot Area 0.4 ha (1.0 ac)

17.3.2 Minimum Lot Frontage 30.0 m (98.4 ft)

17.3.3 Minimum Front Yard 10.0 m (32.8 ft) subject to Section 5.18

~~17.3.4 Minimum Rear Yard 7.5 m (24.6 ft)~~

~~17.3.5 Minimum Interior Side Yard 3.0 m (9.8 ft)~~

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

~~17.3.6 Minimum Exterior Side Yard 7.5 m (24.6 ft) subject to Section 5.18~~

~~17.3.7 Minimum Landscaped Area 10%~~

~~17.3.8 Maximum Building Height 11.0 m (36.1 ft)~~

~~17.3.9 Pump Island Location~~

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

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

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

~~17.4.1 Each dwelling unit shall be completely self-contained.~~

~~17.4.2 Each dwelling unit shall have a direct means of access to an improved street or private lane.~~

~~17.4.3 Each dwelling unit shall have a minimum floor area of 74.3 m² (799.8 ft²)~~

SECTION 14 – RURAL INDUSTRIAL (M1) ZONE

14.1 Permitted Uses

Within any Rural Industrial (M1) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- ~~Accessory to a permitted use a retail outlet, wholesale outlet, a showroom, a business or professional office, or facilities for employees including recreation, day care centres and food service/sales~~ **Accessory Retail Outlet, Wholesale Outlet, Showroom, Office, Or Facilities For Employees Including Recreation, Day Care Centres And Food Service/Sales**
- Accessory Use **(Section 4.2)** ~~in accordance with Section 5.2 of this By-law~~
- Agricultural Service Establishment
- Agricultural Supply Establishment
- Automobile Body/Repair Shop
- Brewing On Premises Establishment
- Catering Service
- Construction Company
- Contractor Or Tradesperson **man** Establishment
- ~~Contractor's yard~~
- ~~Food Processing Plant~~
- ~~Fuel storage establishment~~
- Industrial Use
- Industrial Mall
- ~~Lumberyard~~
- ~~Machine shop~~
- ~~Mini-warehouse/self-storage~~
- ~~Parking lot~~
- ~~Portable asphalt plant operated by a public road authority or its agent or contractor~~
- Recreational Trailer Sales And Service Establishment
- Rental Outlet
- ~~Service shop~~

- Scientific Research Establishment
- **Self-Storage**
- Transport Establishment
- ~~Warehouse~~
- ~~Welding shop~~
- ~~Woodworking shop~~

Notwithstanding the above list, permitted uses may be restricted through the general provisions ~~and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.~~

14.2 Regulations

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

~~10.2.1 Minimum Lot Area 0.4 ha (1.0 ac)~~

~~10.2.2 Minimum Lot Frontage 30.0 m (98.4 ft)~~

~~10.2.3 Minimum Front Yard 7.5 m (24.6 ft) subject to Section 5.18~~

~~10.2.4 Minimum Rear Yard 7.5 m (24.6 ft)~~

~~10.2.5 Minimum Interior Side Yard 4.5 m (14.8 ft)~~

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

~~10.2.6 Minimum Exterior Side Yard 7.5 m (24.6 ft) subject to Section 5.18~~

~~10.2.7 Maximum Lot Coverage 40%~~

~~10.2.8 Maximum Building Height 15 m (49.2 ft)~~

14.2.1	Minimum Lot Area	4,000 m² (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
	Minimum Interior Side Yard	4.5 m
14.2.5	Where the Interior Side Lot Line abuts a Residential Zone or lands in use for residential purposes, the minimum Interior Side Yard Width is 7.5 m.	
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

10.2.9 Restrictions on Gross Floor Area for Permitted Uses

- 1. A Business or Professional Office accessory to a permitted use:**
 - a. shall have a maximum gross floor area of 40% of the gross floor area used by the permitted use; and**
 - b. within an Industrial Mall shall have a maximum gross floor area no greater than 40% of the gross floor area of the Industrial Mall.**
- 2. A retail outlet, wholesale outlet, a showroom, or facilities for employees including recreation, day care centres and food service/sales accessory to a permitted use:**
 - a. shall have a maximum gross floor area no greater than 30% of the gross floor area used by the permitted use; and**
 - b. within an Industrial Mall shall have a maximum gross floor area no greater than 30% of the gross floor area of the Industrial Mall.**

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 primary use.

An accessory retail outlet, wholesale outlet, showroom, or accessory facilities for employees (including recreation, day care centres and food service/sales) shall have a maximum gross floor area no greater than 30% of the gross floor area of the primary use.

10.2.10 — Outdoor Display and Open Storage

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

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SECTION 15 – EXTRACTIVE INDUSTRIAL (M3) ZONE

15.1 Permitted Uses

Within any Extractive Industrial (M3) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- Accessory Use **(Section 4.2)** ~~in accordance with Section 5.2 of this By-law~~
- ~~Accessory single detached dwelling~~
- **Accessory Retail Store, Wholesale Outlet Or Office**
- Aggregate Processing Facility
- Agricultural Use
- Conservation
- Pit
- Portable Asphalt Plant
- Quarry
- ~~Retail outlet, wholesale outlet or business office accessory to a permitted use~~
- ~~Structure or machinery accessory to a permitted use~~
- Wayside Pit Or Quarry

Notwithstanding the above list, permitted uses may be restricted through the general provisions ~~and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.~~

15.2 Regulations

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

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

12.2.4 Earth Berms and Buffer Strips

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

SECTION 16 – DISPOSAL INDUSTRIAL (M4) ZONE

16.1 Permitted Uses

Within any Disposal Industrial (M4) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- **Accessory Use (Section 4.2)** ~~An accessory use in accordance with Section 5.2 of this By-law~~
- Composting Yard
- **Recycling Plant**
- Waste Disposal Area
- Waste Processing Plant ~~and/or recycling plant~~
- Waste Transfer Station

Notwithstanding the above list, permitted uses may be restricted through the general provisions ~~and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.~~

16.2 Regulations

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

~~13.2.1 Minimum Front Yard 30 m (98.4 ft)~~

~~13.2.2 Minimum Rear Yard 30 m (98.4 ft)~~

~~13.2.3 Minimum Interior Side Yard 30 m (98.4 ft)~~

~~13.2.4 Minimum Exterior Side Yard 30 m (98.4 ft)~~

13.2.5 — Maximum Building Height — 15 m (49.2 ft)

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

13.2.6 — Use of Front, Side and Rear Yards

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

SECTION 17 – INSTITUTIONAL (I) ZONE

17.1 Permitted Uses

Within any Institutional (I) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- Accessory Use (Section 4.2) ~~Accessory use in accordance with Section 5.2 of this By-law~~
- Assembly Hall
- Dwelling, Group Home
- Institutional Use
- Museum
- ~~• Cemetery~~
- ~~• Church~~
- ~~• Day nursery~~
- ~~• Dwelling unit if occupied by the owner, caretaker, watchman or other similar person employed on the lot on which such dwelling unit is located.~~
- ~~• Firehall~~
- ~~• Group home~~
- ~~• Hospital~~
- ~~• Medical clinic~~
- ~~• Park~~
- ~~• Parking lot~~
- ~~• Public library~~
- ~~• Retirement home~~
- ~~• School~~

Notwithstanding the above list, permitted uses may be restricted through the general provisions ~~and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.~~

17.2 Regulations

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

18.2.1 Minimum Lot Area

18.2.1.1 All Uses With Full Municipal Services 900 m² (9687.8 ft²)

18.2.1.2 All Uses Without Full Municipal Services 0.4 ha (1.0 ac)

18.2.2 Minimum Frontage

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

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

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

18.2.4 Minimum Rear Yard 7.5 m (24.6 ft)

18.2.5 Minimum Interior Side Yard 3.0 m (9.8 ft)

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

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

18.2.7 Maximum Lot Coverage 50%

18.2.8 Maximum Building Height 11.0 m (36.1 ft)

18.2.9 Minimum Gross Floor Area for a Detached Dwelling House 140 m² (1507.0 ft²)

18.2.10 Minimum Landscaped Area 10%

<u>17.2.1</u>	<u>Minimum Lot Area</u>	<u>900 m²</u>
<u>17.2.2</u>	<u>Minimum Frontage</u>	<u>15 m</u>
<u>17.2.3</u>	<u>Minimum Front Yard</u>	<u>7.5 m (Section 4.19 & Section 4.20)</u>
<u>17.2.4</u>	<u>Minimum Rear Yard</u>	<u>7.5 m</u>
<u>17.2.5</u>	<u>Minimum Interior Side Yard</u>	<u>3 m</u>
	<u>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.</u>	
<u>17.2.6</u>	<u>Minimum Exterior Side Yard</u>	<u>4.5 m (Section 4.19 & Section 4.20)</u>
<u>17.2.7</u>	<u>Maximum Lot Coverage</u>	<u>50%</u>
<u>17.2.8</u>	<u>Maximum Building Height</u>	<u>11 m</u>
<u>17.2.10</u>	<u>Minimum Landscaped Area</u>	<u>10%</u>

SECTION 18 – OPEN SPACE (OS) ZONE

18.1 Permitted Uses

Within any Open Space (OS) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- Agricultural Use
- **Accessory Use (Section 4.2)** ~~An accessory use in accordance with Section 5.2 of this By-law~~
- **Accessory Retail Store Or Office**
- Campground
- Conservation
- **Dwelling, Detached (Section 18.2.11)**
- ~~• One dwelling unit if occupied by the owner, caretaker, watchman or other similar persons employed on the lot on which such dwelling unit is located~~
- ~~• Park~~
- ~~• Parking lot~~
- ~~• Portable asphalt plant operated by a public road authority or its agent or contractor~~
- ~~• Public library~~
- Flood Control Project
- **Passive Recreation**
- Recreational Uses
- ~~• Retail outlet or business office accessory to a permitted use~~
- ~~• Rural home industry~~
- ~~• Sites of historical or archaeological significance~~
- ~~• Wayside pit or quarry opened up and used by a public road authority or its agent or contractor~~

Notwithstanding the above list, permitted uses may be restricted through the general provisions ~~and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.~~

18.2 Regulations

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

19.2.1 Minimum Lot Area 0.4 ha (1.0 ac)

19.2.2 Minimum Lot Frontage 30.0 m (98.4 ft)

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

19.2.4 Minimum Rear Yard 7.5 m (24.6 ft)

19.2.5 Minimum Interior Side Yard 3.0 m (9.8 ft)

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

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

19.2.7 Maximum Lot Coverage 40%

19.2.8 Maximum Building Height 11.0 m (36.1 ft)

19.2.9 Minimum Gross Floor Area for a Detached Dwelling House 140 m² (1507 ft²)

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 **Special Provisions** **Restrictions** for Agricultural Uses

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

The provisions of the Agricultural (A) 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 (RR) zone shall be applied to the dwelling unit.

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SECTION 19 – HAZARD (H) ZONE

19.1 Permitted Uses

Within any Hazard (H) Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- **Accessory Use (Section 4.2)** ~~Accessory use in accordance with Section 5.2 of this By-law~~
- Agricultural Use
- ~~Bed and breakfast establishment and home occupation within existing detached dwellings~~
- Conservation
- ~~Dwelling unit existing as of the date of passing of this By-law~~
- Flood Control Project
- ~~Park~~
- Passive Recreation

Notwithstanding the above list, permitted uses may be restricted through the general provisions ~~and reference should be made to Section 5.17 Well Head Protection Areas and related Schedule B.~~

19.2 Regulations

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

~~20.2.1 Minimum Lot Area 0.4 ha (1.0 ac)~~

~~20.2.2 Minimum Lot Frontage 30.0 m (98.4 ft)~~

~~20.2.3 Minimum Front Yard 7.5 m (24.6 ft) subject to Section 5.18~~

~~20.2.4 Minimum Rear Yard 7.5 m (24.6 ft)~~

~~20.2.5 Minimum Interior Side Yard 3.0 m (9.8 ft)~~

~~20.2.6 Minimum Exterior Side Yard 7.5 m (24.6 ft) subject to Section 5.18~~

~~20.2.7 Maximum Lot Coverage 5%~~

~~20.2.8 Maximum Building Height 11.0 m (36.1 ft)~~

19.2.1	Minimum Lot Area	4,000 m² (0.4 ha)
19.2.2	Minimum Lot Frontage	30 m
19.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
19.2.4	Minimum Rear Yard	7.5 m
19.2.5	Minimum Interior Side Yard	3 m
19.2.6	Minimum Exterior Side Yard	7.5 m (Section 4.19 & Section 4.20)
19.2.7	Maximum Lot Coverage	5%
19.2.8	Maximum Building Height	11 m

20.2.9 Permanent Buildings & Structures (including Accessory Buildings and Structures)

Where applicable, development in the Hazard (H) Zone is subject to the approval of the Grand River Conservation Authority in accordance with its authority provided under the Conservation Authorities Act, R.S.O. 1990.

Notwithstanding the approval of the Conservation Authority where applicable:

- 1. Any building or structure existing at the time of passing of this By-law may be replaced, rebuilt or altered, provided that any such replacement, rebuilding or alteration does not enlarge the gross floor area of the original building or structure by more than 50%.**
- 2. Any building or structure existing at the time of passing of this By-law where the hazard is a result of flooding such building or structured that is damaged or destroyed by causes other than flooding may be replaced, rebuilt or altered, provided that any such replacement, rebuilding or alteration includes flood proofing to the elevation of the regulatory flood.**
- 3. No new buildings or structures of a permanent nature shall be permitted including a private sewage treatment system, except as otherwise noted in this By-law.**

~~4. Buildings or structures erected by a Conservation Authority, or any other building or structure erected for a public use under the provisions of this By-law are permitted~~

~~20.2.10 Minimum Gross Floor Area for a Detached Dwelling House 140 m² (1507 ft²)~~

19.2.11 New Detached Dwellings within the Village of Rockwood Hazard (H) Zone

Notwithstanding Section 19.1, a detached dwelling may be permitted on an existing lot of record within **the Village of Rockwood in** the Hazard (H) zone provided all of the following are satisfied:

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

19.2.12 **Special Provisions For** **Restrictions on** Agricultural Uses

Within the Hazard (H) Zone, agricultural uses shall not be allowed within **Village and the Urban Centre or** Hamlet areas. **Further**, The provisions of the Agricultural Zone shall apply to agricultural uses.