TOWNSHIP OF CENTRE WELLINGTON COMPREHENSIVE ZONING BY-LAW No. 2009-045

OFFICE CONSOLIDATION – June 2026
This composite edition of By-Law No. 2009-045 is prepared for purposes of convenience only, and for accurate reference recourse should be had to the original and amending by-laws.

PREAMBLE

These pages explain the purpose of this Zoning By-law and how it should be used. These pages do not form part of the Zoning By-law passed by Council and are intended only to make the Zoning By-law more understandable and easier to use.

A zoning by-law controls the use of land in your community. It states exactly:

- how land may be used
- where buildings and other structures can be located
- the types of buildings that are permitted and how they may be used
- the lot sizes and dimensions, parking requirements, building heights and setbacks from the street.

An official plan sets out your municipality's general policies for future land use. Zoning by-laws put the plan into effect and provide for its day-to-day administration. They contain specific requirements that are legally enforceable. Construction or new development must comply with a zoning by-law; where it does not, the municipality will refuse to issue a building permit.

Section 34 of Ontario's *Planning Act* R.S.O. 1990, c.P. 13, as amended (the "Planning Act") grants the statutory authority to municipalities to zone lands. The main purpose of a zoning by-law is to set out the permitted uses of lands and to regulate the erection of buildings or structures on a lot.

Subsection 34(2) of the Planning Act indicates that, for the purposes of a zoning by-law, the "making, establishment or operation of a pit or quarry shall be deemed to be a use of land". The *Aggregate Resources Act,* R.S.O. 1990, c.A.8 as amended (the "ARA") works with the Planning Act in this regard and Section 12.1 of the ARA indicates that no license for a pit or quarry can be issued unless the lands are appropriately zoned.

Subsection 34(3) of the Planning Act provides municipalities with the authority to regulate the minimum area required for a parcel of land and to regulate the density of development.

Subsection 34(4) of the Planning Act indicates that a trailer (as defined in the *Municipal Act, 2001,* S.O. 2001, c. 25, as amended (the "Municipal Act") and a mobile home as defined in Subsection 46 (1) of the Planning Act, are buildings or structures for the purposes of Section 34 of the Planning Act. The inclusion of this provision makes it clear that mobile homes and trailers are subject to municipal zoning regulations.

Subsection 34(5) of the Planning Act provides municipalities with the ability to prohibit the use of land until such municipal services as may be set out in the by-law are available.

HOW TO USE THIS BY-LAW

In order to reference this By-law most easily, a property owner should follow each of the steps listed below to determine what permissions apply to their particular property.

1. Locate the Property on a Map

Maps in a Zoning By-law are called 'Schedules' or Defined Area Maps. The first step to using this Bylaw is to refer to the zone schedules that are contained at the back of the By-law to determine in which zone category your property is located. The zone category will be indicated on the schedules by a symbol or abbreviation. For example, you may see a symbol such as “A” attached to your property. This would indicate that your property is within the “Agricultural” Zone. The zone symbols or abbreviations are explained in Section 2 of the By-law.

Section 2 also provides assistance to help you identify the zone boundaries on the Schedules. For example, if your property appears close to a zone boundary and you are not sure how to determine exactly where that boundary is located, refer to Section 2.7 of the By-law.

2. By-law Amendments

A Zoning By-law is not a static document. It is amended over time as demands and policies governing land use change. Before proceeding any further, you should verify that your property is not the subject of an earlier Zoning By-law amendment. While the Township periodically consolidates this By-law to incorporate amendments, the most recent amendments may not be included in the version of the By-law you are using.

Staff in the Township’s Planning Department or Building Department will be able to assist you to confirm if your property has been subject to a more recent By-law amendment.

3. Zone Provisions

The next step to using this By-law is to determine what uses are permitted on your property. Sections 6 to 12 of the By-law identify the permitted uses and zone standards for each zone in the Municipality.

The definitions in Section 3 can assist you if you are not sure of the nature of a permitted use or how it has been defined for the purposes of this By-law. Most of the permitted uses set out in each zone in the By-law are defined within Section 3. Generally speaking, if a use is not listed in the permitted uses or incorporated within the definition of a permitted use, then it is not permitted by that zone category. Section 4 includes uses that are permitted in all zones, and uses that are restricted in all zones. Restricted uses are not permitted unless the zone provisions specifically state that the use is permitted.

Once you have identified the zone in which your property is located and the uses permitted in that zone, the next step is to determine what standards may apply to the uses on your property. Sections 6 to 12 of the By-law also identify the zone standards for each of the zone categories in the Township, including standards for minimum lot area, minimum frontage requirements, minimum yard requirements, maximum permitted height of buildings and in some cases, the minimum required landscaped open space on the lot.

4. General Provisions

Section 4 of the By-law contains general standards known as 'General Provisions' that apply to all properties in all zones in the Township. Once you have determined the zoning of your property, the permitted uses and the specific zone standards, you should also refer to the General Provisions.

For example, the general provisions contain standards that regulate the location of accessory structures on a lot, height exceptions, and non-conforming/non complying uses that apply to all properties regardless of what zone the property is located.

5. Parking and Loading

Section 5 provides the parking and loading requirements for all uses permitted in the Municipality. If you are considering changing the use of your property or adding a new use to your property, you should review Section 5 to ensure that you are aware of the parking requirements for the proposed use.

6. Holding Zones

Some properties are zoned with “holding zone” provisions applied. If a holding zone applies to your property, the zone code on the schedules will be followed by the suffix (H). If a property is in a holding zone, then there are certain conditions that must be fulfilled before the holding zone can be removed and a building permit issued. There may be special holding zone removal requirements that are identified if the holding zone symbol is denoted by H1, H2, H3, etc.

7. Site Specific Exception Zones

Lands subject to an exception covered in Section 15 (Exceptions) have specific use permissions or zone provisions that have been applied either in response to a landowner request or if there is a public interest objective in applying different rules on a property and/or in an area. The provisions within an exception section are intended to take precedence over any other provision in the By-law, where relevant lands subject to an exception will be specifically identified on the schedules with the use of a number followed by a decimal place, followed by a second number, with number before the decimal place representing the map on which the exception zone is located. For example, Exception 50.x is on Defined Area Map #50.

If a site specific zone is followed by the suffix (T), then the property is subject to use permissions that only last for a specified period of time. The site specific zone provisions identify the date on which the use permission will expire.

8. Description of Zones

This section includes an overview of the general intent and purpose of each zone.

Residential Zones

The residential zones are intended to implement the policies of the Residential land use designations within the Official Plan. The R1A ZONE is intended to provide primarily for single detached dwellings and accessory uses. Within the R1A zone there are three sets of regulations depending on the type of municipal servicing available to an R1A property – lots that have individual private sewer and water services, lots that have municipal sewer services only (such as the Salem low pressure sanitary sewer system) and lots that have both municipal water supply and sanitary sewage systems. In addition to the R1A zone, there are two additional R1 zones (R1B and R1C) that provide for incrementally smaller minimum lot frontages.

The R1A ZONE and R1B ZONES are also subject to a “Heritage Area Overlay” for areas zoned R1A or R1B that are within the Elora and Fergus Heritage Areas according to the Township Official Plan. The Heritage Area Overlay applies special regulations to R1A-zoned properties within the Elora Heritage Area and to the R1B-zoned properties within the Fergus Heritage Area. The special regulations include greater minimum lot area and frontage requirements, lower maximum lot coverage and lower building height than would otherwise apply to the R1A and R1B zones.

The R1A ZONE has also been applied to existing residential development in hamlets, rural settlement areas, rural subdivisions, and rural residential clusters.

The R2 ZONE provides for single detached dwellings on small lots, for semi-detached dwellings and for duplex dwellings.

The R3 ZONE provides for triplex dwellings, quadruplex dwellings, and townhouses.

The R4 ZONE provides for the highest density of residential development, allowing stacked townhouse and apartment dwellings.

It should be noted that in an existing neighbourhood, the minimum lot frontage and area requirements in themselves do not indicate an entitlement to create a new lot with that minimum frontage and area. The policies of the Official Plan apply to new lot creation and for a variety of reasons a new lot proposed in an existing neighbourhood might be considered inappropriate even if it meets the minimum frontage and area specified in the zone regulations.

Commercial Zones

In the Urban Centres, the commercial zones are intended to implement the land use designations in the Official Plan. The Central Business Districts of Fergus and Elora are zoned C1. The C1 zone allows a wide range of retail and service commercial uses.

Highway Commercial areas are zoned C2. The policies of both the Township and County Official Plans only permit retail uses requiring large sites in Highway Commercial areas. Therefore this by-law only allows retail stores with a floor area greater than 300 square metres (3,229 square feet) in any new building within a C2 zone.

Neighbourhood commercial sites are zoned C3.

The Residential Transition Area adjacent to the Elora Central Business District is zoned C4. This zone allows a limited amount of service commercial and residential use, but not retail uses.

The Township Official Plan identifies existing Retail Shopping Centres. The zoning by-law provides for these sites in a Shopping Centre (SC) zone.

Outside the Urban Centres, existing commercial and industrial sites have been zoned C5 (Rural Commercial).

Industrial Zones

In the Urban Centres, lands designated by the Official Plan as Industrial are zoned either M1 (Service Industrial) or M2 (General Industrial). The M1 zone permits service commercial and general industrial uses, but does not permit more intensive industrial uses such as stamping plants. These uses are permitted in M2.

In Centre Wellington, there are no designated Rural Industrial areas.

Existing licensed aggregate extraction operations have been zoned M3 – Extractive Industrial sites. In addition, sites that have approved zoning in place and licenses pending are also zoned M3. Previous aggregate extraction sites for which licenses have been surrendered have been returned to Agricultural zoning.

Institutional Zones

The INSTITUTIONAL (IN) ZONE applies to lands that are the site of uses such as churches, schools and other large-scale public facilities.

Rural System Zones

The AGRICULTURAL (A) ZONE applies to lands that are designated Agricultural by the County of Wellington Official Plan, with the exception of some existing residential clusters and rural subdivisions.

An AGRICULTURAL – WIND ENERGY (A-W) ZONE is included in the text of the By-law to accommodate future application for large wind energy systems. Potential Provincial legislation may affect the applicability of this zone.

In the County Official Plan, the Rural System also includes Recreational areas, which includes uses such as mobile home parks, trailer parks/campgrounds, and golf courses. These uses are zoned MH (Mobile Home Park), CG (Campground) and OS-GC (Open Space-Golf Course) respectively.

Environmental and Open Space Zones

Lands designated Core Greenlands by the County of Wellington Official Plan have been zoned EP – Environmental Protection. The Core Greenlands features include provincially

significant wetlands, wetlands, habitat of endangered or threatened species, floodways, and hazardous lands.

This By-law also provides for an “Environmental Protection Overlay”. The Environmental Protection Overlay corresponds to the Greenlands designation according to the County Official Plan, as well as the GRCA regulated area limits (where mapping is available). This is not a separate zone but an overlay that will indicate to property owners and the zoning administrators that a physical feature is present that may require further review or permissions prior to development approvals or the issuance of a building permit. The identification of Greenlands features in a zoning by-law is optional according to the County Official Plan.

Public parks, open space areas and stormwater management areas have been zoned OS (Open Space). Properties owned by the Grand River Conservation Authority and used for recreational purposes, such as the Elora Gorge Conservation Area, parts of Victoria Park (Elora), the Elora Quarry and Lake Belwood Conservation Area have been zoned CA (Conservation Area).

Trail Corridors

The Elora-Cataract Trailway Corridors through the Township have a variety of owners. Parts are owned by the Upper Grand District School Board, the Township, the County of Wellington and the GRCA. Portions owned by the Township, the County or the GRCA are zoned OS or CA.

The General Provisions of the By-law also provide that trail corridors are a permitted use in any zone.

Future Development Zone

The FUTURE DEVELOPMENT (FD) ZONE applies to lands that are part of the Elora-Salem or Fergus Urban Centres that are expected to be developed or redeveloped in the future, but for which further planning review is needed before further development approvals can be granted. This includes the Secondary Plan areas identified in the Official Plan. Permitted uses are limited to existing uses, buildings and structures only.

Table of Contents

PART 1 TITLE AND PURPOSE OF BY-LAW……..….. 1-1
1.1 Title……..…… 1-1
1.2 Purpose…… 1-1
PART 2 ADMINISTRATION……..… 2-1
2.1 Application…….. 2-1
2.2 Application of Other By-laws and Regulations…….. 2-1
2.3 Conflicting Regulations……..... 2-1
2.4 Conflicts with other Municipal By-laws……..... 2-1
2.5 Conformity Requirements……..... 2-1
2.6 Establishment of Zones and Zoning Maps……..... 2-2
2.7 Interpretation of Certain Words……..... 2-5
2.8 Administration……..... 2-6
2.9 Building and Other Permits…….. 2-6
2.10 Entry and Inspection……..…... 2-6
2.11 Penalties…… 2-6
2.12 Additional Remedies…… 2-6
2.13 Severability……..… 2-6
2.14 Repeal and Existing Zoning By-laws……..... 2-6
2.15 Transition……2-7
2.16 Committee of Adjustment Decisions Affecting Existing Zoning By-laws……... 2-7
2.17 Site Plan Agreement…….. 2-7
2.18 Technical Revisions to the Zoning By-law……2-7
PART 3 DEFINITIONS……..... 3-1
PART 4 GENERAL PROVISIONS……..... 4-1
4.1 Additional Residential Units……..……4-1
4.2 Accessory Buildings or Structures……..…. 4-2
4.3 Adult Entertainment Establishment…….. 4-2
4.4 Amusement Arcade……..... 4-3
4.5 Automotive Service Station, Car Wash or Gas Bar…….. 4-3
4.6 Bed and Breakfast Establishment (B&B)……..... 4-3
4.7 Buffer Strip……..... 4-4
4.8 Buildings or Structures erected prior to January 1, 1990……..... 4-4
4.9 Commercial Kennels…….. 4-5
4.10 Day Care Centre or Day Nursery……..... 4-5
4.11 Development on Full Services…….. 4-5
4.12 Environmental Protection Zone, Municipal Drain and Watercourse Setback….4-6
4.13 Frontage on Public Street…….. 4-7
4.14 Garbage and Refuse Storage……..... 4-8
4.15 Garden Suites……..…4-8
4.16 Group Homes…….. 4-9
4.17 Home Occupations……..... 4-10
4.18 Home Business – Tradespersons……..... 4-11
4.19 Legal Non-Complying Building or Structures……..... 4-12
4.20 Legal Non-Complying Lots……..... 4-13
4.21 Legal Non-Conforming Uses……..... 4-13
4.22 Maximum Building Height……..… 4-13
4.23 Minimum Distance Separation – MDS I and II……..…. 4-14
4.24 Occasional Use……*(September 9, 2015)*……4-14
4.25 One Main Building Per Lot……..….. 4-14

4.26 One or More permitted Uses Per Lot…….... 4-15
4.27 Outdoor Sales and Display Areas……..... 4-15
4.28 Outdoor Storage Areas……...… 4-15
4.29 Outdoor Swimming Pools……...… 4-15
4.30 Renewable Energy Devices…….. 4-16
4.31 Residential Setbacks from a Sewage Treatment Plant……...….. 4-17
4.32 Restaurant Outdoor Patios……...…. 4-17
4.33 Sales Outlet for Agricultural Products……..... 4-18
4.34 Setback where determined by prior construction…… 4-19
4.35 Sight Triangle…….... 4-19
4.36 Street Setback Additions……..... 4-20
4.37 Temporary Construction-Related Uses……..... 4-20
4.38 Uses Permitted in All Zones……... 4-21
4.39 Uses Restricted in All Zones……..... 4-22
4.40 Source Protection Screening Areas…..……...…. 4-23
4.41 Wind Energy System, Large……...4-23
4.42 Wind Energy System, Micro……...… 4-23
4.43 Wind Energy System, Small……..... 4-24
4.44 Yard Projections……...… 4-24
PART 5 PARKING AND LOADING SPACE PROVISIONS……..... 5-1
5.1 Stacking Lanes – Drive Through service Facilities…… 5-1
5.2 Loading Spaces…...…… 5-2
5.3 Residential Parking……...…….. 5-3
5.4 Non-Residential Use or Zone Parking……...…...….. 5-3
5.5 Off-Street Parking Calculations……...…….. 5-4
5.6 Barrier Free Parking……...…… 5-9
PART 6 AGRICULTURAL ZONES……...……. 6-1
6.1 Agricultural (A) Zones……...…….. 6-1
6.2 Agricultural – Wind (AW) Zone……...……...……6-3
PART 7 RESIDENTIAL ZONES……...…….. 7-1
7.1 Residential R1 Zones……...……...…….. 7-1
7.2 Residential R2 Zones……...…….. 7-3
7.3 Residential R3 Zones……...……...…….. 7-4
7.4 Residential R4 Zones……...…….. 7-8
7.5 Retirement Community Residential R5 Zone (Pine Meadows)…...…… 7-10
7.6 Residential Mixed Use R6 Zone……7-11
PART 8 INSTITUTIONAL ZONES…….. 8-1
8.1 Institutional I1 Zones…… 8-1
PART 9 OPEN SPACE ZONES…….. 9-1
9.1 Open Space Recreation (OS) Zone…….. 9-1
9.2 Environmental Protection (EP) Zone……... 9-1
9.3 Conservation Area (CA) Zone…… 9-3
9.4 Open Space Golf Course (OS-GC) Zone…… 9-4
PART 10 COMMERCIAL ZONES…… 10-1
10.1 General Commercial Provisions……10-1
10.2 Central Business District Commercial (C1) Zone……10-2
10.3 Highway Commercial (C2) Zone…… 10-3
10.4 Neighbourhood Commercial (C3) Zone…… 10-6
10.5 Service Commercial (C4) Zone…… 10-6
10.6 Retail Shopping Centre (SC) Zone…… 10-7
10.7 Rural Commercial (C5) Zone……..10-8

PART 11 INDUSTRIAL ZONES……11-1
11.1 Service Industrial (M1) Zone…….. 11-2
11.2 General Industrial (M2) Zone……..…….. 11-3
11.3 Extractive Industrial (M3) Zone…….. 11-4
11.4 Industrial Business Park (M2.BP) Zone……11-5
PART 12 RECREATIONAL ZONES……12-1
12.1 Campground (CG) Zone……..12-2
12.2 Mobile Home Park (MH) Zone……12-3
PART 13 FUTURE DEVELOPMENT ZONE……13-1
PART 14 HOLDING ZONES…….. 14-1
14.1 General Holding Zone Provisions…….. 14-1
14.2 Site Specific Holding Zone Provisions……...14-1
PART 15 EXCEPTION ZONES……..15-1
PART 16 ENACTMENT…… 16-1

SCHEDULE "A" MAPS 1 TO 98 follow Part 16
APPENDIX MAPS 1 TO 3 follow Schedule "A"

TOWNSHIP OF CENTRE WELLINGTON
BY-LAW NO. 2009-045

Being a by-law to regulate the use of land and the character, location, and use of buildings and structures in the Township of Centre Wellington, pursuant to Section 34 of the Planning Act, R.S.O. 1990

WHEREAS the Council of the Corporation of the Township of Centre Wellington deems it desirable and in the public interest to enact a Comprehensive Zoning By-law to implement the County of Wellington Official Plan and the Township of Centre Wellington Official Plan

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF CENTRE WELLINGTON ENACTS AS FOLLOWS:

1.0 TITLE AND PURPOSE OF BY-LAW

1.1 TITLE

This By-law shall be known as "the Comprehensive Zoning By-law of the Township of Centre Wellington" but may be cited as the **Centre Wellington Zoning By-law**.

1.2 Purpose

The purpose of this by-law is to:

a) Restrict the use of land, except for such purposes as may be set out in the by-law within any defined area of the municipality; and,

b) Restrict the erection, location or use of buildings or structures for or except for such purposes as may be set out in the by-law or within any defined area of the municipality; and,

c) Restrict the erection of buildings or structures on land that is subject to flooding or on land with steep slopes, or that is a provincially or locally significant wetland; and,

d) Restrict the use of land that is within a wellhead protection area;

e) Regulate the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected or located within any defined area of the municipality, and the minimum frontage and depth of the parcel of land and the proportion of the area thereof that any building or structure may occupy; and,

f) Require the owners or occupants of buildings or structures to be erected or used for a purpose named in the by-law to provide and maintain loading or parking facilities on land that is not part of a highway.

2.0 ADMINISTRATION

2.1 APPLICATION

The provisions of this By-law shall apply to all those lands lying within the Township of Centre Wellington. No building or structure shall hereafter be erected or altered and the use of any building or structure or lot shall hereafter not be changed in whole or in part except in conformity with the provisions of this By-law.

2.2 APPLICATION OF OTHER BY-LAWS AND REGULATIONS

Nothing in this By-law shall relieve any person from the obligation to comply with the requirements of the *Building Code Act, 1992,* S.O. 1992, c.23 as amended (the "Building Code Act") or any other By-law of the Municipality or County in force from time to time or the obligation to obtain any licence, permit, or approval lawfully required under any By-law of the Municipality or County or by a governmental authority having jurisdiction to make such restrictions. This By-law shall not be effective to reduce, permit or mitigate any restrictions or regulations lawfully imposed by a governmental authority having jurisdiction to make such restrictions or regulations.

2.3 CONFLICTING REGULATIONS

Where a combination of permitted uses results in conflicting regulations, the most restrictive regulations shall apply.

2.4 CONFLICTS WITH OTHER MUNICIPAL BY-LAWS

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

2.5 CONFORMITY REQUIREMENTS

2.5.1 No person shall use any land, or construct, alter or use any building or structure or part thereof within the limits of the Township of Centre Wellington except in conformity with the provisions of this By-law.

2.5.2 No building, structure, or part thereof constructed or altered in contravention of this By-law shall be used by any person so long as such building, structure, or part thereof, continues to contravene the provisions of this By-law.

2.5.3 No lot shall be reduced in area by conveyance, severance, mortgage or other alienation of a part thereof so that any remaining yard or other open space is less than 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. See Sections 4.20 and 4.21 regarding lots reduced by public acquisition.

2.5.4 No person shall change the purpose for which any lot, building or structure is used, or construct, alter, or use any building or structure, or sever any lands

from any existing lot, if the effect of such action is to cause the original, remaining or new building, structure or lot to be in contravention of this By-law.

2.6 ESTABLISHMENT OF 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", and such zones may be referred to by the appropriate symbol:

ZONE CLASS	MAP SYMBOL	PRIMARY PURPOSE OF ZONE
AGRICULTURAL	A	To accommodate farms
	A-W	To accommodate large wind energy systems
RESIDENTIAL	R1A-R1C	To accommodate single detached dwellings at various densities
	R2	To accommodate small lot single detached dwellings, semi-detached dwellings and duplex dwellings
	R3	To accommodate triplex and townhouse dwellings
	R4	To accommodate stacked townhouse and apartment dwellings
	R5	To accommodate Pine Meadows Retirement Community
RECREATIONAL	CG	To accommodate trailer camps and campgrounds
	MH	To accommodate mobile home parks
COMMERCIAL	C1	To accommodate commercial uses in the Fergus and Elora Central Business Districts
	C2	To accommodate highway commercial uses
	C3	To accommodate neighbourhood commercial uses
	C4	To accommodate mixed service commercial and residential use adjacent to the Elora

		Central Business District (Residential Transition Area)
	C5	To accommodate rural commercial uses
	SC	To accommodate community shopping centres
INSTITUTIONAL	IN	To accommodate public service facilities such as educational, government and other non-profit community institutions, public hospitals, places of worship, children's care facilities, and licenced nursing care facilities
INDUSTRIAL	M1	To accommodate light industrial uses
	M2	To accommodate general industrial uses
	M3	To accommodate aggregate extraction
OPEN SPACE	OS	To accommodate public parks and recreational facilities
	CA	To accommodate lands owned by the Grand River Conservation Authority that are used as Conservation Areas.
ENVIRONMENTAL PROTECTION	EP	To prohibit development on designated Core Greenlands. Core Greenlands include provincially significant wetlands, wetlands, habitat of endangered or threatened species, floodways, and hazardous lands.
FUTURE DEVELOPMENT	FD	To identify lands where future development may occur subject to appropriate planning studies and zoning regulations.

2.6.1 EXCEPTION ZONES / SPECIAL PROVISIONS

Where the zone symbol applying to certain lands as shown on the Zoning Maps that form Schedule "A" is followed by a period, a number, a period and then another number (for example A.22.3), then special provisions apply to such lands and such special provisions shall be found by reference to Section 15 of the By-law which deals with Exceptions. Lands denoted in this manner shall be subject to all the restrictions of the zone except as otherwise provided for by the special provisions.

2.6.2 Overlay Zones

This by-law contains two overlay zones: a Heritage Area Overlay and an Environmental Protection Overlay. Where the overlay is indicated on a zoning map, the provisions and regulations of the underlying zone shall continue to apply, but there may be additional provisions and regulations applied, or conditions that must be fulfilled prior to the granting of any planning approvals or the issuance of any building permit.

2.6.3 Zone Boundaries

The Zoning Maps comprising Schedule "A" show the boundaries and extent of all Defined Areas (Zones). These maps, together with all notations, references, and other information are hereby incorporated in and form part of this by-law. Where any uncertainty exists as to the location of the boundary of any Zone, as shown on the Zoning Maps, the following rules shall apply:

2.6.3.1 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 highway, street, lane, watercourse, or railway right-of-way.

2.6.3.2 Where zoning boundaries are indicated as approximately following lot lines, such lot lines shall be deemed to be the said boundary. Where lines which form Zone boundary lines (such as property lines or Street lines) vary from the Zoning Map when measured on the ground or where any other uncertainty exists, the location of the Zone boundary line shall be construed to follow the nearest property line.

2.6.3.3 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.

2.6.3.4 Where any zone boundary is left uncertain after application of the provisions of paragraphs 1, 2, and 3, then the boundary line shall be determined according to the scale on the Zoning Map.

2.6.3.5 The Environmental Protection (EP) Zone and Environmental Protection Overlay boundaries identified on the schedules to this By-law are intended to generally identify the location of potentially hazardous environmental features, or natural environment features that must be protected from development. During review of development applications and building permit applications, if necessary, the boundaries of the EP zone or overlay shall be more precisely determined in consultation with the Conservation Authority or other agencies having jurisdiction in the area. Where detailed resource mapping and/or site inspection results in a re-interpretation of the limits of the EP zone or overlay boundary, a zoning amendment will not be required, and all requirements of this by-law shall be reviewed relative to the revised interpretation of the

EP Zone boundary, including any applicable setbacks. The uses and regulations of the adjacent zone on the same lot shall apply. Where a permit has been issued by the Conservation Authority, any provisions as set out in the permit shall also apply and shall supercede the zoning provisions where more restrictive.

2.6.3.6 Where a street, lane, railway or highway right-of-way, or portion thereof as shown on a Zoning Map is hereafter closed or diverted, the property formerly in said street, lane, railway or right-of-way shall be included within the zone of the adjoining property on either side of the said closed street, lane, railway or highway right-of-way.

2.6.3.7 Where the said street, lane, railway or highway right-of-way was a zone boundary between different zones, the new zone boundary shall be the former centreline of the said street, lane, railway or highway right-of-way.

2.6.4 Holding Zone Suffix (H)

When a zoning symbol includes the suffix (H), the lands are subject to holding zone removal provisions. Requirements for the removal of a holding zone symbol are set out in Section 14.

2.6.5 Temporary Use Bylaws Suffix (T)

When a zoning symbol includes the suffix (T), the subject zoning is temporary and expires on a date set out in the applicable zone provisions.

2.6.6 More Than One Zone On A Lot

Where a lot has two or more of its parts classified in different zones, then the provisions for each zone shall apply to each part as if said part was a separate lot, excepting however where a portion of a property is zoned “EP” such portion may be used to satisfy the side yard, rear yard or front yard setback provisions.

2.7 INTERPRETATION OF CERTAIN WORDS

2.7.1 In this By-law, unless the context clearly indicates the contrary:

- words used in the present tense include the future;
- words in the singular number include the plural, and the converse; and
- words in the masculine gender shall include the feminine, and the converse.

2.7.2 The word "shall" is mandatory.

2.7.3 The word "use", when used as a noun, shall mean the purpose for which a lot or a building or structure or any combination thereof is designated, arranged, intended, occupied or maintained and "uses" shall have a corresponding

meaning. When used as a verb, the word "use" or "to use" shall have a corresponding meaning.

2.8 ADMINISTRATION

Unless otherwise specified, this By-law shall be administered by the Chief Building Official and/or Building Inspector acting on the direction of the Council of the Township of Centre Wellington.

2.9 BUILDING AND OTHER PERMITS

2.9.1 Notwithstanding the provisions of any other by-laws of the Township of Centre Wellington, the Chief Building Official shall not issue any Building Permit or any other permit where the proposed building or any part thereof, use or occupancy would be in violation of any provisions of this By-law.

2.9.2 It shall be prohibited for any person(s) to use or permit to use or cause a change in use of any building or part thereof, hereafter erected or altered until such Building Permit or Change of Use Permit has been issued and certified by the Chief Building Official in accordance with the Building Code Act and Building By-law.

2.10 ENTRY AND INSPECTION

The Zoning Administrator, Chief Building Official, or any inspector appointed under the Building Code Act are each assigned the responsibility of enforcing the zoning by-law for the purposes of Section 49 of the Planning Act.

2.11 PENALTIES

Any person convicted of a breach of any provision of this By-law shall be subject to such penalties or orders as provided for in Section 67 of the Planning Act.

2.12 ADDITIONAL REMEDIES

In case any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any rate-payer or of the Corporation of the Township of Centre Wellington pursuant to the provisions of the *Municipal Act, 2001,* S.O. 2001, c. 25, as amended (the “Municipal Act”) or the Planning Act.

2.13 SEVERABILITY

A decision of a court that one or more provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-law.

2.14 REPEAL OF EXISTING ZONING BY-LAWS

Town of Fergus By-law No. 3256-95, Village of Elora By-law 3196-95, Township of Nichol By-law No. 1520-88, Township of Pilkington By-law No. 96-07, Township of West Garafraxa and Township of Eramosa By-law No. 14-97 and all amendments thereto, except By-laws 2009-043 and 2009-044, are hereby repealed, except insofar as it affects parcels identified on Schedule “A” as “Land Not Subject to By-law No. 2009-045”.

2.15 TRANSITION

2.15.1 Despite Section 2.14, this by-law does not apply to prevent the issuance of a building permit for a project for which a completed application for a building permit or site plan approval was received prior to the coming into effect of this by-law, provided the application complied with the provisions of the applicable zoning by-law as it read prior to the coming into effect of this by-law.

2.15.2 For the purposes of this subsection, a completed application means the completion of any required application forms, the filing of any applicable fees, and the submission of plans and reports as deemed necessary by Township staff.

2.15.3 Nothing in this by-law applies so as to continue the exemption provided by this section beyond the issuance of the permit upon which the exemption is founded; and in no case does the exemption mentioned in subsection (3) continue beyond the repeal of this subsection.

2.15.4 Once the permit, agreement or approval under this Section has been granted, the provisions of this by-law shall apply to the land in question.

2.15.5 This section is repealed on the day that is three years from the date that this by-law comes into effect.

2.16 COMMITTEE OF ADJUSTMENT DECISIONS AFFECTING EXISTING ZONING BY-LAWS

Where the Committee of Adjustment of the Township of Centre Wellington or the Ontario Municipal Board has authorized a minor variance from the provisions of an existing Zoning By-law referred to in Section 2.15, in respect of any land, building or structure and the decision of the Committee of Adjustment or the Ontario Municipal Board has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, building or structure, shall be deemed to be modified to the extent necessary to give effect to such minor variance.

2.17 SITE PLAN AGREEMENT

Where the Township of Centre Wellington has entered into a Site Plan Agreement in respect of any land, building or structure prior to the effective date of this by-law, the provisions of this by-law shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement.

2.18 TECHNICAL REVISIONS TO THE ZONING BY-LAW

Revisions may be made to this by-law without the need for a zoning by-law amendment in the following cases:

a) correction of grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision;

b) adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends or title blocks; and

c) changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this by-law and are editorially inserted for convenience of reference only.

3.0 DEFINITIONS

In this By-law, unless the context requires otherwise, the following definitions shall apply:

Abattoir shall mean a building or structure specifically designed to accommodate the penning and slaughtering of livestock and the preliminary processing of animal carcasses and may include the packing, storing and sale of the product on the premises.

Accessory Building or Structure shall mean a detached building or structure, the use of which is naturally or customarily incidental and subordinate to, and exclusively devoted to a principal use, building or structure, and located on the same lot therewith, and shall also mean and include a detached private garage or detached carport, but which does not include children's play structures or patios or decks associated with a dwelling.

Accessory Use shall mean a use customarily incidental to, subordinate to and exclusively devoted to the principal use and which operates together with the principal use on the same lot, but does not include outdoor storage.

Additional Residential Unit means a self-contained residential dwelling unit that is either located within or attached to the primary dwelling unit or located within a detached accessory structure to the primary dwelling unit. An additional residential unit is subordinate to the primary dwelling unit, and may be located on the same lot as a single detached dwelling, semi-detached, or street townhouse dwelling.

Agri-Tourism Use means farm-related tourism uses, including limited accommodation such as bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Adult Entertainment Establishment means any premises or any part of such premises if, in the pursuance of a business, (a) goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations are provided in the premises or part of the premises; or (b) body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body, are performed, offered or solicited in the premises or part of the premises, but does not include premises or part of them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario.

Aggregate Recycling Facility means a premises used for the recycling of used aggregate materials such as concrete and asphalt into a usable product but does not include the operation of an asphalt or concrete batching plant.

Agriculture-Related Use means farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations and provide direct product and/or services to farm operations as a primary activity.

Agriculture Use means the growing of crops including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur and fibre including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm

buildings and structures, including, but not limited to, livestock facilities, manure storage, value-retaining facilities and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Aisle means an area of land used by motor vehicles to access parking spaces.

Alter when used in reference to a building, structure, 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, or a change from one type of occupancy to another or a structural alteration or change thereto. When used in reference to a lot, the word "alter" means a change in use, or a decrease or increase in the width, depth, or area thereof or to decrease or increase 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 street or lane, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise.

Alteration means any modification to the structural component of a building that results in a change of use, or any increase or decrease in the volume or floor area of a building or structure.

Amenity Area means an area situated on a residential lot that is intended for recreational purposes, and may include landscaped open spaces, patios, balconies, communal play areas, lounges, decks and other similar uses but shall not include a swimming pool or areas occupied at grade by service areas, parking areas, aisle or access driveways associated with the residential development or use. A *Private Amenity Area* means an amenity area, excluding a walkway, play area or other communal area, which is accessory to and outside of a dwelling unit, and is for the exclusive use of the occupants of the dwelling unit. A *Common Amenity Area* means an amenity area which is available for the use and enjoyment of the residents and guests of a residential development in common.

Amusement Arcade shall mean a building or part thereof where more than three (3) video games, pinball machines, or other similar player-operated electrical or mechanical devices are provided for public amusement.

Anaerobic Digestion System ("Biogas System") means a system whereby organic material in an enclosed vessel is broken down by micro-organisms in the absence of oxygen, and the resultant gas is converted to electrical and thermal energy by a co-generation unit.

Animal Shelter shall mean a building or part thereof, with or without related structures, wherein domestic household pets including, but not so as to limit the generality of the foregoing, dogs, cats, caged birds and specialty fish, but excluding any animals kept primarily for the purpose of providing food or skins, are given temporary shelter and accommodation or are treated or kept for treatment by a registered veterinarian, and includes the office of a registered veterinarian, but does not include any establishment engaged primarily in the retail sale of animals or in breeding animals for gain or profit, or a veterinarian's clinic as defined herein.

Antique Store means any building used for the sale of any old or authentic objects of personal property which have a unique appeal and enhanced value mainly because of its age, or because of public demand has attained value in excess of its original value in the commercial market.

Art Gallery means a building, place or area where paintings, sculptures, or other works of art are exhibited or sold.

Artisan Studio means a use involving the design or creation of artistic articles such as pottery, glass, wood, leather, weaving, painting, clothing, metal, or gems, and which may also include the exhibition and/or retail sale of art objects designed, created or produced on site.

Asphalt or Concrete Plant shall mean an industrial facility which has equipment designed to heat and dry aggregate and to mix mineral aggregate with bituminous asphalt, concrete and concrete products and/or other similar materials, and includes stockpiling and storage of bulk materials used in the process or finished products manufactured on the premises and the storage and maintenance of equipment.

Assembly Hall shall mean a building, or part of a building, used for the gathering of persons for civic, political, travel, religious, social, educational, recreational or similar purposes and may include the consumption of food or drink.

Attached shall mean a building or structure otherwise complete in itself, which depends for structural support or complete enclosure, upon a division wall or wall shared in common with an adjacent building or buildings. For the purposes of this by-law, buildings connected by breezeway or by a connecting roof structure but open to the ground shall be considered to be attached.

Auction Sales Establishment shall mean 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.

Auditorium shall mean a building or structure where facilities are provided for athletic, civic, education, political, religious or social events.

Automated Teller shall mean an automated machine operated by a financial institution which is used for financial transactions such as withdrawals and deposits of currency.

Automobile Body Repair and Painting shall mean a building or place where repairs, body work and painting of motor vehicles are carried on, but does not include an automotive sales establishment or service station or a wrecking yard as defined herein.

Automobile Parts and Accessories Supplier shall mean a business engaged in the sale of vehicle parts, accessories, tools, and equipment used to repair, service or customize vehicles, but does not include any other automobile use defined herein.

Automobile Sales and Service shall mean a building or place used for the display and sale of new or used motor vehicles and may include the servicing, cleaning, polishing, and lubrication of motor vehicles, the sale of accessories and related products, the leasing or renting of motor vehicles, but does not include auto body repair or painting.

Automobile Service Station shall mean a place where the service, maintenance or mechanical repair of motor vehicles may be provided, including oiling, greasing, washing, ignition adjustments, tire inflation and includes related services such as transmission, muffler,

tire, autoglass, brake, rust-proofing or sound system repair and installation, but does not include auto body repair or painting.

Automobile Storage Facility means a place where vehicles are stored, but does not include a parking lot or a parking area that is accessory to a permitted use.

Automobile Wash or **Car Wash** shall mean a building, structure or place used for the washing or cleaning of motor vehicles by automatic or self-serve washing equipment or other means.

Automotive Recycling Establishment shall mean a building, structure or place used for the recycling of motor vehicles including accessory uses such as environmental waste extraction, disassembly, repair and safety inspections, structural repair, refinishing, sale and storage of parts, and sale and storage of recycled vehicles.

Balcony means a platform that may be partially enclosed projecting from the main wall of a building at the second floor level or above, and which is not supported by vertical uprights other than the wall itself except when located above a porch or veranda, and which is only accessible from within a building.

Banquet Hall shall mean 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, and which may include a catering service.

Barrier Free Access Ramp means an uncovered, inclined ramp providing access to the main floor/entry level of a building to allow a continuous unobstructed path for persons with disabilities.

Basement shall mean that portion of a building partially below ground level and having 50% or more of its exterior wall above the average finished grade.

Bed and Breakfast Establishment (Class 1 and Class 2) shall mean a semi-detached, single detached or duplex dwelling in which the proprietor resides and supplies furnished rooms to overnight guests on a temporary basis for monetary gain. It does not include a restaurant, hotel, motel, rooming or boarding establishment or any other form of dwelling as defined by this By-law. A **Class 1** B&B establishment may contain up to 3 guest rooms. A **Class 2** B&B establishment may contain up to 6 guest rooms.

Beer, Liquor or Wine Store means a place where spirits, wine or beer is sold at retail and also includes a self-brewing operation wherein materials and equipment for the production and bottling of beer or wine for personal consumption is provided.

Boarding, Lodging or Rooming House shall mean a building where lodging is provided for gain with or without meals for five or more persons. Lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.

Buffer Strip shall mean a landscaped or fenced area intended to obstruct or reduce the noise, lighting, glare, unsightly views or any other nuisance of one land use or property to another.

Building means any structure consisting of any combination of walls, roof and floor, or a structural system serving the function thereof, including all associated works, fixtures and service systems, and is used or built for accommodation, shelter or enclosure of persons, animals or personal possessions.

Building Area shall mean the greatest horizontal area of a building above finished grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centre line of firewalls. Building Area does not include porches, decks, landings, patios, exterior stairs, or any other similar unenclosed buildings, structures or architectural projections that may be attached to a building.

Building Face means the entire front elevation of the main floor of a building facing a street, and includes the dwelling face and the garage face.

Building Height shall mean the vertical distance between the finished grade at the centre of the front of the building and:

a) in the case of a flat roof, the highest point of the roof's surface or parapet, whichever is higher;

b) in the case of a mansard roof, the deck roof line; and

c) in the case of a gable, hip or gambrel roof, the average height between the eaves and ridge exclusive of any accessory roof construction such as a chimney, tower or steeple.

Building Line means any line regulating the position of a building or other structure on a lot or parcel of land.

Building Permit shall mean a permit required by the Building Code Act.

Building, Principal see *Main Building.*

Building Setback shall mean the least horizontal distance permitted by this By-law between a lot line of a lot and the nearest portion of the main wall of any building, structure or open storage area on such lot excluding permitted architectural projections.

Building or Lumber Supply Outlet shall mean a place where lumber and other building supply products such as millwork, cement, siding, roofing, plumbing or electrical supplies, heating, cooling or ventilating construction supplies, fireplaces, windows, paints, wall coverings, and floor coverings are stored for the purpose of wholesale or retail trade.

Bulk Propane Storage Depot means a premises where tanks having an aggregate propane storage capacity in excess of 45,000 litres and from which the retail sale of propane fuel to the public is or may be offered.

Business or Professional Office shall mean a building or parts thereof in which one or more persons are employed in the conducting of a business, or where professionally qualified persons and their staff serve clients or patients who seek advice or consultation and includes a post office, including a medical clinic as defined herein, or government office but does not include a retail store.

Bus Depot shall mean a facility where commercial motor vehicles pick up and discharge fare paying passengers, and may include accessory uses such as ticket sales, a restaurant, luggage checking and/or parcel shipping facilities, a public washroom, a rest area, and offices.

By-Law Enforcement Officer shall mean a person or persons appointed by the Council of the Township, who is charged with the duty of enforcing the provisions of this Zoning By-law.

Campground means a lot used for the parking and use of recreational vehicles such as motorized recreational vehicles, towable recreational vehicles, travel trailers, park model trailers, tents or other similar transportable accommodation that is permitted to be used on a public highway in accordance with the Highway Traffic Act. The use of such accommodation on a permanent year round basis shall not be permitted. Unless otherwise permitted by this by-law, no campground or part thereof shall be used continuously during the period from November of one calendar year to April of the following calendar year (inclusive). A campground does not include a mobile home park.

Canopy shall mean an unenclosed roof-like structure that projects more than 30 cm from the exterior face of a building.

Carport shall mean a covered structure designed and used for the temporary storage or parking of a motor vehicle but which is open on at least two sides and may be supported by columns and a maximum of two walls.

Catalogue Sales Outlet means a place where orders are accepted for the purchase of goods listed in a catalogue provided by the establishment and in which goods so listed may be provided within the establishment for sale;

Catering Service means a place where food and beverages are prepared for consumption off the premises and are not served to customers on the premises or for take out.

Cellar means any enclosed portion of a building that has more than 50% of its height, from floor to ceiling, located below average Finished Grade.

Cemetery shall mean land that is set apart or used as a place for the interment of the dead, and includes a crematorium, mausoleum or columbarium.

Chief Building Official shall mean any person(s) appointed by the Council of the Municipality who is charged with the duty of enforcing the provisions of the Ontario Building Code and other local by-laws.

Church shall mean a place including a synagogue, mosque, or rectory, owned or occupied by a religious organization or congregation which is dedicated exclusively to worship and related social and charitable activities and may include an assembly hall, day care centre, church hall, auditorium, Sunday School, convent or parish hall and accessory administrative offices.

Commercial Greenhouse means a building for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot, but are sold to the public on the wholesale or retail market.

Commercial Kennel shall mean an establishment licensed by the Corporation pursuant to the Municipal Act where dogs are bred, raised or kept for sale or are boarded or trained.

Commercial Recreation shall mean a building or parts thereof and/or structures used for the provision of participatory athletic, recreation or physical fitness facilities for gain or profit, but without limiting the generality of the foregoing, may include a health or fitness centre, an ice or roller skating rink, a curling rink, a racquet club, a swimming pool, a billiard parlour or bowling alley, but shall not include an adult entertainment establishment or an amusement arcade.

Commercial School or Studio shall mean a service commercial establishment which provides instruction in any subject for profit or gain, and without limiting the generality of the foregoing, includes instruction in a trade, skill or service including secretarial skills, vocational skills, aviation, banking, commercial arts, automobile driving, language, modelling, business, hairdressing, beauty, culture, dancing or music.

Communications and Broadcasting Establishment means a place used for radio or television broadcasting, cable television operations, motion picture film, audio or video production, leasing and distribution; location filming management; personal voice or data communications.

Community Centre shall mean the use of land, buildings or structures for community activities of a social, cultural or recreational nature and operated on a non-profit basis.

Computer Establishment shall mean a building or part thereof where data processing is conducted or where computer programs are designed and/or distributed and which may also provide for the computer training for groups or individuals.

Conservation Area shall mean the use of land for the wise management and preservation of the natural environment along with any of its significant biophysical features and ecological functions. Conservation areas may include uses such as reforestation, forest management, fish and wildlife management, erosion control, flood control, and passive or active outdoor recreation.

Construct shall mean to build, erect, 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.

Contractor's Yard shall mean 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, or any other use or establishment otherwise defined or classified herein.

Convenience Store shall mean a retail store where convenience goods such as food, beverages, snacks, tobacco, non-prescription medicines, periodicals and other similar items of household convenience are kept for sale to the neighbourhood or the travelling public.

Cottage shall mean a dwelling constructed and used as a secondary place of residence for seasonal vacations and recreational purposes and not as the principal residence of the owner or occupant thereof.

Council shall mean the Council of the Corporation of the Township of Centre Wellington.

County shall mean the Corporation of the County of Wellington.

Crisis Care Centre shall mean a non-profit establishment that is located within a free-standing building and that provides counselling, assistance and shelter for persons requiring immediate assistance for a short period of time, and includes a halfway house, women's shelter or a youth hostel operated on a non-profit basis.

Day Care Centre or **Day Nursery** shall mean a place that is licensed pursuant to the *Day Nurseries Act,* R.S.O. 1990, c.D.2, as amended (the "Day Nurseries Act"), in which more than five children who are not of common parentage are provided with temporary care, protection and supervision for a continuous period not exceeding 24 hours.

Deck shall mean a structure with no solid roof or walls which may be constructed on piers or a foundation and used as an outdoor amenity area, and which may include landings and stairs, but does not include a balcony, porch or veranda as defined herein.

Department Store shall mean a retail store that has a gross floor area greater than 2,500 m^2 (26,910 ft^2) in which items are sold from several lines of merchandise including apparel, jewellery, food, clothing, cosmetics, toiletries, furniture and other home furnishings, appliances, electronics, sporting goods, toys, photographic equipment, hardware, automotive accessories or other household goods and services.

Development means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act.

Drive-Through Service Facility means the use of a building or structure or a part thereof accessed by a designated stacking lane, where goods, products or services are offered to the public within a parked or stationary vehicle by way of a service window or kiosk. Service kiosks for parking control within a parking structure or parking area are not considered to be drive-through service facilities.

Driveway shall mean a portion of a lot used to provide vehicular access from a street or lane to a parking space or off-street parking area or loading area located on the same lot.

Drugless Practitioner shall mean a drugless practitioner within the meaning of the *Drugless Practitioners Act,* R.S.O. 1990, c. D. 18, as amended (the "Drugless Practitioners Act").

Dry Cleaning or Laundry Plant shall mean a building or part thereof used for the purpose of dry-cleaning, cleaning, dyeing, pressing or other similar treatment of articles or apparel and may include a depot for receiving and distributing said articles.

Dry Cleaning Depot means a place used for the purpose of receiving or distributing articles of clothing to be subjected elsewhere or having been subjected elsewhere to the processes of dry cleaning, dry dyeing or cleaning or pressing.

Dwelling Unit shall mean 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.

> **Accessory Apartment** shall mean a **dwelling unit** which is subordinate to an existing **single-detached** or a **semi-detached** dwelling.
>
> **Apartment Building** shall mean a building containing four 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.
>
> **Duplex Dwelling** shall mean a residential dwelling divided horizontally to contain two residential dwellings and which have independent entrances either directly from the outside or through a common vestibule.
>
> **Fourplex Dwelling** shall mean a residential dwelling divided vertically into two duplex dwellings.
>
> **Garden Suite** means a transportable dwelling unit, designed to be used for year round occupancy, which is located on the same lot as a single detached dwelling, and is used as temporary accommodation for farm help or for relatives of the owner-occupants of the single detached dwelling.
>
> **Semi Detached Dwelling** shall mean a building that is divided vertically into two separate dwelling units.
>
> **Single Detached Dwelling** shall mean a building containing one dwelling unit which is on a separate lot and is not attached by any means to any other dwelling unit.
>
> **Small Lot Single Detached Dwelling** shall mean a single detached dwelling on a lot that has a frontage of less than 10 metres (32.8 ft).
>
> **Townhouse Dwelling** means a building that is divided vertically into 3 or more separate Dwelling Units and includes a row house. A **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. A **Street Townhouse** means a Townhouse where each Dwelling Unit is located on a separate Lot and has legal frontage on a public Street. A **Stacked Townhouse** means one building or structure containing two townhouses divided horizontally: one atop the other.

Triplex Dwelling shall mean a building containing three dwelling units divided horizontally and/or vertically, each having independent entrances either directly from the outside or through a common vestibule.

Twin or Link Dwelling shall mean a building containing two dwelling units which have no apparent structural connection above grade, but which share a common foundation wall below grade.

Ecological Function means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Emergency Service Facility means a building that houses emergency personnel, their supplies, equipment and vehicles and may include an ambulance response facility, fire station or police station

Emission shall mean any corrosive gases, dust, dirt, fly ash, electromagnetic fields, heat, glare, odours, smoke, toxic gases or radiation issuing from a building, structure or lot.

Erect includes build, construct, or reconstruct, alter, enlarge and relocate and without limiting the generality of the foregoing, shall be taken to include any associated physical operation such as excavating, grading, berming, piling, cribbing, filling or drainage, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

Erosion Control shall mean land use practices or structures necessary for the reduction or prevention of soil erosion.

Established when used in reference to yards, setbacks, building lines or similar terms, shall mean the yard, setback, building line created by actual construction of a building or structure on a lot.

Existing shall mean legally existing on the day of the passing of this By-law.

Extractive Use shall mean the use of land, buildings or structures for the removal of earth, clay, marl, sand, gravel, stone, limestone, marble, fill, mineral or other similar substance and includes accessory uses such as equipment for crushing, screening or washing of sand, gravel or aggregate materials, the stockpiling and storage of said materials, and also includes a concrete batching plant and/or an asphalt plant. An extractive use does not include an excavation incidental to the erection of a building or structure.

Farm means a parcel of land on which the predominant activity is agricultural and includes associated buildings and structures such as residential dwellings, livestock facilities, farm implement structures, silos, granaries and similar buildings and structures.

Farm Building Cluster means the close grouping of the main buildings and structures on a farm contained within a limited area so that the remaining land is used for agriculture. Buildings and structures within the cluster shall share a common driveway.

Farmer's Market means a place where farm products are sold at retail from seasonal, non-permanent open-air stalls or booths.

Farm Implement Sales and Service Establishment shall mean the use of land, buildings or structures for the sale, storage or repair of equipment and machinery directly associated with the operation of a farm.

Financial Establishment means a place where financial transactions including the borrowing, depositing, exchanging of currency and credit occurs; and includes a branch of a bank, trust company, credit union or cheque cashing establishment; and includes an automated teller;

Finished Grade shall mean the average level of proposed or finished ground adjoining a building at all exterior walls.

First Storey shall mean the storey having its floor level closest to finished grade and its ceiling at least 1.8 metres (5.9 feet) above finished grade.

Fish means fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish Habitat means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Fish and Wildlife Management shall mean the management of species native to the immediate area. This may include stream enhancement, planting of browse or shelter species, nesting boxes, nesting islands, ponds, dugouts and den trees.

Flood Control shall mean land use practices or structures deemed necessary by the Grand River Conservation Authority for the reduction or prevention of flooding.

Floor Area means the sum total area of a floor or floors in the building or buildings on a lot measured from the exterior faces of the exterior walls or from the centre line of the common walls separating two buildings. The floor area does not include basements, cellars, attics, garages, verandas, porches or other similar appurtenant structures and excludes any floor area with a ceiling height less than 2.286 metres.

Florist means a place where flowers and plants are sold or offered for sale to the public and such use may include the incidental raising and arranging of flowers and plants for sale in the store.

Forest Management, means the management of forest resources for the production of a wide range of values including wood fibre production, maple syrup/sugar production, erosion control, fish and wildlife habitat, rare species habitat, passive recreation, visual amenity, and education and research. This shall not include a permanent on-site sawmill, but may include a temporary, portable sawmill.

Fuel Storage Depot shall mean the use of land, buildings, structures or parts thereof for the bulk surface or underground storage of propane, petroleum products, chemicals, gases or similar products and may include the distribution thereof, but does not include a gas bar or a bulk propane storage depot as defined herein.

Funeral Home shall mean a building or place used for the furnishing of funeral supplies and services to the public and may include facilities for the preparation of human remains for

interment or cremation as well as a chapel for funeral services.

Garage shall mean an accessory building or that part of a main building used for the storage of a motor vehicle or vehicles of the owner, tenant or tenants, occupant or occupants of the lot upon which such garage is located. Does not include a carport.

Garage Sale means an occasional use sale, conducted on a residential property by an occupant of such residential property, of household goods belonging to the occupier thereof and includes a yard sale and the like.

Garden Centre shall mean the use of land, buildings and structures or parts thereof for the purpose of buying and selling lawn and garden equipment, supplies, furnishings and plant material including flowers, plants, shrubs, trees and similar vegetation.

Gas Bar shall mean one or more gasoline pumps for the sale of gasoline and related products for motor vehicles, together with the necessary pump islands, light standards, kiosk, concrete aprons, canopy, storage tanks and related facilities required for the dispensing of gasoline.

Gazebo shall mean a freestanding, roofed accessory building which is not enclosed, except for guards, screening or glass and which is utilized for the purposes of relaxation in conjunction with a permitted use.

Geothermal Energy System means a renewable energy system whereby energy derived from the temperature of the earth is used to produce electrical or thermal energy.

Golf Course shall mean a placed used for the purpose of playing golf, and may include a driving range, miniature golf facilities, putting greens, and accessory uses such as a pro shop, a restaurant, a banquet hall, a fitness centre and other buildings or structures devoted to the maintenance and operation of the golf course.

Golf Driving Range means an open air or indoor recreation facility where the sport of golf is practiced from individual tees and which may include accessory structures to house the tees, a kiosk for golf balls and golf club rentals, and a structure from which the golfers tee-off.

Gravel Pit means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition does not include any excavation incidental to the construction of a building or structure for which a building permit has been issued; or any asphalt plant, cement manufacturing plant or concrete batching plant.

Gross Floor Area shall mean the total area of all floors above finished grade measured between the outside surfaces of exterior walls or between the exterior surfaces of all exterior walls and the centre line of a firewall located on a common property line, but shall not include a crawl space, attic, garage, porch or any area used for parking.

Gross Leasable Area shall mean, in the case of a commercial or industrial building, the aggregate of the area of all floors devoted to retail sales, customer service and/or office use measured from the outside face of exterior walls but excluding storage, mezzanine areas, mechanical rooms, parking structures and similar uses ancillary to the main use.

Ground Floor Area shall mean that area of a lot covered or intended to be covered by the main building(s), but not including porches, decks, landings, patios, exterior stairs, or any other similar unenclosed buildings, structures, or architectural projections that may be attached to a building.

Ground-Oriented Amenity Area means a) an unroofed, unexcavated deck that, excluding railings or fencing, has a maximum height of 1.2 metres above the average elevation of the finished surface of the ground around the base of the deck, or b) an unroofed swimming pool that, excluding railings or fencing, has a maximum height of 1.2 metres above the average elevation of the finished surface of the ground around the base of the pool, but shall exclude a front porch and a gazebo.

Group Home shall mean a single dwelling unit in a free standing building in which a range of three to ten residents (excluding staff or the receiving family) live under supervision and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being.

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.

Halfway House shall mean a facility providing for the housing and rehabilitation or training of adults on probation, parole, early or pre-release or any other form of executive, judicial or administrative release from a penal institution, including without limitation community residential facilities. "Halfway house" includes facilities which provide in-patient treatment to persons on probation, parole, early or pre-release or any other form of executive, judicial or administrative release from a penal instruction if such persons are ordered to obtain treatment for chemical dependency as a condition of release. For purposes of this definition an adult is a person age eighteen (18) or over.

Hardware Store means a retail establishment in which is provided the indoor sale of hardware and home maintenance and improvement supplies including tools, paints, varnishes, wall coverings, window components, finished and semi-finished lumber products, plumbing supplies, garden supplies and cleaning supplies, but does not include a building or lumber supply outlet.

Hazardous Waste shall mean those wastes requiring special treatment in that they cannot be treated or disposed of by conventional facilities such as sewage treatment plants or municipal landfill sites and include explosive, flammable, volatile, radioactive, toxic and pathological waste.

Hobby Barn shall mean a building designed, intended or used to house domestic animals for personal use and pleasure, including the boarding of horses, but excludes a kennel as defined herein.

Home for the Aged shall mean a place licensed under the *Homes for the Aged and Rest Homes Act,* R.S.O. 1990, c.H. 13, as amended, (the "Homes for the Aged and Rest Homes Act") where food, lodging and care is provided.

Home Improvement Centre shall mean a garden centre; a furniture sales and service establishment, a floor covering sales and service establishment, a wall covering sales and service establishment, a lighting sales and service establishment, an electronics sales and

service establishment, a major appliance sales and service establishment, or a swimming pool sales and service establishment.

Home Occupation means an occupation, profession, business, trade or craft conducted for profit or gain as an accessory use within a dwelling unit by a person who is a permanent resident of such dwelling unit. The dwelling is occupied as a residential dwelling and the home occupation is for exclusive use of the householder who is a permanent resident of such dwelling unit.

Home Site shall mean an area of land within a retirement community intended to be occupied by one dwelling unit. The dwelling unit may be pre-built, modular or constructed using traditional methods, provided the structure meets or exceeds standards set by the regulations passed pursuant to the Building Code Act.

Hospital means any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under the *Public Hospitals Act*, R.S.O. 1990, c. P.40 (the "Public Hospitals Act") as a public hospital.

Hotel shall mean a building, part of a building, or a group of buildings used mainly for the purposes of catering to the needs of the travelling public by providing 6 or more guest rooms, without private cooking or housekeeping facilities, but may include dining, dancing, convention or other public rooms, licensed under the *Liquor License Act*, R.S.O 1990, c. L. 19, as amended (the "Liquor License Act"), parking and recreational facilities and provided that each guest room may only be entered from the interior of the building or buildings. A hotel does not mean a boarding, lodging or rooming house, a bed and breakfast establishment, or a motel as defined herein.

Individual On-Site Sewage Services: means individual, autonomous sewage disposal systems within the meaning of the regulations passed pursuant to the Building Code Act that are owned, operated and managed by the owner of the property upon which the system is located.

Individual On-Site Water Services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Industrial Mall shall mean 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.

Industrial Use means a premises used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, and incidental storage of goods and materials and may include accessory sales and distribution of such products, however does not include an obnoxious use.

Laboratory shall mean a building or structure where scientific experiments, tests or investigations are systematically conducted, or 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.

Landscaped Area shall mean open space comprised of lawn, flowers, ornamental shrubs, trees or other natural vegetation. This area may include space occupied by paths, courtyards and patios, but shall not include loading or parking areas, traffic aisles, driveways, ramps, or outdoor storage areas.

Landscaped Open Space means the open unobstructed space from ground to sky at grade 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, sidewalk, or ramp, whether surfaced or not, any curb, retaining wall, parking area, interior courtyard, or any easement for the purposes of underground or overhead utilities or services where located in a front yard or exterior side yard.

Lane shall mean a thoroughfare which provides a secondary means of access to abutting lots and which is not intended for general traffic circulation.

Laundromat shall mean a building or part thereof, where self-serve coin operated clothes washing equipment are located and may contain one or more washers, dryers, or other incidental equipment.

Library shall mean a library, branch library, or library distributing station that is approved under the *Public Libraries Act,* R.S.O. 1990, c. P. 44, as amended (the "Public Libraries Act").

Livestock shall mean farm animals kept for use, for propagation, or for intended profit or gain and without limiting the generality of the foregoing includes: dairy, beef and veal cattle, horses, swine, sheep, laying hens, chicken and turkey broilers, turkeys, goats, geese, mink and rabbits.

Livestock Housing Facility shall mean barns, buildings or structures where animals are housed and shall also include beef feedlots and the associated manure storage facilities, but shall not include hobby barn as defined elsewhere in this by-law.

Livestock Housing Capacity shall mean the total maximum number of livestock that can be accommodated in a livestock housing facility at any one time.

Livestock Unit shall mean the equivalent values for various types of animals and poultry based upon manure production and production cycles.

Loading Space shall mean an off-street space or berth located on the same lot as a building or buildings, and used for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials pertinent to such permitted use.

Lot means a parcel of land in one ownership which is capable of being legally conveyed in accordance with the Planning Act

Lot Area shall mean the total horizontal area within the lot lines of a lot.

Lot, Corner shall mean a lot situated at the intersection of and abutting upon two or more streets, or upon two parts of the same street, the adjacent sides of which street or streets (or in the case of a curved corner, the tangents at the street extremities of the side lot lines) contain an angle of not more than 135 degrees. In the case of a curved corner, the corner of

the lot shall be deemed to be the point of the street line nearest the point of intersection of the said tangents.

Lot Coverage shall mean the percentage of the total lot area covered by the building area, as defined herein, of all building(s) located above ground level.

Lot Depth shall mean the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, lot depth shall mean 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 shall mean the length of a straight line joining the middle of the front line with the apex of the triangle formed by the side lot lines.

Lot Frontage shall mean the horizontal distance between the side lot lines, such distance being measured perpendicular 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 measured at a point the minimum front yard distance from the front lot line.

Lot, Interior shall mean a lot other than a corner lot.

Lot Line means any boundary of a lot or its vertical projection.

Lot Line, Exterior Side means a side lot line that abuts a street.

Lot Line, Front means in the case of an interior lot, the line that divides the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line and the longer line abutting the street shall be deemed to be the 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 the front lot line.

Lot Line, Side shall mean any lot line other than a front or a rear lot line.

Lot Line, Rear shall mean the lot line or intersection of the side lot lines that is opposite to, and most distant from, the front lot line.

Lot, Through shall mean a lot bounded on opposite sides by a public street. However, if the lot qualifies as being both a corner lot and a through lot, such lot is deemed to be a corner lot for the purposes of this by-law.

Machine Shop means a workshop in which work is machined to size and assembled.

Main Building shall mean the building designed or used for the principal use on the lot. Where more than one building contains a permitted use on a lot, each building containing a permitted use is a main building.

Main Use shall mean one or more functions of land, buildings, structures, or parts thereof which constitute the principal use(s) of a lot and which is specifically permitted by this By-law. An accessory use shall not constitute the main use of a lot.

Main Wall shall mean an exterior front, side or rear wall of a building and all structural members essential to the support of a fully enclosed space or roof excluding architectural projections.

Mall includes a shopping centre and means a Building or group of Buildings which are planned, developed, managed and operated as a unit in which each Building contains two or more units or spaces for lease or occupancy;

Medical Clinic shall mean 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 Veterinarian's Clinic as defined herein.

Miniature Golf Course means an area of land or premises operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf driving range as defined herein.

Minimum Distance Separation Formulae means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Mini-Storage Warehouse shall mean a building containing separate, individual self-storage units divided from floor to ceiling by a wall with an independent entrance from the exterior of the building, designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, material and equipment.

Mobile Home means any dwelling that is designed to be made mobile, and is constructed or manufactured to provide a permanent residence, but does not include a recreational vehicle as defined herein. A mobile home shall conform with the CSA Z-240 MH standard.

Mobile Home Park means a parcel of land containing two or more mobile home lots and which is under single management and ownership and which is designed and intended for residential and/or seasonal recreational use where such residential occupancy is in mobile homes exclusively.

Mobile Home Site means a defined area of land within a *Mobile Home Park* intended for the location of one mobile home for the exclusive use of the occupant**.**

Model Home means a building which is used on a temporary basis as a sales office and/or as an example of the type of dwelling that is for sale in a related development and which is not occupied or used for human habitation.

Monument Sales means a place where cemetery monuments and related articles are displayed for sale or sold.

Motel shall mean a building, part of a building, or a group of buildings used mainly for the purposes of catering to the needs of the travelling public by providing 6 or more guest rooms with or without private cooking or housekeeping facilities. A motel does not mean a boarding, lodging or rooming house, a bed and breakfast establishment, or a hotel as defined herein, but may include dining and other public rooms.

Motor Vehicle shall mean an automobile, truck, motorcycle or any other vehicle including motorized construction equipment, farm equipment, a motor home, snowmobile, boat, recreational vehicle, a trailer or farm implement or any other device which is capable of being driven, propelled or drawn by any kind of power, but does not include a bicycle or any other device powered solely by means of human effort;

Municipality shall mean the Corporation of the Township of Centre Wellington.

Municipal Drain shall mean a drainage works as defined by the Ontario Drainage Act, as amended from time to time.

Municipal Sewage Services means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act*, R.S.O 1990, c. O. 40, as amended (the "Ontario Water Resources Act") that is owned or operated by a municipality.

Municipal Water Services means a municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002,* S.O. 2002, c. 32 as amended (the "Safe Drinking Water Act").

Museum means a place open to the public, in which a collection of objects illustrating science, art, history and related types of information is kept for display and storage.

Night Club means a premises whose primary function is the provision of theatrical performances, pre-recorded music, or live musical entertainment, whether such pre-recorded music or live entertainment is provided for listening or dancing by the patrons, or any combination of the above functions, and whose accessory function is the sale and consumption on the premises of food and/or alcoholic beverages, but does not include a banquet hall, restaurant or any adult entertainment establishment.

Non-Complying means a lot, building or structure that does not meet the regulations of the zone in which it is located.

Non-Conforming Use means a use not permitted by the permitted use provisions of the By-lay for zone in which such use, building or structure is located.

Normal Farm Practice means a practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards, as established and followed by similar agricultural operations under similar circumstances, or make use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the Nutrient Management Act, 2002 and regulations made under the Act.
Nursery means a place where trees, shrubs or plants are grown or stored for the purpose of transplanting, for use as stocks for building or grafting, or for the purpose of retail or wholesale, together with the sale of soil, planting materials, fertilizers or similar materials and includes a greenhouse.

Nursing Home shall mean a place for the aged in which food, lodging, nursing or similar care and treatment is provided, but does not include a hospital.

Obnoxious Use means a use which, from its nature or operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of

the emission of gas, fumes, dust or objectionable odour, or by reason of the matter, waste or other material generated by the use.

Occasional Use means a use which occurs for a limited time period in accordance with the provisions of this by-law and includes an auction, bake sale, craft sale, charitable event, church gathering, garage sale, plant and produce sale, tree sale, bingo, car wash, benefit dance, show, concert, fair, festival and banquet and social gaming event, as well as the use of a temporary structure as defined herein.

Office Use shall mean a building or part thereof, designed, intended or used for the practice of a profession, the carrying on of a business, the conduct of public administration, or, where not conducted on the site thereof, the administration of a commercial or industrial use, but shall not include a retail commercial use, any industrial use, clinic, financial institution or place of amusement or place of assembly. An Office Building is a building in which the principal use is office uses.

Office Supply means the sale, rental, or servicing of materials used in offices and businesses.

Official Plan shall mean the applicable County of Wellington Official Plan or Township of Centre Wellington Official Plan.

On-Farm Diversified Use means uses that are secondary to the principal agricultural use of the property and are limited in area. On-Farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

Outdoor Display and Sales Area means an outdoor place used in conjunction with an established Use or business, located in an adjacent permanent premise, for the display and sale of fresh produce and new goods or merchandise.
Outdoor Storage Area means the storage of equipment, goods, or raw materials outside of any building or structure. For the purposes of this by-law, the overnight parking of vehicles shall not be deemed to be outdoor storage.

Outdoor Storage Use means a premises where an outdoor storage area forms the main use of a lot, but does not include a salvage yard. For the purposes of this by-law, the parking of motor vehicles is not considered to be an outdoor storage use.

Park, Public shall mean an open space area owned, operated or maintained in whole or in part by a public authority as a recreational area for public use, including passive and active forms of recreation, designed to serve the neighbourhood and community.

Parking Aisle shall mean 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 shall mean an open area, other than a street or lane, used for the temporary parking of two or more motor vehicles for clients, customers or residents, and includes associated parking spaces, driveways, and parking aisles. A parking area does not include areas where vehicles for sale or repair are kept or stored, or where impounded, wrecked or otherwise inoperable vehicles are stored.

Parking Lot shall mean a parking area that forms the main use of a lot.

Parking Space shall mean a space on which a motor vehicle may be parked.

Park Model Trailer means a recreational vehicle that conforms to the CSA Z-241 standard.

Partial services means municipal sewage services or private communal sewage services and individual on-site water services; or b) municipal water services or private communal water services and individual on-site sewage services.

Passive Recreation shall mean outdoor recreational activities which are non-intensive in nature and are compatible with the surrounding natural environment. This may include uses such as nature interpretation, hiking, cross county skiing, fishing and hunting.

Person shall mean an individual or any association, partnership, corporation, municipal corporation, the agent, trustee, heirs, executors or other legal representatives of a person to whom the context may apply according to law.

Personal Service Shop shall mean a premises used to provide personal services, or where the servicing, repair or rental of articles, goods or materials is conducted. Without limiting the generality of the foregoing, a personal service shop includes a barber, hairdresser, beautician, aesthetician, tailor, dressmaker, shoemaker, tanning salon, or a pet groomer but does not include an adult entertainment establishment.

Photofinishing Establishment shall mean a building or part of a building used for the developing and print processing of film and may include portrait and commercial photography.

Pit shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, and may include, as an accessory use, facilities for the crushing, screening, washing and storage of such materials, but does not include a wayside pit or quarry.

Place of Entertainment shall mean a building or part of a building used as a cinema, theatre, dance hall, night club, concert or music hall, or a similar use but does not include an adult entertainment establishment.

Porch or Veranda means a structure abutting a main wall of a building or structure having a roof but with walls that are generally open and unenclosed.

Postal or Courier Outlet shall mean the provision of postal and courier pick-up and drop-off services for letters and small parcels, but does not include a postal or courier distribution or terminal facility.

Printing, Publishing or Packaging Establishment means a building or part of a building used by one or more persons who are employed in the management, direction or conducting of an activity, specifically undertaken to aid an industrial or business office use including photocopying, mail processing, receiving, distribution, document finishing, laminating, faxing, packaging, graphic services and data processing.

Private or Commercial Club shall mean an association of persons, whether incorporated or not, united by some common interest, meeting periodically for social, recreational or other purposes. Club shall also mean, where the context requires, premises owned, leased or occupied by the members of such association within which the activities of the group are conducted.

Private Home Day Care shall mean the temporary care of five children or less in an unlicensed facility for less than 24 consecutive hours

Public Authority shall mean the Corporation of the Township of Centre Wellington, the Corporation of the County of Wellington, the Province of Ontario or the Government of Canada.

Public Building shall mean any building or part thereof or structure owned, leased or occupied by the Corporation of the Township of Centre Wellington, the Corporation of the County of Wellington, the Province of Ontario or the Government of Canada.

Public Use means any use of land, building or structure by or on behalf of a public authority.

Public Utility shall mean any agency, corporation, board, or commission providing electricity, gas, water, telegraph, telephone or television service including a communications tower, drainage, sewage or waste collection and disposal services to the public or a similar use pertaining to any such agency, corporation, board or commission.

Public Works Yard shall mean a municipal, county or provincial facility used for the servicing of road construction and maintenance equipment and the storage of materials and may include buildings or structures for such purposes.

Quarry means an open excavation made for the removal of any limestone, sandstone, shale or consolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes, but does not include any excavation incidental to the construction of a building or structure for which a Building Permit has been issued; or any excavation incidental to any public works; or any asphalt plant, cement manufacturing plant or concrete batching plant.

Recreational Vehicle means a vehicle designed to provide temporary living accommodation for travel, vacation, or recreational use, and is permitted to be driven, towed or transported under the Ontario Highway Traffic Act, as defined in CSA Standard Z240-1 RV/Motorhome.

Recreational Vehicle Sales or Rental Establishment means an establishment having as its main use the sale, rental or leasing of recreational vehicles.

Recycling Depot means a place where materials such as paper, metal and glass are delivered stored, separated, and processed in order to salvage and reuse material.

Renewable energy systems means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

Rental Outlet shall mean 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 vehicles or recreational vehicles.

Research and Development Establishment means a building or structure or part of a building or structure used for scientific research, tests or investigations, data collection and manipulation or technical development of information, products or devices for scientific application.

Restaurant means a building or part thereof where food is prepared and offered for retail sale to the public for immediate consumption either on or off the premises, but does not include a refreshment room or any building or part thereof where pre-packed foods or beverages requiring no further preparation before consumption are offered for sale.

Restaurant Outdoor Patio means any area outside of a Restaurant or Tavern used or designed to be used for outdoor seating for the patrons of the Restaurant or Tavern;

Retail Store means a place where goods, wares, merchandise, substances or articles are offered or kept for sale or rent to the general public, but does not include any other retail commercial use specifically defined by this by-law.

Retail Food Store shall mean a retail store where the gross leasable area devoted to the sale of food and grocery merchandise exceeds 464.5 m^2 (5,000 ft^2)

Retirement Residence means a building containing dwelling units providing for accommodation primarily for retired persons, and where support and health services may be provided for persons requiring these services in a supervised setting and which may contain accessory personal service, retail and recreational uses for the residents, but does not include a home for the aged or a nursing home as defined herein.

Roof means a component of a building or structure that is supported by walls and/or columns and which provides overhead shelter from the rain and/or sun.

Salvage Yard means land or a building used for a wrecking yard, the keeping or storing of used motor vehicles, farm implements, building products, waste paper, rags, bones, bottles, bicycles, tires, metal scrap material or salvage or where the foregoing are bought, sold, exchanged, baled, packed, disassembled, wrecked or dealt with in any other manner for further use.

School means a Provincially approved institution for academic instruction and may include a public, private or separate school, a vocational school, or a post secondary school such as a college or university, but does not include a commercial school or studio as defined herein.

Scientific or Medical Laboratory 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, test or investigations are manufactured or otherwise prepared for use on the premises

Second-hand Store shall mean a building or part thereof, where used clothing, books and similar household items are kept for sale and includes an antique market or pawn shop, but does not mean a salvage yard.

Section 59 Notice refers to the requirement under Section 59 of the Clean Water Act, which requires issuance of a notice from the Risk Management Official, as appointed by the Township, before permitting an activity that is considered a restricted land use as identified in the Grand River Source Protection Plan.

Sensitive Land Use means a building where routine or normal activities occurring at reasonably expected times would experience adverse affects from a certain neighbouring land uses. Examples include: residences, senior citizen homes, day care centres, and educational and health facilities.

Service Industry shall mean a business or trade, not otherwise defined or classified in this By-law, which provides cleaning, maintenance, installation, renovation, or other similar non-personal services to the general public.

Service or Repair Shop shall mean a building or part of a building, where articles, goods or merchandise, excluding motor vehicles or heavy industrial machinery, are repaired or serviced, but does not include a **personal service shop**.

Sewage Treatment Facility shall mean a system of underground pipes or conduits and related pumping and treatment facilities, including buildings and structures, operated by the Township of Centre Wellington or other public agency for the treatment and disposal of storm or sanitary sewage.

Sight Triangle shall mean the area of a corner lot, as determined by this By-law, which is kept free of buildings or other features which may obstruct the vision of drivers of vehicles, and is maintained for daylight sighting at intersections.

Sign shall mean any letters, words or figures used or intended to advertise, identify announce or to draw attention to anything, or to give directions.

Significant Drinking Water Threat means a drinking water threat that, according to a risk assessment, poses or has the potential to pose a significant risk (Clean Water Act).

Site Alteration means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Solar Energy System means a system that produces thermal or electrical energy by converting energy from the sun.

Source Water Protection Plan means a drinking water source protection plan prepared under the Clean Water Act (Clean Water Act).

Sports Park means a park which also contains facilities for cultural, leisure, sports or recreational activities.

Specialty Food Store means a premises specializing in a specific type or class of foods such as an appetizer store, bakery, butcher, delicatessen, fish, gourmet and similar foods.

Storage facility means a place where, for a fee, articles, goods or materials are stored, but does not include a Warehouse; see also mini-storage warehouse**.**

Storey shall mean that portion of a building, other than a cellar, which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

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

Street Line shall mean the limit of the street allowance and is the dividing line between a lot and a street.

Structure means anything erected, built, or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure, but does not include a sign, advertising device, retaining wall, fence, curb, planter, statue, sculpture, play equipment, birdbath, pole, pillar, antenna and garbage container.

Swimming Pool means a body of water, exceeding 0.91 meters (3 feet) in depth at any point, located outdoors on private property contained by artificial means and used or maintained for the purpose of swimming, wading, diving or bathing, but does not include: a storm water management pond; a natural or man-made pond, lagoon, water reservoir, manure storage facility, or a public swimming pool which is subject to the regulations made pursuant to the Building Code Act and the *Health Protection and Promotion Act,* R.S.O. 1990, c. H. 7, as amended (the "Health Protection and Promotion Act").

Tavern means a place used or designed to be used for the gathering of persons in which liquor is offered for sale or sold and includes a bar, nightclub and the like and includes a restaurant in which liquor is offered for sale or sold beyond 12:01 a.m..

Taxi Establishment means a place used as a dispatch office for taxis and includes the area used for the parking of taxis when not engaged in transporting persons or goods.

Temporary Portable Asphalt Plant means a facility:

a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and,

b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Temporary Structure means any shed, structure, building, trailer, tent or enclosure of any kind used for storage, commercial or business or residential purposes which any person or business intends to place on the same lot with, or on any lot immediately adjacent to, any permanent structure used for business or commercial or residential purposes, including a temporary portable storage container designed and rented for the temporary storage of commercial, industrial, or residential household goods.

Tourist Home shall mean a private dwelling that is not part of or used in conjunction with any other establishment and in which there are at least four rooms for rent to the travelling or vacationing public, whether rented regularly, seasonally or occasionally.

Tradesperson's Shop means a place in which is provided to the public a non-personal service or trade including a plumber's shop, painter's shop, carpenter's shop, electrician shop, contractor's shop or the like which provide an installation service.

Transport, Trucking or Distribution Establishment shall mean the use of land and/or buildings for the purpose of loading and/or unloading of trucks or transport trailers, or where such vehicles, buses or other fleet vehicles are stored, serviced or dispatched as common carriers.

Unobstructed Walkway means a hard surface path of travel providing access to principal entrance of an additional dwelling unit (attached) or additional dwelling unit (detached) and shall be unencumbered by obstructions including but not limited to: stairs, decks and porches (except those which form part of the path travel to the principal entrance); parking spaces; driveways; chimney breasts; window wells; balconies or other building projections which are less than 2.1 metres above the unobstructed walkway; secure outdoor areas associated with pools; mechanical, heating, ventilation, air-conditioning equipment and utility meters; and amenity structures such as playgrounds, garden trellises, pergolas.

Use shall mean the purpose for which a lot or a building or structure, or any portion thereof, is designed, arranged, intended, occupied or maintained, and "used" shall have a corresponding meaning.

Veterinarian Clinic shall mean a building or part thereof wherein animals of all kinds are diagnosed and treated for illness by a registered veterinarian, and where such animals can be temporarily housed within the clinic, and includes accessory services such as grooming, but does not include a commercial kennel.

Video Rental Outlet means an establishment where electronic entertainment media such as video cassette tapes, DVD's 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, and computers.

Warehouse shall mean a building or part thereof which is used primarily for the housing, storage, packaging or distribution of goods, wares, merchandise, food stuff, substances or articles, but does not include a mini-storage warehouse.

Waste means ashes, garbage, refuse, domestic waste, industrial waste or municipal refuse and other such materials as are designated in the regulations of the *Environmental Protection Act*, R.S.O. 1990, c. e. 19, as amended (the "Environmental Protection Act").

Waste Disposal Area means a facility operated by or for the Township of Centre Wellington 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 Management Facility shall mean a recycling depot, waste disposal area, or waste transfer station.

Waste Transfer Station shall mean 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.

Waterbody shall mean any bay, lake, natural watercourse or canal, other than a drainage or irrigation channel. Isolated farm or recreational ponds, without an inlet or outlet stream, are excluded from the definition of waterbody. Notwithstanding the foregoing, any feature with open water in excess of 0.4 ha shall be considered a waterbody.

Watercourse shall mean the natural or altered channel for a stream or water body and for the purpose of this By-law, includes the channel for intermittent streams.

Water or sewage treatment facility shall mean a system of underground pipes or conduits and related pumping and treatment facilities, including buildings and structures, operated for or by the municipality for the treatment and disposal of water, stormwater and/or sanitary sewage.

Wayside Pits and Quarries means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wellhead Protection Area means an area that is related to a wellhead and within which it is desirable to regulate or monitor drinking water threats (Ontario Regulation 287/07).

Wetlands means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildlife Habitat means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels.

Welding Shop means a workshop in which metals are welded.

Wholesale Outlet shall mean a building, structure or part thereof in which goods, wares, articles or merchandise are offered or kept for sale at wholesale, but shall not include direct sales to the general public.

Wind Energy Participating Neighbour means a neighbouring landowner whose land abuts the subject land and is zoned to permit a wind energy system and where there is a signed

agreement between the two owners to place a wind energy system on or near the mutual lot line.

Wind Energy System means a system that converts wind energy into electricity, and consists of a wind turbine, a tower and associated control or conversion electronics. A wind energy system may be connected to the electricity grid in circuits at a substation to provide electricity off-site for sale to an electrical utility or other intermediaries. Accessory uses may include service roads, underground and above ground electrical collection systems and transformers. A **Micro Wind Energy System** consists of one wind turbine on a lot with nameplate capacity of 5kW or less. A **Small Wind Energy System** consists of one or more wind turbines on a lot that have a total nameplate capacity of more than 5kW and less than 100kW. A **Large Wind Energy System** consists of one or more wind turbines on a lot, or an array of multiple turbines on multiple lots, with total name plate capacity of 100kW or more.

Wind Testing Tower means a single structure erected on a temporary basis, normally not exceeding one year, for the purpose of testing the potential wind strength for generating electricity.

Wind Turbine means a structure that includes: a tower, nacelle, blades and related appurtenances, and used for the conversion of wind energy into electricity.

Wind Turbine Height means the distance measured from average grade to the uppermost extension of any blade, or the maximum height reached by any part of the wind turbine, whichever is greater.

Yard shall mean a space appurtenant to a building or structure, located on the same lot as the building or structure, which is open, uncovered and unoccupied by any building or structure, except as specifically permitted by this bylaw. In determining yard measurements the minimum horizontal distance from the respective lot lines shall be used.

Yard, Exterior Side shall mean the yard of a corner lot extending from the front yard to the rear yard between the exterior side lot line and the nearest wall of the principal building or structure on the lot.

Yard, Front shall mean a yard extending across the full width of the lot between the front lot line and the nearest wall of the principal building or structure on the lot.

Yard, Interior Side shall mean a yard other than an exterior side yard that extends from the front yard to the rear yard between the interior side lot line and the nearest wall of the principal building or structure on the lot.

Yard, Maximum means the maximum distance of a yard from a lot line. In calculating the maximum yard, the minimum horizontal distance from the respective lot line shall be used.

Yard, Rear shall mean a yard extending across the full width of the lot between the rear lot line and the nearest wall of the principal building or structure on the lot.

Yard, Required means the yard required by the provisions of this bylaw.

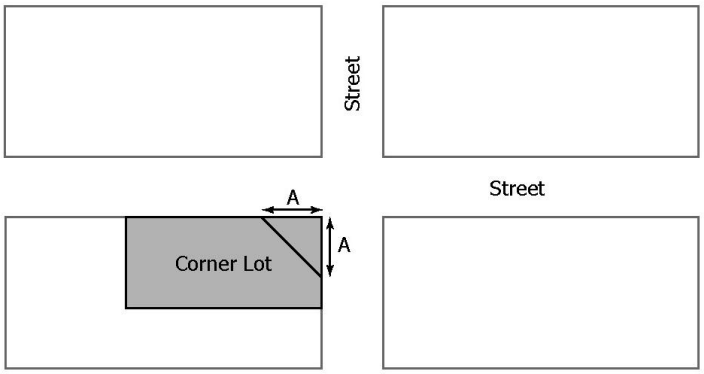
Zone shall mean an area of land delineated on the Zoning Maps that form part of this bylaw.

Zoning Administrator shall mean the officer or employee of the Corporation of the Township of Centre Wellington charged with the duty of administering and/or enforcing this By-law.

ILLUSTRATIONS

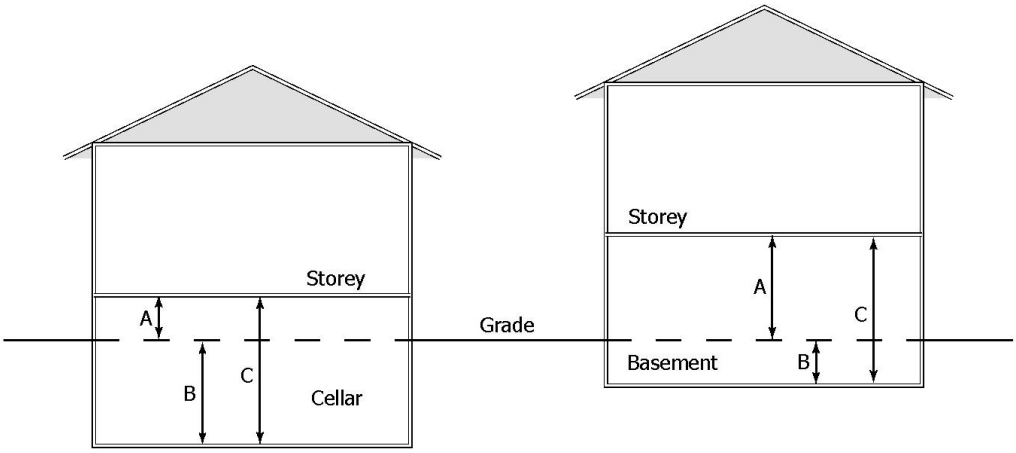
THE FOLLOWING ILLUSTRATIONS ARE PROVIDED FOR INFORMATION TO ASSIST IN THE INTERPRETATION OF THE ZONING BY-LAW, HOWEVER THEY DO NOT FORM PART OF THE BY-LAW.

Corner Sightlines (Daylighting Triangles)



A = 9.0m for arterial and collector street
A = 7.5m for local streets

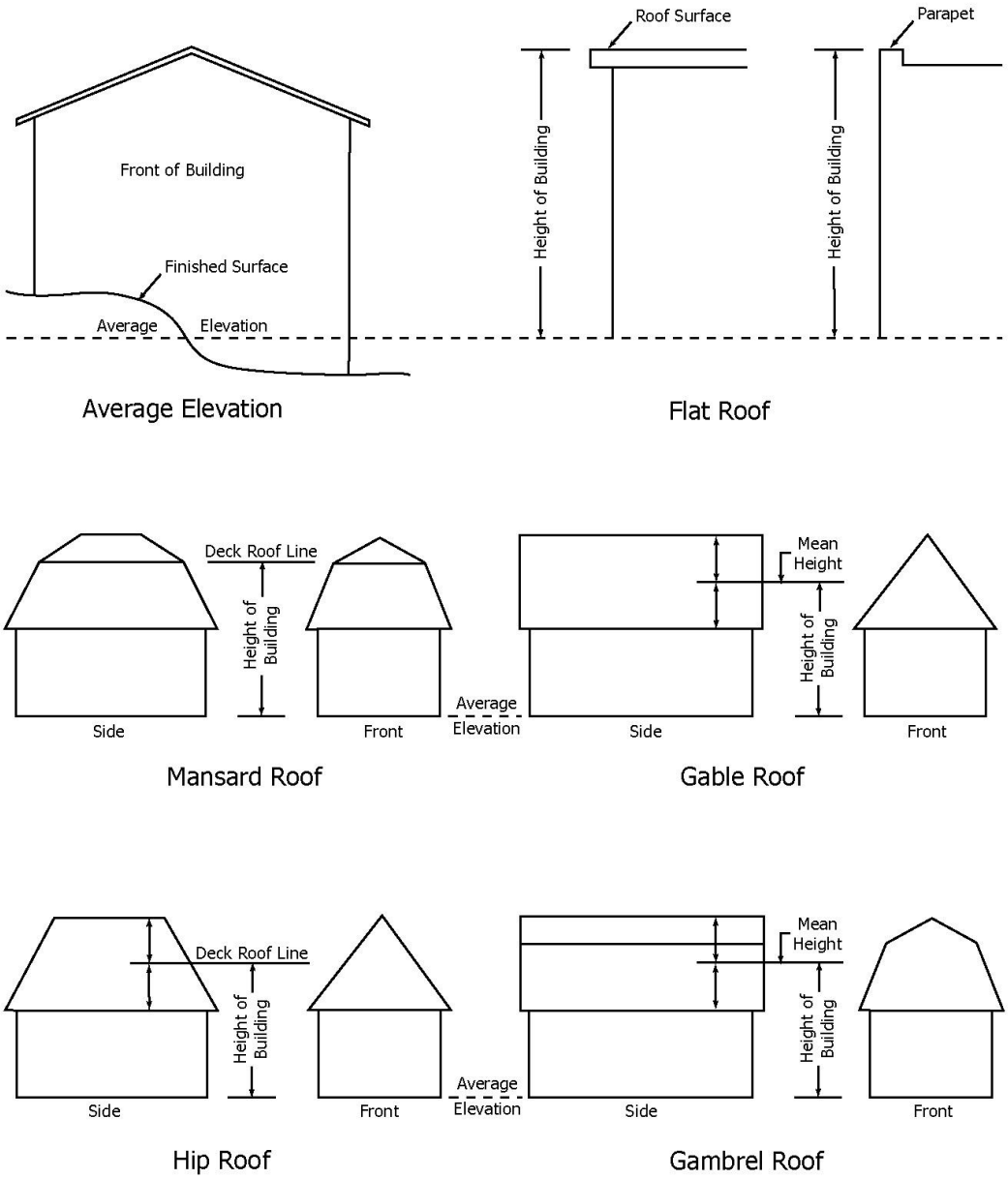
Basement vs Cellar



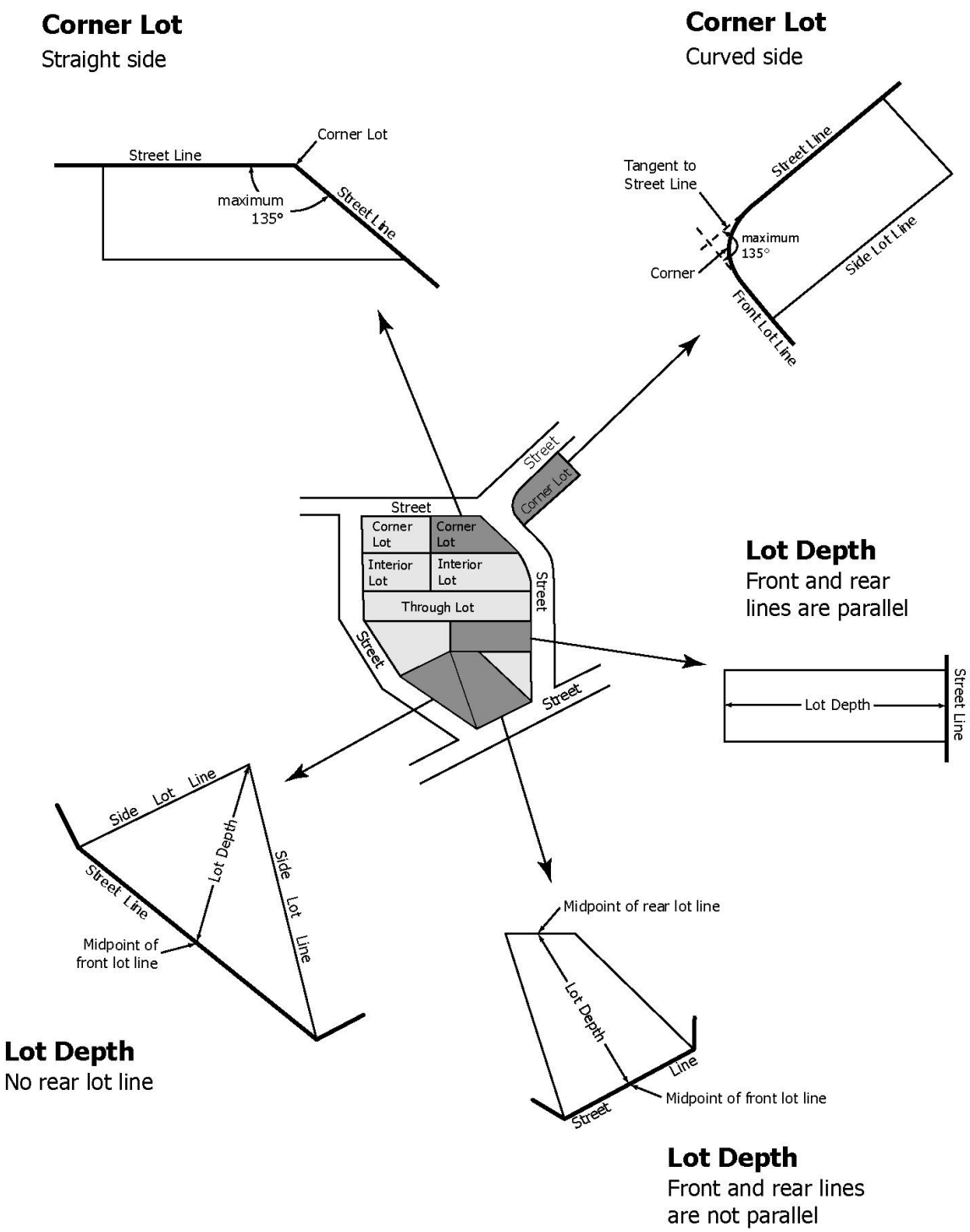
When "A" is less than "B", "C" is a cellar

When "A" is greater than "B", "C" is a basement

Building Heights

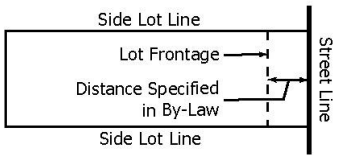


Corner Lot & Lot Depth



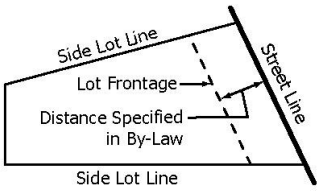
Lot Frontage

(Not to be confused with Regulatory Building Line)



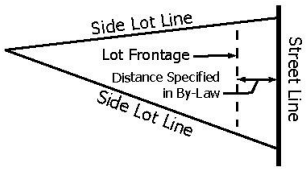
A. Side Lot Line are Parallel; Street is Straight

The lot frontage is measured along a line drawn between the side lot line parallel to the front lot line at the distance specified in the By-Law for the minimum front yard.



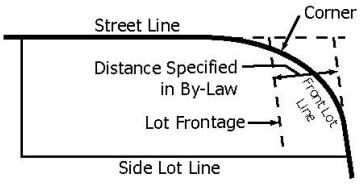
B. Front and Rear Lot Lines Are Not Parallel

The lot frontage is measured along a line drawn between the side lot lines parallel to the front lot line at the distance specified in the By-Law for the minimum front yard.



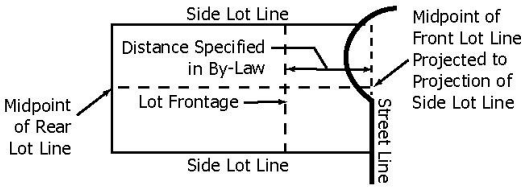
C. No Rear Lot Line

The Lot frontage is measured along a line drawn between side lot lines parallel to the front lot line at the distance specified in the By-Law for the minimum front yard.



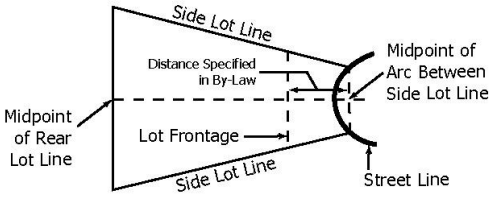
D. Corner or Interior Lot on a Curve or Daylight Triangle

The Lot frontage is measured along a line drawn parallel to the tangent of the front lot line at the distance specified in the By-Law for the minimum front yard. The frontage extends to the tangent of side lot line.



E. Lot on a Corner Eyebrow

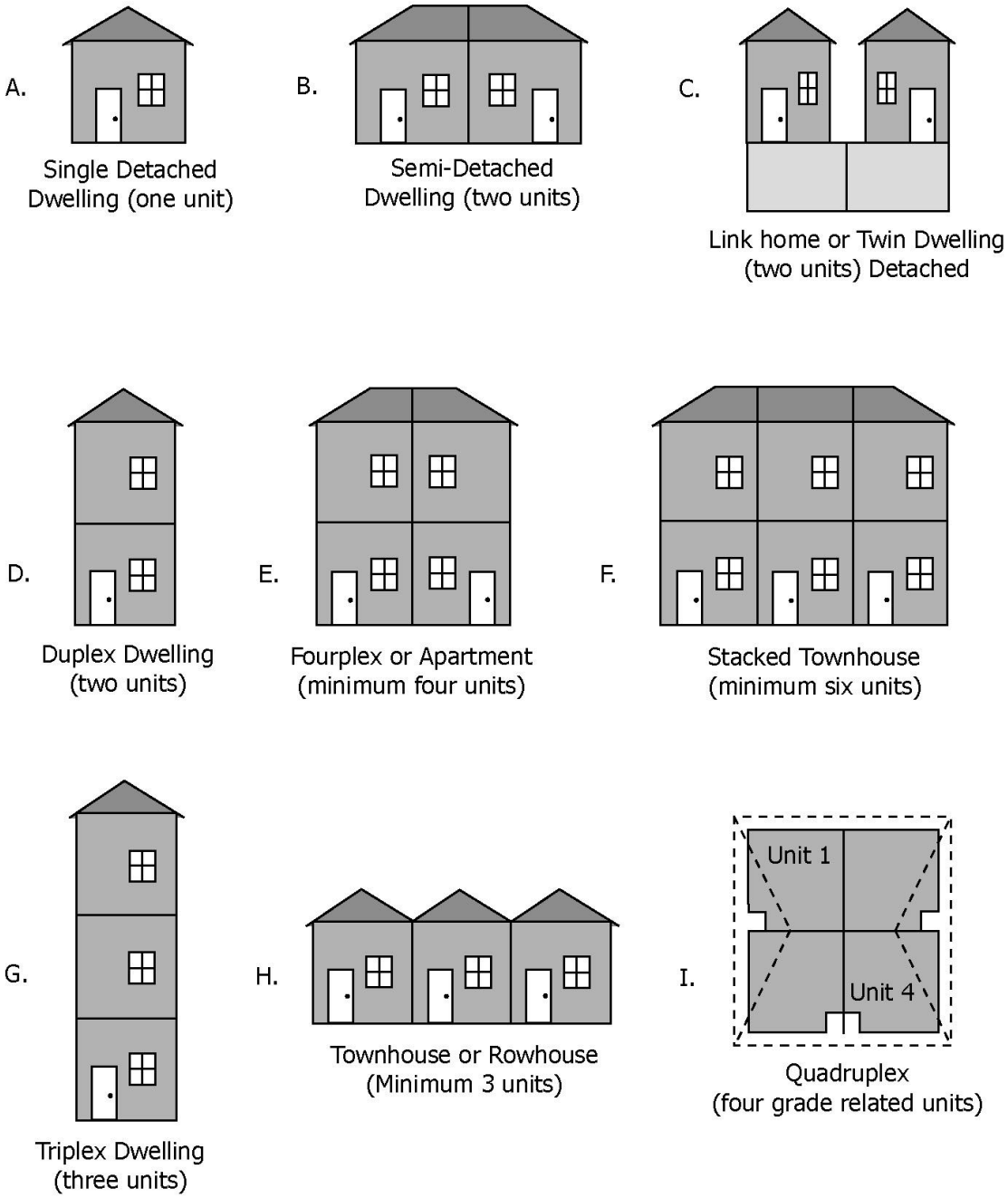
The lot frontage is measured along a line drawn perpendicular to a line joining the midpoints of the rear lot line and the line projecting the front lot line to the projection of the side lot at the distance specified in the By-Law for the minimum front yard.



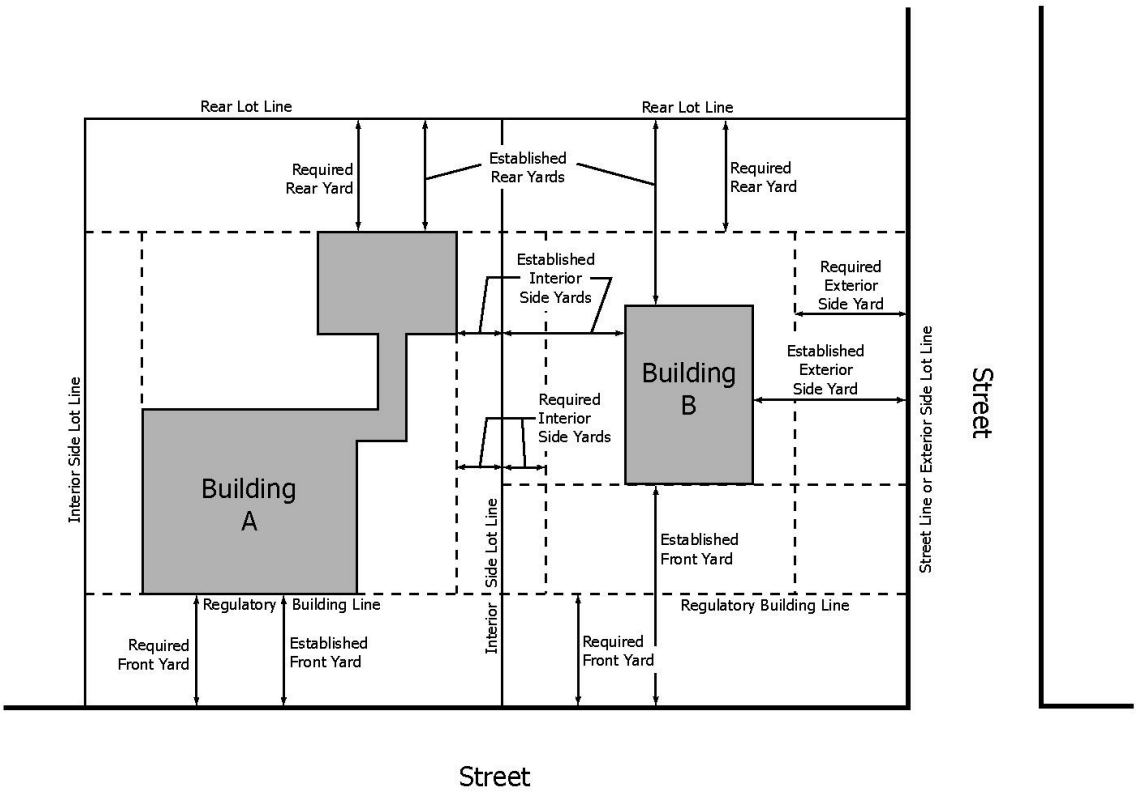
F. Lot on a Cul-De-Sac Eyebrow

The lot frontage is measured along a line drawn perpendicular to a line joining the midpoint of the arc of the street line to the midpoint of the rear lot line at the distance specified in the By-Law from the minimum front yard.

Typical Dwelling Types

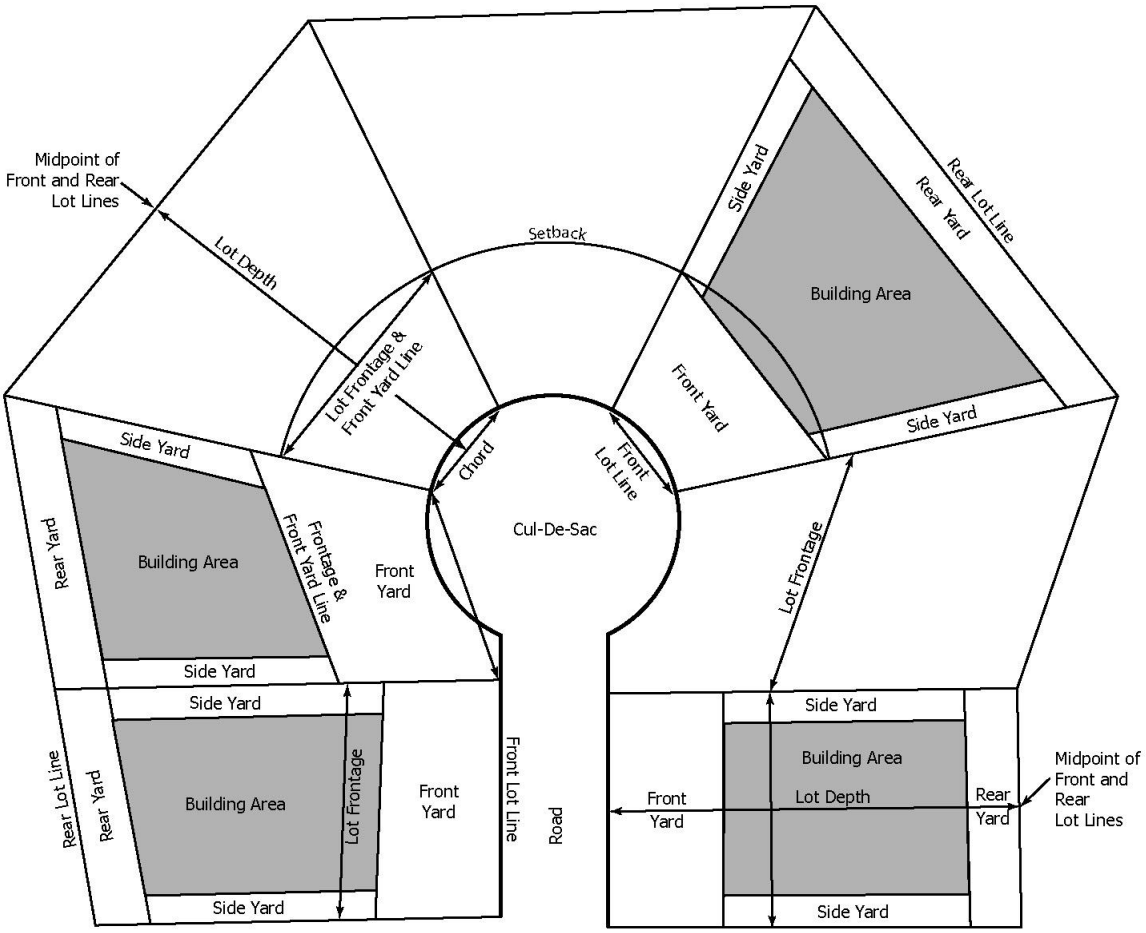


Yard & Setbacks

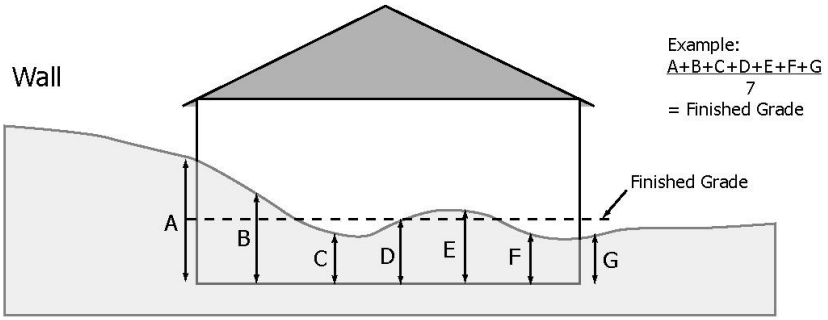


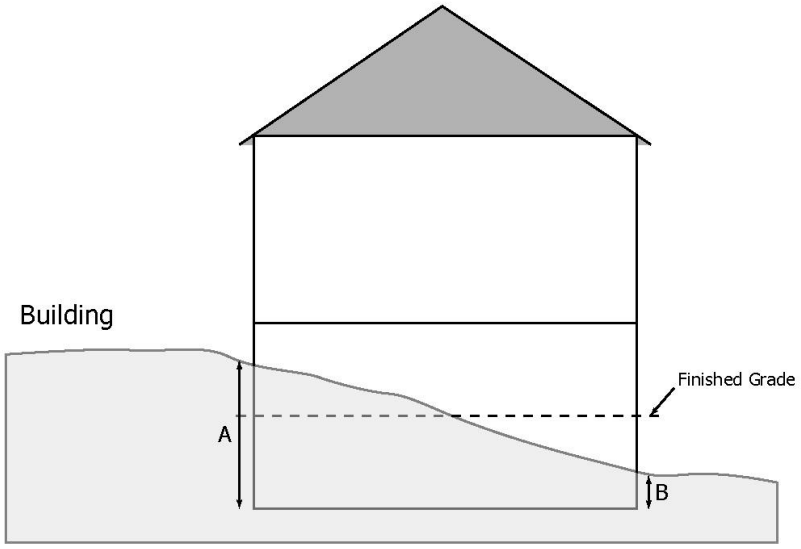
Building "A" meeets the minimum requirements for front yard, side yard, and rear yard setbacks. Building "B" has voluntarily increased all yards and setbacks beyond the required minimum.

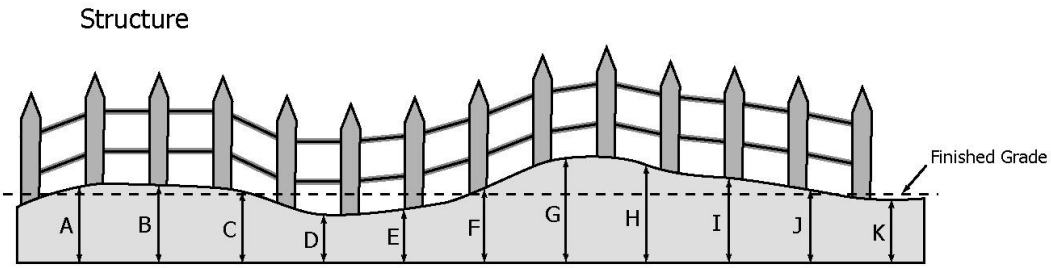
Illustration of Yard and Lot Line Definitions



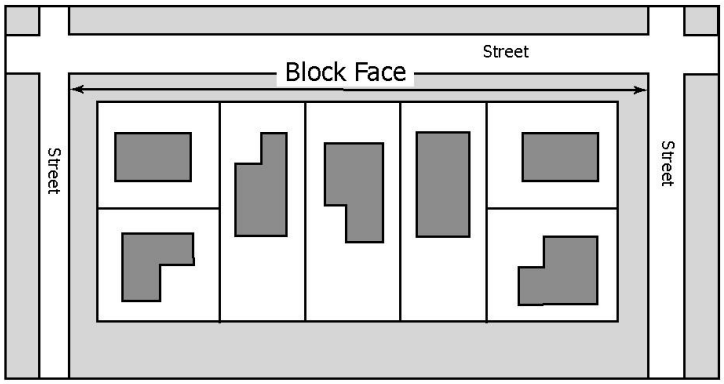
Finished Grade







Block Face



4.0 GENERAL PROVISIONS

The provisions of this Section shall apply to all zones except as otherwise indicated in this By-law.

4.1 Additional Residential Units

4.1.1 General Regulations Applying to All Additional Residential Units

Notwithstanding any other provision of this By-law to the contrary, on any lot where a residential use is permitted, one of more Additional Residential Units are permitted in accordance with the following:

(a) A maximum of three dwelling units is permitted on a lot, including the primary dwelling together with:

a. A maximum of one Additional Residential Unit within or attached to the primary dwelling unit; and/or
b. A maximum of one Additional Residential Unit in a detached accessory structure.

(b) An Additional Residential Unit located within the primary dwelling, or attached thereto, must meet the applicable zone requirements.
(c) An Additional Residential Unit located within a detached accessory structure must meet the requirements set out in Table 4B of this By-law.
(d) An Additional Residential Unit that is in a detached accessory structure shall not be severed from the lot containing the primary dwelling.
(e) An Additional Residential Unit shall have unobstructed access from the street or the driveway.
(f) An Additional Residential Unit in an Agricultural Zone is subject to the requirements of Section 6.1.4 of this By-law.

4.1.2 Special Provisions Applying to Additional Residential Units on a Lot with Full Municipal Sewer and Water Services

Notwithstanding any other provision of this By-law to the contrary, on any lot where a residential use is permitted, one or more Additional Residential Units is permitted in accordance with the following:

(a) A maximum of three dwelling units is permitted on a lot, including the primary dwelling together with:

a. A maximum of two Additional Residential Units within or attached to the primary dwelling unit; and/or
b. A maximum of one Additional Residential Unit in a detached accessory structure.

(b) An unobstructed walkway that is a minimum 1.0 metre in width shall be provided from a street or sidewalk to the principal entrance of each Additional Residential Unit, where the principal entrance is not located on a façade that faces a public street.

4.1.3 Additional Regulations

Notwithstanding any other provision of this By-law to the contrary, in addition to the parking required for the primary dwelling, each Additional Residential Unit shall have one parking space that is provided and maintained for the sole use of the occupant of the Additional Residential Unit. Such parking space may be a tandem parking space.

4.2 ACCESSORY BUILDINGS OR STRUCTURES

Wherever an accessory building or structure is permitted by this bylaw, such building or structure shall only be constructed or used in accordance with the following:

TABLE 4B ACCESSORY BUILDING REGULATIONS

		R1,R2,R3,R4,or R5 Zone	A Zone	Any Commercial, Industrial, Institutional, Open Space Zone
A	Setback from Lot Lines	0.6 m (2 ft) from any interior side yard or rear lot line (1)	1.2m (4ft) from any interior side or rear lot line	1.2m (4ft) from any interior side or rear lot line 3.0 m (9.8 ft) from the boundary of any Residential zone.
B	Prohibited Locations	In a required front or exterior side yard; In a required corner sight triangle.		
C	Maximum Floor Area (2)	Ten percent (10%) of the total lot area	Five percent (5%) of the total lot area	Five percent (5%) of the total lot area
D	Maximum Height	6.1 m (20 ft)	6.7 m (22 feet)	4.6 m (15.1 ft)

Notes:

(1) Where the height of an accessory building exceeds 4.6m, the required setback from a side lot line or a rear lot line shall be 1.2m (4ft)

(2) Including detached accessory buildings, the lot coverage of all buildings on a lot containing Additional Residential Units shall not exceed 45%

4.3 ADULT ENTERTAINMENT ESTABLISHMENT

In a zone where an adult entertainment use is permitted by this bylaw, such use shall only be established in accordance with the following:

4.3.1 No adult entertainment establishment shall be permitted within 500 m (1,640 ft) of any land zoned Institutional. Such a separation distance shall be measured using the closest point on the main wall of an existing or proposed building that houses or may house an adult entertainment establishment, to the nearest boundary of the Institutional zone.

4.3.2 No adult entertainment establishment shall be permitted within 500 metres (1,640 ft) of a lot containing any of the following uses: a church, a school, a cemetery, a hospital, a day care centre, a retirement home, a nursing home, a group home, a museum, a library. Such a separation distance shall be measured using the closest points on the main wall of each building or structure.

4.4 AMUSEMENT ARCADE

In a zone where an amusement arcade is permitted by this bylaw, such use shall only be established in accordance with the following:

4.4.1 No amusement arcade shall be permitted within 500 m (1,640 ft) of any land containing a school operated by the Upper Grand District School Board or the Wellington Catholic District School Board. Such a separation distance shall be measured using the closest point on the main wall of an existing or proposed building that houses or may house an amusement arcade, to the nearest boundary of a lot containing a school.

4.5 AUTOMOTIVE SERVICE STATION, CAR WASH OR GAS BAR

In a zone where an automobile service station, a car wash, or a gas bar is permitted by this bylaw, such use shall only be established in accordance with the following:

4.5.1 No service pump or storage tank shall be located closer to the street line than 7.5 m (24.6 ft) nor within a site triangle as defined by this By-law.

4.5.2 No entry or exit ramp shall be located within 9.0 m (29.5 ft) of any street intersection measured at the curb line nor shall any entry or exit ramp exceed 9.0 m (29.5 ft) in width.

4.5.3 Notwithstanding anything else in this by-law, residential dwelling units are not permitted within a commercial building containing an automobile service station, a gas bar, or a car wash, or on the same lot as a gas bar or car wash unless the closest point of a building containing such a residential use is at least 90 m from the closest point of the gas bar or car wash.

4.6 BED AND BREAKFAST ESTABLISHMENT (B&B)

Within those zones where bed & breakfast establishments are permitted, such uses shall be in accordance with the provisions for such zones and shall also comply with the following regulations:

4.6.1 No more than 3 guests rooms shall be provided within a Class 1 B&B and no more than 6 guests rooms shall be provided within a Class 2 B&B.

4.6.2 Any exterior stairways required for a B&B shall be located in a side or rear yard.

4.6.3 All new B&B establishments shall comply with the requirements of this Zoning By-law, other local by-laws, and any applicable provincial regulations such as the Ontario Building Code and Fire Code, as amended.

4.6.4 A Bed and Breakfast Establishment existing on the date of passing of this by-law is deemed to comply with Sections 4.6.1 and 4.6.2.

4.7 BUFFER STRIP

In any zone where a buffer strip is required, it shall:

4.7.1 Have a minimum width throughout of not less than 1.5 m (4.9 ft).

4.7.2 Be located within and abutting the entire zone limit other than along a street line where such buffer strip is required.

4.7.3 Consist of a continuous un-pierced planting of trees, shrubs and other landscaping features, maintained at an ultimate height of not less than 1.8 m (5.9 ft).

4.7.4 Be kept free of all parking, buildings or structures except for a legal boundary partition and used only for the placement of trees, shrubs, similar vegetation and landscaping features.

4.7.5 Be landscaped and maintained by the owner of land on which such buffer strip is required.

4.7.6 Notwithstanding the above and subject to site plan approval, a solid fence, wall, or other landscaping feature of equivalent height may be considered in place of a continuous planting area. 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.

4.7.7 A buffer strip may be incorporated into a required side or rear yard but shall not be included in a sight triangle.

4.8 BUILDINGS OR STRUCTURES ERECTED PRIOR TO JANUARY 1, 1990

Where a building or structure was established prior to January 1, 1990, but does not meet the zone regulations applicable to said structure, excepting the use provisions, the said building or structure shall henceforth be deemed to comply with the zone regulations of this by-law. Enlargements, extensions, reconstructions, repairs or renovations to such buildings or structures shall be in accordance with Section 4.20.

4.9 COMMERCIAL KENNELS

Notwithstanding anything else in this by-law to the contrary, a commercial kennel as defined herein may be permitted upon any lands within the Agricultural Zone subject to compliance with the following regulations, which apply to all kennel buildings, structures and defined use areas including outdoor runs, pens or exercise yards.

a)	Minimum Lot Frontage:	120 m (393.7 feet)
b)	Minimum Lot Area:	6 ha (14.8 acres)
c)	Minimum Front Yard:	30 m (98.4 feet)
d)	Minimum Side Yard:	46 m (150.9 feet)
e)	Minimum Rear Yard:	46 m (150.9 feet)
f)	Minimum Separation Distances**:**	90 m (295.2 feet) from any residential, commercial, public or institutional building on an adjacent property or from the lot line of any other property containing a licensed kennel.

g) Kennels lawfully existing or licensed as of June 5, 2000 shall henceforth be deemed to be legal non-complying with regard to regulations 4.9 a) through f).

h) The provisions of Section 4.20 shall apply to enlargements, extensions, reconstructions or repairs to lawfully existing kennels.

4.10 DAY CARE CENTRE OR DAY NURSERY

Notwithstanding any other provision contained in this by-law, for all zones in which a Day Care Centre or Day Nursery is permitted the following shall apply:

4.10.1 Parking, driveway and aisleway areas shall be designed to accommodate traffic access to and from a day care centre in a forward motion only.

4.10.2 Where a day care centre is developed abutting any permitted residential use a solid, decorative 1.8 m (5.9 ft) high wood fence shall be erected along the lot line between the day care facility and residential use to reduce acoustic and visual impacts on the residential use.

4.11 DEVELOPMENT ON FULL SERVICES

4.11.1 Unless specifically provided for elsewhere in this by-law, no building shall be constructed within the corporate limits of the former Village of Elora or the former Town of Fergus unless serviced by municipal sewage collection facilities and municipal water supply, except that this provision shall not apply to any public use or utility which by its nature does not require such services.

4.11.2 On lands other than those described in Section 4.11.1, any new principal building or use must connect to municipal water services and/or municipal

sanitary services if such services are provided in a road allowance or municipal service corridor that abuts such a lot.

4.12 ENVIRONMENTAL PROTECTION (EP) ZONE, MUNICIPAL DRAIN AND WATERCOURSE SETBACKS

4.12.1 No building, structure, or private sewage treatment system shall be constructed closer than 30.0 m (98.4 ft) from the limit of an EP zone without the prior written approval of the Grand River Conservation Authority.

4.12.2 Interpretation of the limits of the EP zone boundaries is governed by regulations contained in Section 2.7 of this By-law. The location of the 30.0 m (98.4 ft) EP "setback" boundaries shall be adjusted accordingly in the event that the EP "zone" boundary is re-interpreted.

4.12.3 No building, structure, or private sewage treatment system shall be constructed closer than 30 m (98.4 ft) from the edge of an opened municipal drain or 15 m (49.2 ft) from the edge of an enclosed municipal drain.

4.12.4 No building or structure shall be constructed closer than 15 m (49.2 ft) to the top of the bank of any other watercourse that is not situated within the Environmental Protection Zone, or is not a municipal drain.

4.12.5 Notwithstanding any of the above provisions, where an EP Overlay abuts an EP Zone, the setbacks set out above may be waived or reduced if the prior written approval of the GRCA is obtained or if the requirements of the EP overlay are fulfilled.

4.12.6 Two Zone Floodplain Regulations

In addition to the zone provisions, where land is denoted on Schedule "A" to this by-law with a suffix (F), and new development or redevelopment within the area denoted by the (F) suffix are also subject to the following regulations:

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 aove 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; and

   d) safe access is provided.

2. Minor renovations/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.

   c) basements below the regulatory flood level shall not be converted to commercial space but may be used for storage.

5. A permit will be required from the Grand River Conservation Authority for all construction and placement or removal of fill occurring within the flood fringe, in addition to any other necessary permits or approvals such as a building permit or site plan approval.

6. Notwithstanding any uses permitted by the underlying Zone the following uses shall be prohibited in a C1 (F) Zone – Flood Fringe Area:

   a) an institutional use such as hospitals, long-term care facilities, retirement homes, pre-schools, school nurseries, child care centres and schools;

   b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations;

   c) enclosed parking structures;

   d) uses associated with the disposal, manufacturing, treatment or storage of hazardous substances.

4.13 FRONTAGE ON PUBLIC STREET

Unless otherwise specified by this By-law, no person shall erect any building or structure and no person shall use any building or structure, lot or parcel unless the lot or parcel to be so used, or upon which the building is situated or erected or proposed to be erected:

a) Abuts or fronts on a street which is assumed by by-law by a public authority for maintenance purposes; or,

b) Is being constructed pursuant to a Subdivision Agreement with a public authority; or,

c) Fronts on a year round maintained public street that was not established as a consequence of Registering a Plan of Subdivision; or,

d) Is a private street within a Plan of condominium that either provides direct access to a public street or which connects with other private streets within a Plan of Condominium or other Plans of Condominium to access a public street or original road allowance.

For the purposes of this By-law, the front lot line of a lot separated from a public street by a reserve or a Block of land owned by a public authority shall be deemed to abut such a public street.

4.14 GARBAGE AND REFUSE STORAGE

No garbage, refuse or compost shall be stored on any lot in any zone, other than an Agricultural zone, except within the principal building or any accessory building or structure on such lot or in a container or composter in a side yard or rear yard of such lot.

a) Every garbage, refuse and compost storage area required by this Bylaw, including any garbage loading or unloading area, which is visible from an adjoining site zoned Residential, Commercial, Environmental Protection, Institutional, or Open Space, or from a river or a public road, shall have a visual screen consisting of fencing at least 1.8 m (5.9 ft) in height.

b) A dumpster, garbage container or composter shall be regulated in the same manner as an accessory building or structure in the zone in which it is located.

c) A residential garbage container or composter in an R1 class or R2 class zone is exempt from the provisions of this Section.

4.15 GARDEN SUITES

Notwithstanding anything else in this by-law to the contrary, a garden suite may be located on a lot containing a single detached dwelling, subject to compliance with the following:

a) A garden suite used for the purpose of providing farm help accommodation is not permitted on a lot with an area of less than 10 ha (24.7 ac).

b) Driveway access shall be shared with the main dwelling. No new entrance from the street shall be created.

c) A garden suite shall be sited in accordance with the applicable provisions for buildings accessory to a dwelling, except that a garden suite is not permitted in front of the main front wall of the principal residence.

d) The maximum floor area of a garden suite shall be 186 m^2 (2,002 ft^2).

e) The maximum height of a garden suite shall be one storey and shall not exceed 4.5 m (14.8 ft)

f) A garden suite shall be located no less than 3 m (9.8 ft) and no more than 15 m (49.2 ft) from the main residence on the lot, and not less than 3.0 m (9.8 ft) from any building on an abutting property.

g) Only one garden suite may be established for each existing single detached residential unit on a lot.

h) All garden suites shall be provided with adequate water supply and an individual sewage disposal system.

i) Garden suites shall be established only by Temporary Use By-laws passed under the provisions of Section 39 of the Planning Act and shall be subject to a development agreement with the Municipality.

j) A garden suite that existed on December 31, 1998 and is subject to a development agreement that was in effect on December 31st, 1998 shall be permitted until May 1st, 2010, and shall be deemed to comply with this subsection.

4.16 GROUP HOMES

4.16.1 Permitted Group Homes

Group homes, as defined by this By-law and as specifically mentioned below, are considered appropriate residential uses and are permitted in any zone where a single detached dwelling is a permitted use.

- Approved Homes (psychiatric care)
- Homes for Special Care (psychiatric care)
- Supportive Housing Programs: Adult Community Mental Health Program
- Children's Residences (not including Young Offenders)
- Accommodation Services for the Developmentally Handicapped
- Satellite Residences for Seniors
- Support Service Living Units for Physically Handicapped Adults
- Halfway Houses for the Socially Disadvantaged, or
- Halfway Houses for Alcoholics.

4.16.2 Group Home Regulations

No land, building or structure shall be used and no building or structure shall be constructed, altered, enlarged or maintained for the purposes of a group home, unless in accordance with the regulations specified in that zone for the type of residential building in which the group home is to be established and in accordance with the following regulations:

a) A group home shall be separated by a minimum linear distance of 300 m (984.3 ft.) from another group home. This distance shall be measured at the closest points on the property lines of the two lots;

b) A group home shall provide a minimum of 1 parking space for every 2 beds or fraction thereof;

c) A group home shall have a minimum gross floor area of 18 m^2 (193.8 ft^2) for each resident 16 years of age or older, and 9 m^2 (96.9 ft^2) for each resident who is less than 16 years of age. For the purposes of this section, a group home resident includes staff and/or receiving family.

d) A group home shall provide a minimum common amenity area of 12 m^2 (129.1 ft^2) for each resident. For the purposes of this section, a group home resident includes staff and/or receiving family; and

e) Each group home shall be subject to all applicable Provincial and Municipal requirements.

4.16.3 Other Group Homes

Those group homes associated with provincial correctional facilities or federal penitentiaries, such as Halfway Houses for Ex-offenders or Community Resource Centres, are not permitted within any residential zone and may only be established by an amendment to this By-law.

4.17 HOME OCCUPATIONS

A home occupation is permitted within a dwelling unit by a permanent resident of said dwelling unit subject to the following requirements:

a) Subject to compliance with all other Township by-laws, a home occupation is permitted in any zone where a residential dwelling unit is a permitted principal use. A home occupation is an accessory use and may be established only when the principal residential use has been established.

b) Only two employees or assistants who are not a resident of the dwelling are permitted.

c) The maximum gross floor area devoted to a home occupation use shall be 30% of the gross floor area of the dwelling.

d) One visitors parking space and one employee parking space (where applicable) is required in addition to the required off street parking space for the dwelling

unit. Tandem parking spaces shall be permitted for the required parking for a home occupation use.

e) A home occupation may include the shipping or receiving of goods or materials by automobiles or delivery vans used by courier services, but shall not result in the parking or storage of commercial vehicles on adjacent streets, except temporary parking for pick-up and delivery.

f) There shall be no machinery or mechanical equipment used on premises in connection with a home occupation except that which is customarily used for household or office purposes.

g) No manufacturing activity involving the processing of raw or semi-processed material shall be carried out in conjunction with a home occupation except for the fabrication of handmade goods or crafts associated with an artisan studio and the assembly of fully processed goods.

h) A home occupation shall not in any way be offensive, obnoxious or dangerous to the neighbourhood or area by reason of light, heat, fumes, noise, vibration, gas, dust, smoke, fire, odour, air or water borne waste or pollution; or interference with radio or TV; or an increase in vehicular traffic due to frequency of deliveries by commercial carriers or patron parking.

i) The retail sale of goods, wares or merchandise is limited to those produced on the premises, or items accessory to a permitted home occupation use. Retail sales shall not occupy more than 25% of the floor area associated with the home occupation.

j) No external display or outdoor storage area of goods, materials or equipment or parking of commercial vehicles is permitted in conjunction with a home occupation.

k) A home occupation must be clearly incidental and secondary to the main residential use. No exterior alterations to the dwelling unit shall be permitted which will change the residential character of the building or premises.

l) Without limiting the generality of the above definition, a home occupation use may include the following: a personal service such as a barber, hairdresser, beautician, seamstress, dressmaker, tailor or photographer; a light repair service such as radio, television or appliance, but not including vehicle or equipment repair; an office for a trade such as a home builder or renovator; an office for a charitable organization; a workroom for a dressmaker or tailor, hair stylist or beautician, teacher of art, music, computer literacy or academic subject; a professional or occupation such as a doctor, lawyer, dentist, architect, planner, engineer, realtor, or insurance agent etc.; a craft such as pottery, weaving or needlework; an artisan studio. Notwithstanding the foregoing, a medical clinic or an adult entertainment establishment cannot be established as a home occupation.

4.18 HOME BUSINESS – TRADESPERSONS

A Home Business-Tradesperson is a specific permitted use in an Agricultural Zone. Where listed as a permitted use, Home Business - Tradesperson may be permitted within a single detached dwelling. A Home Business - Tradespersons includes individuals employed in the building trades, including bricklayers and stonemasons; carpenters and joiners; electricians; lathers; painters; decorators and paper-hangers; plasterers; plumbers and steamfitters; sheet metal workers; general contractors; flooring and carpet layers or home decorators or other similar trades which provide an installation service but does not include the wholesale or retail sale of construction materials or supplies, home improvement supplies or a personal service shop, contractors yard or retail store as defined herein, provided that:

a) The Home Business – Tradespersons shall be clearly secondary to the principal use of the lot and/or building;

b) The said dwelling is occupied as a residence by the tradesperson;

c) There shall not be more than two assistants who are not a resident in the dwelling operating the business from the property;

d) An accessory building to the residence may be used for the storage of equipment, vehicles and supplies, provided that not more than 100 m^2 (1,076 ft^2) of floor area shall be devoted to such use.

e) The amount of the dwelling's total floor area utilized by the home business for office space shall not exceed 30% of the dwelling's total floor area;

f) There is no outdoor storage of goods or materials, including heavy equipment such as excavation machinery, or any vehicles not licensed for the road;

g) Home Business – Trades Persons shall not include the retail sales of building or construction supplies nor automobile, small engine or machinery repair; and

h) The home business shall not create or become a nuisance in regard to noise, odours, vibrations, traffic generated or parking.

i) Nothing in these provisions shall apply to prohibit a tradesperson from operating an office in a residence in accordance with the provisions of Section 4.17 – Home Occupation.

4.19 LEGAL NON-COMPLYING BUILDINGS OR STRUCTURES

Where a building or structure was legally established prior to the date of passing of this By-law, and the use of such building or structure complies with the provisions of the zone in which such building or structure is located, but does not meet the zone provisions with respect to yards, lot area, frontage, parking, set back, or any other provisions of this By-law applicable to that zone, the said building or structure may be enlarged, extended, reconstructed, repaired or renovated provided that:

a) The enlargement, extension, reconstruction, repair or renovation does not further reduce the compliance of that use, building or structure with the provisions of the By-law to which it does not comply; and,

b) All other applicable provisions of this By-law are complied with.

c) Where the acquisition of land by a public authority results in a reduction in lot regulations to a condition that is less than otherwise required, nothing in this by-law shall apply to prevent the continued use of the lot and such lot and any deficiency in respect of the lot regulations shall be deemed to be legal non-complying and the provisions of a) and b) shall apply.

4.20 LEGAL NON-COMPLYING LOTS

Where an existing lot has at least 6 m (19.8 feet) of frontage abutting a public street, but does not otherwise comply with the minimum lot area or minimum lot frontage requirements of this by-law, such lot may be used and a building or structure may be constructed, altered or used on such an undersized lot provided all other requirements of this By-law are complied with.

The same provisions shall apply to a lot that has been reduced in area or frontage by the acquisition of land by an authority having power of expropriation.

4.21 LEGAL NON-CONFORMING USES

4.21.1 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 established and used for such purpose on the date of passing of this By-law, and provided that it continues to be used for that purpose.

4.21.2 Nothing in this By-law shall prevent the construction or use of any building or structure for a purpose prohibited by this By-law the plans for which have, prior to the date of passing of this By-law, been approved by the Chief Building Official, so long as the building or structure when erected is used and continues to be used for the purpose for which it was constructed and provided that such construction is commenced within six months after the date of passing of this By-law, and such building or structure is completed within a reasonable time after the construction is commenced.

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

4.21.4 A non-conforming building fully or partially destroyed by fire, flood or other natural force may be restored and reconstructed on the same lot provided the yard depths existing at the time prior to the destruction are maintained or are not reduced to a depth lesser than required by this By-law.

4.22 MAXIMUM BUILDING HEIGHT

Unless otherwise stated by a specific zone provision, no buildings shall exceed four storeys or 15 m (49.2 ft) in height. Notwithstanding the above, the height regulations of this By-law shall not apply to any air conditioning duct, barn, silo, grain handling equipment, ornamental dome, chimney, communications tower, cupola, steeple,

church spire, water storage tank, elevator enclosure, flag pole, skylight, solar collector, clock towers, ventilators, antennae, radio, television or satellite receiving or transmitting equipment, or any accessory mechanical appurtenances. Such features, however, shall be erected only to such height as is necessary to accomplish the purpose they are to serve. Maximum height limits may be established for Wind Energy Systems and Wind Testing Towers elsewhere in this by-law.

4.23 MINIMUM DISTANCE SEPARATION - MDS I AND II

4.23.1 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) setback from a livestock facility, calculated using the Formulas published by the Ontario Ministry of Agricultural, Food and Rural Affairs (OMAFRA), as may be amended from time to time.

4.23.2 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) setback, calculated using the Formulas published by the Ontario Ministry of Agricultural, Food and Rural Affairs (OMAFRA), as may be amended from time to time. 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.

4.24 OCCASIONAL USE

Notwithstanding anything else in this by-law, an occasional use as defined herein is a permitted use in any zone, subject to the following:

4.24.1 Every occasional use shall only occur for a maximum duration of 28 days in any single year.

4.24.2 No occasional use shall be offensive to any area resident by way of the emission of light, heat, fumes, noise, vibration, gas, dust, odour or pollution of any kind.

4.24.3 A maximum of 3 garage sales are permitted to be conducted on any given property in any 1 calendar year and each separate sale shall be limited to a maximum duration of 2 consecutive days.

4.25 ONE MAIN BUILDING PER LOT

No more than one main building shall be constructed on a lot except for the following:

4.25.1 Permitted buildings within an agricultural, commercial, institutional, recreational/open space or industrial zone; and,

4.25.2 A cluster of residential buildings located within a multiple residential zone.

4.26 ONE OR MORE PERMITTED USES PER LOT

Where one or more uses are permitted in any zone, land may be used and buildings may be constructed and used thereon for one or more uses so permitted, provided the requirements of this By-law are satisfied for each such use.

4.27 OUTDOOR SALES AND DISPLAY AREAS

Unless otherwise provided in this By-law, in any zone where an outdoor display area is permitted, such area shall:

4.27.1 Not comprise more than 35% of the total lot area.

4.27.2 Not obstruct or occupy any required parking area.

4.27.3 Be constructed of a stable surface and treated to prevent erosion and the escape of dust and loose particles. Surface cover may consist of asphalt, approved granular material, paving brick, concrete or similar hard-surfaced material.

4.27.4 Be graded and drained so as to prevent the pooling of surface water on them or the flow of surface water onto adjacent lots.

4.27.5 Contain a minimum 1.5 m (4.9 ft) landscaped area between the outdoor display area and any road other than areas used for access to the property.

4.28 OUTDOOR STORAGE AREAS

Unless otherwise provided in this By-law, in any zone where an outdoor storage area is permitted, such outdoor storage area shall not be located in a required front yard and if located in front of the front wall of the main building shall be screened from the street by a Buffer Strip in accordance with the provisions of this By-law.

4.29 OUTDOOR SWIMMING POOLS

Nothing in this By-law shall apply to prevent the use of land or the erection, location or use of a building or structure for the purposes of an outdoor swimming pool as a use accessory to a permitted use on the same lot. An outdoor swimming pool shall be located or erected in accordance with the following:

4.29.1 No outdoor swimming pool shall be located in any part of a required front or exterior side yard;

4.29.2 An outdoor in-ground swimming pool with related structures or equipment of less than 0.15 m (0.5 ft) in height above finished grade, shall not be located within 0.6 m (2 ft) of any lot line;

4.29.3 An outdoor above-ground swimming pool or an outdoor in-ground swimming pool with related structures or equipment of greater height than 0.15 m (0.5 ft)

above finished grade, shall not be located within 1.2 m (4 ft) of any lot line; and

4.29.4 Despite section 4.30.3, the maximum outdoor swimming pool height is 2 m (6.6 ft) above finished grade, excluding related structures and equipment which shall not exceed 3.6 m (11.8 ft) above finished grade

4.29.5 Any accessory buildings used in conjunction with an outdoor swimming pool such as a change rooms, a cabana, a mechanical building, or a sauna shall comply with Section 4.2 Accessory Buildings or Structures.

4.30 RENEWABLE ENERGY DEVICES

The following provisions shall apply to sources of renewable energy devices:

4.30.1 Provisions Applicable to All Renewable Energy Sources

4.30.1.1 The production of renewable energy and any device used to produce the energy comply with all municipal, provincial and federal, bylaws, statutes and regulations

4.30.1.2 The distribution of renewable energy using wires or pipes shall be permitted uses in all zones, provided the energy source complies with this by-law and the distribution of the energy produced complies with all municipal, provincial and federal, by-laws, statutes and regulations.

4.30.2 Solar Energy Devices **(This section has been superseded by O. Reg. 359/09 made under the *Environmental Protection Act*)**

The production of renewable energy from a solar energy device shall be a permitted use in all zones, provided that:

4.30.2.1 The solar energy device is located on a lot that also contains a main or principal use that is permitted on the lot by the provisions of this bylaw, and the solar energy device is primarily used to generate heat or power for on-site use and not for commercial generation or distribution.

4.30.2.2 Where a solar energy device is located on a building, such device shall comply with the provisions applicable to the building on which it is located.

4.30.2.3 In a Residential or Agricultural Zone, where a solar energy device is not located on a building, such device shall be subject to the applicable zoning requirements governing an accessory building or structure on the lot.

4.30.2.4 In a Zone other than a Residential or Agricultural Zone, a solar energy device that is not located on a building shall only be located

in accordance with the requirements applying to a main building in such Zone.

4.30.3 Geothermal Energy Devices

Geothermal energy devices shall be a permitted use in all zones, provided that:

4.30.3.1 The geothermal energy device is located on a lot that also contains a main or principal use that is permitted on the lot by the provisions of this bylaw.

4.30.3.2 Any above-ground part of any geothermal energy device shall be subject to the applicable zoning requirements governing an accessory building or structure on the lot.

4.30.4 Anaerobic Digestion System (Biogas) **(This section has been superseded by O. Reg. 359/09 made under the *Environmental Protection Act*)**

The production of renewable energy from an anaerobic digestion (AD) system shall be a permitted use on a farm with an area of 10 ha or more in an Agricultural Zone, provided that:

4.30.4.1 The system runs on agricultural or non-agricultural feedstocks, and the energy output of the system is used to run the farm operation; or the AD system treats the farm's own by-products such as manure, bedding straw, waste feed, grain cleanings and horticultural by-products.

4.30.4.2 All parts of an AD system must comply with the zoning provisions applicable to agricultural buildings or structures on the lot;

4.30.4.3 The AD system must comply with applicable MDS requirements.

4.30.4.4 The AD system must occupy an area of no greater than 1 ha.

4.30.5 Wind Energy Systems **(This section has been superseded by O. Reg. 359/09 made under the *Environmental Protection Act*)**

The production of renewable energy from a Wind Energy System shall be governed by Sections 4.42, 4.43 and 4.44 of this By-law.

4.31 RESIDENTIAL SETBACKS FROM A SEWAGE TREATMENT PLANT

No new residential dwellings shall be constructed within 100 m (328 ft) of any sewage treatment plant.

4.32 RESTAURANT OUTDOOR PATIOS

Despite any other provisions of this By-law, the following shall apply to an Outdoor Patio of a Restaurant or Tavern:

4.32.1 Capacity

No outdoor patio shall accommodate more than 50% of the licensed capacity of the restaurant or tavern with which the patio is associated, or 70 persons, whichever is lesser.

4.32.2 Location

a) No outdoor patio shall be permitted where more than 1 lot line adjoins lands which are in a residential zone.

b) Despite Section 4.33.2.a), except in the C1 Zone, where only the rear lot line adjoins a residential zone, an outdoor patio shall be permitted in the front yard or exterior side yard provided it is a minimum of 3 m (9.8 ft) away from the street.

c) Despite Section 4.33.2.a), except in the C1 zone, where only the side lot line adjoins a residential zone, an outdoor patio shall be permitted if it is located in the side yard or exterior side yard which is not adjacent to a residential zone.

d) No outdoor patio shall be located above the first storey floor elevation of the main building where the outdoor patio adjoins a residential zone unless the outdoor patio is a distance of at least 30 m (98.4 ft) or more away from the boundary of the residential zone.

e) Every outdoor patio shall be located a minimum of 3 m (9.8 ft) away from any loading space, parking space, parking aisle or driveway.

f) Where permitted, outdoor patios shall be permitted within the building envelope of the development on the site.

4.32.3 Boundary Definition

The limits of every Restaurant Outdoor Patio shall be defined by a wall or fence with a minimum height of 0.8 m (2.6 ft) above the patio floor.

4.33 SALES OUTLET FOR AGRICULTURAL PRODUCTS

Within those zones where a sales outlet for agricultural products is permitted, such use shall be in accordance with the provisions for such zones, except as otherwise required below:

a) The sales outlet is clearly secondary to the primary use of the property;

b) The goods being offered for sale must have been produced on the same property, or on another property or properties within the owner's holdings;

c) The floor area devoted to the sale of agricultural products shall not exceed 50 m^2 (538 ft^2);

d) A sales outlet with a gross floor area of 25 m^2 (269 ft^2) or less, and that is designed and constructed to be temporary or movable is permitted to have a front yard setback or exterior side yard setback of at least 7.5 m (24.9 ft), and a side yard setback of at least 6 m (19.7 ft). Permanent produce stands shall meet the applicable yard setback requirements for the zone.

e) One off-street parking space shall be provided for every 25 m^2 (269 ft^2) of gross floor area or part thereof.

4.34 SETBACK WHERE DETERMINED BY PRIOR CONSTRUCTION

Notwithstanding anything else in this By-law, in any zone, a new structure or an addition to an existing structure may be erected with a setback that is less than that otherwise required by this by-law, subject to the following:

a) If the average setback of existing principal buildings on the same block face is less than that otherwise required by this by-law, then a new building or an addition to an existing building may be erected with a setback that is equal to the average setback of existing buildings on the same block face, provided the setback shall not be less than 3 m (9.8 ft) from any street line and the minimum setback to the front face of a garage shall be at least 6 m (19.7 ft)

b) Where a block face cannot readily be determined, if the smallest setback of the nearest adjacent existing principal buildings on the same side of the street that are no more than 120 m (393.7 ft) apart is less than that otherwise required by this by-law, then a new building or an addition to an existing building may be erected with a setback that is equal to the lowest setback of the adjacent buildings, provided the setback shall not be less than 3.0 m (9.8 ft) from the front lot line and the setback to the front face of a garage is 6.0 m (19.7 ft) from the front lot line.

4.35 SIGHT TRIANGLE

On every corner lot, except within the C1 zone, a sight triangle shall be observed, in accordance with the following:

4.35.1 The sight triangle is determined by measuring the following distances in each direction from the intersection of the front and exterior side lot lines and connecting these points to form a triangle:

a) 9.0 m (29.5 ft) along an arterial or collector road;
b) 7.5 m (24.6 ft) along a local street.

4.35.2 No obstruction to sitelines shall be permitted within the sight triangle, including the erection of any building or structure, the planting of any trees or shrubs, or the placement of any other object with an ultimate height greater than 1.0 metre above the top of the road surface of the abutting street.

4.35.3 Where a corner site triangle has been or will be conveyed to the Township, the sight triangle is deemed not to exist for the purposes of determining the minimum lot frontage, lot depth or lot area.

4.35.4 Where a corner site triangle has been or will be conveyed to the Township in the creation of a new lot, the sight triangle is considered part of the lot for the purposes of determining the minimum setbacks from a front lot line or an exterior side lot line, except that no building or structure can be erected within the sight triangle. The hypotenuse of the corner site triangle is not considered to be a front lot line or an exterior side lot line for the purposes of determining minimum setbacks for buildings or structures.

4.36 STREET SETBACK ADDITIONS

Where the regulations of a Zone include a requirement that the minimum yard of a lot or parcel of land shall be a specific number of metres *"plus any applicable distance as specified in Section 4.36"*, such applicable distance shall be either:

a) 18 m (59.0 ft) for Provincial Highways, or
b) 15 m (49.2 ft) for Wellington County Roads, or
c) 10 m (32.8 ft) for all Township of Centre Wellington Roads

and this applicable distance shall be measured at right angles to the centreline of the street allowance abutting such yard and commencing from the centreline in the direction of the applicable yard or such lot or parcel of land.

4.37 TEMPORARY CONSTRUCTION-RELATED USES

Temporary uses are permitted in association with a construction or development project in accordance with the following:

4.37.1 Temporary Sales/Customer Service Offices

4.37.1.1 A temporary building or trailer for conducting sales of new dwelling units is permitted in any Zone provided the sales building or trailer is located within a development site. The sales building or trailer shall be setback 30 metres from the lot line of any existing residential use abutting the development site and parking areas associated with the sales building or trailer shall be setback 6 m from any existing residential use abutting the development site.

4.37.1.2 Notwithstanding anything else in this by-law to the contrary, parking areas for temporary sales and customer service offices may have a granular surface.

4.37.2 Temporary Construction Office

4.37.2.1 A temporary construction camp and/or office, tool shed, scaffold or other such building or such temporary facility which is incidental to construction and provided it is located on the site where such work is underway and provided that it shall be removed from the site within 60 days of completing or terminating the work.

4.37.2.2 Notwithstanding anything else in this by-law to the contrary, parking areas for temporary construction offices may have a granular surface.

4.37.3 Temporary Residence During Construction

4.37.3.1 A mobile home may be located and used as a temporary residence in an Agricultural A Zone for a period of time not to exceed 12 months during the construction of a new single detached dwelling on the same lot, provided all requirements of the Chief Building Official are satisfied, including the provision of adequate sewage disposal and water supply, and the posting of sufficient securities to ensure the removal of the temporary dwelling.

4.37.3.2 Where a new single detached dwelling is being constructed to replace an existing single detached dwelling on the same lot in an Agricultural A Zone, the existing dwelling may continue to be used during the construction of the new residence for a period not to exceed 60 days after the new dwelling is occupied, provided all requirements of the Chief Building Official are satisfied, including the provision of adequate sewage disposal and water supply, and the posting of sufficient securities to ensure the removal of the temporary dwelling.

4.38 USES PERMITTED IN ALL ZONES

Nothing in this By-Law shall apply to prevent or otherwise restrict in any way any of the following:

4.38.1 The use of land for a street or a public highway, including any installations, structures appurtenant thereto, or as a site for a public memorial or ornamental structure including, but not so as to limit the generality of the foregoing, a statue, a monument, a cenotaph or a fountain.

4.38.2 The installation or maintenance of a water-main, well, 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.

4.38.3 Private home day care wherever a residence is permitted.

4.38.4 Trail corridors established by a public authority shall be permitted in any zone and may include parking, shelters, signage, hard surface pathways and lighting.

4.38.5 Parking areas

4.38.6 A parking lot operated by a public authority.

4.38.7 A public park.

4.39 USES RESTRICTED IN ALL ZONES

The following uses are not permitted within the Township of Centre Wellington, either alone or in conjunction with other uses, unless such use is specifically permitted by the provisions of a particular zoning designation within this By-law:

a) an abattoir, stockyard, livestock exchange, or dead stock depot;

b) an adult entertainment establishment;

c) an amusement arcade;

d) a track or course for the racing and/or testing of automobiles, motorcycles, dirt bikes, snowmobiles or any other motorized vehicles;

e) a disposal site for wastes;

f) a wrecking or salvage yard;

g) a food and/or meat processing plant;

h) a trailer, motor home or other recreational vehicle used for human habitation other than for temporary accommodation in a permitted trailer park or campground;

i) the locating or storing on any land for any purpose whatsoever any disused railroad car, street car body, truck body, or a trailer without wheels, whether or not the same is situated on a foundation;

j) the establishment of pits and quarries, asphalt plants or concrete plants;

k) the boiling of blood, tripe, bones or soaps for commercial purposes;

l) the extracting of oil from fish;

m) the tanning or storage of uncured hides or skins;

n) the manufacturing of glue or fertilizers from dead animals or from human or animal waste;

o) the refining, storage or use in manufacturing of coal oil, rock oil, fuel, oil, natural gas, propane, burning fluids, naphtha, benzol, benzine, gasoline, dynamite, nitro-glycerine, gun powder, petroleum or any other combustible, inflammable, volatile or otherwise dangerous liquids, gasses or solid materials except where specifically permitted hereby or in conjunction with a permitted industrial use and unless such substances are protected by adequate fire fighting and fire prevention equipment and by such safety devices as are generally employed in the handling of such substances and provided that such substances are kept removed from adjacent uses to a distance which is compatible with the potential danger involved, except that this provision shall not apply to prevent the above ground storage of such substances by a farmer, where such storage is incidental and accessory to an agricultural use, or the use of natural gas, propane or fuel oil for

domestic purposes, such as heating and cooking, in conjunction with a residential use;

p) any use which causes the emission of corrosive gasses, toxic gasses or radioactive gasses or, electromagnetic fields, heat, glare, non agricultural odours, noise, vibrations, dust, dirt, or smoke which does not comply with emission regulations as may be established by the Province of Ontario, the Government of Canada, or any agencies thereof.

4.40 SOURCE PROTECTION SCREENING AREAS

Within the Source Protection Screening Areas Overlay shown on Schedule “B”, any use that is, or would be, a significant drinking water threat is required to conform with all applicable Grand River Source Protection Plan policies and, as such, may be prohibited, restricted, or otherwise regulated by that Source Protection Plan.

4.41 WIND ENERGY SYSTEM, LARGE (This section has been superseded by O. Reg. 359/09 made under the *Environmental Protection Act*)

All large wind energy system developments in the Township of Centre Wellington require their own amendments to this by-law to permit and regulate their use. A separate zoning amendment shall be required for each, individual property being placed into an Agriculture - Wind (AW) Zone. Where a zoning by-law amendment is approved to permit a Large Wind Energy System development, the zone will have the "Holding" symbol "H" affixed to it until Council is satisfied that all associated processes, protocols and agreements deemed necessary are in place. All wind farms are subject to site plan control.

All new uses established in proximity to large wind energy systems shall comply with the separation distances set out in Section 6.2.2 of this by-law.

4.42 WIND ENERGY SYSTEM, MICRO (This section has been superseded by O. Reg. 359/09 made under the *Environmental Protection Act*)

Where a zone permits a micro wind energy system, the following regulations shall apply:

Minimum Wind Turbine Setback from a Lot Line	a) No turbine base shall be closer to the lot line of an abutting property or an open road allowance than the Wind Turbine Height. b) No guy or anchor shall be located within 3 m (9.8 ft) of the lot line of an abutting property.
Maximum Wind Turbine Height	20 m (65.6 ft)
Signs/Advertising/Logos	Advertising, signs or logos other than the manufacturer’s nameplate are prohibited.

4.43 WIND ENERGY SYSTEM, SMALL (This section has been superseded by O. Reg. 359/09 made under the *Environmental Protection Act*)

Where a zone permits a small wind energy system, the following regulations shall apply:

Minimum Wind Turbine Setback from a Lot Line	a) No turbine base shall be closer to the lot line of an abutting property or an open road allowance than 1.1 times the Wind Turbine Height. b) No guy or anchor shall be located within 3 m (9.8 ft) of the lot line of an abutting property. c) Notwithstanding the foregoing, if two abutting farms agree in writing to share a wind turbine, the minimum setbacks from lot lines do not apply.
Maximum Wind Turbine Height	70 m
Signs/Advertising/Logos	Advertising, signs or logos other than the manufacturer's nameplate are prohibited.
Minimum Wind Turbine Setback from a Sensitive Land Use on Another Non-Participatory Property	200 m

4.44 YARD PROJECTIONS

Required Yards shall not be obstructed in any manner whatsoever, except in accordance with Table 4C. Section 4.35 Sight Triangle prevails in the event of a conflict with Section 4.44.

TABLE 4C PERMITTED YARD PROJECTIONS			
Type Of Structure	**Required Yard**	**Maximum Projection Into Required Yard**	**Minimum Setback from Lot Line**
Uncovered Porch or Ground Oriented Amenity Area (Deck) That Is Not More Than 1.2 m Above Finished Grade	Front And Exterior Side Yards	3 m (9.8 ft)	0.8 m (2.6 ft)
	Side Yard	No Maximum	0.6 m (2 ft)
	Rear Yard	No Maximum	0.6 m (2 ft)
Uncovered Porch That Is More Than 1.2 Metres Above Finished Grade But Not Exceeding The Height Of The Main Floor/Entry Level.	Front And Exterior Side Yards	3 m (9.8 ft)	0.8 m (2.6 ft)
	Side Yard	2 m (6.6 ft)	0.8 m (2.6 ft)
	Rear Yard	No Maximum	0.8 m (2.6 ft)

Covered and Unenclosed Porch Not Exceeding 1 Storey in Height	Front and Exterior Side Yards	2.4 m (7.9 ft)	2 m (6.6 ft)
	Side Yard	Not permitted	1.2 m (3.9 ft)
	Rear Yard	5 m (16.4 ft)	2 m (6.6 ft)
Cold Cellar	Front and Exterior Side Yards	3 m (9.8 ft)	n/a
Fire Escapes Exterior Stair Cases	Side Yard	1.2 m (3.9 ft)	0.8 m (2.6 ft)
	Rear Yard	1.5 m (4.9 ft)	0.8 m (2.6 ft)
Canopies and Awnings Above Doors and Windows	All Yards	1.8 m (5.9 ft)	0.5 m (1.6 ft)
Balconies	All Yards	2.4 m (7.9 ft)	2 m (6.6 ft)
Belt Courses, Sills, Cornices, Chimney Breasts and Eaves	All Yards	0.8 m (2.6 ft)	n/a
Barrier Free Access Ramps	Front and Exterior Side Yards	No Maximum	0.8 m (2.6 ft)
	Side and Rear Yards	No Maximum	0.6 m (2 ft)
Window Bays	Any Yard	1.0 m (3.3 ft)	0.6 m (2 ft)
Steps	Any Yard	0.6 m (2 ft)	0.6 m (2 ft)

5.0 PARKING AND LOADING SPACE PROVISIONS

5.1 STACKING LANES - DRIVE THROUGH SERVICE FACILITIES

Where drive through service facilities are permitted, stacking lanes are required and shall be exclusive of any other parking space and aisle requirements contained within this By-law, and shall be provided in accordance with the following provisions:

5.1.1 The minimum stacking space requirements within a designated queuing lane shall be as follows:

Type of Drive Through	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
Financial Institution or Automated Teller	3	1
Drive-Through Restaurant	10	2
Gas Bar	3	1
Automobile Wash or Car Wash	10	2
All Other Drive Through Service Facilities	3	1

a) Ingress spaces shall be located before the first point of contact.
b) Egress spaces shall be located between the ingress space and the final point of contact.
c) The stacking lane associated with the drive through service use shall be the total number of required ingress spaces and egress spaces.

5.1.2 Where multiple stacking lanes are required on a lot, the stacking space requirements shall be provided for each individual stacking lane in compliance with the provisions of this section.

5.1.3 All stacking spaces shall be rectangular in shape, with a minimum length of 6.0 metres (19.7 ft) and a width of 3.0 m (9.8 ft).

5.1.4 Stacking lanes and all order boxes using voice communication to order shall be located no closer than 15 m (49.2 ft) from any street line. Notwithstanding the foregoing, no part of any drive-through service facility, including a kiosk, order box, stacking lane, or menu board shall be located within 30 m (98.4 ft) of the limits of a Residential zone.

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

5.2 LOADING SPACES

Any lot, building or structure used or erected for any purpose involving the receiving, shipping, loading or unloading of goods, wares, merchandise or raw materials, other than on a farm, shall on the same lot provide facilities comprising one or more loading spaces in accordance with the following regulations:

5.2.1 A loading space shall be 15 m (49.2 ft) long, 3.6 m (11.8 ft) wide and have a minimum vertical clearance of 4.3 m (14.1 ft).

5.2.2 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.

5.2.3 All loading spaces and driveways providing access thereto, shall be constructed of a stable surface and treated to prevent erosion and the escape of dust and loose particles. Surface cover may consist of asphalt, approved granular material, paving brick, concrete or similar hard-surfaced materials.

5.2.4 All loading spaces and driveways, 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.

5.2.5 Each loading space shall be provided with one or more unobstructed driveways of not less than 3.6 metres (11.8 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.

5.2.6 Loading spaces shall be provided in accordance with the following table:

Gross Floor Area of Building or Structure	**Minimum Number of Loading Spaces Required**
Less than 464.5 m^2 (5,000 ft^2)	0 space
464.5 m^2 (5,000 ft^2) to 929.0 m^2 (10,000 ft^2)	1 space
Each additional 929.0 m^2 (10,000 ft^2) or portion thereof	1 additional space

5.2.7 Notwithstanding the loading space regulations herein, any use, building or structure that was lawfully established prior to the passing of this By-law, shall not be subject to the above provisions so long as the floor area as existed at such date is not increased. Any subsequent alteration to the building or structure, which increases the floor area, shall necessitate the number of loading spaces that is required for such addition or change in use.

5.2.8 Unless otherwise provided in this By-law, the Loading Regulations of this Section do not apply to land within a C1 Zone.

5.3 RESIDENTIAL PARKING

No land shall be used and no building or structure shall be used or erected in any Residential Zone unless off-street parking is provided and maintained in accordance with the following regulations. Unless otherwise specified in this by-law, every off-street parking area shall be located on the same lot as the use requiring the parking.

5.3.1 Residential Zone Parking

Despite any yard provisions of this By-law to the contrary, on a lot zoned Residential, a parking area shall be permitted in accordance with the following:

5.3.1.1 The minimum interior dimensions of any garage shall be 3m (9.8 ft) by 6m (19.7ft).

5.3.1.2 All off-street parking in the front yard and exterior side yard shall be confined to the driveway area.

5.3.1.3 No motor vehicle, excluding an automobile, a recreational vehicle or a school bus, shall be parked in a Residential Zone when such vehicle exceeds a gross vehicle weight of 4 500kg (9920 lbs), and has a height measured from the ground to the highest part of the driver's cab or the delivery body in excess of 3.2m (10.5 ft, or a length measured from bumper to bumper in excess of 9.14m (30ft).

5.3.1.4 The provisions of section 5.4 shall apply to any residential parking area that is required by this by-law to provide 4 or more off-street parking spaces.

5.3.2 Parking of Recreational or Utility Vehicles in A Residential Zone

No person shall, within any Residential Zone, use any lot for the parking or storage of a motor home, boat, travel trailer, tent trailer, snowmobile, all-terrain vehicle, unmounted truck camper, or accessory trailer except in accordance with the following:

5.3.2.1 The owner or occupant of any lot or building shall not store or park more than three of the vehicles listed above.

5.3.2.2 The storing or parking of vehicles listed in 5.3.2 shall only be permitted in a carport or driveway, but not in a required front yard.

5.3.2.3 Notwithstanding the provisions of 5.3.2.1, the limitations imposed therein shall not restrict the number of vehicles that are fully enclosed within a garage or accessory building provided that such vehicles are owned by the occupant of such lot.

5.4 NON-RESIDENTIAL USE OR ZONE PARKING

5.4.1 Parking areas may be located within any yard provided that no part of a parking space is located closer than 3 m (9.8 ft) to any street line, or closer than 1.5 m (4.9 ft) to any other lot line.

5.4.2 Every off-street parking area shall be provided with adequate means of ingress and egress to and from a street or lane and shall not interfere with the normal public use of a street. Parking areas shall provide for ingress and egress of vehicles to and from a street in a forward motion only.

5.4.3 The surface of every parking area, parking space and driveway shall be constructed of a stable surface and treated to prevent erosion and the escape of dust and loose particles. Surface cover shall consist of asphalt, approved granular material, paving brick, concrete or other similar hard surface material.

{Note(does not form part of by-law): The Township may adopt development standards to be imposed during subdivision or site plan approval that require all or part of a parking area to be hard surfaced}.

5.4.4 Every above-ground structure containing a parking area shall conform to the provisions applying to a main building for the Zone where such structure is located.

5.4.5 Nothing in this by-law shall prevent the location of an underground parking area in any part of a required side yard or rear yard on a lot provided such underground parking area is not within 1.5 m (4.9 ft) of a lot line.

5.5 OFF-STREET PARKING CALCULATION

5.5.1 Except as provided for in Section 5.3.1.5, parking spaces shall not be less than 2.75 m (9 ft) in width nor less than 5.5 m (18 ft) in length and the number of required parking spaces shall be determined in accordance with the following table:

TABLE 5A OFF-STREET PARKING REQUIREMENTS	
Type of Use	**Number of Required Off-Street Parking Spaces (GLA=Gross Leasable Area)**
Residential Uses	
Single detached dwelling Semi-detached dwelling Duplex dwelling Triplex dwelling Fourplex A Street Townhouse dwelling where each such unit has a parking space accessed by a driveway which crosses a public street	1 space per dwelling unit
A Cluster Townhouse dwelling	1.0 space per dwelling unit plus 0.5 spaces per unit for the first 20 units and 0.25 spaces per unit for each additional unit. A minimum of 50% of the additional parking spaces shall be devoted exclusively to visitor parking

An Apartment Dwelling A Stacked Townhouse Dwelling	1.0 space per dwelling unit plus 0.5 spaces per unit for the first 20 units and 0.25 spaces per unit for each additional unit. A minimum of 50% of the additional parking spaces shall be devoted exclusively to visitor parking
Dwelling Unit Above a Ground Floor Commercial Use	1 space per dwelling unit
Additional Residential Unit	1 space per additional residential dwelling unit
Bed and Breakfast Establishments	1 parking space for each room or suite used for the purposes of lodging for the travelling public, in addition to the required parking for the dwelling unit
Group Homes	1 parking space for every staff member on-site from 11 p.m. to 6 a.m., in addition to the required parking for the dwelling unit
Private Home Daycare	No requirement
Non-Residential Uses	
Adult Entertainment Establishment	The greater of: 1 space per 4 person capacity; or, 1 space per 10 m^2 (107 ft^2) GLA
Gas Bar	1 parking space for every 45 m^2 (484 ft^2) GLA devoted to accessory retail sales
Automobile Sales and Service	1 space per 25 m^2 (269 ft^2) GLA or a minimum of 2 spaces, whichever is greater
Business or Professional Office	1 space per 30 m^2 (323 ft^2) GLA
Automobile Wash Automatic Wash Manual Wash	 1 space plus 6 waiting spaces per wash bay 1 space plus 3 waiting spaces per wash bay
Automobile Body Repair and Painting Automobile Service Station	3 spaces per service bay
Church Assembly Hall Banquet Hall Place of Entertainment Auditorium Arena Community Centre Private or Commercial Club Commercial Recreation	The greater of: 1 space per 4 person capacity; or, 1 space per 10 m^2 (107 ft^2) GLA

Any Commercial Uses not otherwise specified	1 space per 30 m^2 (323 ft^2) GLA
Day Care Centre Day Nursery	2 spaces + 1 space per 10 children capacity
Financial Establishment	1 space per 15 m^2 (161ft^2) GLA
Funeral Home	The greater of: 1 space per 7 person seating capacity, or 30 spaces for the first 93 m^2 (1,001 ft^2) GLA plus 1 space for each additional 20 m^2 (215 ft^2) of GLA
Garden Centre Commercial Greenhouse Nursery	*Interior Retail* – 1 space per 20 m^2 (215 ft^2) GLA for building *Outdoor Retail* – 1 space per 50 m^2 (538 ft^2) GLA for outdoor sales and display area
Golf Course	12 spaces per hole
Golf Driving Range Miniature Golf Course	1.5 spaces per tee
Home Occupation Farm Business	1 space for the residence plus 1 space for each non-resident employee
Hospital	3 parking spaces for every four beds
Nursing Home Home for the Aged	1 space per 2 beds
Retirement Residence	1 space for every 2 dwelling units/suites
Hotel / Motel	1 space per guest room plus 1 space per 10 m^2 (107 ft^2) GLA of accessory services accessible to the public (i.e. restaurants, meeting facilities)
Industrial Use	For the first 1000m^2 (10,764 ft^2), 1 parking space for each 30 m^2 (323 ft^2) GLA For additional floor area between 1000m^2 and 5,000 m^2 (53,821 ft^2), 1 parking space per 100 m^2 (1,076 ft^2) GLA For any floor area in excess of 5000 m^2, 1 parking space per 200 m^2 (2,153 ft^2) GLA

Retail Store Retail Food Store Convenience Store Hardware Store Home Improvement Centre Specialty Food Store Beer, Liquor or Wine Store Department Store Video Rental Outlet Or Similar Retail Uses	1 space per 20 m^2 (215 ft^2) GLA
Building or Lumber Supply Outlet Farm Implement Sales and Service Establishment	1 space per 30 m^2 (323 ft^2) GLA for retail floor area
Medical Clinic Veterinarian Clinic	1 space per 16.7 m^2 (180 ft^2) GLA
Monument Sales	1 space per 50 m^2 (538 ft^2) GLA
Museum Art Gallery Library Public Buildings	1 space per 30 m^2 (323 ft^2) GLA
Personal Service Shop Dry Cleaning Depot Laundromat Photofinishing Establishment Postal or Courier Outlet	1 space per 30 m^2 (323 ft^2) GLA
Office Supply Printing, Publishing or Packaging Establishment	1 space per 50 m^2 (538 ft^2) GLA
Service or Repair Shop Rental Outlet	1 per 50 m^2 (538 ft^2) GLA
Restaurant Tavern	1 parking space per 9 m^2 (97 ft^2) GLA plus 1 parking space per 18 m^2 (194 ft^2) of patio area
Elementary School	2 spaces per classroom
Secondary School	5 spaces per classroom
Commercial School or Studio	1 space per 20 m^2 (215 ft^2) GLA

Shopping Centre Multi-Unit Commercial Building or Site	1 space per 20 m^2 (215 ft^2) GLA
Storage Facility Mini-Storage Warehouse	1 space per 5 m2 of office use, plus 1 space per 100 m^2 (1,076 ft^2) GLA. However, no additional parking for building area is required if the driveway access to individual storage units has a width of at least 7 m.
Transport, Trucking or Distribution Establishment Contractor's Yard	1 space per 50 m^2 (538 ft^2) GLA
Warehouse	1 space per 200 m^2 (2,153 ft^2) GLA
Any other use permitted by this by-law other than those listed above	1 space per 30 m^2 (323 ft^2) GLA

5.5.2 Parking For More Than One Use in a Building

Where a building or structure accommodates more than one type of use, the parking space requirements for the whole building shall be the sum of the requirements of the separate parts of the building so occupied.

5.5.3 Calculation of Parking Regulations

a) Where a part of a parking space is required in accordance with this By-Law for a use listed above, such part shall be considered one parking space for the purpose of calculating the total parking requirements for the said use.

b) In addition, where the number of parking spaces required in accordance with this By-law is based upon the capacity of a building or structure, such capacity shall be deemed to be the same as the maximum capacity for such building or structure permitted by the Building Code Act, the Fire Code, or where applicable, the Liquor Licensing Act, whichever capacity is the lesser.

5.5.4 Additions To Buildings

5.5.4.1 The parking and loading space requirements of this By-law 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 use of the building or structure remains the same as on the date of passing, or if a change of use is to a use that requires the same or fewer parking spaces.

5.5.4.2 If an addition is made to the building that increases the floor area, additional parking and loading spaces shall be provided for the additional floor area as required by the regulations of this By-law.

5.5.5 Special Parking Requirements for the C1 Zone

When calculating the parking requirement for development within any CENTRAL BUSINESS DISTRICT COMMERCIAL (C1) ZONE, the parking requirement shall be 0.5 times the number of parking spaces determined by Table 5A. The required parking spaces for any use within the C1 zone may be located on another lot within 300 metres (984.3 ft) of the lot on which parking would be required for a use, provided such lot is held in the same ownership as the lot for which off-street parking is required and such lot is also in a Central Business District.

5.6 BARRIER FREE PARKING

Where the parking requirement for any use is 4 or more spaces, barrier free parking spaces shall be provided in accordance with the following:

a) Each space shall have a minimum width of 4 m (13ft) and minimum length of 5.5 m (18 ft);

b) Each space shall be hard-surfaced and level;

c) Each space shall be located near and accessible to an entrance; and,

d) Each space shall be appropriately identified for its intended use by persons with limited mobility or other disabilities

e) The number of barrier free spaces shall be determined in accordance with the following:

Number of Parking Spaces Required	Number of Spaces that Must Be Barrier Free Spaces
4-25	1
26-50	3
51-75	4
76-100	6
101-150	8
151-200	10
201-300	13
301-400	15
401-500	17
501-1000	20
Greater than 1000	2% of total

{Note (does not form part of by-law): The Township may adopt development standards for accessibility to be imposed during site plan approval that exceed the minimum zoning requirements}.

6.0 AGRICULTURAL ZONES

6.1 Agricultural (A) Zone

No person shall use land or erect, alter or use any buildings or structures within an Agricultural (A) Zone, except in accordance with the following provisions:

6.1.1 Permitted Uses

a) An agricultural use
b) A single detached dwelling
c) A group home in accordance with Section 4.16
d) A commercial kennel in accordance with Section 4.9
e) A lawfully existing institutional use
f) A wayside pit or quarry
g) A temporary portable asphalt plant
h) Uses accessory to the foregoing, including:
   i. A bed and breakfast establishment (Class 1 or Class 2) in accordance with Section 4.6
   ii. An additional residential unit in accordance with Section 6.1.4
   iii. An On-Farm Diversified Use in accordance with Section 6.1.2
   iv. A home occupation in accordance with Section 4.17
   v. A home business-tradespersons in accordance with Section 4.18
   vi. A micro wind energy system in accordance with Section 4.42 **(This section has been superseded by O. Reg. 359/09 made under the *Environmental Protection Act*)**
   vii. A small wind energy system in accordance with Section 4.43 **(This section has been superseded by O. Reg. 359/09 made under the *Environmental Protection Act*)**
   viii. A sales outlet for agricultural products in accordance with Section 4.33

6.1.2 Regulations

a) Minimum Lot Area	10 ha
b) Minimum Lot Frontage	120 m
c) Minimum Front Yard	12.5 m plus any additional distance required by Section 4.36
d) Minimum Rear Yard	7.5 m
e) Minimum Side Yard	3.0 m
f) Minimum Exterior Side Yard	12.5 m plus any additional distance required by Section 4.36
g) Maximum Building Height for Dwellings	11 m

h) On Farm Diversified Use Regulations

a. Maximum Lot Area Devoted to an On Farm Diversified Use	2% of the lot area but no greater than 1 ha
b. Maximum Floor Area of Buildings Devoted to an On Farm Diversified Use	20% of the Maximum Lot Area determined by a. above.

6.1.3 Reduced Lot Area Regulations

Notwithstanding the provisions of Section 6.1.1, the following provisions shall apply to any existing lot or to any new lot created by consent pursuant to the provisions of the Planning Act having an area less than 10 hectares.

EXPLANATORY NOTE *(Not Part of the By-law): The Township may pass an Animal Control By-law which regulates the keeping of livestock on a parcel with an area less then 10 hectares}*

6.1.3.1 Permitted Uses

a. An agricultural use
b. A single detached dwelling
c. A group home in accordance with Section 4.16
d. A commercial kennel in accordance with Section 4.9
e. A lawfully existing institutional use
f. Uses accessory to the foregoing, including:
   i. A bed and breakfast establishment (Class 1 or Class 2) in accordance with Section 4.6
   ii. An additional residential unit in accordance with Section 6.1.4
   iii. A home occupation in accordance with Section 4.17
   iv. A home business-tradespersons in accordance with Section 4.18
   v. A micro wind energy system in accordance with Section 4.42

6.1.3.2 Regulations

a) Minimum Lot Area	0.4 hectares
b) Minimum Lot Frontage	30 m
c) Minimum Front Yard	12.5 m plus any additional distance specified by Section 4.37
d) Minimum Rear Yard	7.5 m
e) Minimum Side Yard	3.0 m

f) Minimum Exterior Side Yard	12.5 m plus any additional distance required by Section 4.37
g) Maximum Building Height for Single Detached Dwellings	11 m (36 ft)

6.1.4 Additional Residential Units

Notwithstanding any other provision of this By-law to the contrary, in any Agricultural (A) zone, one Additional Residential Unit (Attached) shall be permitted within a single detached dwelling, subject to the following:

a) An additional Residential Unit (Attached) must have a gross floor area that is less than or equal to the gross floor area of the dwelling already in the building.
b) An Additional Residential Unit (Attached) shall have one parking space that is provided and maintained for the sole use of the occupant of the Additional Residential Unit.
c) An Additional Residential Unit (Attached) shall have a separate private entrance.
d) No additional driveway access from the street shall be created.

In addition to the foregoing, one Additional Residential Unit (Detached) shall be permitted within a building that ancillary to a single detached dwelling, subject to these additional regulations:

e) An Additional Residential Unit (Detached) shall not be severed from the lot containing the single detached dwelling.
f) An Additional Residential Unit (Detached) must comply with the provisions for accessory buildings (Table 4B). Notwithstanding Table 4B, the maximum accessory building height shall be 8.0 m.
g) Any Additional Residential Unit (Detached) must have a gross floor area that is less than or equal to the gross floor area of the single detached dwelling that is a principal building, but in no case shall be greater than 186 m^2. In the event that the principal contains an Additional Residential Unit (Attached), then the gross floor area of the Additional Dwelling Unit (Detached) shall be no greater than the smallest dwelling unit already in the building.
h) An additional Residential Unit (Detached) shall comply with MDS requirements, except where such dwelling unit is located no closer to existing manure storage, or anaerobic digesters, or livestock facilities than the existing dwelling on the same lot.
i) An additional Residential Unit (Detached) shall be located within the Farm Building Cluster and no more than 61 m from the existing single detached dwelling on the lot.

6.2 Agricultural – Wind (AW) Zone (This section has been superseded by O. Reg. 359/09 made under the *Environmental Protection Act*)

No person shall use land or erect, alter or use any buildings or structures within an

Agricultural Wind (AW) Zone, except in accordance with the following provisions:

6.2.1 Permitted Uses

a) Any use permitted by the Agricultural (A) zone
b) A large wind energy system
c) Uses accessory to the foregoing

6.2.2 Setbacks

The following setbacks apply from any wind turbine to the following physical features:

a)	A Sensitive Land Use on the Same Property as a Wind Turbine	300 m (984.3 ft)
b)	A Sensitive Land Use on Another Property	450 m (1,476.4 ft)
c)	A Vacant Lot	450 m (1,476.4 ft)
d)	An Urban Centre or Hamlet	1,000 m (3,280.8 ft)
e)	Any Lands zoned EP	30 m (98.4 ft)
f)	A Livestock Housing Facility on a Separate Lot	200 m (656.2 ft)
g)	A Lot Line Abutting A Public Street	1.25 times the turbine height
h)	Any Other Lot Line of a Non-Participating Neighbour	The Blade Length plus 10 m (32.8 ft)
i)	Any Lot Line of a Wind Energy Participating Neighbour	0.0 m

6.2.3 Maximum Wind Turbine Height 125 m (410 ft)

7.0 RESIDENTIAL ZONES

7.1 Residential R1 Zone

Within any R1A, R1B, and R1C ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations:

7.1.1 Permitted Uses

a) A single detached dwelling
b) An existing semi-detached dwelling
c) An existing link or twin dwelling
d) A group home in accordance with Section 4.16
e) Uses, buildings and structures accessory to the foregoing, including:
   i. A bed and breakfast establishment (Class 1) in accordance with Section 4.6
   ii. A home occupation in accordance with Section 4.17

7.1.2 Building Regulations

Table 7A Regulations for Single Detached Dwellings, R1A Zone

A	Zone Category	R1A	R1A	R1A
		Lot With Individual On-Site Sewer Services	Lot With Municipal Sewer Services Only	Lot With Both Municipal Sewer and Water Services
B	Minimum Lot Frontage	24.4 m (80 ft)	20 m (65.6 ft)	18 m (59.1 ft)
C	Minimum Lot Area	1,858 m^2 (20,000 ft^2)	743 m^2 (7,997.8 ft^2)	560 m^2(6,028 ft^2)
D	Minimum Lot Depth	26 m (85.3 ft)		
E	Maximum Building Height	3 storeys but no more than 11 m (36 ft)		
F	Minimum Front Yard	7.5 m (24.6 ft) or in accordance with Section 4.36		6.0 m (19.7 ft) or in accordance with Section 4.36
G	Minimum Exterior Side Yard	4.5 m (14.8 ft) or in accordance with Section 4.34, except where a driveway crosses an exterior side lot line, the minimum setback to a garage shall be 6.0 m (19.7 ft)		
H	Minimum Side Yard	1.5 m (4.9 ft), except where the dwelling does not include an attached garage, the minimum interior side yard on one side shall be 3.0 m (9.8 ft)		
J	Minimum Rear Yard	7.5 m (24.6 ft)		

K	Maximum Lot Coverage *(1)*	30%	30%	40%
L	Minimum Landscaped Open Space	The Front Yard on any lot, excepting the driveway shall be landscaped and no parking shall be permitted within this landscaped area. The driveway shall not constitute more than 40% of the width and/or area of the Front Yard.		
Notes	(1) Includes Accessory Buildings			

Table 7B Regulations for Single Detached Dwellings, R1B and R1C Zones

A	Zone Category	R1B	R1C
B	Minimum Lot Frontage	14 m (45.9 ft)	11 m (36.1 ft)
C	Minimum Lot Area	434 m^2 (4,672 ft^2)	341 m^2 (3,671 ft^2)
D	Minimum Lot Depth	26 m (85.3 ft)	
E	Maximum Building Height	3 storeys but not greater than 11 m (36 ft)	
F	Minimum Front Yard	6.0 m (19.7 ft) or in accordance with Section 4.36.	
G	Minimum Exterior Side Yard	4.5 m (14.8 ft) or in accordance with Section 4.34, except where a driveway crosses an exterior side lot line, the minimum setback to a garage shall be 6.0 m (19.7 ft)	
H	Minimum Side Yard *(1)*	1.5 m (4.9 ft)	1.5 m (4.9 ft) *(2)*
J	Minimum Rear Yard	7.5 m (24.6 ft)	
K	Maximum Lot Coverage *(3)*	40%	40% *(4)*
L	Minimum Landscaped Open Space	The Front Yard on any Lot, excepting the Driveway shall be landscaped and no parking shall be permitted within this Landscaped Open Space. The driveway shall not constitute more than 50% of the width and/or area of the Front Yard.	
Notes	(1) Where the dwelling does not include an attached garage, the minimum interior side yard on one side shall be 3.0 m (2) The minimum side yard may be reduced to 1.2 m for a single storey dwelling. (3) Maximum Lot Coverage includes accessory buildings. (4) The maximum lot coverage may be increased to 45% for a single storey dwelling.		

7.1.3 Special Regulations Within the Heritage Area Overlay

The zoning maps comprising Schedule "A" identify a Heritage Area Overlay within the former Town of Fergus and the former Village of Elora. The following special regulations apply to lands zoned R1A or R1B that are within the Heritage Area Overlay. *{Note: The entire Heritage Area Overlay is also illustrated on Appendix Map 2 for information purposes}*

TABLE 7C – SPECIAL REGULATIONS – HERITAGE AREA OVERLAY			
		Elora Heritage Area Overlay	Fergus Heritage Area Overlay
A	Minimum Lot Frontage	20.1 m (66 ft)	15.2 m (50 ft)
B	Minimum Lot Area	696.8 m^2 (7,500 ft^2)	557.4 m^2 (6,000 ft^2)
C	Maximum Building Height	3 storeys but not more than 9.1 m (30 feet)	3 storeys but not more than 10.6 m (35 feet)
D	Minimum Front Yard	6.0 m (19.7 ft) or in accordance with Section 4.36.(1)	7.5 m (24.6 ft) or in accordance with Section 4.36.(1)
E	Minimum Exterior Side Yard	4.5 m (14.8 ft) Where a driveway crosses an exterior side lot line, the minimum setback to the garage shall be 6.0 m (19.7 ft)	4.5 m (14.8 ft) Where a driveway crosses an exterior side lot line, the minimum setback to the garage shall be 6.0 m (19.7 ft)
F	Minimum Side Yard (2)	1.8 m (5.9 ft)	1.8 m (5.9 ft)
G	Minimum Rear Yard	7.5 m (24.6 ft)	7.5 m (24.6 ft)
H	Maximum Lot Coverage(3)	30%	30%
I	Minimum Landscaped Open Space	The Front Yard on any Lot, excepting the Driveway shall be landscaped and no parking shall be permitted within this Landscaped Open Space. The driveway shall not constitute more than 40% of the area of the Front Yard.	
Notes	(1) No attached garage can project beyond the main front wall of the dwelling. (2) Where the dwelling does not include an attached garage, the minimum interior side yard on one side shall be 3.0 m (9.8 ft) (3) Includes Accessory Buildings		

7.2 Residential R2 Zone

Within any R2 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations:

7.2.1 Permitted Uses

a) A small lot single detached dwelling

b) A semi-detached dwelling
c) An existing link or twin dwelling
d) A duplex dwelling
e) A group home in accordance with Section 4.16
f) Uses, buildings and structures accessory to the foregoing, including:
   i. A bed and breakfast establishment (Class 1) in accordance with Section 4.6
   ii. A home occupation in accordance with Section 4.17

7.2.2 Building Regulations

TABLE 7D – R2				
A	Residential Unit Type	Small Lot Single Detached Dwelling	Semi Detached Dwelling	Duplex Dwelling
C	Minimum Lot Frontage	9 m (30 ft)	9 m (30 ft) per unit	18 m (59.1 ft)
D	Minimum Lot Area	279 m^2 (3,003 ft^2)	279 m^2 per unit (3,003 ft^2)	650 m^2 (6,997 ft^2)
F	Maximum Building Height	3 storeys but not greater than 11 m (36 ft)		
G	Minimum Front Yard	6 m (19.7 ft) or in accordance with Section 4.34, but 6 m (19.7 ft) to front face of a garage if the driveway crosses a front lot line.		
H	Minimum Exterior Side Yard	4.5 m (14.8) ft, but 6 m (19.7 ft) to front face of a garage if the driveway crosses an exterior side lot line.		
I	Minimum Side Yard (1)	1.2 m (3.9 ft) on one side; 0.6 m (2 ft) on the other side; 1.8 m (5.9 ft) between dwellings on abutting lots	1.5 m (4.9 ft) on the unattached side	1.8 m (5.9 ft) on one side 3.0 m (9.8 ft) on the other side
J	Minimum Rear Yard	7.5 metres (24.6 ft)		
K	Maximum Lot Coverage (2)	Not Applicable		40%
N	Minimum Landscaped Open Space	The Front Yard on any Lot, excepting the Driveway shall be landscaped and no parking shall be permitted within this Landscaped Open Space. The width of the driveway shall not exceed 55% of the lot width, up to a maximum driveway width of 7.5 m (24.6 ft).		
O	Garage/Driveway Width Restriction	The outside walls of an attached garage shall not exceed 55% of the lot width; and the driveway leading to the garage can be no more than the width of the exterior dimensions of the garage.		
Notes	(1) Where the dwelling does not include an attached garage, the minimum interior side yard on one side shall be 3.0 m (9.8 ft) (2) Includes accessory buildings.			

7.3 Residential R3 Zone

Within any R3 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations:

7.3.1 Permitted Uses

a) A triplex dwelling
b) A fourplex dwelling
c) A street townhouse dwelling
d) A cluster townhouse dwelling
e) Uses, buildings and structures accessory to the foregoing including
   i. A home occupation in accordance with Section 4.17

7.3.2 Building Regulations

TABLE 7E – R3 ZONE REGULATIONS – Triplex and Fourplex			
A	Zone Category	Triplex Dwelling	Fourplex Dwelling
B	Minimum Lot Frontage	20 m (65.6 ft)	20 m (65.6 ft)
C	Minimum Lot Area	700 m^2 (7,535 ft^2)	700 m^2 (7,535 ft^2)
D	Minimum Lot Depth	26 m (85.3 ft)	26 m (85.3 ft)
E	Maximum Building Height	3 storeys but not greater than 11 m (36 ft)	
F	Minimum Front Yard	6 m (19.7 ft) or in accordance with Section 4.36 but 6 m (19.7 ft) to front face of a garage if the driveway crosses an exterior side lot line.	
G	Minimum Exterior Side Yard	4.5 m (14.8 ft) but 6 m (19.7 ft) to front face of a garage if the driveway crosses an exterior side lot line.	
H	Minimum Side Yard	1.5 m (4.9 ft) on one side 3.0 m (9.8 ft) on the other side	
I	Minimum Rear Yard	9 m (29.5 ft)	
M	Maximum Lot Coverage	40%	
TABLE 7F – R3 ZONE REGULATIONS – Townhouse			
A	Zone Category	Street Townhouse	Cluster Townhouse
B	Minimum Lot Frontage	6 m (19.7 ft)	20 m (65.6 ft)
C	Minimum Lot Area	190 m^2 per unit (2,045 ft^2)	The greater of: 700 m^2 (7,535 ft^2) or 200 m^2 (2,153 ft^2) per unit
D	Minimum Lot Depth	26 m (85.3 ft)	n/a
E	Maximum Building Height	3 storeys but not greater than 11 m (36 ft)	

F	Minimum Front Yard	6 m (19.7 ft) or in accordance with Section 4.36 but 6 m (19.7 ft) to front face of a garage if the driveway crosses a front lot line.	
G	Minimum Exterior Side Yard	4.5 m (14.8 ft) but 6 m (19.7 ft) to front face of a garage if the driveway crosses an exterior side lot line.	
H	Minimum Side Yard (unattached side)	1.8 m (5.9 ft)	No Building shall be located closer to any Side Lot Line than a distance equal to one-half the Building Height, and in no case less than 3 metres (9.8 ft) from any Side Lot Line. Notwithstanding the foregoing, where windows to a Habitable Room face on a required Yard, such Building shall not be located within 7.5 metres (24.6 ft) of that Side or Rear Lot Line.
I	Minimum Rear Yard	7.5 m (24.6 ft)	No Building shall be located closer to any Rear Lot Line than a distance equal to one-half the Building Height, and in no case less than 3 metres (9.8 ft) from any Rear Lot Line. Notwithstanding the foregoing, where windows to a Habitable Room face on a required Yard, such Building shall not be located within 7.5 metres (24.6 ft) of that Side or Rear Lot Line.
J	Maximum Number of Attached Dwelling Units in a Row	6	8
K	Common Amenity Area	Not applicable	a) A minimum of 5 m^2 (53.8 ft^2) of Amenity Area per dwelling shall be provided and be developed as Common Amenity Area. This Common Amenity Area shall be aggregated into areas of not less than 50 m^2 (538.2 ft^2). b) Amenity Areas shall be designed and located so that the length does not exceed 4 times the width. c) A Common Amenity Area shall be located in any Yard other than the required Front Yard or

			required Exterior Side Yard. d) Landscaped Open Space areas, building rooftops, patios and above ground decks may be included as part of the Common Amenity Area if recreational facilities are provided and maintained (e.g. swimming pools, tennis courts, lounges and landscaped areas).
L	Private Amenity Area	Not applicable	A Private Amenity Area shall be provided for each unit and it shall: i. have a minimum area of 20 m^2 (215.3 ft^2) ii. have a minimum depth (from the wall of the dwelling unit) of 4.5 m (14.8 ft); iii. have a minimum width of 4.5 m (14.8 ft); iv. not form part of a required Front or Exterior Side Yard; v. not face onto a public Street; vi. be accessed through a doorway to a hall or Habitable Room, but not a bedroom; vii. be separate and not include walkways, play areas, or any other communal area; and viii. be defined by a wall or fence ix. Private Amenity Areas shall be screened in a manner which prevents viewing into a part of it from any adjacent areas to a height of 1.8 m (5.9 ft).
M	Minimum Landscaped Open Space	40% of the lot area	

N	Front Yard Landscaping	The Front Yard on any Lot, excepting the driveway shall be landscaped and no parking shall be permitted within this Landscaped Open Space.	Not Applicable

7.4 Residential R4 Zone

Within any R4 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations:

7.4.1 Permitted Uses

a) A cluster townhouse dwelling in accordance with the regulations of Section 7.3.2
b) A stacked townhouse dwelling
c) An apartment dwelling
d) Uses, buildings and structures accessory to the foregoing

7.4.2 Building Regulations

TABLE 7G – BUILDING REGULATIONS R4			
A	Residential Type	Apartment Dwelling	Stacked Townhouse Dwelling
B	Minimum Lot Area	700 m^2 (7,535 ft^2)	700 m^2 (7,535 ft^2)
C	Minimum Lot Frontage	20 m (65.6 ft)	20 m (65.6 ft)
D	Minimum Front Yard	6 m (19.7 ft) or in accordance with Section 4.34	6 m (19.7 ft) or in accordance with Section 4.34
E	Minimum Exterior Side Yard	6 m (19.7 ft) or in accordance with Section 4.34	6 m (19.7 ft) or in accordance with Section 4.34
F	Minimum Side Yard	½ the building height but no less than 3 m (9.8 ft) where windows of a Habitable Room face on a Side Yard, such Side Yard shall have a minimum width of not less than 7.5 metres (24.6 ft).	½ the building height but no less than 3 m (9.8 ft) where windows of a Habitable Room face on a Side Yard, such Side Yard shall have a minimum width of not less than 7.5 metres (24.6 ft).
G	Minimum Rear Yard	½ the building height but no less than 7.5 m (24.6 ft)	½ the building height but no less than 7.5 m (24.6 ft)
H	Maximum Building Height (1)	4 storeys but not more than 15 m (49.2 ft)	4 storeys but not more than 15 m (49.2 ft)
I	Minimum Distance Between Buildings	Where two or more buildings are located on any one lot, the distance between the face of one building and the face of another building shall be at least 15 m (49.2 ft)	Where two or more buildings are located on any one lot, the distance between the face of one building and the face of another building shall be at least 15 m (49.2 ft)
J	Minimum Common Amenity Area	a) 30 m^2 (322.9 ft^2) of common amenity area shall be provided for each	a) 30 m^2 (322.9 ft^2) of common amenity area shall be provided for each

		of the first 20 dwelling units, and an additional 20 m^2 (215.3 ft^2) provided for each additional unit above 20. Common amenity areas shall be aggregated into areas of not less than 50 m^2 (538 ft^2). b) Common Amenity Areas shall be designed and located so that the length does not exceed 4 times the width. c) A Common Amenity Area shall be located in any Yard other than the required Front Yard or required Exterior Side Yard. d) Landscaped Open Space areas, Building roof tops, patios, and above ground decks may be included as part of the Common Amenity Area if recreational facilities are provided and maintained (e.g. swimming pools, tennis courts, lounges, and landscaped areas).	of the first 20 dwelling units, and an additional 20 m^2 (215.3 ft^2) provided for each additional unit above 20. Common amenity areas shall be aggregated into areas of not less than 50 m^2 (538 ft^2). b) Common Amenity Areas shall be designed and located so that the length does not exceed 4 times the width. c) A Common Amenity Area shall be located in any Yard other than the required Front Yard or required Exterior Side Yard. d) Landscaped Open Space areas, Building roof tops, patios, and above ground decks may be included as part of the Common Amenity Area if recreational facilities are provided and maintained (e.g. swimming pools, tennis courts, lounges, and landscaped areas).
K	Minimum Landscaped Open Space	20% of the lot area	40% of the lot area
L	Private Amenity Area	Not Applicable	A Private Amenity Area shall be provided for each unit and it shall: a) have a minimum area of 20 m^2 (215.3 ft^2), b) have a minimum depth (from the wall of the dwelling unit) of 4.5 m (14.8 ft); c) have a minimum width equal to the width of the unit when the layout of the unit permits. If the preceding cannot be accomplished, the minimum width of the private amenity area shall be 4.5 m (14.8 ft);

			d) not form part of a required front or exterior side yard; e) not face onto a public street; f) be accessed through a doorway to a hall or habitable room, other than a bedroom; g) be separate and not include walkways, play areas, or any other communal area; and h) be defined by a wall or fence. Notwithstanding the foregoing, for stacked townhouse units above grade, each private amenity area shall: a) have a minimum area of 10 m^2 (107.6 ft^2); b) consist of a patio or terrace; and c) be defined by a wall or railing between adjacent units to a height of 1.8 m (5.9 ft).
	Notes: a) Unless otherwise specified in this by-law (Exception Zones), the maximum building height for an apartment building within the Elora-Salem Urban Centre shall be 3 storeys or 11 m (36 feet).		

7.5 Retirement Community Residential R5 Zone (Pine Meadows)

Within any R5 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations:

7.5.1 Permitted Uses

a) One single detached dwelling unit per home site
b) Recreational facilities for passive and active recreation including a swimming pool and a recreation centre
c) Maintenance building
d) Refuse collection and storage areas
e) An office and administration building including a sales office
f) Common Amenity Areas

7.5.2 Building Regulations

A	Residential Type	Retirement Community Residential
B	**Regulation Applying to a Parcel Upon Which a Retirement Community is Permitted**	
C	Minimum Lot Frontage	800 m (2,624 ft)
D	Minimum Lot Area	26 ha (64.2 ac)
E	Minimum Front Yard	15 m (49.2 ft)
F	Minimum Side Yard	9 m (29.5 ft)
G	Minimum Rear Yard	9 m (29.5 ft)
H	Maximum Building Height	2 storeys but not more than 7.3 m (24 ft)
I	Minimum 8% of lot area for open space and recreational use.	
J	**Regulations Applying to an Individual Home Site Within a Retirement Community**	
K	Minimum Lot Frontage	13.5 m (44.3 ft)
L	Minimum Lot Area	400m^2 (4,305.7 ft^2)
M	Maximum Lot Area	760m^2 (8,180.8 ft^2)
N	Maximum Lot Coverage	35%
O	Minimum Front Yard	4 m (13.1 ft)
P	Minimum Interior Side Yard	1 m (3.3 ft)
Q	Minimum Exterior Side Yard	4 m (13.1 ft)
R	Minimum Rear Yard	6.5 m (21.3 ft)
S	Maximum Height for a Dwelling	1 storey but no more than 3.66 m (12 ft)
T	Minimum Floor Area	75 m^2 (807.3 ft^2)
U	Maximum Floor Area	144 m^2 (1,550 ft^2)

7.6 Residential Mixed Use R6 Zone

7.6.1 Permitted Uses

Two of more of the following uses:

a) Cluster townhouse dwelling in accordance with the regulations of Sectoin 7.3.2 (Table 7F)
b) Stacked townhouse dwelling in accordance with Table 7H
c) Apartment dwelling in accordance with Table 7H
d) Public building

e) Church
f) Retirement residence
g) Art gallery
h) Artisan studio
i) Auditorium
j) Business or professional office
k) Commercial Recreation
l) Commercial School or Studio
m) Convenience Store
n) Hotel
o) Medical clinic
p) Parking lot
q) Personal service shop
r) Private or commercial club
s) Restaurant
t) Retail store with gross floor area of 465 m2 of less
u) Speciality food store
v) Uses, buildings and structures accessory to the foregoing in accordance with Table 4B

7.6.2 Building Regulations

TABLE 7H – BUILDING REGULATIONS R6		
A	*Residential Type*	*Mixed Use Building*
B	*Minimum Lot Area*	*No Minimum*
C	*Minimum Lot Frontage*	*5.0 m*
D	*Minimum Front Yard*	*No Minimum*
E	*Minimum Exterior Side Yard*	*No Minimum*
F	*Minimum Side Yard*	*No Minimum, except* *Where a side yard abuts a residential zone, the minimum side yard shall be 1.0 m;* *Where are a side yard abuts public land, the minimum side yard shall be 1.5 m*
G	*Minimum Rear Yard*	*4 m*
H	*Maximum Building Height*	*18 m*
I	*Minimum Common Amenity Area*	*a) 20m2 of common amenity area shall be provided for each dwelling unit.* *b) A Common Amenity Area shall be located in any Yard other than the required Front Yard or required Exterior Side Yard.* *c) Landscaped Open Space areas, Building roof tops, patios, and above ground decks may be included as part of the Common Amenity Are if recreational facilities are provided and*

		maintained (e.g. swimming pools, tennis courts, lounges, and landscaped areas)
J	*Minimum Landscaped Open Space*	*20% of the lot area*
K	*Private Amenity Area*	*Not Applicable*

7.6.3 Parking Regulations

a) The provisions of Section 5.4 and 5.5 shall apply to the provision of parking located within an R6 Zone.

b) Notwithstanding the provisions of Section 5.5.2 and 5.5.3, in the R6 Zone, the parking requirements for residential uses shall be 1.25 parking spaces per residential unit. Every four parking spaces provided in fulfilment of this requirement shall also be counted as one parking space towards the parking requirement for commercial or institutional uses.

c) The required parking spaces for any use within the R6 zone may be located on another lot within 300 metres of the lot on which parking would be required for use, provided such lot is held in the ownership as the lot for which off-street parking is required and such lot is in a Mixed Use (R6 series) or Central Business District (C1 series) Zone.

8.0 INSTITUTIONAL ZONES

8.1 Institutional IN Zone

Within any IN ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

8.1.1 Permitted Uses

a) A public building
b) A church
c) A school
d) A cemetery
e) A hospital
f) A day care centre
g) A retirement residence
h) A nursing home
i) A group home in accordance with Section 4.16.
j) A museum
k) A library
l) A community centre
m) Uses, buildings and structures accessory to the foregoing

8.1.2 Building Regulations

TABLE 8A BUILDING REGULATIONS IN ZONE			
		Lot With Individual On-Site Sewer and Water Services	Lot With Full Municipal Sewer and Water Services
A	Minimum Lot Frontage	30 m (98.4 ft)	30 m (98.4 ft)
B	Minimum Lot Area	0.4 ha (1 ac)	1,858 m^2 (20,000 ft^2)
C	Maximum Building Height	3 storeys but not more than 11 m (36 ft)	4 storeys but not more than 15 m (49.2 ft) (1)
D	Minimum Front Yard	15 m (49.2 ft) plus any applicable distance specified in Section 4.36	6.0 m (19.7 ft) or in accordance with Section 4.34
E	Minimum Exterior Side Yard	7.5 m (24.6 ft) plus any applicable distance specified in Section 4.36	6.0 m (19.7 ft)
F	Minimum Side Yard	4.5 m (14.8 ft)	4.5 m (14.8 ft)
G	Minimum Rear Yard	7.5 m (24.6 ft)	7.5 m (24.6 ft)
H	Maximum Lot Coverage	40%	40%

I	Buffer strip	A Buffer Strip shall be required in accordance with Section 4.7 wherever an Institutional Use abuts land used or zoned Residential or Open Space.
Notes: (1) Maximum Height is 3 storeys or 11 m (36 ft) in the Elora-Salem Urban Centre		

9.0 OPEN SPACE ZONES

9.1 Open Space Recreation (OS) Zone

Within any OS ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

9.1.1 Permitted Uses

a) Active recreation
b) Passive recreation
c) A public park
d) A recreation centre
e) A sports park
f) A public building
g) A public use
h) A cemetery
i) A museum
j) A library
k) Uses, buildings and structures accessory to the foregoing

9.1.2 Building Regulations

a) Minimum Lot Area	No Minimum
b) Minimum Lot Frontage	No Minimum
c) Maximum Lot Coverage	30%
d) Minimum Setback From Any Lot Line	6.0 m (19.7 ft)
e) Maximum Building Height	3 storeys but not greater than 11.0 m (36 feet)

9.2 Environmental Protection (EP) Zone

Within any EP ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

9.2.1 Permitted Uses

a) Agricultural uses excluding new buildings and structures and new hobby barns on a lot that also contains land zoned Agricultural (A)
b) Conservation and Resource Management
c) Forest Management
d) Fish and Wildlife Management
e) Flood or erosion control facilities
f) Passive Recreation
g) Uses, buildings and structures existing on the date of passing of this by-law
h) Uses, buildings and structures accessory to the foregoing with the prior written approval of the Grand River Conservation Authority where applicable

9.2.2 Building Regulations

9.2.2.1 No alteration or disturbance to watercourses or to municipal drains associated with open watercourses will be permitted without the prior written approval of the Conservation Authority having jurisdiction in the area.

9.2.2.2 Maintenance of existing driveways within the EP zone shall be permitted. New driveways and improvements will require prior written approval from the Conservation Authority having jurisdiction in the area.

9.2.2.3 Non-habitable buildings and structures accessory to a Conservation, Passive Recreation or Park use shall meet front, rear and side yard requirements of the Open Space Zone.

9.2.2.4 Interpretation of the limits of EP zone boundaries shall be governed by Section 2.7.3

9.2.2.5 Requirements for setbacks from municipal drains, watercourses, and the EP zone are set out in Section 4.12

9.2.3 Environmental Protection Overlay (EP Overlay)

9.2.3.1 In addition to the Environmental Protection Zone, the zoning maps comprising Schedule “A” also identify certain lands as an Environmental Protection Overlay. This is not a separate zone, but an overlay that represents natural heritage features included in the “Greenlands” designation of the County or Township Official Plans, as well as lands to which Grand River Conservation Authority Regulation 150/06 applies (and such lands have been mapped by the GRCA). The Environmental Protection Overlay (EP Overlay) permits development of the lands within the EP Overlay, subject to satisfying the requirements of section 9.2.3.2.

9.2.3.2 Where the Environmental Protection overlay exists on a lot, the permitted uses and regulations of the underlying zone shall apply. In addition to these provisions, the following special provisions shall apply to proposed development on lands within the Environmental Protection Overlay.

If the identified feature is part of a fish, wildlife or plant habitat…	Development will not be allowed in significant wildlife or plant habitat unless it has been demonstrated to the satisfaction of the Township that there will be no negative impacts on the habitat or its ecological functions and, in the case of fish habitat, in accordance with provincial and federal requirements.
If the identified feature is part of an Area of Natural and Scientific Interest (ANSI)…	Development will not be allowed in ANSI’s unless it has been demonstrated to the satisfaction of the Township that there will be no negative impact on the feature, its

	ecological function, or its nature or earth science values.
If the identified feature is part of a stream or valleyland...	Development will not be allowed in streams and valleylands unless it has been demonstrated to the satisfaction of the Township that there will be no negative impact on the stream or valleyland or their ecological functions.
If the identified feature is part of a significant woodland...	Development will not be allowed in significant woodlands unless it has been demonstrated to the satisfaction of the Township that there will be no negative impact on the woodland or its ecological functions.
If the identified feature is part of an Environmentally Sensitive Area (ESA)…	Development will not be allowed in an ESA unless it has been demonstrated to the satisfaction of the Township that there will be no negative impact on the ESA or its ecological functions.
If the identified feature is a pond, lake or reservoir…	Development will not be allowed unless it has been demonstrated to the satisfaction of the Township that there will be no negative impact on the feature or its ecological functions.
If the identified feature is a regulated area according to the GRCA	The erection of a building or structure will not be allowed unless the written approval of the Grand River Conservation Authority is obtained.

9.2.3.3 Interpretation of the limits of EP Overlay boundaries shall be governed by Section 2.7.3. Where the EP overlay results from a GRCA regulation limit, and the limits of the regulated area are amended by the GRCA, then the limits of the EP overlay shall be deemed to be amended, without the need for an amendment to this by-law.

9.3 Conservation Area (CA) Zone

Within any CA ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

9.3.1 Permitted Uses

a) Conservation and Resource Management
b) Forest Management
c) Fish and Wildlife Management
d) Flood or erosion control facilities
e) Passive Recreation
f) Existing Campgrounds, Recreational Trailer Sites and Camp Sites
g) Existing Leasehold Cottage Sites
h) Any use permitted by the Conservation Authorities Act

9.3.2 Building Regulations

9.3.2.1 Regulations for a Campground within a Conservation Area

a)	Minimum Lot Frontage	Not Applicable
b)	Minimum lot Area	Not Applicable
c)	Minimum Yard Requirements	No trailer, building or structure shall be located: i. within 15 m (49.2 ft) of any public street ii. within 7.5 m (24.6 ft) of a side or rear lot line that does not abut a public street, or within 15 m (49.2 ft) of the boundary of any Residential Zone.

9.3.2.2 Regulations for An Individual Trailer or Camp Site within a Conservation Area

a)	Minimum Trailer Site Area	310 m^2 (3,336.9 ft^2)
b)	Required Access	Each trailer site shall be accessible by means of a driveway at least 3.6 m (11.8 ft) in width where the driveway is for one-way traffic, or at least 7.5 m (24.6 ft) in width where the driveway is for two-way traffic
c)	Required Frontage	Each trailer site shall have a minimum of 12 m (39.4 ft) of trailer site frontage to a driveway located within the trailer camp
d)	Additional Regulation(s)	No trailer shall be permitted except upon a designated trailer site

9.3.2.4 Regulations for Any Other Permitted Use

a) Minimum Lot Area	No Minimum
b) Minimum Lot Frontage	No Minimum
c) Maximum Lot Coverage	30%
d) Minimum Setback From Any Lot Line	6.0 m (19.7 ft)
e) Maximum Building Height	3 storeys but not greater than 11.0 m (36 feet)

9.4 Open Space Golf Course (OS-GC) Zone

Within any OS-GC ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

9.4.1 Permitted Uses

a) A single detached dwelling
b) Existing uses
c) A golf course

9.4.2 Building Regulations

a)	Minimum Lot Frontage	300 m (984.3 ft)
b)	Minimum lot Area	40 ha (98.8 ac)
c)	Maximum Lot Coverage for All Buildings and Structures	2%
d)	Minimum Front Yard	25 m (82 ft)
e)	Minimum Rear Yard	25 m (82 ft)
f)	Minimum Exterior Side Yard	25 m (82 ft)
g)	Minimum Interior Side Yard	25 m (82 ft)
h)	Maximum Building Height	11 m (36 ft)

10.0 COMMERCIAL ZONES

10.1 General Commercial Provisions

10.1.1 Enclosed Operations

The operations of use in a Commercial Zone shall be conducted within an enclosed building or structure, except for the following:

a) the parking or loading of a vehicle;
b) an outdoor patio of a restaurant in accordance with Section 4.33;
c) an outdoor sales and display area, where permitted;
d) a garden centre;
e) a farmer's market;
f) a transient trader licensed by the Township

Table 10A Permitted Uses in Commercial Zones	**C1**	**C2**	**C3**	**C4**	**SC**	**C5**
Amusement Arcade in accordance with Section 4.4	✔	✔			✔	
Art gallery	✔	✔	✔		✔	
Artisan studio	✔	✔	✔		✔	
Assembly or banquet hall		✔				
Automobile body repair and painting		✔				
Automobile parts and accessories supplier	✔	✔			✔	
Automobile sales and service		✔				
Automobile service station in accordance with Section 4.5		✔	✔			
Automobile wash in accordance with Section 4.5		✔				
Bed and breakfast establishment, Class 1 or Class 2	✔		✔	✔		
Beer, Liquor or Wine Store	✔	✔			✔	
Building or lumber supply outlet		✔				
Business or professional office	✔	✔	✔	✔	✔	
Church	✔	✔	✔	✔		
Commercial Greenhouse or Nursery						✔
Commercial Recreation	✔	✔			✔	
Commercial School or Studio	✔	✔	✔	✔	✔	
Contractor's Yard						✔
Convenience Store	✔	✔	✔		✔	
Day care centre or day nursery	✔	✔	✔	✔	✔	
Drive Through Service Facility		✔				
Department Store		✔			✔	
Dry cleaning depot	✔	✔	✔		✔	
Dwelling unit above a ground level commercial use	✔	✔	✔		✔	
Farm implement sales and service establishment		✔				✔
Farmer's market	✔	✔			✔	✔
Financial establishment	✔	✔	✔		✔	
Funeral home	✔	✔	✔	✔		
Garden centre		✔			✔	✔
Gas bar including an accessory automobile wash	✔	✔	✔		✔	
Golf Course						
Golf Driving Range						✔
Hardware store	✔	✔			✔	
Home improvement centre		✔				
Hotel	✔	✔			✔	

Laundromat	✔	✔	✔		✔	
Library	✔	✔	✔		✔	
Medical clinic	✔	✔	✔	✔	✔	
Miniature golf course		✔				✔
Motel		✔				
Office supply	✔	✔			✔	
Parking lot	✔	✔			✔	
Personal service shop	✔	✔	✔	✔	✔	
Photofinishing establishment	✔	✔	✔		✔	
Place of entertainment	✔	✔			✔	
Postal or courier outlet	✔	✔	✔		✔	
Printing, publishing and packaging establishment	✔	✔			✔	
Private or commercial club	✔	✔		✔		
Public building	✔	✔		✔		
Rental outlet		✔				
Restaurant	✔	✔	✔		✔	
Retail store with a gross floor area less than 300 m^2 (3,229 ft^2)	✔	✔ (1)	✔ (1)		✔	
Retail store with a gross floor area of 300 m^2 (3,229 ft^2) or greater	✔	✔			✔	
Retail food store	✔	✔			✔	
Service or repair shop	✔	✔			✔	
Specialty food store	✔	✔	✔		✔	
Tavern	✔	✔				
Veterinarian clinic	✔	✔	✔			✔
Video rental outlet	✔	✔	✔		✔	
Any use permitted by the R1A zone subject to the applicable R1A zone provisions				✔		
Any residential use permitted by the A zone subject to the applicable A zone provisions						✔
Any use permitted by the IN zone	✔					
Any commercial use lawfully existing as of the date of passing of this by-law	✔	✔	✔	✔	✔	✔

Notes and Exceptions:

(1) Only permitted in a building that exists on the date of passing of this by-law.

10.2 Central Business District Commercial (C1) Zone

Within any C1 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

10.2.1 Permitted Uses

In accordance with Table 10A

10.2.2 Special Residential Use Provisions Applying to the Fergus C1 Zone

On any lot that does not have frontage on St. Andrew Street West, between Tower Street and St. David Street, any residential use permitted by an R1, R2, R3 or R4 zone is permitted, and the applicable lot regulations for such use in a residential zone

shall apply (an apartment building shall comply with the R4 zone, a townhouse the R3 zone, and so on).

10.2.3 Building Regulations

a)	Minimum Lot Area	No Minimum
b)	Minimum Lot Frontage	No Minimum
c)	Minimum Front Yard	No Minimum
d)	Minimum Rear Yard	No minimum except where a rear yard abuts a Residential Zone, the minimum shall be 3.0 metres (9.8 feet).
e)	Minimum Interior Side Yard	No minimum except where an interior side lot line abuts a Residential Zone, the minimum shall be 3 m (9.8 ft).
f)	Maximum Lot Coverage	90%
g)	Minimum Exterior Side Yard	No Minimum
h)	Maximum Building Height	3 storeys but not more than 11 m (36 ft)
i)	Buffer Strip	A buffer strip is required along any interior side lot line and rear lot line which abuts land zoned for residential or institutional purposes.

10.3 Highway Commercial (C2) Zone

Within any C2 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

10.3.1 Permitted Uses

In accordance with Table 10A

10.3.2 Building Regulations

a)	Minimum Lot Area	1,000 m^2 (10,764.3 ft^2)
b)	Minimum Lot Frontage	30 m (98.4 ft)
c)	Minimum Front Yard	3 m (9.8 ft)
d)	Minimum Rear Yard	7.5 m (24.6 ft)
e)	Minimum Side Yard	3 m (9.8 ft)
f)	Maximum Lot Coverage	40%
g)	Minimum Landscaped Area	20%

h)	Maximum Building Height	3 storeys but not more than 11 m (36 ft)
i)	Buffer Strip	A buffer strip is required along any interior side lot line and rear lot line which abuts land zoned for residential or institutional purposes.
j)	Outdoor Storage	Outdoor storage is permitted in the C2 zone but shall comply with the provisions of Section 4.28
k)	Outdoor Display Areas	The outdoor display of merchandise for sale or hire is permitted within the C2 Zone subject to the provisions of Section 4.27.

10.3.3 Mixed Use Provisions – Permitted Uses

Notwithstanding the uses permitted by subsection 10.3.1 above, the following uses are not permitted on a Lot containing one or more permitted commercial uses and a permitted residential use:

- Automobile body repair and painting
- Automobile sales and service
- Automobile service station
- Automobile wash
- Building or lumber supply outlet
- Farm implement sales and service establishment
- Gas bar
- Printing, publishing, and packaging establishment

Notwithstanding the uses permitted by subsection 10.3.1 above, the following uses are <u>only</u> permitted on a Lot containing one or more permitted commercial uses and permitted residential uses if such uses are in a separate building from any residential uses:

- A Drive-through service facility, provided that no part of the drive-through service facility, as defined herein, is less than 30 m from a building containing residential units
- A Place of entertainment
- An assembly or Banquet Hall

10.3.4 Building Regulations – Highway Commercial (C2) Zone for Mixed Use

Notwithstanding Subsection 10.3.2, in a C2 zone or C2 Exception Zone where a Lot contains at least one building containing residential dwelling units, the following special provisions apply:

a)	Minimum Lot Area	700 m^2	
b)	Minimum Lot Frontage	20 m	
c)	Minimum Front Yard	3 m	For a building containing dwelling units adjacent to the street line, the building face shall be stepped back 2 m for each storey above the third storey
d)	Minimum Landscape Buffer Abutting Street Line	3 m	
e)	Residential Uses on Ground Floor	Not permitted within 9 m of a street line	Shall not occupy more than 50% of total ground floor area of a building within 30 m of a street line
f)	Minimum Rear Yard	7.5 m	For a building containing dwelling units adjacent to an R1A, R1B or R2 zone, the building face shall be stepped back 2 m for each storey above the third storey
g)	Minimum Side Yard	3 m	For a building containing dwelling units adjacent to an R1A, R1B or R2 zone, the building face shall be stepped back 2 m for each storey above the third storey
h)	Minimum Landscaped Area	20% of total lot area	
i)	Maximum Building Height	18 m but no greater than 5 storeys for a building containing dwelling units	

j)	Minimum Building Height	7.5 m and 2 storeys	
k)	Buffer Strip	A buffer strip is required along any interior side lot line and rear lot line which abuts land zoned for Residential or Institutional purposes.	2.5 m

10.4 Neighbourhood Commercial (C3) Zone

Within any C3 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

10.4.1 Permitted Uses

In accordance with Table 10A

10.4.2 Building Regulations

a)	Minimum Lot Area	650 m^2 (6,996.7 ft^2)
b)	Minimum Lot Frontage	21 m (68.9 ft)
c)	Minimum Front Yard	6.0 m (19.7 ft) or in accordance with Section 4.34
d)	Minimum Rear Yard	7.5 m (24.6 ft)
e)	Minimum Interior Side Yard	3 m (9.8 ft)
f)	Minimum Exterior Side Yard	6.0 m (19.7 ft)
g)	Maximum Lot Coverage	40%
h)	Maximum Building Height	3 storeys but not more than 11 m (36 ft)
i)	Minimum Landscaped Area	20%
j)	Buffer strip	A buffer strip in accordance with Section 4.7 is required along any interior side lot line and rear lot line which abuts land zoned for residential or institutional purposes.

10.5 Service Commercial (C4) Zone

Within any C4 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

10.5.1 Permitted Uses

In accordance with Table 10A

10.5.2 Building Regulations

a)	Minimum Lot Frontage	20.1 m (66 ft)
b)	Minimum Lot Area	696.8 m^2 (7,500 ft^2)
c)	Maximum Building Height	3 storeys but not more than 11 m (36 ft)
d)	Minimum Front Yard	6.0 m (19.7 ft) or in accordance with Section 4.39.
e)	Minimum Exterior Side Yard	6.0 m (19.7 ft) or in accordance with Section 4.39
f)	Minimum Side Yard	3.0 m (9.8 ft)
g)	Minimum Rear Yard	7.5 m (24.6 ft)
h)	Maximum Lot Coverage	40%, including accessory buildings
i)	Minimum Landscaped Area	20%
j)	Buffer Strip	A buffer strip in accordance with Section 4.7 is required along any side lot line or rear lot line that abuts land zoned for Residential or Institutional.

10.6 Retail Shopping Centre (SC) Zone

Within any SC ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

10.6.1 Permitted Uses

In accordance with Table 10A

10.6.2 Building Regulations

a)	Minimum Lot Area	5,750 m^2 (61,894.5 ft^2)
b)	Minimum Lot Frontage	40 m (131.2 ft)
c)	Minimum Front Yard	3 m (9.8 ft)
d)	Minimum Rear Yard	7.5 m (24.6 ft)
e)	Minimum Side Yard	3 m (9.8 ft)
f)	Maximum Building Height	3 storeys but not more than 11 m (36 ft)

f)	Maximum Lot Coverage	40%
g)	Minimum Landscaped Area	20%
h)	Buffer strip	A buffer strip in accordance with Section 4.7 is required along any interior side lot line and rear lot line which abuts land zoned Residential or Institutional
i)	Outdoor Storage	Outdoor storage is permitted in the SC zone but shall comply with the provisions of Section 4.29
j)	Outdoor Display Areas	The outdoor display of merchandise for sale or hire is permitted within the SC Zone but shall comply with the provisions of Section 4.28

10.7 Rural Commercial (C5) Zone

Within any C5 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

10.7.1 Permitted Uses

In accordance with Table 10A

10.7.2 Building Regulations

a)	Minimum Lot Area	0.3 ha (0.75 ac)
b)	Minimum Lot Frontage	61 m (200.1 ft)
c)	Minimum Front Yard	12 m (39.4 ft) plus any additional distance required by Section 4.37
d)	Minimum Rear Yard	7.5 m (24.6 ft)
e)	Minimum Side Yard	6.0 m (19.7 ft)
f)	Minimum Exterior Side Yard	12 m (39.4 ft) plus any additional distance required by Section 4.37
g)	Maximum Building Height	3 storeys but not more than 11 m (36 ft)
h)	Maximum Lot Coverage	30%
i)	Buffer strip	A buffer strip is required along any interior side lot line and rear lot line which abuts land zoned for residential or institutional purposes in accordance with Section 4.7.

j)	Outdoor Storage	Outdoor storage is permitted in the C5 zone but shall comply with the provisions of Section 4.28
k)	Outdoor Display Areas	The outdoor display of merchandise for sale or hire is permitted within the C5 Zone but shall comply with the provisions of Section 4.27
l)	MDS I	The requirements of the Minimum Distance Separation (MDS 1) formula shall apply to any new principal building or use within the C5 zone.
m)	Accessory Dwellings	A permitted single detached dwelling accessory to a permitted C5 use shall be located in accordance with Section 6.1.3.

11.0 INDUSTRIAL ZONES

TABLE 11A PERMITTED USES IN INDUSTRIAL ZONES	M1 Service Industrial	M2 General Industrial	M3 Extractive Industrial
Important Note: *Refer to Section 4.41 for Special Use Provisions That May Affect Industrial Lands That Are Located Within a Wellhead Protection Area.*			
Agricultural use in accordance with Section 6.0 but not including a single detached dwelling			✔
Amusement arcade in accordance with Section 4.4	✔	✔	
Animal shelter	✔	✔	
Assembly or banquet hall	✔	✔	
Auction sales establishment	✔	✔	
Automobile body repair and painting	✔	✔	
Automobile parts and accessories supplier	✔	✔	
Automobile sales and service	✔	✔	
Automobile service station in accordance with Section 4.5	✔	✔	
Automobile storage facility	✔	✔	
Automobile wash in accordance with Section 4.5	✔	✔	
Building or lumber supply outlet	✔	✔	
Business or professional office	✔	✔	
Catering service	✔	✔	
Commercial greenhouse or nursery	✔	✔	
Commercial kennel			
Commercial recreation	✔	✔	
Commercial school or studio	✔	✔	
Communications and broadcasting establishment	✔	✔	
Computer establishment	✔	✔	
Contractor's yard	✔	✔	
Convenience store	✔	✔	
Dry Cleaning or Laundry Plant	✔	✔	
Farm implement sales and service establishment	✔	✔	
Feed mill, seed plant or grain elevator	✔	✔	
Fuel storage depot	✔	✔	
Garden centre	✔	✔	
General Industrial Undertakings Including: Assembly, Fabricating, Manufacturing, Stamping, Processing And Packaging Of Goods Or Raw Materials		✔	
Gravel Pit			✔
Light Industrial Undertakings Including Assembly, Fabricating, Manufacturing, Processing And Packaging Of Goods Or Raw Materials	✔	✔	
Mini-storage warehouse	✔	✔	
Monument sales	✔	✔	
Office supply	✔	✔	
Parking lot	✔	✔	
Photofinishing establishment	✔	✔	
Place of entertainment	✔	✔	
Postal or courier terminal	✔	✔	
Printing, publishing or packaging establishment	✔	✔	
Private or commercial club	✔	✔	
Public building	✔	✔	

Public use	✔	✔	
Public utility	✔	✔	
Public works yard	✔	✔	
Quarry			✔
Recreational vehicle sales or rental establishment	✔	✔	
Recycling depot	✔	✔	
Rental outlet	✔	✔	
Research and development establishment	✔	✔	
Restaurant	✔	✔	
Service use	✔	✔	
Service or repair shop	✔	✔	
Sports park	✔	✔	
Storage facility	✔	✔	
Taxi establishment	✔	✔	
Towing establishment	✔	✔	
Tradesperson's shop	✔	✔	
Transport, trucking or distribution establishment	✔	✔	
Veterinarian clinic	✔	✔	
Warehouse	✔	✔	
Waste Management Facility Operated by a Public Authority	✔	✔	
Water or sewage treatment facility	✔	✔	
Wholesale outlet	✔	✔	
Uses Accessory To The Foregoing Industrial Uses Including Offices, Factory Sales Outlets And Facilities For Employees such as Day Care Centres, and Recreation Facilities Occupying Up To 30% Of The Gross Floor Area Of The Premises Occupied By The Primary Use	✔	✔	
A Micro Wind Energy System in Accordance with Section 4.42	✔	✔	
Important Note: *Refer to Section 4.41 for Special Use Provisions That May Affect Industrial Lands That Are Located Within a Wellhead Protection Area.*			

11.1 Service Industrial (M1) Zone

Within any M1 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

11.1.1 Permitted Uses

In accordance with Table 11A

11.1.2 Building Regulations

a)	Minimum Lot Frontage	30 m (98.4 ft)
b)	Minimum Front Yard	6 m (19.7 ft)
c)	Minimum Rear Yard	7.5 m (24.6 ft), but if the rear lot line is abutting a Residential, Institutional Zone, Future Development, or Open Space Zone

		the minimum rear yard shall be 15 m (49.2 ft).
d)	Minimum Interior Side Yard	3 m (9.8 ft), but if the interior side lot line is abutting a Residential or Institutional Zone, the minimum interior side yard shall be 6 m (19.7 ft)
e)	Minimum Exterior Side Yard	6 m (19.7 ft)
f)	Minimum Landscaped Area	20% A buffer strip in accordance with Section 4.7 is required along any interior side lot line and rear lot line which abuts land zoned for residential, institutional, future development, or open space purposes.
g)	Outdoor Storage	Outdoor storage is permitted in the M1 zone but shall comply with the provisions of Section 4.28.
h)	Outdoor Display Areas	The outdoor display of merchandise for sale or hire is permitted within the M1 Zone but shall comply with the provisions of Section 4.27
j)	Setbacks from Adjacent Uses	Where land zoned M1 abuts any land zoned for residential, institutional, future development or open space purposes, no buildings shall be allowed within 15 metres (49.2 ft) of said zone limit.

11.2 General Industrial (M2) Zone

Within any M2 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

11.2.1 Permitted Uses

In accordance with Table 11A

11.2.2 Building Regulations

a)	Minimum Lot Frontage	30 m (98.4 ft)
b)	Minimum Front Yard	6 m (19.7 ft)
c)	Minimum Rear Yard	7.5 m (24.6 ft)
d)	Minimum Interior Side Yard	3 m (9.8 ft)
e)	Minimum Exterior Side Yard	6 m (19.7 ft)
f)	Minimum Landscaped Area	20%

g)	Buffer strip	A buffer strip in accordance with Section 4.7 is required along any interior side lot line and rear lot line which abuts land zoned for residential, institutional or open space purposes.
h)	Outdoor Storage Area	Outdoor storage of goods, materials and equipment is permitted in accordance with Section 4.28, except that in an M2 zone outdoor storage is not permitted within 15 m (49.2 ft) of land zoned for residential, institutional or open space purposes.
i)	Outdoor Display Area	Outdoor display and sales is permitted in accordance with Section 4.27, except that in an M2 zone outdoor display and sales is not permitted within 15 m (49.2 ft) of lands zoned residential, institutional or open space.
j)	Setbacks from Adjacent Uses	Where land zoned M2 abuts any land zoned for residential, institutional, future development or open space purposes, no buildings shall be allowed within 30 metres (98.4 ft) of said zone limit.

11.3 Extractive Industrial (M3) Zone

Within any M3 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

11.3.1 Permitted Uses

In accordance with Table 11A

11.3.2 Regulations

a)	Minimum Lot Area	The lesser of: 2.0 ha (4.9 ac) or, In accordance with an approved Site Plan pursuant to the Aggregate Resources Act.
b)	Minimum Lot Frontage	The lesser of: 30.0 m (98.4 ft) or, in accordance with an approved Site Plan pursuant to the Aggregate Resources Act.

c)	Setback from Adjacent Use or Zone	No building, structure, plant or product stockpile shall be located on the pit site within 30.0 m (98.4 ft) of any zone boundary nor within 100.0 m (328.0 ft) of the boundary of any Residential use or Zone on adjacent property, unless a lesser setback is authorized on an approved Site Plan pursuant to the Aggregate Resources Act.
d)	Excavation Setback	No pitface or quarry excavation shall be located closer than 30.0 m (98.4 ft) from a public road allowance or closer than 15.0m (49.2 ft) of a zone boundary, unless a lesser setback is authorized on an approved Site Plan pursuant to the Aggregate Resources Act. The stockpiling of berm material containing only topsoil and overburden material is permissible within the required pitface/excavation setback area.

All lands zoned M3 shall comply with the provisions of a Site Plan approved under the authority of the Aggregate Resources Act.

{Note: Mineral Aggregate Areas as per the County of Wellington Official Plan are illustrated on Appendix Map 3 for information purposes}

11.4 Industrial Business Park (M2.BP) Zone

Within any M2.BP ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

11.4.1 Permitted Uses

Same as the permitted uses set out in Table 11A for the M2 zone, with the addition of the following:

- Artisan studio
- Communication and broadcasting establishment
- Emergency service facility
- Laboratory
- Business or professional office, but not including a medical clinic

Notwithstanding the foregoing, the following uses shall not be permitted:

- Auction sales establishment

- Building or lumber supply outlet
- Garden centre
- Mini storage warehouse
- Public utility
- Parking lot
- Place of entertainment or recreation
- Personal service shop
- Restaurant
- Transport, trucking or distribution establishment
- Automobile sales and service
- Warehouse
- Waste Management facility
- Waste transfer station
- Salvage yard

11.4.2 Building Regulations

a)	Minimum Lot Frontage	20 m
b)	Minimum Front Yard	7.5 m
c)	Minimum Rear Yard	6 m (increase to 15 m if the rear lot line abuts a Residential, Institutional Zone, or Open Space Zone)
d)	Minimum Interior Side Yard	3 m (increase to 15 m if the interior lot line abuts a Residential, Institutional Zone, Open Space Zone)
e)	Minimum Exterior Side Yard	6 m (19.7 ft)
f)	Minimum Landscaped Area	Front yard: 100% of area in front wall of building, except areas provided for paved access/egress and visitor and handicap parking. 100% of the required minimum side and rear yard requirements, or to any fence line or opaque screening provided, whichever is greater.
g)	Buffer Strip	A buffer strip is accordance with Section 4.7 is required where any interior side or rear lot line abuts a Residential, Institutional or Open Space Zone. Such buffer strip may be incorporated into the required interior side or rear yard.
h)	Outdoor Storage	Permitted in accordance with Section 4.28 but only in a rear yard.
i)	Outdoor Display Area	Not permitted

12.0 RECREATIONAL ZONES

12.1 Campground (CG) Zone

Within any CG ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

12.1.1 Permitted Uses

a) A Seasonal Campground
b) Uses, buildings and structures accessory to the foregoing, including:
   i. Recreational facilities for passive and active recreation including a swimming pool and a recreation centre
   ii. Maintenance building
   iii. Refuse collection and storage areas
   iv. An office and administration building
   v. Laundry facilities
   vi. A convenience store
   vii. Common Amenity Areas
   viii. One dwelling unit for on-site staff
   ix. Off-season storage

12.1.2 Regulations

12.1.2.1 Regulations for a Lot Containing a Seasonal Campground

a)	Minimum Yard Requirements	No trailer, building or structure shall be located: iii. within 15 m (49.2 ft) of any public street iv. within 7.5 m (24.6 ft) of a side or rear lot line that does not abut a public street, or within 15 m (49.2 ft) of the boundary of any Residential Zone.

12.1.2.2 Regulations for An Individual Camp or Trailer site

a)	Minimum Site Area	310 m^2 (3,336.9 ft^2)
b)	Required Access	Each site shall be accessible by means of a driveway at least 3.6 m (11.8 m) in width for one-way traffic, or at least 6 m (19.7 m) in width for two-way traffic.
c)	Park Model Trailer Setbacks (including patio enclosure additions)	6 m (19.7 m) to a front site boundary 0.6 m (2 ft) to a rear or side site boundary
d)	Required Site Boundary Abutting a Driveway	Each site shall have a minimum of 6 m (19.7 m) of trailer site frontage to a driveway located within the campground.

e)	Fixed Additions	Only prefabricated screened or three-season patio enclosures are permitted. No patio enclosure shall exceed 3.7 m (12 feet) wide and shall not exceed the length of the trailer it serves.
f)	Accessory Buildings	Each site shall be permitted one accessory building or structure having a floor area no greater than 14 m^2 (150 ft^2). No accessory building shall be located within 0.6 m (2 ft) of a site boundary.

12.2 Mobile Home Park (MH) Zone

Within any MH ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

12.2.1 Permitted Uses

a) A Mobile Home Park
b) Uses, buildings and structures accessory to the foregoing, including:
   i. Recreational facilities for passive and active recreation including a swimming pool and a recreation centre
   ii. Maintenance building
   iii. Refuse collection and storage areas
   iv. An office and administration building
   v. Laundry facilities
   vi. A convenience store
   vii. Common Amenity Areas
   viii. One dwelling unit for on-site staff
   ix. Off-season storage of recreational vehicles

12.2.2 Regulations

12.2.2.1 Regulations for A Mobile Home Site

a)	Minimum Site Area	310 m^2 (3,336.9 ft)
b)	Required Access	Each site shall be accessible by means of a driveway at least 3.6 m (11.8 ft) in width for one-way traffic, or at least 6 m (19.7 ft) in width for two-way traffic.
c)	Trailer Setbacks (including patio enclosure additions)	6 m (19.7 ft) to a front site boundary 0.6 m (2 ft) to a rear or side site boundary
c)	Required Site Frontage	Each site shall have a minimum of 12 m (39.4 ft) of site frontage to a driveway located within the mobile home park.
e)	Accessory Buildings	Each site shall be permitted one accessory building or structure having a floor area no greater than 14 m^2 (150 ft^2). No accessory building shall be located within 0.6 m (2 ft)

of a mobile home site boundary nor within 1.2 m (4 ft) of any mobile home or accessory building, whether or not such structure is on the same site.

13.0 FUTURE DEVELOPMENT ZONE

Within any FD ZONE, no land shall be used and no building or structure shall be constructed, altered or used except in accordance with the following regulations.

13.1 Permitted Uses

a) uses, buildings and structures lawfully existing on the date of passing of this bylaw

13.2 Regulations

a) As existing on the date of passing of this by-law

14.0 HOLDING ZONES

Wherever a Zone symbol on the Schedule "A" Zone Maps has a suffix with the symbol (H) in parentheses, referred to as the holding designation, such Zone shall be a holding Zone and all provisions of this By-law applicable to the Zone shall apply except that no person shall erect or alter any Building or Structure or add any Use in the holding Zone until this By-law has been amended to remove the holding designation.

14.1 General Holding Zone Provisions

Where a zone symbol appears on the Schedule “A” Zone Maps as the symbol (H) in parentheses with no number immediately following the symbol (H), then the requirements for the removal of the holding zone provisions, and the uses that are permitted prior to the removal of the holding zone symbol are set out below:

a) Interim Uses

Any use lawfully existing as of the date of passing of this by-law including uses accessory thereto.

b) Requirement for Removal of Holding Zone Symbol

Prior to passing a by-law to remove the holding zone symbol, Council shall be satisfied that adequate municipal sewer, water, and storm drainage services are available to the site, and that all necessary agreements required to provide for the proper and orderly development of the lands, such as a development agreement, subdivision agreement, condominium agreement, site plan agreement, or service financing agreement shall be executed and the applicable terms of such agreements complied with.

14.2 Site Specific Holding Zone Provisions

Wherever a Zone symbol on the Schedule "A" Zone Maps has a suffix with the symbol (H) in parentheses, referred to as the holding designation, such Zone shall be a holding Zone and all provisions of this By-law applicable to the Zone shall apply except that no person shall erect or alter any Building or Structure or add any Use in the holding Zone until this By-law has been amended to remove the holding designation. The relevant Holding Zone Provisions are denoted by the number (if any) immediately following the symbol (H) on the zoning map (H1, H2, H3 etc).

14.2.1 Holding Zone H1 (Bonaire Highlands) – Removed by By-law 2014-0XXX

14.2.2 Holding Zone H2 (Reid’s Heritage Group-Highland Hills)

14.2.2.1 Interim Uses

- Installation or maintenance of a watermain, well, sanitary sewer main, pumping station, gas main, pipeline, storm water management facility, ground water collection system, lighting fixture, overhead or underground electrical services, cable television, telegraph or

telephone line or associated tower or transformer, together with installations or structures appurtenant thereto in accordance with a development agreement between the Owner and the Township.

14.2.2.2 Requirements for the Removal of the Holding Zone

a. Conservation Plan

The Owner shall submit a Conservation Plan prepared by a qualified professional. Such a report shall meet Ministry of Culture guidelines and should include descriptions of repairs, stabilization and preservation activities as well as long term conservation, monitoring and maintenance measures required to ensure that the heritage attributes of a protected heritage property are conserved.

14.2.3 Holding Zone H3 (Elora Meadows)

14.2.3.1 Interim Uses

- Agricultural uses excluding livestock housing;
- Installation or maintenance of a watermain, well, sanitary sewer main, pumping station, gas main, pipeline, storm water management facility, ground water collection system, lighting fixture, overhead or underground electrical services, cable television, telegraph or telephone line or associated tower or transformer, together with installations or structures appurtenant thereto in accordance with a subdivision agreement between the Owner and the Township.
- One single detached dwelling on one lot provided such lot has access to municipal sanitary collection, water distribution and storm drainage services

14.2.3.2 Requirements for the Removal of the Holding Zone

a. Site Servicing Completed

The Township's consulting engineers have issued a written recommendation to the Township that Stage I and II services have been constructed in accordance with approved plans and that preliminary acceptance be granted. Stage I services for purposes of this by-law consists of all underground works including all storm and sanitary sewers and ground water collection system, watermain and conduits or pipes for electrical services and all other utilities such as gas, telephone and cable TV under roadways and including all water, storm and sanitary sewer service connections to the limit of the street allowance for each proposed building lot. Stage II services include all road works up to and including granular road base, curbs, gutters and base asphalt, placement of street signs and traffic control signs, and completion of parkland with grading, topsoil, approved vegetation including sod or seed, and required fencing.

b. Compliance with Agreements

The Owner is in compliance with any agreements with the Township affecting the lots or blocks for which the removal of the holding zone is requested. Without limiting the generality of the foregoing such agreements may include a development agreement, subdivision agreement, servicing agreement, service financing agreement, site alteration agreement or site plan agreement.

c. Installation and Monitoring of Groundwater Collection System (GWCS) Level I

The holding zone symbol shall not be removed for the following lots and blocks according to the Draft Plan 23T-20003 approved on August 4, 2006 until such time as the Township is satisfied that the GWCS has been installed to its satisfaction, that the GWCS has been inspected and confirmed to be operating, and that the GWCS has been video reviewed with results satisfactory to the Township.

Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 35, 49, 51, 52, 77, 78, 79, 80, 81, 82, 83, 104, 111, 115, and Block 116

d. Installation and Monitoring of Groundwater Collection System (GWCS) Level II

In addition to the requirements of Item c. above, the holding zone symbol shall not be removed for the following lots and blocks according to the Draft Plan 23T-20003 approved on August 4, 2006 until such time as a groundwater monitoring program has indicated that there is substantial evidence that the GWCS is operating as intended and expected results are achieved over a period of approximately twelve (12) months from the date upon which the Township Engineer has recommended preliminary acceptance of the Stage I services including a minimum of one wet season in order to establish the GWCS' effectiveness.

Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 44, 45, 46, 47, 48, 50, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 105, 106, 107, 108, 109, 110, 111, 113, 114 and Blocks 117, 118, 123, and 124.

14.2.4 Holding Zone H4 (South Ridge)

14.2.4.1 Interim Uses

- Agricultural uses excluding livestock housing;
- Installation or maintenance of a watermain, well, sanitary sewer main, pumping station, gas main, pipeline, storm water management facility, ground water collection system, lighting fixture, overhead or underground electrical services, cable television, telegraph or

telephone line or associated tower or transformer, together with installations or structures appurtenant thereto in accordance with a subdivision agreement between the Owner and the Township.

- One single detached dwelling on one lot provided such lot has access to municipal sanitary collection, water distribution and storm drainage services

14.2.4.2 Requirements for the Removal of the Holding Zone

a) Municipal sewer and water capacity is available and has been allocated to the lots or blocks for which the removal of the holding zone is requested;
b) The Township's consulting engineers have recommended preliminary acceptance of all services required to be completed prior to the issuance of building permits for the lots or blocks for which the removal of the holding zone is requested;
c) The construction of a landscaped berm on lands zoned OS-30 with a minimum peak height of 407.5 metres has been implemented to the satisfaction of the Township.

14.2.5 Holding Zone H5 (Goldmanco, Wellington Road 7, Elora)

14.2.5.1 Interim Uses

- Any use permitted by the HC-61 zone, but not a drug store

14.2.5.2 Requirements for the Removal of the Holding Zone

The submission of a market justification report regarding the use of a drug store by the Owner and Peer Review of such report by the Township.

14.2.6 Holding Zone H6 (Loblaw Properties, Tower St. South, Fergus)

14.2.6.1 Interim Uses

- Any use lawfully existing as of April 6, 2009.

14.2.6.2 Requirements for the Removal of the Holding Zone

a) Preparation of and implementation through appropriate agreements of a Design Brief to the satisfaction of the Township. The Design Brief shall demonstrate how the site will be developed in accordance with Sections C.13.5 and C.15 of the Township Official Plan and/or in accordance with any Design Guidelines that apply to the site at the time that site plan approval is granted.

b) The Owner shall submit a Vegetation Management Plan prepared by a qualified professional. Such a Plan shall evaluate the existing vegetation on site and determine any existing vegetation that should be retained and integrated into the site plan, and as well as the measures that will be undertaken before, during and after

construction to ensure that vegetation to be preserved is not damaged by construction activities and is maintained following construction. A compensation plan should be developed for any existing vegetation that cannot be retained, and the Plan shall be implemented through appropriate agreements.

c) The Township and the Owner(s) shall enter into a service financing agreement to ensure the appropriate financing of any external municipal services reasonably required to provide for the appropriate level of service to the site.

d) The Owner, in co-operation with the Township, shall arrange a Public Information Meeting and shall give notice of such meeting to such persons, public bodies and agencies as the Township considers appropriate. The proposed Site Plan and Vegetation Management Plan must be available for public viewing at the Information Meeting. It should be noted that the purpose of the Information Meeting is to inform the public of the detailed development plan for the lands but is not for the purposes of soliciting public input regarding the use of the land.

14.2.7 Holding Zone H7 (Maple Leaf Acres, Phases 1 and 2)

14.2.7.1 Interim Uses Prior to the Removal of the Holding Zone

Any use permitted by the CG zone, provided that no lands in the CG.36.3 zone can be used continuously from the first day of November of one calendar year to the last day of April of the following calendar year (inclusive)

14.2.7.2 Requirements for the Removal of the Holding Zone (to permit continuous use between the months of April and December of the same calendar year (inclusive))

a) Demonstration by a qualified professional, and to the satisfaction of the Township's Consulting Engineers, that the sewage treatment system is operating within the terms and conditions of a Certificate of Approval issued by the Ministry of Environment.

b) The written approval of the Grand River Conservation Authority.

c) Written confirmation from a qualified professional, and to the satisfaction of the Township's Consulting Engineers, that the sewage collection and treatment system is capable of accommodating the additional loading that would result from the extended occupancy.

d) The written approval of the Township Fire Chief or his designate.

e) The written approval of the Electrical Safety Authority.

f) The Maple Leaf Acres Tenants Association and the Township have entered into a Responsibility Agreement with regard to any sewage

works covered by a Certificate of Approval issued by the Ministry of Environment.

14.2.8 Holding Zone H8 (6258 First Line, West Garafraxa)

14.2.8.1 Interim Uses Prior to the Removal of the Holding Zone

- A group home and uses accessory thereto

14.2.8.2 Requirements for the Removal of the Holding Zone

- Completion and implementation of a noise assessment report to the satisfaction of the Township, to address any noise mitigation measures necessary to provide appropriate buffering from adjacent future industrial development
- Execution of any agreements deemed necessary by the Township to provide for the proper and orderly development of the subject lands, including but not limited to, development agreements, site plan agreements, and an agreement to provide for the provision of and connection to, municipal services if and when they are available
- Appropriate provision for servicing the lands by one of the following methods:
    - Municipal sewer and water services, if they are available at the time of holding zone removal; or,
    - Individual private sewage treatment and water supply, if municipal sewer and water services are not available
- Ministry of Environment approval of private water supply and sewage treatment systems, if required.
- Demonstrated conformity with the Wellhead Protection provisions of the County of Wellington Official Plan, to the satisfaction of the Township.

14.2.9 Holding Zone H9 (Highlands Pine, Phase 3)

14.2.9.1 Interim Use(s) Prior to Removal of Holding Zone

A use lawfully existing on the day of passing of this by-law.

14.2.9.1 Requirements for the Removal of the Holding Zone

a) Written confirmation from the Ministry of Natural Resources that any license issued pursuant to the Aggregrate Resources Act affecting the subject land has been surrendered.

b) Written confirmation that the Ministry of Environment has issued a Certificate of Approval and/or Permit to Take Water for the water

supply and distribution system required to service any applicable phase of development of a seasonal campground on the subject land.

c) Written confirmation that the Ministry of Environment has issued a Certification of Approval of the sewage collection and disposal system required to service any applicable phase of development of a seasonal campground on the subject land.

d) The Township has granted site plan approval and entered into a site plan agreement pursuant to Section 41 of the Planning Act, R.S.O. 1900.

e) Any reports and plans required in support of b) and c) above shall be prepared by qualified professionals and shall also be submitted to the Township for review by its Consulting Engineers.

f) The Township's Consulting Engineers shall be satisfied through the submission and review or reports and plans prepared by qualified professionals, the storm water management is available to service any applicable phase of the development of a seasonal campground on the subject land.

g) The written approval of the Grand River Conservation Authority.

h) Written confirmation from the County of Wellington Roads Department that the applicant and the County have entered into an agreement to provide for the installation of right-turn and left-turn lanes from Wellington Road 19 onto Fifth Line.

14.2.10 Holding Zone H10 (Eastwood Subdivision 23T-07002)

14.2.10.1 Interim Uses Prior to the Removal of the Holding Zone Symbol

a) Installation or maintenance of a watermain, well, sanitary sewer main, pumping station, gas main, pipeline, storm water management facility, ground water collection system, lighting fixture, overhead or underground electrical services, cable television, telegraph or telephone line or associated tower or transformer, together with installations or structures appurtenant thereto in accordance with a registered subdivision agreement between the Owner and the Township.

b) One single detached dwelling on one lot provided such lot has access to municipal sanitary collection, water distribution and storm drainage services

c) One or more model homes that may be authorized by the Township pursuant to a subdivision agreement or model home agreement.

14.2.10.2 Requirements for the Removal of the Holding Zone Symbol

a) Stage I and Stage II services have been constructed in accordance with the provisions of a registered subdivision agreement.

b) The owner is in compliance with any agreements with the Township affecting the lots or blocks for which the removal of the holding zone is requested. Without limiting the generality of the foregoing such agreements may include a development agreement, subdivision agreement, preservicing agreement other servicing agreement, service financing agreement, site alteration agreement or site plan agreement.

14.2.11 Holding Zone H11 (94 Wellington Road 7)

14.2.11.1 Interim Uses Prior to the Removal of the Holding Zone Symbol

a) A single detached dwelling and uses accessory thereto, to be regulations in accordance with the provision so the R1A zone.

14.2.11.2 Requirements for Removal of the Holding Zone Symbol

a) Completion of a noise assessment report prepared by a qualified professional, to the satisfaction of the Township, to address any noise mitigation measures necessary to provide appropriate buffering of proposed uses from adjacent residential development.

b) Submission of a Vegetation Management Plan prepared by a qualified professional to the satisfaction of the Township. Such a Plan shall evaluate the existing vegetation on site and determine any existing vegetation that should be retained and integrated into the site plan, as well as the measures that will be undertaken before, during and after construction to ensure that vegetation to be preserved is not damaged by construction activities and is maintained following construction. A compensation plan should be developed for any existing vegetation that cannot be retained and the Plan shall be implemented through appropriate agreements.

c) Execution of any agreements deemed necessary by the Township to provide for the proper and orderly development of the subject lands, including but not limited to, development agreements, site plan agreements, and an agreement to provide for the provision of and connection to, municipal services, including conveyance of any necessary easements.

14.2.12 Holding Zone H12 (Landmark/Little Folks)

Holding zone provisions shall initially be applied to the land affected by this by-law. Development or site alteration shall not occur until such time as the holding zone symbol is removed by by-law. The holding zoned symbol shall not be removed until such time as all of the following have been completed to the satisfaction of the Township of Centre Wellington

a. Heritage Impact Assessment/Conservation Plan

The Owner shall submit a Heritage Impact Assessment and Conservation Plan prepared by a qualified professional. Such a report shall ensure that the proposed development and/or site alteration will conserve the heritage attributes of any significant cultural heritage resources on or adjacent to the subject land, and should include descriptions of repairs, stabilization and preservation activities as well as long term conservation, monitoring and maintenance measures required to ensure that the heritage attributes of significant cultural heritage resources are conserved.

b. Site Plan Control By-law

The Township shall pass a site plan control by-law in accordance with Section 41 Subsection (4)(d) permitting the scope of site plan control to include matter of exterior design including the character, scale, appearance and design features of buildings, and their sustainable design to the extent that it is a matter of exterior design; and the Owner shall obtain site plan approval and enter into a site plan agreement with the Township and the County of Wellington if deemed necessary by the County, pursuant to Section 41 of the Planning Act, R.S.O. 1990.

c. Uses Permitted Prior to Site Plan Control By-law

Installation or maintenance of a watermain, well, sanitary sewer main, pumping station, gas main, pipeline, storm water management facility, ground water collection system, lighting fixture, overhead or underground electrical services, cable television, telegraph or telephone line or associated tower or transformer, together with installations or structures appurtenant thereto.

14.2.13 Holding Zone H13 (CBM Eramosa Pit)

On lands zoned M3 (H13) gravel pit within a licensed pit pursuant to the Aggregate Resources Act, 1990, as amended, is permitted. The H13 holding zone provision provides that extraction is restricted to a minimum depth of 1.5 metres about the established (seasonally high) groundwater table.

Holding Zone H13 may be removed through one of the three following options:

1. Appropriate studies have been completed to the satisfaction of the County of Wellington and Township, in accordance with the County Official Plan policies regarding mineral aggregate resource extraction below the water table in force and effect at the time of application by the landowner for lifting of the Holding (H13) provision; or
2. Township Council may lift the Holding (H13) provision subsequent to ta determination by the Courts or the Ontario Municipal Board that regulating the depth of exaction through zoning is not within the jurisdiction of a Municipality and is not permissible; or
3. The County of Wellington and the Township have determined that regulation the depth of extraction through zoning is no longer required.

Until such time as the H13 holding zoned symbol is removed, permitted uses shall include all uses permitted by the M3 zone, save and except for extraction which is restricted to a minimum depth of 1.5 metres about the established (seasonally high groundwater table.

For purposes of this by-law, the water is defined as the established (seasonally high) groundwater table, in accordance with Figure 3 of the June 24, 2011 report by Golder Associates entitled 'CBM Eramosa Pit Extension Errata' and the monitoring requirements identified in Note 1.2.6 of the Aggregate Resources Act Site Plans dated, June 30, 2015.

14.2.14 Holding Zone H14

a. Completion of an environmental impact assessment report prepared by a qualified professional, to the satisfaction of the Grand River Conservation Authority, to address any identified natural features

b. Written confirmation from the Ministry of Natural Resources that any license issued pursuant to the Aggregate Resources Act affecting the subject land has been surrendered.

14.2.15 Holding Zone 15 (350 Wellington Road 7, Elora)

a) Any use lawfully existing as of the date of passing of this by-law including uses accessory thereto.

b) Requirements for Removal of Holding Zone Symbol

i. Allocation of sewer and water capacity;

ii. The execution of agreements to provide for the extension of municipal services to the satisfaction of the Township and County; and,

iii. Satisfy the requirements of Policy 11.4.5 of the County Official Plan through the provisions of a Guideline D-4 Study to the satisfaction of the County Solid Waste Services Division.

15 EXCEPTION ZONES

The following provisions shall have effect notwithstanding anything else in this By-law and other provisions of this By-law shall be deemed to be amended insofar as is necessary to give effect thereto. Exception Zones are denoted with a number followed by a decimal place, followed by a second number, with number before the decimal place representing the map on which the exception zone is located. For example, Exception 50.x is on Defined Area Map #50.

The suffix (T) indicates the zone is a temporary use zone, and the suffix (H) indicates that the zoning is subject to holding zone provisions. Where the suffix H is followed by a number (i.e. H1, H2, etc.) there is a site specific holding zone removal requirement in Section 13. Otherwise the general holding zone provisions apply.

Exception No.	Zone Code	SPECIAL ZONING PROVISIONS
15.1.1	A.1.1(T)	In addition to the uses permitted by the A zone, a garden suite shall be a permitted use on lands zoned **A.1.1(T)**, subject to the following special provisions: a) The garden suite may be located further than 30.5 metres (100 feet) from the main residence on the lot. b) This zoning is temporary, and is in effect until May 1, 2010, at which time the zoning shall revert to “A”.
15.1.2	M3.1.2	Notwithstanding any other provision of this by-law to the contrary, on the lands zoned **M3.1.2** the following exceptions shall apply: a) The existing dwelling may continue to be used for a residence until such time as pit operations commence. After this time, the residence shall only be used for an accessory building to the pit operation including an accessory residence for the pit owner, pit operator or pit watchman. b) A building, structure or stockpile may be located within the 30 metre setback along the southeastern boundary of Lot 6 where the subject land abuts the boundary of the licensed pit in Lot 7. c) Pit excavation may occur within the minimum 15.24 metre setback along the southeastern boundary of Lot 6 where the subject land abuts the boundary of the licensed pit in Lot 7.
15.1.3	A.1.3 (T)	Notwithstanding any other provision of this By-law to the contrary, on land zoned **A.1.3 (T)**, the following special provisions shall apply: a) In addition to the uses permitted by the A zone, a garden suite is permitted in accordance with Section 4.16 b) Notwithstanding Subsection 4.16.f), the garden suite authorized by this by-law may be located in front of the front wall, but not more than 73 metres, from the principal residence.

		c) The use permitted herein is a temporary use and the By-law shall expire upon the date of twenty (20) years from the date of passing of this By-law. Upon expiry of this By-law, the zoning shall revert to Agricultural.
15.2.1	A.2.1	Notwithstanding any other provision of this by-law to the contrary, on the lands zoned **A.2.1** a second single detached dwelling shall be permitted for the purposes of providing farm help accommodation, subject to the following: a) The existing access to Eighth Line West shall be shared between the second dwelling and the principal dwelling. No new access for the second dwelling shall be permitted. b) The second dwelling shall be located within the existing farm building cluster illustrated by the limits of the A.2.1 zone. c) The second dwelling shall have a gross floor area no greater than 185.8 m^2 (2,000 square feet)
15.2.2	A.2.2(T)	In addition to the uses permitted by the Agricultural zone provisions, in an **A.2.2(T)** Zone a garden suite shall also be permitted, subject to the following: a) The maximum gross floor area of a permitted garden suite shall be 149 square metres. b) The shortest distance between the closest point of the garden suite and nearest point of the main residence shall be no greater than 18.3 m. c) This zoning is temporary and shall be in effect until March 19, 2017, at which time the zoning shall revert back to Agricultural.
15.2.3	A.2.3	Notwithstanding any other provision of this by-law, on lands zoned **A.2.3**, a home industry that manufactures farm implements such as bale racks, bale carts and multi-purpose wagons is permitted subject to the following special provisions: • The maximum floor area of a home industry use shall be 836.1m^2 (9,000 ft^2) • The maximum number of employees of the home industry who are not residents of the subject land shall be eight (8) • Outdoor storage shall be visually screened from the street For the purposes of this by-law, a home industry shall mean an occupation or business conducted for gain or profit as a secondary use to the main permitted use.
15.2.5	A.2.5	Notwithstanding anything else in this By-law to the contrary, on lands zoned **A.2.5** a dwelling unit is not permitted.
15.2.4	M3.2.4	Notwithstanding any other provision of this by-law to the contrary, on land zoned M3.2.4, extraction of mineral aggregate resources shall not occur below any point which is 1.5 metres above the established (seasonally high) groundwater table

15.3.1	A.3.1	Notwithstanding any provision of this by-law to the contrary, on the lands zoned **A.3.1** the permitted uses shall include a private school. The development of a private school shall take place in accordance with the requirements of the IN Zone.
15.3.2	A.3.2	Notwithstanding anything else in this by-law to the contrary, the land zoned **A.3.2** shall remain vacant of buildings and structures and the permitted uses shall <u>not include</u> a livestock housing facility and shall <u>not include</u> a single detached dwelling or any uses related to or accessory to the foregoing. Agricultural uses shall be limited to fallow, field crops, and pasturage.
15.3.3	M3.3.3	Except as provided for below, the land zoned **M3.3.3** shall meet all other zone requirements and general regulations of this by-law: a) A building, structure or stockpile may be located within the minimum 30 metre setback along the southeastern boundary of Lot 18 where the subject land abuts the boundary of the licensed pit in Lot 9, Concession A b) Pit excavation may occur within the minimum 15.24 metres setback along the southeastern boundary of Lot 18 where the subject land abuts the boundary of the licensed pit in Lot 9, Concession A.
15.3.4	M3.3.4	Notwithstanding any other provisions of this By-law, the land zoned **M3.3.4** may be used for the following specific uses in addition to those uses permitted in the M3 zone: a) One asphalt plant b) Uses accessory to the foregoing
15.3.5	A.3.5	Notwithstanding anything else in this By-law to the contrary, on land zoned **A.3.5** a veterinarian's clinic is a permitted use in addition to the uses permitted by the Agricultural zone, subject to the following: a) The use may be established only in conjunction with the use of the principal residence on the property and the owner-operator of the veterinarian's office must be an occupant of the principal residence on the property. b) No more than two (2) employees who are not residents of the principal dwelling are allowed. c) A veterinarian's office may be located in a detached accessory building sited in accordance with the applicable accessory building regulations. d) The maximum gross floor area devoted to a veterinarian's office use is 186 square metres (2,002 square feet). e) No outdoor display, sales or storage of goods or materials is permitted. f) One identification sign shall be permitted in accordance with the applicable Sign Bylaw but shall not exceed 48 sq. ft. in area.

15.3.6	M3.3.6	Notwithstanding the provisions of the M3 zone, in an **M3.3.6** the minimum separation permitted between the area of extraction and the dwelling shall be 140 metres.
15.3.7	A.3.7	Notwithstanding any other provision of this by-law to the contrary, on lands zoned **A.3.7**, the lands and buildings may be used for an art and sculpture studio, and instruction in the art of sculpture, subject to the following: a) Retail sales are not permitted b) Residential use is not permitted c) No addition to the existing building shall be permitted.
15.3.8	A.3.8	Notwithstanding anything else in this By-law to the contrary, on lands zoned **A.3.8** an abattoir is also permitted.
15.3.9	OS.3.9	Notwithstanding anything else in this by-law to the contrary, the land zoned **OS.3.9** shall only be used for a maximum of thirty cottages and a church camp and uses, buildings and structures accessory thereto, including one single detached dwelling.
15.3.10	A.3.10(T)	Notwithstanding anything else in this by-law to the contrary, on lands zoned A.3.10(T), the following special provisions shall apply: a) In addition to the uses permitted by the A Zone, a garden suite is permitted in accordance with Section 4.16. b) Nothwithstanding Subsection 4.16. f), the garden suite authorized by this by-law may be connected ot the main dwelling by a breezeway. c) The use permitted herein is a temporary use and this by-law shall expire upon the date of twenty years from the date of passing of this by-law. Upon expiry of this by-law, the zoning shall revert to Agricultural. d) An agreement pursuant to Section 39.1 (1) of the Planning Act, R.S.O. 1990 is required and the Director of Planning is authorized to execute such an agreement on behalf of the Township.
15.4.1	A.4.1	Notwithstanding anything else in this by-law to the contrary, on the lands zoned **A.4.1**, two single detached residential dwellings shall be permitted.
15.4.2	A.4.2	Notwithstanding any other provision of this by-law to the contrary, on lands zoned **A.4.2**, a dwelling unit is not permitted.
15.4.2	A.4.2(T)	Notwithstanding any provision of this By-law to the contrary, in an **A.4.2(T)** Zone**,** a garden suite shall also be permitted, in accordance with the provisions of Section 4.14, except for the following exceptions: a) The maximum gross floor area of the garden suite shall be 105 square metres. b) This zoning is temporary, and shall expire on August 12, 2012, at

		which time the zoning shall revert back to Agricultural.
15.4.3	A.4.3	Notwithstanding any other provision of this by-law to the contrary, on lands zoned **A.4.3**, an additional residential unit (separate from the main dwelling) shall be permitted, subject to the following: a) The additional residential unit shall be accessed from the existing road entrance and no new road access shall be permitted. c) The additional residential unit shall be located within the existing building cluster illustrated by the limits of the **A.4.3** zone. d) The additional residential unit shall have a gross floor area no greater than 129 m2.
15.4.3	A.4.3 (T)	Notwithstanding anything else in this by-law to the contrary, on lands zoned A.4.3(T), the following special provisions shall apply: a) In addition to the uses permitted by the A Zone, a garden suite is permitted in accordance with Section 4.16. b) Notwithstanding Subsection 4.16. f), the garden suite authorized by this by-law may be located not more than 43 metres from the main residence on the lot. c) The use permitted herein is a temporary use and this by-law shall expire upon the date of twenty (20) years from the date of passing on this by-law. Upon expiry of this by-law, the zoning shall revert to Agricultural.
15.4.4	A.4.4	Notwithstanding any other provision of this by-law to the contrary, on lands zoned A.4.4, a dwelling unit is not permitted.
15.5.1	A.5.1	Notwithstanding any other provision of this By-law to the contrary, on lands zoned A.5.1, the following special provisions apply: a) a small-scale school with a maximum ground floor area of 250m2 is permitted; b) the minimum distance separation (MDS1) setback to the nearest barn shall be 340m.
15.6.1	A.6.1	Notwithstanding any other provision of this by-law to the contrary, on the lands zoned **A.6.1** a second single detached dwelling shall be permitted for the purposes of providing farm help accommodation. The second dwelling shall be subject to the following provisions: a) The existing access to Third Line West shall be shared between the second dwelling and the principal dwelling. No new access shall be permitted. b) The second dwelling may consist of a prefabricated dwelling house designed, constructed and equipped for year round occupancy, containing suitable sanitary facilities including a flush toilet, shower

		or bathtub within the unit but does not include a motor home or travel trailer. c) The second dwelling shall be located within the existing farm building cluster illustrated by the limits of the A.6.1 zone. d) The front wall of a second dwelling may project beyond the front wall of the principal dwelling. e) A second dwelling shall have a gross floor area no greater than 185.8 m^2 (2,000 square feet) f) The maximum height of a second dwelling shall be one storey. g) A second dwelling shall be located no less than 3.0 metres and no more than 15.0 metres from the main residence on the lot, and not less than 3.0 metres from any building on an abutting property.
15.7.1	A.7.1	Notwithstanding anything else in this by-law to the contrary, on lands zoned **A.7.1,** the following uses shall also be permitted: a) a mill-working shop within the existing buildings and additions thereto b) a second single detached dwelling c) two cottages which may be used for farm vacation purposes for 12 months a year
15.7.2	A.7.2	Notwithstanding any other provision of this by-law, on land zoned **A.7.2**, a dwelling unit is not permitted.
15.7.3	A.7.3	Notwithstanding any other provisions of this by-law, on land zoned **A.7.3,** a commercial farm related business is permitted within an accessory building not to exceed 750 m^2 (8,073 ft^2)
15.7.4	A.7.4	Notwithstanding any other provision of this by-law, on land zoned **A.7.4**, a mobile homes is permitted as an accessory use to an agricultural use for the purpose of farm help accommodation.
15.7.5	A.7.5	Notwithstanding any other provision of this by-law, on land zoned **A.7.5**, a dwelling unit is not permitted.
15.8.1	M3.8.1	Notwithstanding any provision of the M3 zone to the contrary, on lands zoned **M3.8.1**, the following special provisions shall apply: a) The permitted uses of the A zone shall also be permitted. b) A building, a structure or a stockpile is permitted within 30 metres of the northwestern and western zone boundaries. c) Excavation is permitted within 15 metres of the northwestern and western zone boundaries. d) Excavation is permitted within 150 metres of a residence
15.8.2	M3.8.2	Notwithstanding any provision of the M3 zone to the contrary, on lands zoned **M3.8.2**, the following special provisions shall apply: a) The permitted uses of the A zone shall also be permitted.

		b) Excavation is permitted within 15 metres of the northern zone boundary. c) Excavation is permitted within 150 metres of a residence.
15.8.3	A.8.3	Notwithstanding any provision of the A zone to the contrary, on lands zoned **A.8.3**, two single detached dwellings are permitted.
15.8.4	M3.8.4	Notwithstanding anything else in this by-law to the contrary, in an **M3.8.4** Zone, the following provisions shall apply: <u>Permitted Uses</u> 1. Any use permitted by the A zone, except a single detached dwelling unit. 2. Any use permitted by the M3 zone, except an aggregate transfer station and a licensed extractive quarry 3. Notwithstanding Item 1., a single detached dwelling existing on the date this by-law comes into effect. 4. Notwithstanding the foregoing, extraction of mineral aggregate resources shall not occur below any point which is 1.5 metres above the established (seasonally high) groundwater table. 5. The reprocessing of asphalt and concrete is permitted as an ancillary use to a licensed extractive pit while the site remains licensed. <u>Setbacks</u> No excavation is permitted within 60 metres of the limits of an abutting separate lot that is zoned R1A.
15.8.5	M3.8.5	Notwithstanding anything else in this by-law to the contrary, in an **M3.8.5** Zone, the following provisions shall apply: <u>Permitted Uses</u> 1. Any use permitted by the A zone, except a single detached dwelling. 2. Any use permitted by the M3 zone, except an aggregate transfer station and a licensed extractive quarry 3. Notwithstanding the foregoing, extraction of mineral aggregate resources shall not occur below any point which is 1.5 metres above the established (seasonally high) groundwater table. 4. The reprocessing of asphalt and concrete is permitted as an ancillary use to a licensed extractive pit while the site remains licensed.
15.9.1	A.9.1	Notwithstanding any other provision of this by-law to the contrary, on lands zoned **A.9.1**, the restoration of antique and classic cars shall also be permitted.
15.9.2	A.9.2	Notwithstanding any other provision of this by-law to the contrary, on lands zoned **A.9.2**, the permitted uses shall also include the repair and sale of trucks.
15.9.3	A.9.3	In an **A.9.3 Zone,** buildings or structures may be erected or used for the purposes of inspecting, testing and grading of eggs for commercial poultry breeding. No building or structure shall contain a dwelling unit. The following lot regulations shall apply: Minimum Lot Area: 2.1 ha which may include land

		zoned Environmental Protection Minimum Lot Frontage 150 m (492 ft) Minimum Front Yard: 30 m (98 ft) Minimum Side Yard: 4.5 m (15 ft) on one side 75 m (246 ft) on other side Minimum Rear Yard: 4.3 m Maximum Lot Coverage 10% Maximum Building Height: 8.5 m
15.9.4	A.9.4	In an **A.9.4 Zone**, no land shall be used and no buildings or structures erected or used except in accordance with the requirements of Section 6.3 of this by-law, with the exception of the following: a) Minimum Front Yard: 10 m b) Maximum Area of Hobby Barn: 310 m^2
15.9.5	A.9.5	Notwithstanding anything else in this by-law to the contrary, on the lands zoned **A.9.5** a Salvage Yard for farm equipment may also be permitted.
15.9.6	A.9.6 (T)	Notwithstanding anything else in the by-law to the contrary, on lands zoned **A.9.6 (T),** the following special provisions shall apply: a) In addition to the uses permitted by the A Zone, a garden suite is permitted in accordance with Section 4.16. b) Notwithstanding Subsection 4.16. c), the garden suite authorized by the by-law may project beyond the front wall of the principal residence. c) The use permitted herein is a temporary use and this by-law shall expire upon the date of twenty (20) years form the date of passing of this by-law. Upon expiry of this by-law, the zoning shall revert to Agricultural.
15.10.1	A.10.1	Notwithstanding anything to the contrary in this by-law, in an **A.10.1** zone a hobby farm shall also be permitted, subject to the following: a) A residential dwelling shall be established no closer than 120 metres (394) feet) to the front lot line. b) A residential dwelling shall be established no closer than 75 metres (246 feet) to the boundary between Lot 11 and 12, Concession 2. c) The minimum lot frontage for the flag shaped property which abuts Lot 12 shall be 83.8 metres (275 feet)
15.11.1	C5.11.1	Notwithstanding any other provision of this by-law, the lands zoned **C5.11.1** may be used for any permitted C5 use, subject to the following: Minimum Frontage: 39.6 metres Minimum Rear Yard Setback, Dwelling Unit: 45.5 metres Minimum Side Yard, One Side: 6.0 metres

		Minimum Side Yard, Other Side: 3.0 metres
15.11.2	A.11.2	Notwithstanding any other provision of this by-law, in addition to the uses permitted in the A Zone, the land zoned **A.11.2** may also be used for a welding and repair shop.
15.11.3	C5.11.3	Notwithstanding any other provision of this by-law, the lands zoned **C5.11.3** may only be used for a nursery and landscape retail business but not an accessory residential dwelling unit.
15.11.4	A.11.4(T)	Notwithstanding anything else in this by-law to the contrary, on lands zoned A.11.4(T), the following special provisions shall apply: a) In addition to the uses permitted by the A Zone, a garden suite is permitted in accordance with Section 4.16 b) Nothwithstanding Subsection 4.16.f), the garden suite authorization by this by-law may be located not more than 36 metres (115 feet) from the principal residence. c) The use permitted herein in a temporary use and this by-law shall expire upon the date of twenty (20) years from the date of passing of this by-law. Upon expiry of this By-law, the zoning shall revert to "A- Agricultural" and "EP-Environmental Protection".
15.11.5	A.11.5	Notwithstanding any provision in this By-law to the contrary, on lands zoned **A.11.5** the following special provisions shall apply: a) In addition to the uses permitted in the A zone, a farm drainage business is also permitted as an agriculture-related use in the main building, gross floor area (GFA) not to exceed 1,250 m^2 (13,455 ft^2) b) Outdoor storage associated with the Farm Drainage business is permitted, subject to section 4.28.
15.12.1	A.12.1	Notwithstanding anything in this By-law to the contrary, the land zoned **A.12.1** may be used for a home industry, however, no buildings shall be permitted within 281.3 m of any existing livestock barn.
15.12.2	IN.12.2	Notwithstanding anything in this By-law to the contrary, the land zoned **IN.12.2** may be used for the following uses: a) Private clinic for human health care purposes including any accessory dormitory for human habitation. Human health care may include therapy, health care, education, research and social activities. b) Recreational uses related to human health care. c) One residential dwelling, accessory to the private clinic. d) Agricultural uses but no associated buildings or structures are permitted.
15.12.3	A.12.3 (T)	Notwithstanding anything else in this by-law to the contrary, on lands zoned **A.12.3 (T)**, the following special provisions shall apply:

		a) In addition to the uses permitted by the A Zone, a garden suite is permitted in accordance with Section 4.16. b) Notwithstanding Subsection 4.16. c), the garden suite authorized by this by-law may project beyond the front wall of the principal residence. c) The use permitted herein is a temporary use and this by-law shall expire upon the date of twenty (20) years from the date of passing of this by-law. Upon expiry of this by-law, the zoning shall revert to Agricultural.
15.12.4	A.12.4	Notwithstanding any other provision of this by-law, on land zoned **A.12.4,** a dwelling unit is not permitted.
15.13.1	A.13.1	Notwithstanding anything else in this By-law to the contrary, the land zoned **A.13.1** may only be used for storage of Agricultural and Construction equipment and a pump repair business, with one side yard of 4.6 metres (15 feet), and a minimum lot frontage of 39.63 metres (130 feet).
15.13.2	A.13.2	Notwithstanding anything else in this by-law to the contrary, on the lands zoned **A.13.2** an industrial plant for food processing is permitted in addition to the uses permitted by the Agricultural zone.
15.13.3	A.13.3	Notwithstanding any other provision of this by-law, on land zoned **A.13.3**, a dwelling unit is not permitted.
15.13.4	A.13.4	Notwithstanding any other provision of this By-law to the contrary, on lands zoned **A.13.4**, the following special provisions shall apply: 1) In addition to the uses permitted in the A zone, the following shall also be permitted: a) A seasonal special events venue located within the existing barn only b) A sales outlet for agricultural products in accordance with Section 4.34 located on the lower level of the existing barn. 2) Regulations: a) Minimum lot area: the lot area that existed as of the date of passing of this By-law. b) Maximum floor area: 330 m^2 for a special events venue, as defined herein. c) Special events venue is defined as: “a building or structure, or portion thereof, that is used for gatherings of persons for weddings, receptions, corporate events, music/concerts theatre, day retreats, seasonal farm dinners, workshops, or similar functions and may include the consumption of food and beverages but shall not include overnight accommodation.”

		d) That for the purpose of this By-law, seasonal shall mean from May 1 to October 31, and one (1) event in November, exclusively. e) A maximum occupancy of 150 persons/patrons is permitted for a special event within the special events venue, as generally outlined above. f) Amplified music or sound in relation to a special events venue shall be permitted to operate until 11:00 p.m subject to the Noise By-law, and shall be limited to a sound pressure level of 81 dBA. Amplification of sound shall not be permitted outside of the special events venue. g) A sales outlet for agricultural products, located within the existing barn, shall be permitted to sell retail products produced on the subject property and a limited amount of products from other properties, provided that the sale of products produced on other properties foes not exceed 25% (up to 13m^2) of the total floor area devoted to the sales outlet. h) That a minimum of 40 parking spaces, including 3 accessible spaces, shall be provided for the special events venue and sales outlet combined. 3) Site Plan Control a) Prior to any development or site alteration taking place on the site Township approval of a site plan is required as per the Township's Site Plan Control By-law.
15.14.1	A.14.1	Notwithstanding any other provision of this by-law, on land zoned **A.14.1**, a dwelling unit is not permitted
15.14.2	A.14.2	Notwithstanding any other provision of this by-law, on land zoned **A.14.2**, the maximum permitted Nutrient Units shall be five (5), and the minimum lot frontage shall be 15 metres.
15.14.13	A.14.13	***OMB ORDER ISSUED – PL150807**** Notwithstanding any other provision of this by-law, on land zoned A.14.13, a commercial dog kennel is permitted, subject to the following special provisions: a) Minimum lot area shall be 0.3 hectares b) Minimum lot frontage shall be 50 metres Setbacks applying to kennel buildings/structures: a) Minimum front yard setback shall be 14 metres b) Minimum interior side yard setback shall be 12 metres c) Minimum exterior side yard setback shall be 20 metres d) Minimum rear yard setback shall be 39 metres Setbacks applying to fully fenced defined use outdoor runs/pens: a) Minimum front yard setback shall be 14 metres b) Minimum interior side yard setback shall be 0 metres c) Minimum exterior side yard setback shall be 27 metres d) Minimum rear yard setback shall be 39 metres

15.15.1	A.15.1	Notwithstanding any other provision of this by-law, on lands zoned **A.15.1** an egg grading station and the ancillary uses of a cooler, office and loading area are permitted uses, in accordance with the following: a) The maximum lot coverage of agricultural buildings and structures shall not exceed 20%. b) The minimum front yard for existing non-residential buildings and structures shall be 21.34 metres (70 feet). c) The minimum side yard for existing non-residential buildings and structures, including the cooler and office, shall be 8.53 metres (28 feet).
15.15.2	A.15.2	Notwithstanding any other provision of this By-law, on land zoned **A.15.2**, a dwelling unit is not permitted.
15.16.1	C5.16.1	Notwithstanding any other provision of this by-law, land within the **C5.16.1** Zone may also be used for farm implement sales, including auction sales of farm implements and the servicing of farm implements to be sold, and the sale barn located on the said lands may be used for indoor auction sales of household furnishings, and effects.
15.17.1	A.17.1	Notwithstanding any provision of this By-law to the contrary, on lands zoned **A.17.1** the following special provisions shall apply: a) A maximum of three lots shall be permitted. b) Each lot shall have a minimum of 50.0 metres of frontage on Highway No. 6, or shall abut a 0.3 metre reserve adjacent to Highway No. 6, or shall abut a common right-of-way contiguous to Highway No. 6. c) Access to Highway No. 6 shall be from a common right-of-way. Direct access to Highway No. 6 is not permitted. d) The minimum lot size is 0.96 hectares. The maximum lot size is 1.11 hectares.
15.17.2	A.17.2	Notwithstanding any other provision of this by-law, on land zoned **A.17.2**, a dwelling unit is not permitted.
15.18.1	A.18.1	Notwithstanding anything in this By-law to the contrary, the land zoned **A.18.1** may be used for any of the permitted uses of the Agricultural Zone, a home occupation, and a home industry, subject to the following: a) A home occupation or a home industry may be permitted within a two-storey accessory building. b) Such building shall have a maximum ground floor area of 158.0 square metres (1700 square feet). c) A maximum of five (5) employees who do not reside on the subject property are permitted.

		d) Field crews associated with a permitted home occupation or home industry may also use this site as a base.
15.19.1	A.19.1	Notwithstanding anything else in this By-law to the contrary, the land zoned **A.19.1** may be used for mink farming, subject to the following: 1. PERMITTED BUILDINGS: Five Barns for the housing of mink and accessory workshop 2. REGULATIONS: Minimum Lot Frontage: 155.9 m (511.2 ft) Minimum Lot Area: 2.42 hectares (5.99 acres) Maximum Lot Coverage (for mink barns and workshop): 17% Minimum Side Yard (for Mink Barns) 9.14 m (30 ft) Minimum Rear Yard (for Mink Barns) 9.14 m (30 ft)
15.19.2	A.19.2	Notwithstanding anything else in this By-law to the contrary, the land zoned **A.19.2** may be used for a home industry, subject to the following additional regulations: a) no outside storage of vehicles is permitted.
15.19.3	A.19.3	Notwithstanding anything else in this By-law to the contrary, on lands zoned **A.19.3**, two single detached dwellings and uses, buildings and structures accessory thereto are permitted.
15.19.4	A.19.4	Notwithstanding anything else in this By-law to the contrary, the lands zoned **A.19.4** shall be used in accordance with the following: a) The main permitted use shall include the storage and sales of landscape materials such as soil, building stone, armour stone, aggregate, soil amendments, mulch, flag stone and decorative stone products. Agricultural uses excluding livestock housing shall also be permitted. b) Permitted accessory uses may include a scale, scalehouse, storage sheds, and the processing of soil products and storm-water management areas. c) An existing communications tower and related accessory structures are also permitted. Such existing structures are exempted from subsections (e) and (f) below. d) Buildings and structures are only permitted on the northerly portion of the property, having a width of approximately 213 metres (700 feet) and a depth of approximately 335.5 metres (1,100 feet). e) The minimum front yard for buildings permitted by this zone shall be 60.0 metres (200 feet).

		f) The minimum side yard for buildings permitted by this zone shall be 45.5 metres (150 feet). g) The total floor area of all buildings and structures permitted by this zone, including accessory buildings and structures, shall not exceed 1,500 sq. m. (16,146 sq. ft.) h) Notwithstanding any of the above, the lands that are subject to an 45 metre wide easement in favour of Hydro One Networks shall be kept free of all outdoor storage or any building or structures.
15.19.5	A.19.5	Nothwithstanding any other provision of this by-law, on land zoned **A.19.5**, a dwelling unit is not permitted.
15.19.6	A.19.6	Notwithstanding any other provision of this By-law to the contrary, on lands zoned A.19.6 the following special provisions shall apply: a) A battery energy storage system, as defined herein, and associated equipment is a permitted use. b) The battery energy storage system use shall be limited to a maximum area of approximately 8 hectares, as generally shown on the attached Schedule A. c) The minimum front yard setback for any above ground structures or infrastructure, including battery units, related to the batter energy storage system use shall be 200 metres from Second Line. Internal facility roads, stormwater management features, and fire department connection points are not subject to the minimum front yard setback requirements. d) Battery Energy Storage System is defined as “a system or facility that uses battery technology to capture energy produced at one time for use a later time to reduce imbalances between energy demand and energy production.
15.20.1	A.20.1	Notwithstanding any provision of this By-law to the contrary, on lands zoned **A.20.1**the following special provisions shall apply: <u>1. Permitted Uses</u> ▪ a licensed kennel in accordance with the provisions of Section 5.5 of this By-law. ▪ a pet grooming service shop operated in conjunction with a licensed kennel. ▪ a single detached dwelling. ▪ a caretaker’s dwelling located within the same building housing the administrative offices for a licensed kennel. ▪ uses existing on the date of passing of this by-law. ▪ uses, buildings and structures accessory to the foregoing permitted uses. <u>2. Special Lot Regulations</u> a) Minimum Lot Area:4 hectares (10 acres)

		b) Minimum Lot Frontage: 560 metres (1,837 feet) c) Only one access to Highway No. 6 is permitted. The single detached residence and the kennel buildings shall share a common access. d) All other applicable provisions of the Agricultural Zone shall apply.
15.20.2	OS-GC.20.2	Notwithstanding any other provision of this By-law, on the land zoned **OS-GC.20.2** a private 9-hole golf course with a clubhouse/storage building shall be permitted in addition to the permitted uses of the Agricultural Zone, subject to the following special provisions: d) The clubhouse may include bathrooms and change rooms, but shall not contain shower or snack bar facilities. In addition, this portion of the building shall not exceed 70.0 sq. m (750 sq. ft.) in total floor area. e) The maximum number of members at this golf course is 200 persons. f) A minimum of 4 off street parking spaces per golf hole shall be provided.
15.20.3	A.20.3	Notwithstanding any other provision of this By-law, the land zoned **A.20.3** the following special provision shall apply: a) The maximum floor area for all accessory buildings shall be 10% of the total lot area.
15.20.4	A.20.4	Notwithstanding any other provision of this By-law, the land zoned **A.20.4**, a dwelling unit is not permitted.
15.20.5	A.20.5	Notwithstanding any other provision of this By-law to the contrary, on lands zoned **A.20.5**, a dwelling unit is not permitted.
15.20.6	A.20.6	Notwithstanding any other provision of this by-law to the contrary, on lands zoned **A.20.6**, the minimum lot frontage shall be 12 metres.
15.20.7	A.20.7	Notwithstanding any other provision of this By-law to the contrary, on lands zoned **A.20.7**, a dwelling unit is not permitted.
15.22.1	A.22.1	Notwithstanding any other provision of this by-law, the lands zoned **A.22.1** may be used for a livestock trucking business and uses, buildings and structures accessory thereto shall also be permitted.
15.22.2	A.22.2	Notwithstanding anything else in this by-law to the contrary, on lands zoned **A.22.2** by this by-law the permitted uses shall include all uses permitted by Section 5.1.1 but not a single detached dwelling nor any uses accessory to a single detached dwelling.
15.22.3	A.22.3	Notwithstanding anything else in this By-law, in an **A.22.3** Zone, the following special provisions shall apply: Minimum Lot Area: 4.0 hectares Minimum Rear Yard Setback (Agricultural Buildings): 22.0 metres

15.22.4	A.22.4	Notwithstanding any other provision of this by-law, on land zoned **A.22.4**, a dwelling unit is not permitted.
15.22.5	A.22.5	Notwithstanding any other provision of this by-law to the contrary, on lands zoned A.22.5, a dwelling unit is not permitted.
15.23.1	A.23.1	Notwithstanding any other provision of this by-law, on lands zoned **A.23.1** two single detached dwellings and uses, buildings and structures accessory thereto are permitted.
15.23.2	A.23.2	Notwithstanding any other provision in this by-law to the contrary, on the lands zoned **A.23.2,** a second single-detached dwelling shall be permitted on the subject lot and shall only be used for the accommodation of farm help.
15.23.3	A.23.3	Notwithstanding any other provision of this by-law, on land zoned **A.23.3**, a dwelling unit is not permitted.
15.23.4	A.23.4	Notwithstanding any other provision of this By-law to the contrary, on lands zoned **A.23.4,** a second single detached dwelling shall be permitted, subject to the following: a. The existing two accesses to First Line shall be maintained and no new road access shall be permitted b. The second dwelling shall be located within the existing building cluster illustrated by the limits of the **A.23.4** zone. c. The second dwelling shall have a gross floor area no greater than 234 m2 (2,519 ft2).
15.24.1	C2.24.1 R1A.24.1	Notwithstanding anything else in this By-law to the contrary, the lands zoned **C2.24.1** and **R1A.24.1** shall be used in accordance with the following: **C2.24.1 Zone** <u>Permitted Uses</u> (i) Motels (ii) Hotels (iii) Motor Hotels (iv) Restaurants (v) Garden Centres (vi) Gasoline Retail Outlets (vii) Automobile Service Stations (vii) Auction Centre (viii) Accessory residential uses (ix) Uses, buildings and structures accessory to the foregoing <u>Lot Regulations</u> Minimum Lot Area 2000 m2 (21,529 ft.) Minimum Lot Frontage 30 m (98 ft.). Minimum Front Yard 20 m (66 ft.)

		Minimum Interior Side Yard 3 m (10 ft.) Minimum Exterior Side Yard 12 m (39 ft.) Minimum Rear Yard 8 m 26 ft.) Maximum Building Height 2 storeys Maximum Lot Coverage 30 percent **R1A.24.1 Zone** <u>Permitted Uses</u> In addition to the uses permitted in the R1A Zone, the subject lands may also be used for vehicle parking for excavation and trucking equipment, and storage of materials related to the excavation, trucking, landscaping and garden centre located on the adjacent site.
15.24.2	A.24.2	Notwithstanding anything else in this By-law to the contrary, on lands zoned **A.24.2** the following special provisions shall apply: a) Minimum Lot Area 3.7 ha b) Minimum Lot Frontage The lot line abutting the West Garafraxa First Line shall be considered the front lot line and the minimum lot frontage shall be 92.5 metres. c) No dwelling shall be constructed within 173.1 metres of a livestock housing facility on the property at 8166 Wellington Road 19 or within 95 metres of a livestock housing facility located on the property at 8132 Wellington Road 19.
15.24.3	A.24.3	Notwithstanding any other provision of this By-law to the contrary, on lands zoned A.24.3, a dwelling unit is not permitted.
15.24.4	A.24.4	Notwithstanding any other provision of this By-law to the contrary, on lands zoned A.24.4, the following provisions shall apply: a) Maximum floor area for all accessory buildings shall not exceed 6.6% b) The maximum height of the existing barn is recognized and shall not exceed 10.7m
15.25.1	M1.25.1	Notwithstanding any other provision of this by-law to the contrary, the land zoned **M1.25.1** may be used for one single detached dwelling and an automotive recycling establishment, including buildings and structures accessory thereto: Minimum Lot Area: 0.51ha Minimum Front Yard: 13m Minimum Side Yard: 4.5m Minimum Rear Yard: 3m Maximum Lot Coverage: 16%
15.25.2	M1.25.2	Notwithstanding any other provision of this by-law to the contrary, the land zoned **M1.25.2** may only be used for salvage yard purposes, and uses, buildings and structures accessory thereto.

15.25.3	A.25.3	Notwithstanding any other provision of this by-law to the contrary, the land zoned **A.25.3** may be used for a farm machinery repair and restoration business shall also be permitted.
15.25.4	A.25.4	Notwithstanding any other provision of this by-law, on land zoned **A.25.4**, a dwelling is not permitted.
15.25.5	A.25.5	Notwithstanding any other provision of this by-law, on land zoned **A.25.5**, a livestock housing facility is permitted subject to the compliance with the provisions of the Nutrient Management Act.
15.25.6	A.25.6	Nothwithstanding any other provision of this by-law, on land zoned **A.25.6**, a dwelling unit is not permitted.
15.26.1	A.26.1	Notwithstanding anything else in this By-law, on lands within zone **A.26.1**, a second dwelling is permitted for the purpose of providing accommodation for full-time farm help, in accordance with the following: a) The second dwelling shall be setback a minimum of 26.8 metres from the lot line abutting County Road 29. b) No new entrances onto County Road 29 shall be created.
15.26.2	M1.26.2 M1.26.3	Notwithstanding any other provision of this by-law, the lands zoned **M1.26.2 and M1.26.3** together may only be used for the following specific uses: a) a utility pole company which shall include the chemical treatment, storage and sale of poles, lumber and wood products, the storage and repair of trucks and equipment directly associated with the utility pole company; b) uses accessory to the above permitted uses which shall include office space, employee washrooms and lunchroom facilities, off-street parking areas and off-street loading areas, Subject to the following: 1. no utility poles shall be stored between the street line and the front wall of the barn located within Zone M1.26.2. 2. the treatment of the utility poles, lumber and wood products shall be restricted to the area within Zone M1.26.3.
15.26.3	A.26.3	Notwithstanding anything else in this by-law to the contrary, on lands zoned **A.26.3**, no buildings or structures may be erected.
15.26.4	A.26.4	Notwithstanding any other provision of this by-law, on land zoned **A26.4**, a dwelling unit is not permitted.
15.26.5	A.26.5	Notwithstanding any other provision of this by-law, on land zoned **A.26.5**, the minimum lot width shall be 15 metres.

15.27.1	A.27.1	Notwithstanding any other provision of this By-law to the contrary, on lands zoned **A.27.1**, the following special provisions shall apply: 1. a dwelling unit is not permitted 2. the minimum interior side yard setback for an agricultural building shall be 11 metres.
15.27.2	A.27.2	Notwithstanding any other provision of this By-law to the contrary, on lands zoned **A.27.2**, the minimum lot frontage shall be 12.9 metres.
15.27.3	A.27.3	Notwithstanding any other provision of this By-law to the contrary, on lands zoned **A.27.3**, a dwelling unit is not permitted.
15.27.4	A.27.4	Notwithstanding any other provision of this By-law to the contrary, on lands zoned A.27.4, the minimum rear yard setback shall be 5.0 metres.
15.28.1	A.28.1	Notwithstanding any other provision of this By-law to the contrary, on lands zoned **A.28.1**, a dwelling unit is not permitted.
15.28.2	A.28.2	Notwithstanding any other provision of this by-law, on land zoned **A.28.2**, a dwelling unit is not permitted
15.28.3	A.28.3	Notwithstanding any other provision of this by-law, on land zoned **A.28.3**, a dwelling unit is not permitted.
15.28.4	A.28.4	Notwithstanding any other provision of this by-law, on land zoned **A.28.4**, a dwelling unit is not permitted
15.28.5	A.28.5	Notwithstanding any other provision of this by-law, on land zoned **A.28.5**, a livestock housing facility is permitted subject to compliance with the provisions of the Nutrient Management Act.
15.28.6	A.28.6	Notwithstanding any other provision of this by-law, on land zoned **A.28.6**, a dwelling unit is not permitted.
15.28.7	A.28.7	Notwithstanding any other provision of this by-law, on land zoned A.28.7, the following special provisions shall apply c) The minimum side yard for existing agricultural buildings and structures shall be 11 metres on one side (north side) d) The minimum side yard for existing agricultural buildings and structures shall be 15 metres on the other side (south side) e) The minimum rear yard for existing agricultural buildings and structures shall be 8 metres.
15.28.8	A.28.8	Nothwithstanding any other provision of this by-law, on land zoned **A.28.8**, a dwelling unit is not permitted.
15.29.1	A.29.1	Notwithstanding any other provision in this by-law to the contrary, on the lands zoned **A.29.1,** the minimum lot area shall be 2.8 ha (6.9 ac).
15.29.2	A.29.2	Notwithstanding anything else in this By-law to the contrary, the lands

		zoned **A.29.2** shall be used in accordance with the following: <u>Permitted Uses</u> In addition to the uses permitted in the Agricultural Zone, five (5) single detached residential dwellings and uses accessory thereto shall be permitted. <u>Special Regulations</u> a) No residential dwelling may be constructed within 285 m 935 ft) of the south corner of the Southwest Half of Lot 15, Concession 5. b) No new buildings or structures shall be located within 20 m 65.6 ft) of the limits of the EP zone, and no new grading or placement of fill shall take place within 10 m (32.8 ft) of the limits of the EP Zone.
15.29.3	A.29.3	In addition to the uses permitted in the "Agricultural A Zone", in an **A.29.3** Zone an accessory building for the indoor storage and repair of contracting vehicles may also be permitted.
15.29.4	A.29.4	In addition to the uses permitted in the "Agricultural A Zone", in an **A.29.4** Zone a second single-detached dwelling shall be permitted on the subject lot and shall only be used for the accommodation of farm help.
15.29.5	C5.29.5	Notwithstanding anything else in this By-law to the contrary, on lands zoned **C5.29.5,** in addition to the permitted uses of the C5 zones, the following additional uses shall be permitted: A motor vehicle inspection station for the repair of farm and commercial vehicles and equipment, including the sale of trucks, provided the number of trucks on display for retail sale shall not exceed ten.
15.29.6	A.29.6	Notwithstanding the provisions of this By-law, the land zoned **A.29.6** may be used for a church camp and/or a senior citizen residence subject to the following regulations: a) a maximum of ten (10) dwelling units shall be permitted. b) The senior citizen residence shall have a setback of 194 m (636 ft) from Wellington Road # 19.
15.29.7	A.29.7	Notwithstanding anything else in this By-law to the contrary, on lands zoned **A.29.7** a single detached residence and uses accessory thereto are <u>not permitted</u>.
15.29.8	0S-GC.29.8	Notwithstanding any other provision of this By-law to the contrary, on lands zoned OS-GC.29.8, the following special provision shall apply: In addition to the uses permitted by the OS-GC zone, infrastructure associated with development on land zoned R1A.30.5 is permitted, including but not limited to a water treatment facility, wastewater treatment facility and effluent disposal system, together with any installations, structures or accessory buildings appurtenant thereto including the provisions of standby power.

15.29.9	A.29.9	Notwithstanding any other provision of this by-law, on land zoned **A.29.9**, a dwelling unit is not permitted.
15.29.10	A.29.10	Notwithstanding any other provision of this by-law, on land zoned **A.29.10**, a dwelling unit is not permitted.
15.29.11	A.29.11(T)	Notwithstanding anything else in this by-law to the contrary, on lands zoned **A.29.11(T)**, the following special provisions shall apply: a) In addition to the uses permitted by the A zone, a garden suite is permitted in accordance with Section 4.16. b) Notwithstanding Subsection 4.16.f), the garden suite authorized by this by-law may be located not more than 43 metres from the main residence on the lot. c) The use permitted herein is a temporary use and this by-law shall expire upon the date of twenty (20) years from the date of passing this by-aw. Upon expiry of this by-law, the zoning shall revert to Agricultural
15.29.12	A.29.12	Notwithstanding any other provisions of this by-law to the contrary, on lands zoned A.29.12, a dwelling unit is not permitted.
15.29.13	A.29.13	Notwithstanding any other provisions of this by-law to the contrary, on lands zoned A.29.13, the following provisions shall apply: a) Minimum lot frontage: 28 metres
15.30.1	A.30.1	Notwithstanding anything else in this by-law to the contrary, on lands zoned **A.30.1** a boarding kennel shall also be permitted. Special Provisions b) The minimum lot frontage shall be 98 m. c) The minimum lot area shall be 4 ha. d) The minimum setback from the side lot line abutting Wellington Road 19 shall be 18 m. e) A kennel shall be permitted within 300 m of another licensed kennel on an adjacent property.
15.30.2	R1A.30.2	Notwithstanding anything else in this by-law to the contrary, on lands zoned **R1A.30.2** the following provisions shall apply: <u>Permitted Uses</u> a) one single detached dwelling per condominium unit site and uses, buildings and structures accessory thereto. b) Open space uses, excluding any buildings or structure accessory to the adjacent golf course. <u>Zone Requirements</u> Maximum Number of Dwelling Units 20

		Minimum building setback from a private street 7.5 m Minimum Building Separation 5.0 m Maximum Dwelling Height 2.5 storeys
15.30.3	A.30.3	Notwithstanding anything else in this by-law to the contrary, the lands zoned **A.30.3** shall be used in accordance with the following: a) The minimum lot area is 13.5 ha, including portions of the lot that are zoned EP. b) No buildings or structures are permitted to be located a distance greater than 350 m from the front lot line.
15.30.4	OS.30.4	Notwithstanding any other provisions of this By-law, on lands zoned OS.30.4, in addition to the permitted uses of the OS zone, the permitted uses hall include infrastructure associated with development on lands zoned R1A.30.5, including but not limited to the installation or maintenance of a common element access road, water-main, well, 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, structures or accessory buildings appurtenant thereto.
15.30.5	R1A.30.5	Notwithstanding any other provision of this By-law to the contrary, on lands zoned R1A.30.5, the following lot regulations shall apply: • The maximum number of units shall be 118. • For the purposes of this By-law, a common element street allowance shall be considered equivalent to a public street for the purposes of applying the following lot regulations: a) Minimum Lot Frontage 20 m b) Minimum Lot Area 750 m^2 c) Maximum Building Height 2.5 storeys d) Minimum Front Yard Setback from Common Element Street Allowance 7.5 m e) Minimum Exterior Side Yard Setback from Common Element Street Allowance 6.0 m f) Minimum Side Yard 1.8 m g) Minimum Rear Yard 7.5 m h) Maximum Lot Coverage, including accessory buildings 30% i) No building or structure shall be erected within 15 metres of a municipal drain without the prior written approval of the Grand River Conservation Authority.
15.31.1	A.31.1	Notwithstanding any other provision of this By-law to the contrary, o lands zoned A.31.1, a dwelling unit is not permitted.

15.31.2	A.31.2(T)	Notwithstanding any other provision of this by-law, on the lands zoned **A.31.2(T)** a garden suite shall be permitted.
15.31.3	A.31.3	Notwithstanding any other provision of this by-law, on land zoned **A.31.3**, a dwelling unit is not permitted.
15.31.4	A.31.4	Notwithstanding any other provision of this by-law, on land zoned **A.31.4**, the minimum lot width shall be 26.3metres
15.31.5	A.31.5	Notwithstanding any other provision of this by-law, on land zoned **A.31.5**, a dwelling unit is not permitted.
15.31.6	A.31.6	Notwithstanding any other provision of this by-law, on land zoned **A.31.6**, a livestock housing facility is permitted subject to compliance with the provisions of the Nutrient Management Act.
15.31.7	A.31.7	Notwithstanding any other provision of this by-law, on land zoned **A.31.7**, a dwelling is not permitted.
15.31.8	A.31.8	Notwithstanding any other provision of this by-law, on land zoned **A.31.8**, the following special provisions shall apply: a) Minimum Lot Frontage: 11 metres b) Minimum Rear Yard Setback for Storage Barn: 4 metres c) Minimum Side Yard Setback for Storage Barn: 12 metres
15.31.9	A.31.9	Notwithstanding any other provisions of this By-law to the contrary, on lands zoned **A.31.9**, a dwelling unit is not permitted.
15.31.10	A.31.10	Notwithstanding any other provisions of this By-law to the contrary, on lands zoned A.31.10, the following provisions shall apply: a) Minimum lot frontage: 14 metres b) Minimum rear yard setback for existing barn: 2 metres
15.32.1	A.32.1	Notwithstanding any other provision of this by-law, on land zoned **A.32.1**, a dwelling unit is not permitted.
15.33.1	A.33.1	Notwithstanding any other provision of this by-law to the contrary, on lands zoned A.33.1, a dwelling unit is not permitted.
15.33.2	A.33.2	Notwithstanding any other provisions of this by-law to the contrary, on lands zoned A.33.2, the following provisions shall apply: a. Maximum floor area for accessory buildings shall not exceed 6.2%
15.34.2	A.34.2	Notwithstanding any other provision in this by-law to the contrary, the lands zoned **A.34.2** may also be used for a private club including not more than 35 existing cottages or tourist trailers and accessory uses and buildings, subject to the following: a) No cottage or tourist trailer shall be used as a principal residence.

		b) No building or tourist trailer shall be permitted within the floodplain of the Irvine Creek. c) No Trailer, building or structure shall be located within 15.2 m (50 ft) of any public street, or within 7.6 m (25 ft) of a side or rear lot line that does not abut a public street. d) Each cottage or trailer site shall be accessible by means of a driveway at least 3.6 m (12 ft) in width where the driveway is for one-way traffic, or at least 7.6 m (25 ft) in width where the driveway is for two-way traffic.
15.34.3	A.34.3	Notwithstanding any other provision in this by-law to the contrary, the lands zoned **A.34.3** may also be used for a recreational airstrip and accessory uses and buildings.
15.34.4	A.34.4	Notwithstanding any other provision of this by-law, on land zoned **A.34.4**, a dwelling unit is not permitted.
15.34.5	A.34.5	Notwithstanding any other provision of this by-law, on land zoned **A.34.5**, a dwelling unit is not permitted.
15.34.6	A.34.6	Notwithstanding any other provisions of this By-law to the contrary, on lands zoned A.34.6, a dwelling unit is not permitted.
15.34.7	A.34.7	Notwithstanding any other provision of this by-law to the contrary, on lands zoned A.34.7, a dwelling unit is not permitted
15.34.8	A.34.8	Notwithstanding any other provisions of this by-law to the contrary, on lands zoned A.34.8, the following provisions shall apply: The maximum height of the existing barn is recognized and shall not exceed 8.7m.
15.35.1	A.35.1	Notwithstanding any other provision of this by-law, on lands zoned **A.35.1** a second single detached dwelling shall be permitted on the subject lot and shall only be used for the accommodation of farm help.
15.35.2	A.35.2	Notwithstanding any other provision of this by-law, on lands zoned **A.35.2** a welding and fabricating business and uses, buildings and structures accessory thereto shall be permitted. No dwelling shall be permitted on these lands.
15.35.3	A.35.3	Notwithstanding anything else in this by-law, in an **A.35.3** Zone, the following special provisions shall apply: a) The minimum lot area is 1.88 ha. b) The keeping of up to three (3) animal units of livestock is permitted. c) The minimum lot frontage is 301.6 m
15.35.4	CG.35.4	Notwithstanding any other provision of this by-law to the contrary, in a **CG.35.4** Zone, the following special provisions shall apply: <u>Additional Uses Permitted In Conjunction With a Campground</u> • One Additional Single Detached Dwelling • Portable Camping Cabins • Recreational Vehicle Service

15.35.5	CG.35.5	Notwithstanding any other provision of this by-law to the contrary, in a **CG.35.5** Zone, the following special provisions shall apply: <u>Additional Uses Permitted In Conjunction With a Campground</u> • Recreational Vehicle Sales and Service • Amusement Arcade • Miniature Golf • Splash Pad • Storage Facility • Portable Camping Cabins • Outdoor Storage Of Vehicles And Outdoor Equipment
15.35.6	C5.35.6	Notwithstanding any other provision of this by-law, on lands zoned **C5.35.6** the permitted uses shall include a mini golf course and uses, buildings and structures accessory thereto.
15.35.7	A.35.7(T)	Notwithstanding any other provision of this by-law to the contrary, in a **A.35.7(T)** Zone the following special provisions shall apply: <u>Additional Permitted Uses</u> • A garden suite pursuant to Section 39 of the Planning Act. <u>Zone Requirements</u> A garden suite shall be established in accordance with Section 6.11 of this By-law, except that the garden suite may be greater than 15 m from the principal residence. <u>Temporary Provision</u> This garden suite is a temporary use and shall be in effect until October 1, 2011. Upon the expiry of this period, the subject land shall revert back to the original Agricultural zone.
15.35.8	M3.35.8	Notwithstanding any other provision of this by-law, on lands zoned **M3.35.8,** the uses permitted shall be in accordance with the license provisions and site plan pursuant to the Aggregate Resources Act, but shall not include crushing or a concrete or asphalt plant. Pit operation shall only be permitted between October 15th and March 15th of the following year, inclusive. Outside this period, the provisions of the Conservation Area (CA) Zone shall continue to apply to these lands.
15.35.9	CG.35.9	Notwithstanding anything else in this by-law to the contrary, in a **CG.35.9** zone the following special provisions shall apply: <u>Additional Uses Permitted in Conjunction with a Seasonal Campground</u> • Any use permitted by the OS zone • Any use permitted by the EP zone

15.35.10	A.35.10	Notwithstanding any other provision of this by-law, on land zoned **A.35.10**, a dwelling unit is not permitted
15.35.11	A.35.11	Notwithstanding any other provision of this by-law, on land zoned **A.35.11**, the maximum permitted Nutrient Units shall be 5 (five).
15.35.12	A.35.12	Notwithstanding any other provision of this by-law, on the land zoned **A.35.12**, a dwelling unit is not permitted
15.35.13	A.35.13	Notwithstanding any other provision of this By-law to the contrary, on lands zoned **A.35.13**, one additional dwelling unit (detached) shall be permitted, subject to the following: b. No new road access/driveway shall be permitted c. The additional dwelling unit (detached) shall have a gross floor area that is less than or equal to the gross floor area of the principal dwelling already located on the same lot.
15.36.1	C5.36.1	Notwithstanding anything else in this by-law to the contrary, in a **C5.36.1** Zone the permitted uses shall include only sale, rental and service of recreational equipment and uses, buildings and structures accessory thereto, but not including a single-detached dwelling or any other residential use.
15.36.2	A.36.2(T)	In addition to the uses permitted by the Agricultural zone provisions, in an **A.36.2(T)** Zone a garden suite shall also be permitted. Special Provisions 7 a) The shortest distance between the closest point of the garden suite and nearest point of the main residence shall be no greater than 24.4 m (80 ft). b) This garden suite is a temporary use and shall be permitted until November 27, 2016, at which time the zoning of the lands shall revert back to Agricultural.
15.36.3	CG.36.3(H7)	In addition to the uses permitted by the Campground zone provisions, in a **CG.36.3 Zone**, the following special provisions shall apply: <u>Permitted Uses</u> c) Any use permitted by the CG Zone <u>Lot Regulations</u> Setbacks For Fixed Recreational Vehicles (including additions thereto): 6 m (19.7 m) to a front site boundary. 2.4 m (8 ft) from a trailer, addition, or accessory building on another site. Fixed Additions: No addition to a recreational vehicle shall exceed 3.7 m (12

			feet) wide and shall not exceed the length of the trailer it serves. No fixed addition shall be located within 2.4 m (8 ft) of a fixed recreational vehicle or addition thereto, or to accessory building on another site. No addition shall contain plumbing fixtures of any kind.
		Accessory Buildings	Each recreational vehicle site shall be permitted one accessory building or structure having a floor area no greater than 14 m^2 (150 ft^2). No accessory building shall be located within 2.4 m (8 ft) of a trailer or addition thereto on another site, nor within 1.2 m (4 ft) of another accessory building.
		Period of Continual Use	No seasonal campground or part thereof shall be used continuously during the period from the first day of December of one calendar year to the last day of March of the following calendar year (inclusive)
		Maximum Number of Sites	335
		Interpretation	Nothing in these provisions shall permit the covering or enclosure of a recreational vehicle with a permanent structure, nor the attachment of an addition of permanent construction that cannot readily be dismantled, removed or detached in such a manner that the ability to transport the recreational vehicle is restored. Nothing in these provisions shall permit the dismantling of a recreational vehicle to permit the construction of fixed additions.
		Definitions	For the purposes of this zone, a Fixed Recreational Vehicle is a park model trailer or any other recreational vehicle that cannot be transported by virtue of the fact that its running gear has been removed, or because

		structural additions to such a recreational vehicle render it immobile without demolition of the addition. Such fixed recreational vehicles are usually subject to a lease arrangement whereby the park model trailer or fixed recreational vehicle is used throughout the camping season without being moved off site to another location.
15.37.1	A.37.1	Notwithstanding any other provision of this by-law, on land zoned **A.37.1**, a dwelling unit is not permitted.
15.37.2	A.37.2	Notwithstanding any other provision of this by-law, on land zoned **A.37.2**, the minimum lot width shall be 20.3 metres.
15.37.3	A.37.3 (T)	Notwithstanding any other provision of this By-law to the contrary, on land zoned **A.37.3 (T)**, the following special provisions shall apply: a) In addition to the uses permitted by the A zone, a garden suite is permitted in accordance with Section 4.16 b) Notwithstanding Subsection 4.16.f), the garden suite authorized by this By-law may be located not more than 22 metres from the principal residence. c) The use permitted herein is a temporary use and the By-law shall expire upon the date of twenty (20) years from the date of passing of this By-law. Upon expiry of this By-law, the zoning shall revert to “A-Agricultural” and “EP – Environmental Protection”. d)
15.38.1	A.38.1	Notwithstanding anything else in this by-law to the contrary, the following provisions shall apply to the lands zoned **A.38.1** by this by-law: <u>Permitted Uses</u> a) an 18 hole golf course b) uses accessory to the foregoing which shall, without limiting the generality of the foregoing, include: a clubhouse that may contain office, food service and washroom facilities; buildings and structures necessary for the maintenance and operation of the golf course; practice holes and greens c) a single detached residence d) any use permitted by the Agricultural Zone <u>Lot Regulations</u> Maximum Lot Coverage — 5% Minimum Required Parking Spaces — 72 permanent 46 temporary Minimum Building Setback — 15.0 m from any street line

		9.0 m from any other lot line
15.38.2	A.38.2	Notwithstanding anything else in this by-law to the contrary, on lands zoned **A.38.2** by this by-law the following special provisions shall apply: <u>Permitted Uses</u> a. a sawmill operation including ripping, milling and drying of lumber b. uses accessory thereto including but not limited to offices and storage The following additions and exemptions to the lot regulations are recognized: a. Maximum Building Floor Area 3,900 m^2 (41,980 ft^2) Subject to site plan approval, the sawmill operation shall be screened from the Sixth Line by a suitable screen of evergreen trees with an ultimate height of at least 2 m (6.6 ft).
15.38.3	A.38.3	Notwithstanding anything else in this by-law to the contrary, on lands zoned **A.38.3**, outdoor lumber storage is permitted in conjunction with a use established on lands zoned **A.38.2**.
15.38.4	A.38.4	Notwithstanding any other provision of this by-law, on land zoned **A.38.4**, a dwelling unit is not permitted.
15.38.5	A.38.5	Notwithstanding any other provision of this by-law, on land zoned **A.38.5**, the following provisions shall apply: a) A Livestock housing facility is permitted subject to compliance with the provisions of the Nutrient Management Act. b) The livestock housing facility shall have a minimum westerly side yard setback of 11 metres (36 feet)
15.39.1	A.39.1	Notwithstanding any other provision of this By-law to the contrary, on lands zoned **A.39.1**, a dwelling unit is not permitted.
15.40.1	A.40.1	Notwithstanding any other provision of this by-law, on land zoned **A.40.1,** a dwelling unit is not permitted.
15.40.2	A.40.2	Notwithstanding any other provision of this by-law on land zoned **A.40.2**, the maximum15.81. permitted Nutrient Units shall be 5 (five).
15.41.1	A.41.1	Nothwithstanding any other provision of this by-law, on land zoned **A.41.1**, a dwelling unit is not permitted.
15.42.1	A.42.1(T)	Notwithstanding any other provision of this By-law to the contrary, in an **A.42.1(T)** Zone the following special provisions shall apply: Additional Permitted Uses • A garden suite

		Special Zone Requirements • The garden suite may project in front of the main dwelling. • The garden suite is a temporary use and shall be permitted until March 5, 2011, at which time the zoning reverts to Agricultural.
15.46.1	M1.46.1	Notwithstanding anything else in this by-law to the contrary, on the lands zoned **M1.46.1** the following special provisions shall apply in addition to the permitted uses and lot regulations of the M1 Zone**:** <u>A. Additional Permitted Uses</u> a) A racing facility for horses including off-track betting lounges. b) A gaming facility, as approved by the Province, conducted and managed by the Ontario Lottery and Gaming Corporation, and located and developed only in conjunction with a racing facility for horses. c) Offices or headquarters for Agricultural Societies to be located and developed only in conjunction with a racing facility for horses. d) Uses accessory to the foregoing permitted uses including offices, recreational uses, restaurants, a place of entertainment or recreation and a retail gift shop to be located and developed only in conjunction with a racing facility for horses. e) Accessory uses, buildings and structures such as storage, the ship-in and temporary stabling of horses and livestock normally associated with the conduct of race meets and/or agricultural exhibits and displays but not including the raising or rearing of livestock. <u>B. Definitions</u> For the purposes of this Zone, “gaming facility” means the same as set out by Ontario Lottery and Gaming Corporation. <u>C. Additional Lot Regulations Applying to Permitted Uses in Item A</u> Minimum Lot Area: 20 ha Minimum Lot Frontage: 460 m Minimum Setback, Main Buildings or Main Structures: 130 m from Wellington Road 21 290 m from Wellington Road 7 7.5 m from the south lot line 60 m from the west lot line Minimum Landscaped Area: 50% of the lot area including a minimum 3.0 metre wide planting strip along the Wellington Road 21 street line. Minimum # of Parking Spaces: 950 Maximum Height of Main Structures 15 m Minimum # of Loading Spaces: 1

		The other applicable provisions of the M1 zone shall continue to apply to all other permitted uses.
15.48.1	C2.48.1	Notwithstanding any other provisions of this by-law to the contrary, in a **C2.48.1** zone the following special provisions shall apply: a) Permitted uses shall include manufacturing or assembly operation; wholesale outlet; taxi or courier service; busing service, service or repair operation (excluding automobiles); printing or publishing plant; office supply or office related service; office showroom or shop for a contractor; rental outlet but excluding motorized vehicles and recreational trailers; automobile parts and accessories but excluding auto sales and repairs; display and retail sale of appliances, furniture and other household furnishings, hardware and home improvement materials; an office or agency; retail sales of goods or products manufactured or assembled on the premises. b) In addition to the foregoing, the storage, washing and maintenance of school buses is permitted. c) A Buffer strip is required where any rear yard or side yard abuts a residential zone. d) Except in accordance with the use permitted in Item b), outdoor storage is not permitted.
15.48.2	R1A.48.2	Notwithstanding anything else in this by-law to the contrary, on lands zoned **R1A.48.2**, the permitted uses of the R1A zone are permitted on lots that do not have frontage on an opened and maintained public highway. For the purposes of determining compliance with the lot requirements of the R1A zone, the lot line abutting a municipal road allowance or private road providing the means of access to the lot shall be considered the front lot line.
15.48.3	R1A.48.3	Notwithstanding anything else in this by-law to the contrary, on lands zoned **R1A.48.3**, a residential condominium development consisting of 5 single detached dwellings and uses accessory thereto shall be permitted, subject to the following: a) Frontage and access from a private road is permitted. b) For the purpose of determining compliance with the lot requirements of the R1A zone, the front lot line shall be deemed to be the lot line of an individual condominium lot which abut the private road and provides the principal means of access to a lot.
15.49.1	C2.49.1	In addition to the permitted uses of the C2 zone, on lands zoned C2.49.1, a townhouse development subject to subsection a) through f) as set out herein is permitted subject to the following special provisions: a) The townhouse development may consist of one or more of the following dwelling types: i. Cluster townhouse ii. Back-to-back townhouse iii. Live-work townhouse with residential uses permitted at-grade (live) and above commercial uses (work) iv. Permitted commercial uses shall be located within 20 metres of the limits of Wellington Road 7

		v. Permitted commercial uses shall be limited to the following: Artisan studio, Art Gallery, Business or Professional office, Commercial school or studio, Personal Service Shop, Service or Repair Shop, Specialty Food Store, or a home occupation use permitted by Section 4.17 b) The maximum permitted building height for townhouse development shall be 4 storeys but no greater than 16 metres: c) For the purposes of this site specific exception, Section 10.3.4(e) does not apply provided that each live-work townhouse dwelling provides a minimum of 8.0 m^2 of non-residential commercial floor area with direct building access onto Wellington Road 7; d) The minimum rear yard setback shall be 5.1 metres; e) Notwithstanding any severance , partition, or division of lands shown on Schedule "A" which forms part of this by-law, the provisions of this By-law shall apply to the whole of the lot as if not severance, partition or division had occurred. f) The maximum number of townhouse units shall be 280
15.49.2	R3.49.2	Notwithstanding any other provision of this By-law to the contrary, on lands zoned R3.49.2, the following special provisions shall apply: <u>Permitted uses:</u> In addition to uses permitted in the R3 zone, an existing single detached dwelling shall be permitted, subject to the provisions of the R1A zone. <u>Lot Regulations</u> 1. Exceptions for existing Single Detached Dwelling: a) The minimum lot depth shall be 24 m. b) The minimum front yard shall be 3 m. 2. Exceptions for Street Townhouses: a) The minimum lot area per unit shall be 160 m2 b) The minimum side yard shall be 1.6 m on the unattached side. c) The minimum rear yard shall be 7.0 m. d) The minimum landscaped open space shall be 30%. e) The maximum building height shall be two storeys. 3. Exceptions for Cluster Townhouses: a) The side yard abutting the southerly side lot line of 277 Wellington Road 7 shall be 1.6 m and windows to a habitable room may face this yard. b) The side yard abutting the southerly side lot line of 294 South Street and 287 Wellington Road 7 shall be 4.5 m and windows to a habitable room may face this yard. c) One block of two separate dwelling units that is divided vertically and does not have legal frontage on a public street shall also be considered a cluster townhouse. d) The maximum building height shall be two storeys (the front of the building shall be deemed to be on the internal roadway)

		e) Access steps may project up to 3.5 metres into the required front yard. f) Internal lot lines created by a plan of condominium shall not be construed to be lot lines for the purposes of zoning regulations provided that all applicable regulations of this By-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are strictly observed. All other provisions of the R3 zone shall apply.
15.50.1	C1.50.1	Notwithstanding anything else in this by-law to the contrary, on lands zoned **C1.50.1,** all uses of the C1 zone are permitted, subject to the following special provisions: a) Minimum Lot Frontage: 21.3 m (70 feet) b) Minimum Lot Area 1,160 sq. m. (12,500 sq. ft.) c) Minimum Rear Yard 30.48 m d) Minimum Side Yards no minimum e) Parking 17 spaces
15.50.2	R1A.50.2	On lands zoned **R1A.50.2**, in addition to the uses permitted by the R1A zone, a four unit residential building within an existing building shall be permitted, subject to the following: a) Minimum Lot Depth: 37.0 m (121 feet) b) Minimum Rear Yard 3.1 m (10 feet.) c) Maximum Building Height as existing d) A minimum of 1.5 off street parking spaces shall be provided in accordance with Section 5. A maximum of 3 off-street parking spaces may be located in the front yard
15.50.3	C4.50.3	Notwithstanding anything else in this by-law to the contrary, the land zoned **C4.50.3** may be used for a commercial school and a single detached dwelling subject to the following: a) Minimum Lot Area: 627 sq. m. (6,750 sq. ft.) b) Minimum Side Yards: 1.2 m (4 feet) on east side 4.5 m (14.8 feet) on west side c) Minimum Rear Yard 3.6 m (12 feet.)
15.50.4	C1.50.4	Notwithstanding anything else in this by-law to the contrary, on the lands zoned **C1.50.4** the following special provisions shall apply to the establishment of residential units. <u>Number and Location of Residential Units</u> The maximum number of residential units shall be six (6). Residential units are permitted on the upper level of the building and on the ground floor, provided they are located to the rear of a permitted commercial use and occupy less than 50% of the ground floor area. Residential units are not permitted in the street front of the building facing Metcalfe Street. <u>Parking Requirements</u>

<table>
<tr><td></td><td></td><td>The minimum number of off-street parking spaces to be provided is 5. Off-street parking may be located on another lot subject to the Owner demonstrating to the satisfaction of the Township that the appropriate agreements are in place to ensure the continuous provision of 5 off-street parking spaces.</td></tr>
<tr><td>15.50.5</td><td>C1.50.5</td><td>Notwithstanding anything else in this by-law to the contrary, the land zoned C1.50.5 may be used for a bed and breakfast establishment containing not more than 8 rooms in addition to the uses permitted by the C1 zone. Five off-street parking spaces shall be provided in accordance with the requirements of Section 5.</td></tr>
<tr><td>15.50.6</td><td>C4.50.6</td><td>Notwithstanding anything else in this by-law to the contrary, the land zoned C4.50.6 may be used for a medical clinic with not more than 2 practitioners, subject to the following special regulations:

a) Minimum Front Yard 2.1 m (7 feet)
b) Minimum Side Yard 2.7 m (9 feet)
c) Maximum Floor Area 163 sq. m. (1,750 sq. ft.)</td></tr>
<tr><td>15.50.7</td><td>C2.50.7</td><td>Notwithstanding anything else in this by-law to the contrary, on the lands zoned C2.50.7 the following special provisions shall apply:

<u>A. Permitted Uses</u>

• A retail food store having a gross floor area no greater than 2,800 m^2.
• a gas bar
• Uses accessory to the foregoing.
<u>B. Definitions</u>

For the purposes of this zone, 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.

<u>C. Lot Regulations</u>

<table>
<tr><td>Minimum Lot Area</td><td>1,114.8 m^2</td></tr>
<tr><td>Minimum Lot Frontage</td><td>30.5 m</td></tr>
<tr><td>Minimum Front Yard</td><td>6.1 m</td></tr>
<tr><td>Minimum Rear Yard</td><td>7.6 m</td></tr>
<tr><td>Minimum Side Yards</td><td>3.1 m</td></tr>
<tr><td>Maximum Lot Coverage</td><td>40%</td></tr>
<tr><td>Number of Parking Spaces, Minimum</td><td>1 space per 27.9 m^2 gross floor area. For the purpose of determining zoning compliance, the total parking requirement for lands zoned C2.50.7 and C2.51.1 may be combined.</td></tr>
<tr><td>Minimum Landscaped Area</td><td>20%. A buffer strip is required along any interior side lot line and rear lot line which abuts land</td></tr>
</table></td></tr>
</table>

<table>
<tr><td></td><td></td><td>
<table>
<tr><td></td><td>used or zoned for residential or institutional purposes.</td></tr>
<tr><td>General Provisions</td><td>All other applicable requirements of the C2 zone shall apply.</td></tr>
</table>
<u>D. Expansion of Retail Food Store</u>

The total gross floor area of a retail food store may be increased by an additional 925 m^2 to bring the total gross floor area to 3,725 m^2.

Subject to all other applicable law, a building permit to allow such an enlargement of the gross floor area may only be issued by the municipality on or after January 1, 2010, and a municipal permit allowing occupancy of the additional gross floor area shall not be granted prior to January 1, 2011.
</td></tr>
<tr><td>15.50.8</td><td>C1.50.8</td><td>
Notwithstanding anything else in this by-law to the contrary, the following special provisions shall apply to land zoned C1.50.8:

1. <u>Additional Permitted Uses:</u>
• Assembly or banquet hall

2. <u>Lot Regulations</u>
• The maximum building height shall be 18 metres
• The minimum yard abutting a residential zone shall be 1.0 metre

3. <u>Parking Regulations</u>
• Section 5.5.5 does not apply to a hotel & banquet facility
</td></tr>
<tr><td>15.50.9</td><td>R1A.50.9</td><td>
Nothwithstanding anything else in this by-law to the contrary, on land zoned R1A.50.9, the following special provisions shall apply:

Protected Heritage Building (former Baptist Church)

<u>Permitted Uses for Protected Heritage Building</u>
Nothwithstanding the uses permitted in the R1A zone, a Home Occupation shall only be permitted when the entire building (including any additions) is used as a single detached dwelling with no accessory apartment.

In addition to the uses permitted in the R1A zone, the following additional uses are permitted in the Protected Heritage Building:
a) Art gallery
b) Artisan studio
c) Business or professional office
d) Commercial school or studio
e) Personal service shop
f) Church
g) Retail use shall be limited to 36% of the total ground floor commercial area of the building or 36% of the total ground floor area of all buildings, whichever is greater
h) The maximum commercial floor area shall be limited to 128m^2 (ground floor only)
</td></tr>
</table>

		<u>Lot Regulations of Protected Heritage Building</u> a) Maximum lot coverage for all buildings 30% b) Notwithstanding Section 5.3.1.1 of this By-law, a parking space may be located a minimum distance of 0 metres to the street line (Henderson Street) and does not have to be located to the rear of the front wall of the building closest to the street c) At least 1 and no more than 2 parking spaces shall be provided for the Protected Heritage Building with access from Henderson Street **Second Building:** <u>Permitted Uses for Second Building</u> Notwithstanding the uses permitted in the R1A zone, a Home Occupation shall only be permitted if the entire building is used as a single detached dwelling with no accessory apartment. In addition to the uses permitted in the R1A zone, the following additional uses are permitted on the ground floor only in the Second Building: a) Art gallery b) Artisan studio c) Business or professional office d) Commercial school or studio e) Personal service shop f) Retail use shall be limited to 36% of the total ground floor commercial area of the building or 36% of the total ground floor area of all buildings, whichever is greater g) Maximum commercial floor area shall be limited to 74m^2 (ground floor only) h) Nothwithstanding any other provision of this By-law, on land zoned R1A.50.9, the second building may contain no more than 2 dwelling units. If there are two dwelling units, then a Home Occupation would not be permitted in either unit. <u>Lot Regulations for Second Building</u> a) Minimum rear yard 0.3 metres b) Minimum interior side yard 0.3 metres c) Maximum building height – the overall building height of the Second Building shall not exceed the overall height of the Protected Heritage Building at the time of enactment of the designation by-law. d) At least 1 and no more than 2 parking spaces shall be provided for the Second Building with access from Margaret Street along the rear lot line. <u>Retail Use Limitation</u> a) The retail sale of merchandise shall be limited to those produced on site and/or artisan articles such as pottery, glass, wood, leather, weaving, painting, clothing, metal, or gems. b) At no time shall the total retail use, as defined herein, on the entire property be more than 36% of the total ground floor commercial area (footprint) or all buildings. <u>Other Regulations</u> a) Nothwithstanding Section 4.26 of the By-law, two main buildings are permitted on the subject property.

		b) Nothwithstanding Section 4.45 of the By-law, the minimum setback from the rear lot line for a barrier free access ramp and/or stairs is 0.0 metres. c) For the purposes of interpretation of the requirements in this By-law, the front lot line of this property shall be considered Henderson Street. <u>Off-Street Parking Requirements</u> a) Each dwelling unit shall have one parking space. For any use on the property, at no time shall there be less than 2 or more than 4 parking spaces on the entire property.
15.51.1	C2.51.1(H5)	Notwithstanding anything else in this by-law to the contrary, on the lands zoned **C2.51.1** the following special provisions shall apply: <u>Special Regulations for Retail Establishments</u> a) For the purposes of this zone a 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 a gift/novelty/souvenir store, an art dealer or gallery, or an antique store or a drug store and does not include any other permitted use of the C2 zone. b) The maximum combined gross floor area of any commercial building units devoted to one or more retail establishments shall be 1,625 sq. m. (17,492 sq. ft.). c) Subject to all other applicable law, a building permit to allow an enlargement of the total gross floor area of retail commercial building units devoted to retail establishments may only be issued by the municipality on or after July 1, 2010. Such a building permit may authorize the total gross floor area of retail commercial building units devoted to retail establishments to be increased by a total of 700 sq. m. (7,535 sq. ft.) to bring the total gross floor of such commercial space to 2,325 sq. m. (25,027 sq. ft.) d) The minimum gross floor area of any individual retail commercial building unit devoted to retail establishments shall be 371 sq. m. (3,994 sq. ft.). Notwithstanding the foregoing, a total of 465 sq. m. (5,005 sq. ft.) of commercial unit space may consist of individual commercial building units devoted to retail establishments having a floor area of at least 150 sq. m. (1,615 sq. ft.)
15.51.2	R1A.51.2	Notwithstanding any other provision of this by-law to the contrary, the lands zoned **R1A.51.2** may be serviced with private sewage disposal and water supply systems.
15.51.3	C2.51.3	Notwithstanding any other provision of this by-law, on lands zoned **C2.51.3**, the following special provisions shall apply: <u>Permitted Uses</u> All uses permitted by the C2 zone, with the exception of the following: • Automobile body repair and painting • Automobile service station • Automobile wash

		• Building or lumber supply outlet • Farm implement sales and services establishment • Gas bar
15.51.4	C2.51.4	Notwithstanding any other provision of this by-law to the contrary, on lands zoned C2.51.4, residential dwellings units are not permitted.
15.52.1	R1A.52.1	Notwithstanding anything else in this by-law to the contrary, on lands zoned **R1A.52.1** a total of five single detached dwellings may be permitted. Each lot shall front on a private road constructed to an appropriate standard to the satisfaction of the Township. The lot regulations applicable are the same as the R1A zone and for the purposes of determining compliance with lot regulations the private road shall be considered equivalent to a public street.
15.52.2	R1A.52.2	Notwithstanding anything else in this by-law to the contrary, on lands zoned **R1A.52.2**, a residential condominium development consisting of 5 single detached dwellings and uses accessory thereto shall be permitted, subject to the following: a) Frontage and access from a private road is permitted. b) For the purpose of determining compliance with the lot requirements of the R1A zone, the front lot line shall be deemed to be the lot line of an individual condominium lot which abut the private road and provides the principal means of access to a lot.
15.52.3	R1C.52.3(H3)	Notwithstanding any provision in this By-law to the contrary, on lands zoned **R1C.52.3(H3)** the provisions of the R1C zone shall apply except for the following: a) Minimum Lot Depth 25.0 m
15.52.4	R2.52.4(H3)	Notwithstanding any provision in this By-law to the contrary, on lands zoned **R2.52.4(H3)** the provisions of the R2 zone shall apply except for the following special regulation: a) Minimum Lot Depth 25.0 m
15.52.5	R2.52.5	Notwithstanding any provision in this By-law to the contrary, on lands zoned R2.52.5 the provisions of the R2 zone shall apply except for the following special regulation: a) Minimum Front Lot Frontage: 8.4 m (27 ft) b) Minimum Lot Area: 250 m^2 (2,690 ft^2) c) Minimum Front Yard: 4.5 m to habitable portion of the dwelling; 6 m to the garage door d) Minimum side yard for a semi detached dwelling: 1.2 m (3.9 ft) on the unattached side e) Minimum Exterior Side Yard: 3.5 m to a habitable portion of the dwelling; 6 m to the garage door f) Minimum Rear Yard: 7 m g) The driveway width shall not exceed 60% of the lot width to a maximum driveway width of 7 m

		h) The outside walls of an attached garage shall not exceed 60% of the lot width
15.52.6	R3.52.6	Notwithstanding any provision in this By-law to the contrary, on lands zoned R3.52.6 the provisions of the R3 zone shall apply except for the following special regulations: a) Minimum Lot Area: 180m^2 b) Minimum Front Yard: 4.5m to habitable portion of the dwelling; 6m to the garage door c) Minimum Exterior Side Yard: 3.5m to habitable portion of the dwelling; 6m to the garage door d) Minimum Rear Yard: 6.5m e) Maximum number of attached dwelling units in a row: 8 f) Minimum Landscaped Open Space: Not Applicable
15.52.7	R3.52.7	Notwithstanding any provision in this By-law to the contrary, on lands zoned R3.52.7 the provisions of the R3 zone shall apply except for the following special regulation: a) Minimum Lot Area: 180m^2 b) Minimum Front Yard: 3.5m to habitable portion of the dwelling; 6m to the garage door c) Minimum Exterior Side Yard: 3.5m to habitable portion of the dwelling; 6m to the garage door d) Minimum Rear Yard: 3.0m e) Maximum building height: 3 storeys but not greater than 11.5 metres f) Maximum number of attached dwelling units in a row: 8 g) Minimum Landscaped Open Space: Not Applicable For the purposes of this zone, the front property line shall be deemed to be the property line of the southern part of the lot, The rear property line shall be along Woolwich Street.
15.53.1	R3.53.1	Notwithstanding any other provision of this by-law, the lands zoned **R3.53.1(H)** may be used for the following permitted uses, in accordance with the accompanying regulations: <u>Permitted Uses</u> • a 26-unit multiple-family residential development • uses and structures accessory to a permitted use. <u>Regulations</u> a) Minimum Lot Frontage: 80.77 m (265 ft) b) Minimum Lot Area: .76 hectares (1.9 acres) c) Minimum Front Yard: 24.4 m (80 ft) d) Minimum Side Yard: 7.6 m (25 ft) e) Minimum Rear Yard: 7.6 m (25 ft)
15.53.2	R1A.53.2	Notwithstanding any provision in this By-law to the contrary, on lands zoned **R1A.53.2** the following special provisions shall apply: a) In addition to the uses permitted by the R1A zone, a residential construction business owned and operated by the owner-occupant or family member of the principal residence located on these lands shall be permitted.

		b) In addition to accessory buildings or structures normally associated with a residential use, storage buildings and structures used in conjunction with the residential construction business shall be permitted, subject to the following: i. Such accessory buildings shall only be used for the storage and recycling of construction materials associated with a residential construction business. ii. Accessory buildings or structures may also be used for the storage of household goods or articles typically associated with the residential use of the property by the owner-occupant or a family member. iii. The maximum gross floor area of all accessory buildings associated with the residential construction business shall be 500 square metres. iv. The maximum height of all accessory buildings is 6.0 metres. v. The outdoor storage of construction materials and equipment (excluding vehicles) is only permitted to the rear of the main building and shall be visually screened from view from the street.
15.53.3	IN.53.3	Notwithstanding anything else in this by-law to the contrary, on lands zoned **IN.53.3** the following special provisions shall apply <u>Permitted uses</u> a. all uses permitted by the IN zone b. a retirement home c. a medical clinic <u>Parking Requirements</u> The minimum off-street parking requirement for a retirement home and for a medical clinic shall be: Retirement Home 1 space for every 3 beds Medical Clinic 6 spaces per practitioner
15.53.4	R1B.53.4	Notwithstanding anything else in this by-law to the contrary, the minimum lot frontage for land zoned **R1B.53.4** shall be 7 m (22.9 ft). The minimum lot area shall be 1,400 m^2 (15,069 ft^2). For the purposes of determining yard setbacks, the front yard setback shall be measured from the rear lot line of the property located at 368 Irvine Street.
15.53.4	R1A.53.4	Notwithstanding any other provision of this by-law, on land zoned **R1A.53.4**, the following provision shall apply: a) Minimum rear yard setback of 3 metres for a dwelling.
15.53.5	R4.53.5	Notwithstanding any other provision of this by-law, on land zoned **R4.53.5**, the following special provisions shall apply: a) The maximum building height is 14.7 metres;

		b) The front yard setback facing Stumpf Street and adjoining the property line at 397 Geddes Street shall be 5.0 metres; c) The minimum rear yard setback shall be 14.9 metres; d) The minimum rear yard setback for any above grade portion of a parking structure shall be 13.6 metres. e) The front face of any balcony shall not be permitted to face the rear property line adjoining 387 Geddes Street and the side face of all such balconies facing the property at 387 Geddes Street shall be screened. f) The maximum number of dwelling units shall be 36.
15.54.1	R4.54.1	Notwithstanding anything else in this by-law to the contrary, the land zoned **R4.54.1** may be used for up to 35 townhouse dwellings and 52 apartment dwellings, subject to the following special provisions: a) Maximum Building Height Not more than 11.0 m
15.54.2	R1A.54.2	Notwithstanding anything else in this by-law to the contrary, the land zoned **R1A.54.2** may be used for a Class 2 Bed and Breakfast Establishment subject to the applicable regulations of this by-law.
15.54.3	C3.54.3	Notwithstanding anything else in this by-law to the contrary, the land zoned **C3.54.3** may be used for a hotel or motel with up to 11 guest rooms, subject to the following: a) No additions or new buildings shall be erected within 6.0 metres of a street line.
15.54.4	C3.54.4	Notwithstanding anything else in this by-law to the contrary, the land zoned **C3.54.4** may be used for an automobile service station and convenience store, subject to the following: a) The automotive service station shall maintain a minimum setback of 137.2 m from any park or playground b) All entry and exit ramps shall maintain a minimum setback of 7.3 m from any street intersection c) All service pumps or storage tanks shall maintain a minimum setback of 1.7 m from any street line d) The minimum setback from the Union Street road allowance shall be 1.5 m
15.54.5	R1A.54.5	Notwithstanding anything else in this by-law to the contrary, on lands zoned **R1A.54.5** the following special provisions shall apply: <u>Permitted Uses</u> a) Any use permitted by the R1A zone <u>Lot Requirements</u> In accordance with the provisions of the R1A zone, except for the following: a) Minimum Frontage: 15.2 m (50 ft) b) Maximum Front Yard Setback: 6.0 m (19.7 ft) c) Minimum Side Yard

<table>
<tr><td></td><td></td><td>East Side 2 m (6.6 ft)
West Side 1.5 m (4.9 ft)
d) A dwelling shall incorporate an integral garage.
e) Maximum Building Height 2 storeys or 7.5 m (25 ft)
f) No principal building or part thereof shall be constructed within 26 m (85.3 ft) of a rear lot line.
g)</td></tr>
<tr><td>15.54.6</td><td>R2.54.6</td><td>Notwithstanding anything else in this by-law to the contrary, the following special provisions shall apply to land zoned R2.54.6:

1. <u>Permitted Uses</u>

A semi-detached dwelling and uses, buildings and structures accessory thereto.

2. <u>Lot Regulations</u>

<table>
<tr><td></td><td>Building Regulations
Semi Detached Dwelling</td></tr>
<tr><td>Minimum Lot Area</td><td>696.8 m^2total lot area</td></tr>
<tr><td>Minimum Lot Frontage</td><td>20.1 m total lot frontage</td></tr>
<tr><td>Minimum Front Yard</td><td>6.0 m (1)</td></tr>
<tr><td>Minimum Rear Yard</td><td>7.5 m</td></tr>
<tr><td>Minimum Interior Side Yard</td><td>1.8 m on the unattached side</td></tr>
<tr><td>Minimum Exterior Side Yard</td><td>4.5m^2</td></tr>
<tr><td>Maximum Lot Coverage</td><td>30% of total lot area for principal building
5% of total lot area for accessory buildings</td></tr>
<tr><td>Maximum Height</td><td>2 storeys but nor more than 9.1 m</td></tr>
<tr><td>Minimum Landscaped Open Space</td><td>The Front Yard on any lot, excepting the driveway shall be landscaped and no parking shall be permitted within this landscaped open space. The driveway shall not constitute more than 40% of the total area of the front yard.</td></tr>
</table>
Notes:

(1) An attached garage shall not project beyond the main front of the wall of the dwelling. Notwithstanding the foregoing, if a covered front porch is provided, an attached garage can project to the front face of the covered porch, but shall not be closer than 6.0 m to the front lot line.

(2) Minimum 6.0 m to front face of garage if driveway crosses exterior side lot line.</td></tr>
</table>

15.54.7	C1.54.7	Notwithstanding any other provision of this By-law to the contrary, on lands zoned C1.54.7, the following special provision shall apply: <u>Lot Regulation</u> a. Maximum Building Height: Four storeys up to 12.1 m
15.54.8	C1.54.8	Notwithstanding any other provision of this By-law to the contrary, on lands zoned C1.54.8, the following special provision shall apply: <u>Permitted Uses</u> a. Residential dwelling units and associated exclusive use private indoor amenity space(s) are permitted on the ground floor area. Common areas such as hallways, vestibules, mail rooms, mechanical equipment and storage areas are not included on the total residential ground floor use calculation. <u>Lot Regulation</u> a. Maximum Building Height: Four storeys up to 15m b. Minimum stepback for any floor above the second storey shall be 2m from the front wall facing East Mill Street.
15.55.1	M2.55.1	Notwithstanding any other provision of this by-law to the contrary, the lands zoned **M2.55.1** may be used for one or more of the permitted uses of the M2 zone subject to all other applicable provisions of this by-law and the following special regulation: a) Maximum Building Height 20 metres (66 feet)
15.55.2	OS.55.2	Notwithstanding any provision in this By-law to the contrary, the land zoned **OS.55.2** may be used for one or more of the permitted uses of the OS Zone subject to the following special regulation: a) A 40 metre wide buffer strip is required along the east side of Bridge Street which shall include a landscaped berm with a minimum peak height corresponding to an elevation of 407.5 metres, save and except for an appropriate opening for the proposed access road, and appropriate side slopes at the berm ends. The berm will be constructed during or prior to the first phase of development.
15.55.3	IN.55.3(H4)	Notwithstanding any provision in this By-law to the contrary, the land zoned **IN.55.3** may be used for one or more of the permitted uses of the IN Zone with the exception of the following uses which are not permitted: • a day nursery • a home for the aged • a hospital • a nursing home • a school • a dwelling unit or sleeping accommodation whether as a primary use or an accessory use

<table>
<tr><td>15.55.4</td><td>R1C.55.4</td><td>Notwithstanding any other provision of this By-law to the contrary, on land zoned R1C.55.4, a dwelling unit with a height of two storeys or more is not permitted.</td></tr>
<tr><td>15.55.5</td><td>R2.55.5</td><td>Notwithstanding any other provision of this By-law to the contrary, on land zoned R2.55.5, no building or structure shall incorporate a bedroom or a living room that faces Waterloo Street or that faces Halls Drive.</td></tr>
<tr><td>15.55.6</td><td>R3.55.6</td><td>Notwithstanding any other provision of this By-law to the contrary, on land zoned R3.55.6, no building or structure hall incorporate a bedroom or a living room that faces Halls Drive.</td></tr>
<tr><td>15.57.1</td><td>C2.57.1</td><td>Notwithstanding anything else in this by-law to the contrary, on the lands zoned C2.57.1 the following uses are <u>not permitted.</u>

a) a retail food store
b) a convenience store
c) a gas bar
d) a place of entertainment or recreation
e) a video rental outlet
f) a hardware store
g) a lumber or building supplies dealer
h) a restaurant or similar use including a doughnut shop, ice cream parlour, a pub, a snack bar or a tavern</td></tr>
<tr><td>15.57.2</td><td>C2.57.2</td><td>Notwithstanding anything else in this by-law to the contrary, on the lands zoned C2.57.2 the minimum rear yard setback shall be 3 m.</td></tr>
<tr><td>15.57.3</td><td>R2.57.3</td><td>Notwithstanding any other provision of this By-law, on land zoned R2.57.3, the following special provisions shall apply:

1. <u>Permitted Uses</u>

Only semi-detached dwellings and uses, buildings and structures accessory thereto.

2. <u>Lot Regulations</u>
<table>
<tr><td>Residential Unit Type</td><td>Semi-Detached Dwelling</td></tr>
<tr><td>Minimum Front Yard</td><td>7.0 m</td></tr>
<tr><td>Minimum Rear Yard (Dwelling)</td><td>9.0 m</td></tr>
<tr><td>Minimum Rear Yard (Covered Deck)</td><td>7.5 m</td></tr>
<tr><td>Minimum Side Yard (Unattached Side)</td><td>3.0 m</td></tr>
<tr><td>Maximum Lot Coverage</td><td>40 % of the total lot area</td></tr>
<tr><td>Maximum Building Height</td><td>2 storeys but not more than 9.1 metres</td></tr>
<tr><td>Minimum Landscaped Open Space</td><td>The front yard, except the driveway, shall be landscaped and no parking shall be permitted within this landscaped open space. The width of the driveway shall not exceed 55%</td></tr>
</table></td></tr>
</table>

		of the lot width, up to a maximum driveway width of 6 metres
		Garage/Driveway Width Restriction: The outside walls of an attached garage shall not exceed 55% of the lot width; and the driveway leading to the garage may exceed the width exterior dimensions of the garage up to a maximum driveway width as set out above.
15.58.1	R1C.58.1(H4)	Notwithstanding any provision in this By-law to the contrary, the land zoned **R1C.58.1** may be used for one or more of the permitted uses of the R1C Zone subject to the following special regulation: Minimum Lot Area: 485 m^2 Special Side Yard Setback Regulation: On lots 46 and 47 on Draft Plan 23T-20006, the minimum side yard abutting Block 189 shall be 4.5 metres.
15.58.2	R3.58.2(H4)	Notwithstanding any provision in this By-law to the contrary, the land zoned **R3.58.2** may be used for one or more of the permitted uses of the R3 zone subject to the following special regulations: Minimum Lot Area: 220 m^2 Minimum Interior Side Yard: 1.8 metres Special Regulation: All townhouse dwellings shall incorporate an integral garage and direct human access from the garage to the rear yard shall be provided. Restriction on 2nd Storey Windows: Dwelling units constructed on Blocks 179 and 180 according to Draft Plan 23T-20006 are limited to one storey or one storey plus loft. Where a loft is provided the loft unit cannot have window openings facing the front yard.
15.58.3	R2.58.3(H4)	Notwithstanding any provision in this By-law to the contrary, the land zoned **R2.58.3** may be used for one or more of the permitted uses of the R2 Zone subject to the following special regulations: Minimum Lot Area: 310 m^2 Restriction on 2nd Storey Windows: Dwelling units constructed on Lots 69 and 83 according to Draft Plan 23T-20006 are limited to one storey or one storey plus

		loft. Where a loft is provided the loft unit cannot have window openings facing the front yard.
15.58.4	R1C.58.4(H4)	Notwithstanding any provision in this By-law to the contrary, the land zoned **R1C.58.4** may be used for one or more of the permitted uses of the R1C Zone subject to the following special regulations: Minimum Lot Area — 465 m^2 Minimum Lot Frontage — 13.72 m Restriction on 2nd Storey Windows — Dwelling units constructed on Lots 70 through 82, inclusive, according to Draft Plan 23T-20006 are limited to one storey or one storey plus loft. Where a loft is provided the loft unit cannot have window openings facing the front yard.
15.58.5	R1B.58.5(H4)	Notwithstanding any provision in this By-law to the contrary, the land zoned **R1B.58.5** may be used for one or more of the permitted uses of the R1B Zone subject to the following special regulation: Minimum Lot Area — 570 m^2
15.58.6	R1C.58.6	Notwithstanding anything else in this by-law to the contrary, the following special provisions shall apply to land zoned **R1C.58.6**: a) The minimum interior side yard shall be 1.2 metres on one side, and 0.6 metres on the other side. Notwithstanding the forgoing, the minimum distance between 2 abutting dwellings in the R1C zoned shall be 1.8 metres. b) The maximum lot coverage shall be 45%
15.58.7	R2.58.7	Notwithstanding anything else in this by-law to the contrary, the following special provisions shall apply to land zoned **R2.58.7:** a) The minimum lot frontage shall be 7.5 metres. b) The minimum lot area shall be 232.5 m^2 c) The minimum interior side yard on the unattached side shall be 1.2 metres.
15.58.8	R3.58.8	Notwithstanding anything else in this by-law to the contrary, the following special provisions shall apply to lands zoned **R3.58.8:** a) The minimum side yard (unattached side) shall be 1.5 metres.
15.58.9	R1A.58.9	Notwithstanding anything else in this by-law to the contrary, on land zoned R1A.58.9 the following special provisions shall apply: a) The maximum number of lots on all land zoned R1A.58.9 is 10. b) Direct access to South River Road is not permitted. Access and lot frontage shall be from a private single loaded road having a minimum width of 6 metres.

		c) Minimum lot frontage shall be 20 metres. d) The maximum lot coverage shall be 40%, including accessory buildings. e) The minimum rear year shall be 5.0 metres. f) Rows C, D, and L of Table 7A do not apply.
15.58.10	R1B.58.10	Notwithstanding anything else in this by-law to the contrary, on land zoned R1A.58.10 the following special provisions shall apply: a) The minimum lot frontage shall be 13.7 metres b) The minimum lot area shall be 410 m^2 c) The minimum front year shall be 4.5 m to the face of the main building and 6.0 m to the face of the garage d) The minimum rear year shall be 7.5 metres e) The minimum side yard shall be 1.2 metres on each side f) The maximum lot coverage is 45%, including accessory buildings g) Row B of Table 7B does not apply
15.58.11	R1C.58.11	Notwithstanding anything else in this by-law to the contrary, on land zoned R1C.58.11 the following special provisions shall apply: a) The minimum lot frontage shall be 11 metres b) The minimum lot area shall be 330 m^2 c) The minimum front year shall be 4.5 m to the face of the main building and 6.0 m to the face of the garage d) The minimum rear year shall be 7.5 metres e) The minimum side yard shall be 1.2 metres on one side and 0.6 metres on the other side f) A minimum setback of 1.8 metres is required between abutting dwellings g) The maximum lot coverage is 45%, including accessory buildings h) Row D of Table 7B does not apply
15.58.12	R3.58.12	Notwithstanding anything else in this by-law to the contrary, on land zoned R3.58.12 the following special provisions shall apply: <u>Permitted Uses</u> Street townhouses, cluster townhouses, and uses accessory to the foregoing. <u>Exceptions for Street Townhouses</u> a) The minimum lot area per unit shall be 180 m^2 b) The minimum front yard shall be 4.5 m to the face of the main building and 6.0 m to the face of the garage c) The minimum side yard shall be 1.5 metres on the unattached side yards. d) The maximum building height shall be 3 storeys but no greater than 11.5 metres. <u>Exceptions for Cluster Townhouses</u>

		a) The minimum front yard shall be 4.5 m to the face of the main building and 6.0 m to face of a garage b) The maximum density for a cluster townhouse block shall be 35 units per hectare c) Internal lot lines created by a plan of condominium shall not be construed to be lot lines for the purposes of zoning regulations provided that all applicable regulations of this By-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are strictly observed.
15.58.13	R4.58.13	Notwithstanding anything else in this by-law to the contrary, on land zoned R4.58.13 the following special provisions shall apply: <u>Permitted Uses</u> Any use permitted by the R3.58.12 zone, plus stacked townhouses and apartment buildings <u>Exceptions for Street Townhouses</u> Same as R3.58.12 zone <u>Exceptions for Cluster Townhouses</u> Same as R3.58.12 zone <u>Exceptions for Stacked Townhouses</u> a) The minimum front yard and exterior side yard shall be 4.5 m b) The minimum rear yard and interior side yard shall be ½ the building height but not less than 7.5 m c) The maximum density shall be 60 uph d) Internal lot lines created by a plan of condominium shall not be construed to be lot lines for the purposes of zoning regulations provided that all applicable regulations of this By-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are strictly observed. e) The minimum Landscaped Open Space shall be 30% of the lot area <u>Exceptions for Apartment Dwellings</u> a) The maximum building height shall be 4 storeys but not more than 16 m b) The minimum front yard and exterior side yard shall be 4.5 m c) The minimum rear yard and interior side yard shall be ½ the building height but not less than 7.5 m d) The maximum density shall be 75 uph e) Internal lot lines created by a plan of condominium shall not be constructed to be lot liens for the purposes of zoning regulations provided that all applicable regulations of this By-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are strictly observed.
15.58.14	R1A.58.14	a) The maximum number of lots on all land zoned R1A.58.14 is 30.

		b) All lots shall have access and lot frontage on a private road having a minimum width of 6 metres. The yard abutting the private road shall be considered a front yard. The private road shall be permitted one access to South River Road and may extend through the Open Space Zone. c) The maximum lot coverage shall be 40%, including accessory buildings d) The minimum rear yard shall be 7.5 metres e) The minimum front yard shall be 4.5 metres to the face of the main building and 6.0 metres to the face of the garage f) Rows B, C, D, and L of Table 7A do not apply
15.58.15	R1B.58.15	Notwithstanding anything else in this by-law to the contrary, on land zoned R1B.58.15 the following special provisions shall apply: a) The minimum lot frontage shall be 13.7 metres b) The minimum lot area shall be 410 m^2 c) The minimum front yard shall be 4.5 m to the face of the main building and 6.0 m to the face of the garage d) The minimum rear yard shall be 7.5 metres e) The minimum side yard shall be 1.2 metres on each side f) The maximum lot coverage is 45%, including accessory buildings g) Row B of Table 7B does not apply.
15.58.16	R1C.58.16	Notwithstanding anything else in this by-law to the contrary, on land zoned R1C.58.16 the following special provisions shall apply: a) The minimum lot frontage shall be 11 m b) The minimum lot area shall be 330 m^2 c) The minimum front yard shall be 4.5 m to the face of the main building and 6.0 m to the face of the garage d) The minimum rear yard shall be 7.5 metres e) The minimum side yard shall be 1.2 metres on one side and 0.6 metres on the other side. f) A minimum setback of 1.8 metres in required between abutting dwellings g) The maximum lot coverage is 45%, including accessory buildings h) Row D of Table 7B does not apply.
15.58.17	R3.58.17	Notwithstanding anything else in this by-law to the contrary, on land zoned R3.58.17 the following special provisions shall apply: <u>Permitted Uses</u> Street townhouses, cluster townhouses, and uses accessory to the foregoing. <u>Exceptions for Street Townhouses</u> a) The minimum lot area per unit shall be 180 m^2 b) The minimum front yard shall be 4.5 m to the face of the main building and 6.0 m to the face of a garage c) The minimum side yard shall be 1.5 metres on the unattached side yards.

		d) The maximum building height shall be 3 storeys but not greater than 11.5 metres e) The minimum setback from the northerly property line for a two storey building shall be 8.4 metres. f) The minimum setback form the northerly property line for a three storey building shall be 11.5 metres. <u>Exceptions for Cluster Townhouses</u> g) The minimum front yard shall be 4.5 m to the face of the main building and 6.0 to the face of a garage h) The maximum density for a cluster townhouse block shall be 35 units per hectare i) Internal lot lines created by a plan of condominium shall not be construed to be lot lines for teh purposes of zoning regulations provided that all applicable regulations of this By-law relative to the whole lot and its external lot lines, existing period to any condominium plan registration are strictly observed j) The minimum setback from the northerly property line for a two storey building shall be 8.4 metres. k) The minimum setback form the northerly property line for a three storey building shall be 11.5 metres.
15.58.18	R4.58.18	Notwithstanding anything else in this by-law to the contrary, on land zoned R4.58.18 the following special provisions shall apply: <u>Permitted Uses</u> Any use permitted by the R4.58.17 zone, plus stacked townhouses and apartment dwellings <u>Exceptions for Street Townhouses</u> Same as R3.58.17 zone <u>Exceptions for Cluster Townhouses</u> Same as R3.58.17 zone <u>Exceptions for Stacked Townhouses</u> a) The minimum front yard and exterior side yard shall be 4.5 m b) The minimum rear yard and interior side yard shall be ½ the building height but not less than 7.5 m c) The maximum density shall be 60 uph d) Internal lot lines created by a plan of condominium shall not be construed to be lot lines for the purposes of zoning regulations provided that all applicable regulations of this By-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are strictly observed. e) The minimum Landscaped Open Space shall be 30% of the lot area <u>Exceptions for Apartment Dwellings</u>

		a) The maximum building height shall be 4 storeys but not more than 16 m b) The minimum front yard and exterior side yard shall be 4.5 m c) The minimum rear yard and interior side yard shall be ½ the building height but not less than 7.5 m d) The maximum density shall be 75 uph e) Internal lot lines created by a plan of condominium shall not be construed to be lot lines for the purposes of zoning regulations provided that all applicable regulations of this By-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are strictly observed.
15.58.19	R1A.58.19	Notwithstanding anything else in this by-law to the contrary, on land zoned R4.58.19 the following special provisions shall apply: a) Direct access to Gilkison Street shall not be permitted b) The minimum lot depth shall be 50 metres c) The minimum rear yard setback shall be 10 metres
15.60.1	C3.60.1	Notwithstanding anything else in this by-law to the contrary, the lands zoned **C3.60.1** may be used for a Racquet Club and associated recreational facility.
15.60.2	R1A.60.2	Notwithstanding anything else in this by-law to the contrary, on lands zoned **R1A.60.2**, the permitted uses of the R1A zone are permitted on lots that do not have frontage on an opened and maintained public highway. For the purposes of determining compliance with the lot requirements of the R1A zone, the lot line abutting a municipal road allowance or private road providing the means of access to the lot shall be considered the front lot line.
15.60.3	R4.60.2	Notwithstanding anything else in the by-law to the contrary, the following special provisions shall apply to land zoned **R4.60.2**: 1. <u>Minimum Common Amenity Area</u> 600 m^2
15.61.1	C5.61.1	Notwithstanding any other provision of this by-law to the contrary, the lands zoned **C5.61.1** may only be used for a garden centre, and uses, buildings and structures accessory thereto, including a single detached dwelling.
15.66.1	R1C.66.1	Notwithstanding anything else in this by-law to the contrary the following special provisions shall apply to land zoned **R1C.66.1**: 1. Lot Regulations a) The following special provision apply in respect the Single Detached Dwellings: • Minimum Lot Frontage: 10.9 m • Minimum Lot Area: 325 m^2 • Minimum Front Yard: 4.5 m (1) (3)

		• Minimum Rear Yards: 7.5 m [1] • Minimum Interior Side Yard: 1.2 m on side, 0.6 m other side [2] • Minimum Exterior Side Yard: 4.2 m [1] [3] • Minimum Lot Coverage: (i) 42.5% for lot frontages 12.5 m or greater (ii) 45% for lot frontages that are less than 12.5 m (iii) 50% for lot frontages that are less than 12.5 m for any lot containing a single storey dwelling, which may include those with a loft with a maximum floor area that is 60% of the floor are below. • Garages and Driveways: (i) The width of the driveway shall not constitute more than 50% of the width of the Front Yard. (ii) For lots with non-parallel side lot lines, the calculation of driveway width in relation to front yard width shall be taken at a line parallel to chord measured 6.0 m back. • Notes: [1] Maximum 2.0 m projection into a Front Yard, Exterior Side Yard, and/or Rear Yard for: ○ A Balcony, whether covered or uncovered ○ An Uncovered Porch; ○ A Covered and Unenclosed Porch; and Maximum 2.0 m projection into a Rear Yard for a Ground Oriented Amenity Area (Deck) that is more than 1.2 metres above finished grade but no exceeding the height of the main floor/entry level. An additional maximum 1 m projection into the Front Yard, Exterior Side Yard, and/or Rear Yard is permitted, for steps further to the above encroachments. [2] Minimum 1.8 m between abutting dwellings. [3] Minimum 6.0 m to front face of garage if driveway crosses front lot line or exterior side yard.
15.66.2	R3.66.2	Notwithstanding anything else in this by-law to the contrary, the following special provisions shall apply to land zoned **R3.66.2:** 1. Definitions For the purposes of application of the R3.#.# Zone: • "Private roadway" is defined as "a private right-of-way or lane for vehicular access that is not owned or maintained by the Township or County and includes a right-of-way that is maintained by a corporation created pursuant to the provisions of the Condominium Act" • "End wall" is defined as "the narrow side of a Cluster Townhouse Dwelling that contains neither the principal building entrance nor the garage entrance, and which intersects with those two walls". 2. Lot Regulations

		Notwithstanding the provisions of Section 7.3.2 of By-law No. 2009-045, the following provisions shall replace those provisions for Cluster Townhouse Dwellings: • Minimum Lot Frontage: 20 m • Minimum Lot Area: the greater of 700 m^2 or 200 m^2 per unit • Minimum Lot Depth: None • Maximum Building Height: 3 storeys but not greater than 11m • Minimum Yards: (i) The maximum distance from a street line to the nearest portion of a dwelling shall be 4m. (ii) The minimum distance from an abutting open space or park to the nearest portion of a dwellings shall be 4m. (iii) For the purposes of measuring minimum yard setbacks for corner units affected by sight visibility triangles, setbacks will be measured to the public road right-of-way as if the sight visibility triangle does not exist. • Minimum Building Separation: (i) The minimum distance between separate Cluster Townhouse Dwellings shall be 3 m (ii) The minimum distance between the end wall of a separate Cluster Townhouse Dwelling and a wall other than an end wall on a separate Cluster Townhouse Dwelling shall be 8 m. (iii) The minimum distance between walls other than the end walls on a separate Cluster Townhouse Dwellings shall be 11 m. (iv) The minimum distance from an internal roadway to the nearest portion of an end wall shall be 1.2 m. (v) The minimum distance form an internal roadway to the nearest portion of the front wall of a garage is 3.0 m. (vi) The foregoing provisions are meant to apply between separate Cluster Townhouse Dwellings, and are not meant to be applied to individual units within such a dwelling. • Maximum Number if Attached Dwelling Units in a Row: 8 • Minimum Landscaped Open Space: 30% • Common Amenity Area: None • Private Amenity Area: A Private Amenity Area shall be provided for each unit and it shall: (i) Have a minimum area of 20 m^2; (ii) Have a minimum depth from the wall of the dwelling unit of 4.5 m; (iii) Have a minimum width of 4.5 m; (iv) Be allowed to face a public street in an exterior side yard provided they are not located between the front face of a dwelling, defined as the shortest side of any unit, and the public street; and, (v) Be separate and not include walkways, play area, or any other communal area. • Off-Street Parking Requirements: (i) A minimum of 2 spaces per unit plus 0.25 spaces per unit dedicated to visitor parking shall be provided (ii) In respect to parking spaces within garages:

		○ The minimum internal dimension for a private garage that serves two or more vehicles shall be 6 m in length and 5.4 m in width measured from foundation wall to foundation wall; and, ○ All required parking spaces within a private garage shall be a minimum of 5.4 m in length, 2.6 m in width and 2.1 m in height free of all obstructions. One step is permitted in the unobstructed area. • Private Roadway: the minimum private roadway width shall be 6.0 m • Driveways: A driveway access to an individual unit may not cross a perimeter lot line, but rather shall be accessed from a private roadway. • Encroachments: maximum 2.0 m projection into the Minimum Yards measured from the perimeter lot lines for: ○ A Balcony, whether covered or uncovered; ○ An Uncovered Porch; and, ○ A Covered and Unenclosed Porch. An additional maximum 1 m projection into the Front Yard, Exterior Side Yard, and/or Rear Yard is permitted for steps, further to the above encroachments. 3. Creation of Parcels Where a lot has been comprehensively planned and is subject to an approved site plan pursuant to Section 41 of the Planning Act, any zoning deficiencies resulting from the creation of parcels-of-tied land shall be deemed to conform to the regulations of the by-law provided that all applicable regulations of the by-law relative to the whole lot and its external lot lines as they existed prior to any condominium plan registration is satisfied.
15.66.3	R1B.66.3	Notwithstanding anything else in this by-law to the contrary the following special provisions shall apply to land zoned R1C.66.3: 1. Lot Regulations • Minimum Front Yard: 6.0 m (1) • Minimum Interior Side Yard: 1.2 m • Minimum Exterior Side Yard: 4.5 m (1) (2) • Minimum Rear Yard: 7.5 m (1) • Notes: (1) Maximum 2.0 m projection into a Front Yard, Exterior Side Yard, and/or Rear Yard for: ○ A Balcony, whether covered or uncovered ○ An uncovered porch; ○ A covered and unenclosed porch; and Maximum 2.0 m projection into a Rear Yard for a ground oriented amenity area (deck) that is more than 1.2 metres above finished grade but no exceeding the height of the main floor/entry level.

		An additional maximum 1 m projection into the Front Yard, Exterior Side Yard, and/or Rear Yard is permitted for steps, further to the above encroachments. (2) Minimum 6.0 m to front face of garage if driveway crosses exterior side lot line.
15.66.4	R1B.66.4	Notwithstanding anything else in this by-law to the contrary, the following special provisions shall apply to land zoned R1B.66.4: <u>Permitted Uses</u> • Any use permitted by the R1B zone <u>Lot Regulations</u>

A	Minimum Lot Frontage	12.0m
B	Minimum Lot Area	360m^2
C	Minimum Lot Depth	Not applicable
D	Maximum Building Height	3 storeys but no more than 11m
E	Minimum Front Yard	4.5m, except where a driveway crosses a front lot line, the minimum setback to a garage shall be 6.0m
F	Minimum Exterior Side Yard	4.2m, except where a driveway crosses an exterior side lot line, the minimum setback to a garage shall be 6.0m
G	Minimum Side Yard	1.2 m on one side 0.6 m on other side 1.8 m between adjacent dwellings
H	Minimum Rear Yard	7.5 m
I	Maximum Lot Coverage (Includes accessory buildings)	45%
J	Minimum Landscaped Open Space	The Front Yard on any lot, excepting the driveway shall be landscaped and no parking shall be permitted within this landscaped area. The driveway shall not

<table>
<tr><td></td><td></td><td>
<table>
<tr><td></td><td></td><td>constitute more than 50% of the width of the Front Yard but in no case shall be greater than 6.0m wide.</td></tr>
<tr><td>K</td><td>Encroachment Exceptions from Table 4C</td><td>a) A balcony, uncovered porch or covered and unenclosed porch may project a maximum of 2.0 metres into a front yard, exterior side yard or rear yard.

b) A Deck or other ground oriented amenity area that is more than 1.2 m above finished grade but not exceeding the height of the main floor/entry level may encroach into a required rear yard by no more than 2.0 m.

c) An additional maximum 1.0 m projection into the Front Yard, Exterior Side Yard and/or Rear Yard is permitted for steps further to the above encroachments.</td></tr>
</table>
</td></tr>
<tr><td>15.66.5</td><td>R2.66.5</td><td>
Notwithstanding anything else in this by-law to the contrary, the following special provision shall apply to land zoned R2.66.5:

<u>Permitted Uses</u>

• all uses permitted by the R2 zone, but not including duplex dwelling
• a street townhouse dwelling

<u>Lot Regulations</u>
<table>
<tr><td><u>A</u></td><td>Residential Unit Type</td><td>Single Detached Dwelling</td><td>Semi Detached Dwelling</td><td>Street Townhouse</td></tr>
<tr><td>B</td><td>Minimum Lot Frontage</td><td>9 m</td><td>7.5 m per unit</td><td>6 m per unit</td></tr>
<tr><td>C</td><td>Minimum Lot Area</td><td>270 m^2</td><td>225 m^2 per unit</td><td>180 m^2 per unit</td></tr>
<tr><td>D</td><td>Maximum Building Height</td><td colspan="3">3 storeys but not greater than 11 m</td></tr>
</table>
</td></tr>
</table>

		E	Minimum Front Yard	4.5 m, but 6 m to front face of a garage if the driveway crosses the front lot line.		
		F	Minimum Exterior Side Yard	4.2 m, but 6 m to front face of a garage if the driveway crosses the exterior side lot line.		
		G	Minimum Side Yard (1)	1.2 m on one side; 0.6 m on the other side; 1.8 m between dwellings on abutting lots	1.2 m on the unattached side	1.5 m on the unattached side
		H	Minimum Rear Yard	7.5 m		
		I	Maximum Lot Coverage, including accessory buildings	Not Applicable		
		J	Minimum Landscaped Open Space	The Front Yard on any Lot, excepting the Driveway shall be landscaped and no parking shall be permitted within this Landscaped Open Space.		
		K	Driveway Width Restriction	The width of the driveway shall not exceed 55% of the lot width		
		L	Maximum Number of Attached Dwelling Units in a Row	Not Applicable	Not Applicable	8
		M	Encroachment Exceptions from Table 4C	a) A balcony, uncovered porch or covered and unenclosed porch may project a maximum of 2.0 metres into a front yard, exterior side yard or rear yard. b) A Deck or other ground oriented amenity area that is more than 1.2 m above finished grade but not exceeding the height of the main floor/entry level may encroach into a required rear yard by no more than 2.0 m.		

		c) An additional maximum 1.0 m projection into the Front Yard, Exterior Side Yard and/or Rear Yard is permitted for steps further to the above encroachments.
15.66.6	R4.66.6	Notwithstanding anything else in this By-law to the contrary, the following special provisions shall apply to land zoned R4.66.6: 1. Permitted Uses All uses permitted by the R3 zone All uses permitted by the R4 zone 2. Lot Regulations, Street Townhouse Dwellings • Same as the provisions of the R2.66.5 zone 3. Lot Regulations, Cluster Townhouse Dwellings • Same as the provisions of the R3.66.2 zone 4. Lot Regulations, Stacked Townhouse Dwellings • Same as the provisions of the R4 zone 5. Lot Regulations, Apartment Dwellings • Same as the provisions on the R4 zone 6. Creation of Parcels Where a lot has been comprehensively planned and is subject to an approved site plan pursuant to Section 41 of the Planning Act, any zoning deficiencies resulting from the creation of the parcels-of-tied land shall be deemed to conform to the regulations of the by-law provided that all applicable regulations of the by-law relative to the whole lot and its external lot lines as they existed prior to any condominium plan registration are satisfied.
15.66.7	R6.66.7	**Permitted Uses** Within any R6.66.7 Zone, no land shall be used and no building or structure shall be constructed, altered or used except for one or more of the following: - a bed and breakfast establishment (Class 1 or 2) - a business or professional office - a church - a commercial school or studio - a day nursery

		- a funeral home - a medical clinic - a personal service shop - a private or commercial club - a public building - a school - any use permitted within the R1A Zone **Regulations** Within any R6.66.7 Zone, no land shall be used and no building or structure shall be constructed, altered or used except in conformity with the following regulations: Minimum Lot Area 700 m^2 Minimum Lot Frontage 20 m Minimum Lot Depth 30 m Minimum Front Yard 4.5 m Minimum Rear Yard 7.5 m Minimum Side Yards 3 m Maximum Lot Coverage 40% Minimum Landscaped Area 20% Buffer Strip: A buffer area is required along any interior side lot line and rear lot line which abuts land zoned for residential of institutional purposes. **Outdoor Storage** The outdoor storage of any goods, materials or equipment is not permitted in any R6.66.7 Zone. **Residential Units within Commercial Buildings** A building used for a permitted commercial use may also contain one or more residential dwelling units in combination with a permitted use only in accordance with the following provisions: Each dwelling unit shall form part of the main building and shall be located on the second or higher floors; Each dwelling unit shall be fully self-contained Each dwelling unit shall have direct means of access to a public street by means of stairs or halls; and, All other requirement of this By-law shall be complied with. **Other Provisions** Accessory uses, buffer areas, off-street parking and off-street loading shall be provided in accordance with the applicable general provisions.
15.66.7	R4.66.7	Notwithstanding anything else in this by-law to the contrary, the following special provisions shall apply to land zoned R4.66.7: 1. Permitted Uses

		All uses permitted in the R4 zone 2. Lot Regulations, Apartment Dwellings Same as the provisions of the R3 zone, except that the maximum building height shall be 5 storeys but no greater than 17m. The maximum number of units shall be 87.
15.66.8	R2.66.8	Notwithstanding anything else in this by-law to the contrary, the following special provisions shall apply to land zoned R2.66.8: 1. Permitted Uses All uses permitted by the R1C zone 2. Lot Regulations 1) Same as the provisions of the R2 zone applying to single detached dwellings, except that the maximum building height shall be 2 storeys but no greater than 7.4 m. 2) 1.8m solid wood or wood equivalent fence required along west property line. 3) Minimum 3 m wide landscape buffer required abutting west property line.
15.66.9	R2.66.9	Notwithstanding anything else in this by0law to the contrary, the following special provisions shall apply to land zoned R2.66.9 1. Permitted Uses All uses permitted by the R2 zone 2. Lot Regulations Same as the provisions in the R2 zone, except that the maximum building height shall be 2 storeys but no greater than 7.4 m.
	A.67.1(T)	Notwithstanding anything else in this by-law to the contrary, on lands zoned **A.67.1 (T)**, the following special provisions shall apply: <u>Permitted Uses</u> The retail sale of landscape supplies including soil, mulch, gravel, stone dust, sand, interlocking brick, garden stone, and plant material, but not including a garden centre as defined herein <u>Lot Regulations</u> No additional buildings or structures are permitted other than those existing on the date of passing of this by-law. <u>Temporary Use Provision</u>

		The use permitted herein is a temporary use and this by-law shall expire upon the date of three years from the date of passing of this by-law. Upon expiry of this by-law, the zoning shall revert to Agricultural.
15.67.2	FD.67.2	In addition to the uses permitted by the FD zone, on land zoned **FD.67.2**, four townhouse dwellings and four single detached dwellings are permitted to be constructed and used as model homes in conjunction with a new home sales centre.
15.68.1	IN.68.1	Notwithstanding anything else in this by-law to the contrary, the following special provisions shall apply to land zoned **IN.68.1** 1. <u>Additional Permitted Uses:</u> b) Business or professional office c) Medical clinic d) Emergency service facility 2. <u>Lot Regulations</u> • For the purposes of this by-law, Street B according to Schedule "A" shall be considered a public street and the zone boundary abutting Street B shall be considered a front lot line, and all other lot regulations applied accordingly.
15.68.2	IN.68.2	Notwithstanding anything else in this by-law to the contrary, the following special provisions shall apply to land zoned **IN.68.2**: 1. <u>Additional Permitted Uses:</u> • Any use permitted by the R3 or R4 zone 2. <u>Lot Regulations</u> • For the additional permitted uses of this zone, the lot regulation applying to the R3 and R4 zones shall apply • For the purposes of this by-law, Street B according to Schedule "A" shall be considered a public street and the zone boundary abutting Street B shall be considered a front lot line, and all other lot regulation applied accordingly
15.68.3	IN.68.3	For the purposes of this by-law, an internal road constructed and maintained by the County of Wellington or other public authority shall be considered a public street and the zone boundary such road shall be considered a front lot line, and all other lot regulations applied accordingly
15.70.1	R1A.70.1	Notwithstanding any other provision of this by-law to the contrary, the lands zoned **R1A.70.1**, shall have a maximum front yard setback of 30 m (98.4 ft).
15.70.2	R1A.70.2	Notwithstanding any provision of this By-law to the contrary, on lands zoned **R1A.70.2** the following provisions shall apply in addition to the

		R1A zone regulations: <u>Additional Permitted Use</u> An office and workshop for a heating and air conditioning contractor is permitted within an existing detached accessory building as a secondary use to the main permitted residential use of the property. <u>Maximum Number of Employees</u> One (1) employee who is not a resident of the principal dwelling is allowed. <u>Maximum Floor Area Devoted to Heating and Air Conditioning Contractor Use</u> 185.8 m^2 to be entirely within the ground floor of an existing building, including all indoor storage associated with the heating and air conditioning business. <u>Minimum Parking Requirements</u> Two (2) spaces <u>Outdoor Display, Sales and Storage</u> No outdoor display, sales or storage of goods or materials associated with the heating and air conditioning contracting business is permitted.
15.70.3	R1A.70.3	Notwithstanding any other provision of this by-law to the contrary, on the lands zoned **R1A.70.3**, a home occupation shall be permitted in a detached accessory building.
15.70.4	R1A.70.4	Notwithstanding any other provision of this by-law, on land zoned **R1A.70.4**, all other applicable provisions of this by-law and the following special regulations apply: a) Minimum Lot Frontage: 10.6 metres b) Maximum Front Yard Setback: 50.6 metres
15.70.5	R3.70.5	Notwithstanding any other provision of this by-law to the contrary, on land zoned **R3.70.5**, no building or structure shall be erected within 15 metres of a municipal drain without the prior written approval of the Grand River Conservation Authority. All other applicable provisions of this by-law and the requirements of the R3 zone shall apply.
15.70.5	R2.70.5	Notwithstanding any other provisions of this By-law to the contrary, on lands zoned R2.70.5, the following special provisions shall apply: Lot Regulations, Semi-detached Dwelling Minimum Interior Side Yard: 1.2 m on the unattached side

		Minimum Lot Frontage: 7.5 m Exceptions for Accessory Apartments Minimum Lot Frontage: 7.5 m Maximum Parking: 1 space per second unit Tandem Parking: Tandem parking (a parking space that is only accessed by passing through another parking space) is also permitted
15.70.6	R1A.70.6	Notwithstanding any other provision of this by-law to the contrary, on lands zoned R1A.70.6, the following special provisions shall apply: Minimum Lot Frontage: 7.5 m
15.70.7	R3.70.7	Notwithstanding any other provision of this by-law to the contrary, on lands zoned R3.70.7, the following special provisions shall apply: Lot Regulations: a) Minimum Lot Area: 142 m2 b) Minimum Lot Depth: 23 metres c) Minimum Rear Yard: 4.5 metres d) Minimum Lot Frontage: 5.5 metres
15.71.1	R1B.71.1	Notwithstanding any other provision of this by-law to the contrary, on the lands zoned **R1B.71.1**, a condominium development consisting of no more than three single detached dwellings shall be permitted, subject to the following: a) The minimum frontage on a private access road is 6 m b) For the purposes of locating any buildings or structures all lot lines and all yards shall be determined assuming that the lot line or part thereof abutting the internal access road is the front lot line. c) All other requirements of the R1B zone shall remain in effect.
15.71.2	C2.71.2	Notwithstanding any other provision of this by-law to the contrary, on the lands zoned **C2.71.2**, the permitted uses shall include all the permitted uses of the C2 and the SC zones. The maximum gross floor area permitted on lands zoned C2.71.2 is 10,220 m^2 (110,010 ft^2). All other applicable lot regulations are those applying to the C2 zone.
15.71.3	R1A.71.3	Notwithstanding any other provision of this By-law to the contrary, on lands zoned R1A.71.3, the following special provisions shall apply: Lot Regulations a) Minimum exterior side yard: 2.5m b) Minimum rear yard: 4.4m c) Minimum landscaped open space: The driveway shall not constitute more than 47% of the width and/or area of the Front Yard d) For the purposes of determining zoning compliance, an internal private road created by a plan of condominium or otherwise shall be considered a public street. All other provisions of the R1A zone shall apply.

15.71.4	R2.71.4	Notwithstanding any other provision of the By-law to the contrary, on lands zoned R2.71.4, the following special provisions shall apply: Lot Regulations 1.Small lot single detached dwelling a) Minimum Front Yard: 4.5 metres (14.8 ft) to dwelling 6 metres (19.6 ft) to front face of a garage Minimum Rear Yard: 5.6 m b) Minimum Rear Yard: 7.0 metres c) Minimum Exterior Side Yard: 0.6 metres d) Minimum Landscaped Open Space: The front yard on any lot, excepting the driveway shall be landscaped and no parking shall be permitted within this Landscaped Open Space. The width of the driveway shall not exceed 61% of the lot width, up to a maximum driveway width of 7.5 m (24.6 ft). e) Maximum driveway width: The outside walls of an attached garage shall not exceed 61% of the lot width; and the driveway leading to the garage can be no more than the width of the exterior dimensions of the garage f) For the purpose of determining zoning compliance, an internal private road created by a plan of condominium or otherwise shall be considered a public street. 2.Semi-detached Dwellings a) Minimum Exterior Side Yard: 2.5 m b) Minimum Rear Yard: 5.6 m c) For the purposes of determining zoning compliance, an internal private road created by a plan of condominium or otherwise shall be considered equivalent to a public street. All other provisions of the R2 zone shall apply.
15.72.1	C1.72.1	Notwithstanding any other provision of this By-law to the contrary, on lands zoned C1.72.1, the following special provision shall apply: <u>Lot Regulation</u> a) The minimum frontage on a private access road is 6 m Maximum Building Height: Four storeys up to 17.4 m, with a maximum floor area for an enclosed vestibule above the fourth storey being 40m^2, exclusively of any enclosures related to stairwells, mechanical rooms, or any other necessary rooftop mechanical appurtenances,
15.72.1	R4.72.1	Notwithstanding any other provision of this By-law to the contrary, on lands zoned R4.72.1, the following special provisions apply: <u>Lot Regulations:</u> a. Minimum Interior Side Yard: 2.3 m b. Minimum Distance Between Buildings: 3 m c. Minimum Depth of Private Amenity Area (from the wall of the dwelling unit): 4 m d. Minimum Above-Grade Private Amenity Area: 4.6 m^2
15.73.1	R1B.73.1	Notwithstanding anything else in this by-law to the contrary, on lands zoned **R1B.73.1** all the permitted uses of the R1B zone are permitted, subject to the following special provisions: a) Minimum Lot Frontage 6.0 m abutting Prince's St.

		b) Minimum Lot Area 2,400 m^2 c) Minimum Lot Width allowance 40 m at Perth Street road d) Minimum Setbacks From Perth St. 4.5 m From Pts 1, 2, 3 and 5 Plan 61R-7965 6.0 m From Pts 9 & 10 Plan 61R-7965 7.5 m From Lots 60&61, Plan 77 6.0 m
15.73.2	SC.73.2	Notwithstanding anything else in this by-law to the contrary, on lands zoned **SC.73.2**, a veterinary clinic is permitted in accordance with the following: a) No outside kennels, runs or pens are permitted. b) No commercial boarding of animals is permitted except for that required for convalescence.
15.73.3	C3.73.3(H2)	Notwithstanding anything else in this by-law to the contrary, on lands zoned **C3.73.3** the following special provisions shall apply <u>Permitted Commercial Uses</u> • a bank or financial institution but not a drive-up banking window or a drive-up automated teller machine • a business or professional office • a church • a commercial school or studio • a day nursery or day care centre • a funeral home • a medical office or clinic • a personal service shop • a public building • a school • a restaurant excluding a drive-thru pickup window • a dwelling unit above the ground floor of a permitted commercial use <u>Permitted Institutional Uses</u> • a church • a commercial school or studio • a day nursery or day care centre • a home for the aged • a hospital • a library • a nursing home • a public building • a retirement home • a school <u>Lot Regulations For All Permitted Uses</u>

		Minimum Lot Area: 743 m^2 Minimum Lot Frontage: n/a Minimum Setback from a Street: No part of any building shall be located within 6 m of the Belsyde Ave road allowance or closer to the Tower Street road allowance than the existing building. Minimum Side Yard: 3 m Minimum Rear Yard: 7.5 m Maximum Building Height: 3 storeys Minimum Landscaped Open Space: 25% of the lot area Off Street Parking: Notwithstanding anything else in this by-law to the contrary, parking shall not be permitted within 6 metres of the Tower Street South road allowance and 3 m of the Belsyde Ave road allowance. Buffer Strip: Where a C3.73.3 Zone abuts any Residential Zone or any Institutional, Open Space, or Future Development Zone, a Buffer Strip shall be provided. Garbage, Refuse Storage and Composters: No garbage or refuse shall be stored on any lot in any zone except within the main building or an accessory building or structure on such lot or in a container in the side yard or rear yard of such lot. All garbage or refuse storage areas, including any garbage loading or unloading areas, which are visible from an adjoining site in a residential, commercial, institutional or open space zone, or from a public street, shall have a visual screen consisting of a fence that is a minimum of 2.0 metres (6.5 ft) in height.
15.73.4	R1B.73.4	Notwithstanding any other provision of this by-law to the contrary, on lands zoned **R1B.73.4**, the following special provisions shall apply: a) Minimum interior side yard shall be 1.2 metres (both sides) b) Maximum lot coverage shall be 45%

15.73.5	R4.73.5	Notwithstanding any other provision of this by-law to the contrary, on lands zoned **R4.73.5**, the minimum lot frontage shall be 10 metres..
15.73.6	R3.73.6	Notwithstanding any other provision of this by-law to the contrary, on lands zoned **R3.73.6**, the following special provisions shall apply: a) Minimum rear yard shall be 7.0 metres b) Minimum front yard including any setback to the front face of the garage shall be 5.5 metres
15.73.7	R1C.73.7	Notwithstanding any other provision of this by-law to the contrary, on lands zoned **R1C.73.7**, the following special provisions shall apply: a) Minimum rear yard shall be 7.0 metres b) Minimum front yard including any setback to the front face of the garage shall be 5.5 metres c) Maximum lot coverage shall be 45%
15.73.8	C2.73.8	Notwithstanding any other provision of this by-law to the contrary, in a **C2.73.8** zone, all uses of the C2 and SC zones are permitted, and the applicable lot regulations are those of the C2 zone.
15.73.9	C2.73.9(H6)	Notwithstanding any other provision of this by-law to the contrary, in a **C2.73.9** zone, the following special provisions shall apply: <u>A. Permitted Uses</u> The following permitted uses shall apply to the total of the lands zoned C2.73.9, despite the fact that the lands may be comprised of more than one parcel held in separate ownership. a) A grocery store for which the leasable floor area devoted to the sale of food and grocery items and drugs, health and beauty aids does not exceed 9,568.7 m2 (103,000 ft2) b) In addition to the above, up to 3,901.8 m2 (42,000 ft2) of leasable floor area devoted to the sale of general merchandise, clothes and accessories, furniture and home furnishings, electronics and appliances, sporting goods, books, music, craft and hobby supplies, office supplies, stationery, and gifts, either within a grocery store or within individual commercial retail units. c) Any portion of the sales area referred to in Item b) that is not wholly contained within a grocery store on lands zoned C2.73.9, then such sales shall only occur within individual retail commercial units having a floor area greater than or equal to 278.7 m^2 (3,000 ft^2). d) Any other use permitted by the C2 zone but not including any individual commercial retail units in the drug, health and beauty aid category. e) Uses accessory to the foregoing. <u>B. Lot Regulations</u> Minimum Lot Area 1,100 m^2 (11,840 ft^2)

		Minimum Lot Frontage 30 m (98.4 ft) Minimum Front Yard 3.0 m (9.8 ft) Minimum Rear Yard 7.5 m (24.6 ft) Minimum Side Yard 3.0 m (9.8 ft) Maximum Lot Coverage 40% Minimum Parking Spaces 5 spaces per 100 sq. m. gross floor area. Maximum Parking Spaces 6 spaces per 100 sq. m gross floor area. Maximum Building Height 11 m (36 ft) Minimum Landscaped Area 20% Notes The lot requirements of this zone shall be applied individually to any parcel zoned C2.73.9 even though the uses are considered in combination.
15.73.10	R4.73.10	Notwithstanding any other provision of this By-law, on lands zoned R4.73.10, the following lot regulations shall apply: a) The maximum building height shall be 6 storeys but not greater than 22.5 metres b) The maximum number of apartment dwelling units shall be 100.
15.75.1	R1A.75.1	Notwithstanding any provision of this By-law to the contrary, on lands zoned **R1A.75.1** a day care centre shall be a permitted use in addition to the uses permitted by the R1A zone.
15.75.2	C2.75.2	Notwithstanding any other provisions of this by-law to the contrary, on lands zoned C2.75.2, the following special provisions shall apply: <u>A. Permitted Uses</u> In addition to the uses permitted in the C2 zone, Stacked Townhouses are permitted. <u>B. Definitions</u> For the purposes of this zone “Stacked Townhouse” means one building or structure containing a minimum of two townhouses divided horizontally. <u>C. Lot Regulations</u> a. Minimum Rear Yard: 6.5 m b. Minimum Lot Frontage: 15 m c. Minimum Buffer Strip (Along Frontage): 2 m

		D. Parking Regulations For the following uses, the minimum off-street parking requirement shall be: a. Stacked Townhouses: 1.2 spaces per unit b. Commercial Use: 1 space per 30 m2 of GLA E. Special Regulation a. Any internal lot lines, either existing or newly created by a plan of condominium, consent, or other means, shall not be construed to be property lines for the purposed of determining zoning compliance.
15.76.1	R2.76.1	Notwithstanding any other provision of this by-law, on lands zoned **R2.76.1**, the following special provisions shall apply: a) The minimum lot area shall be 240 m^2
15.76.2	R2.76.2	Notwithstanding any other provision of this by-law, on land zoned **R2.76.2**, the following special provision shall apply: a) The minimum lot area for a demi-detached unit is 269m^2
15.76.3	R1C.76.3	Notwithstanding any other provision of this by-law to the contrary, on land zoned **R1C.76.3, the following special provisions shall apply:** Home Occupations A home occupation is permitted as per Section 4.17 pf this By-law, except that: • The maximum gross floor area devoted to a home occupation use shall be 50% of the gross floor area of the dwelling up to a maximum of 218 m^2 and limited to the ground floor only • The retail sale of goods, wares or merchandise related to a home occupation use is permitted to occupy up to 100% of the gross floor area devoted to the home occupation
15.76.4	C2.76.4	Notwithstanding any other provision of this by-law to the contrary, on lands zoned C2.76.4, the following special provisions shall apply: A. Lot Regulations a) Buffer Strip 1.5 m b) Section 10.3.4. f) and g) do not apply B. Parking Regulations a) Minimum number of parking spaces: 111 C. Special Regulation Any internal lot lines, either existing or newly created by a plan of a consent, plan of condominium or other means shall not construed to be property lines for the purposes of determining zoning compliance.
15.76.5	R4.76.5	Notwithstanding any other provision of this By-law to the contrary, on lands zoned R4.76.5, the following special provisions shall apply:

		<u>Lot Regulations</u> a. Minimum front yard setback shall be 4.3 metres b. Minimum exterior side yard setback shall be 4.3 metres c. Minimum common amenity area shall be 244m^2 for 12 residential units d. Minimum private amenity area shall be 4.5m^2 per unit e. Minimum parking area setback shall be 2 metres to any street line.
15.77.1	R4.77.1	Notwithstanding any other provision of this by-law to the contrary, in an **R4.77.1** Zone, an apartment building containing no more than 5 dwelling units is permitted. All other applicable provisions of this by-law shall apply, except for the following special provisions: a) Minimum Lot Area 498.7 m^2 b) Minimum Lot Frontage 20.1 m c) The minimum number of off-street parking spaces is 5. d) Each parking stall shall have a minimum width of 2.7 m and a minimum depth of 5.5 m. e) A common amenity area is not required.
15.77.2	C3.77.2	Notwithstanding any other provision of this by-law to the contrary, in a **C3.77.2** Zone the following special provisions shall apply Permitted uses • A business office • A professional office • One dwelling unit • But not including a medical office or a medical clinic Lot Regulations a) Minimum Lot Frontage 15.0 m b) Minimum Lot Area 460 m^2 c) Minimum Front Yard 2.5 m d) Minimum Rear Yard 15.0 m e) Minimum Interior Side Yard 4.0 m on one side 2.5m on the other side f) Maximum Lot Coverage 50% g) Maximum Height of Main Building 10.5 m h) Minimum Parking Spaces 5 i) Maximum Parking Spaces 6
15.77.3	C1.77.3	Notwithstanding any other provision of this by-law to the contrary, in a **C1.77.3** Zone, the minimum number of required parking spaces is 100.
15.77.4	R1B.77.4	Notwithstanding any other provision of this By-law to the contrary, in an **R1B.77.4** Zone the minimum side yard shall be 1.5 m (4.9 ft). If no attached garage is provided, the minimum side yard on one side shall be 3.0 m (9.8 ft).
15.77.5	C1.77.5	Notwithstanding any other provision of this by-law, on lands zoned **C1.77.5** the following special provisions shall apply: <u>Permitted Uses</u>

		All uses permitted by the C1 zone, with the exception of the following: an amusement arcade, an automobile parts and accessories supplier; a beer, liquor or wine store; commercial recreation; a funeral home; a gas bar; a hardware store; a hotel; a medical clinic; a parking lot; a place of entertainment; a tavern; and a veterinarian clinic.
15.77.6	R1B.77.6	Notwithstanding any other provision of this By-law, on land zoned **R1B.77.6**, an existing residence may be converted to contain no greater than 5 dwelling units and an existing coach house on the same lot shall be permitted to contain no greater than 2 dwelling units. Notwithstanding Sections 4.21 and 4.22 of this By-law, the existing coach house may be reconstructed but in the event of reconstruction shall be located no closer than 1.2 m to any lot line.
15.77.6	R2.77.6	Notwithstanding any other provision of this By-law, on land zoned **R2.77.6,** the following special provisions shall apply: a) The minimum lot frontage for a Lot zoned **R2.77.6** is 7.4 m. b) The minimum lot area for a Unit is 297 m2 c) The minimum front yard setback for any Unit is 3 m to any front building face abutting ca common element road. Notwithstanding the foregoing, the minimum setback to the face of an attached garage is 6 m. d) The minimum exterior side yard setback for Unit 5 is 1.8 m. e) The minimum rear yard setback for Unit 3 is 6.8 m. f) The minimum rear yard setback for Unit 4 is 4.7 m. g) The minimum rear yard setback for Unit 5 is 5.2 m. For the purposes of this By-law, Lot refers to the entire parcel of land zoned **R2.77.6**. Unit(s) refer to individual units within draft plan of condominium 23DC-15001 as approved by the County of Wellington on April 26, 2017.
15.77.7	R2.77.7	Notwithstanding any other provision of this By-law, on land zoned **R2.77.7**, the following special provisions shall apply: a) Minimum rear yard setback: 5.2 metres.
15.78.1	R4.78.1	Notwithstanding anything else in this by-law to the contrary, on lands zoned **R4.78.1** the following special provisions shall apply <u>Permitted Residential Uses</u> • no greater than 107 cluster townhouse dwellings or apartment dwellings <u>Lot Regulations for Permitted Residential Uses</u>

	Apartment Dwellings	Cluster Townhouse Dwellings
Minimum Lot Area	650 m^2	800 m^2
Minimum Lot Frontage	Not applicable	not applicable

		Minimum Setback from a Street	6 m	6 m	
		Minimum Side Yard	½ the building height but no less than 3 m. Notwithstanding the foregoing, where windows of a Habitable Room face on a Side Yard, such Side Yard shall have a minimum width of not less than 7.5 metres.	½ the building height but no less than 3 m. Notwithstanding the foregoing, where windows of a Habitable Room face on a Side Yard, such Side Yard shall have a minimum width of not less than 7.5 metres.	
		Minimum Rear Yard	½ the building height but no less than 7.5 m	½ the building height but no less than 3 m. Notwithstanding the foregoing, where windows to a Habitable Room face on a required Rear Yard, such Building shall not be located within 7.5 metres of that Rear Lot Line.	
		Maximum Building Height	4 storeys or 425.93masl		
		Minimum Distance Between Buildings	Where two or more Buildings are located on any one Lot, the following regulations shall apply: The minimum distance between the face of one Building and the face of another Building shall be 15 metres.		
		Minimum Common Amenity Area	10 m^2 of common amenity area shall be provided for each dwelling unit. Common amenity areas shall be aggregated into areas of not less than 50 m^2. Common Amenity Areas shall be designed and located so that the length does not exceed 4 times the width. A Common Amenity Area shall be located in any Yard other than the required Front Yard or required Exterior Side Yard. Landscaped Open Space areas, Building roof tops, patios, and above ground decks may be included as part of the Common Amenity Area if recreational facilities are provided and maintained (e.g. swimming pools, tennis courts, lounges, and landscaped areas).		

		<table><tr><td>Minimum Landscaped Open Space</td><td>30% of the lot area</td></tr><tr><td>Maximum Lot Coverage</td><td>35%</td></tr></table> <u>Permitted Institutional Uses</u> • a church • a commercial school or studio • a day nursery or day care centre • a home for the aged • a hospital • a library • a nursing home • a public building • a retirement home • a school <u>Regulations for Permitted Institutional Uses</u> <table><tr><td>Minimum Lot Area</td><td>not applicable</td></tr><tr><td>Minimum Lot Frontage</td><td>not applicable</td></tr><tr><td>Minimum Setback from a Street</td><td>6 m</td></tr><tr><td>Minimum Side Yard</td><td>½ the building height but no less than 3 m.</td></tr><tr><td>Minimum Rear Yard</td><td>½ the building height but no less than 7.5 m</td></tr><tr><td>Maximum Building Height</td><td>3 storeys</td></tr><tr><td>Minimum Landscaped Open Space</td><td>30% of the lot area</td></tr><tr><td>Special Provision</td><td>For the development of permitted Institutional Uses, lands zoned R4.78.1 can be considered in conjunction with lands zoned C3.73.3.</td></tr></table>
15.78.2	R1C.78.2	Notwithstanding anything else in this by-law to the contrary, on lands zoned **R1C.78.2** all the permitted uses of the R1C zone are permitted, subject to the following special provisions: a) Minimum Lot Frontage 15.0 m b) Minimum Lot Area 460 m^2 c) Minimum Front Yard 7.5 m d) Minimum Rear Yard 6.0 m e) Minimum Interior Side Yard 1.5 m on both sides, but in the absence of an integral garage, one side yard shall be increased to 3.0 m f) Minimum Exterior Side Yard 4.5 m g) Maximum Lot Coverage 40% h) Maximum Height of Main Building 9.0 m

		i) A building lot on land zoned R1C-1407 is not required to have frontage on a public street that is opened and maintained by the Township. j) For those building lots that have frontage upon, and access to, an internal private access road, the shortest lot line abutting the internal private access road shall be deemed to be a front lot line and all other lot regulations determined accordingly.
15.78.3	C2.78.3	Notwithstanding any other provision of this by-law to the contrary, in a **C2.78.3** zone, all uses of the C2 and SC zones are permitted, and the applicable lot regulations are those of the C2 zone.
15.78.4	SC.78.4	Notwithstanding any other provision of this by-law to the contrary, in an **SC.78.4** Zone, a retail food store is not permitted.
15.78.5	R1C.78.5	Notwithstanding any other provision of this by-law, on land zoned **R1C.78.5**, all permitted uses and lot requirements of the R1C zone shall apply except for the following specific provisions: a) Minimum Lot Area: 296 m^2 b) Minimum Lot Depth: 25 metres c) Maximum Building Height: 2 storeys or 9 m d) Minimum Front Yard: 5 m e) Minimum Side Yard: One side 2.0 m, Other Side 1.5 m f) Minimum Read Yard: 5 m
15.79.1	C2.79.1	Notwithstanding any other provision of this by-law to the contrary, in a **C2.79.1** Zone, the following special provisions shall apply: a) Permitted uses shall only include automobile parts and accessory suppliers, automobile sales and service, automobile service stations, automobile washes and uses accessory thereto. b) A minimum of 10% of the lot area shall consist of open space comprised of lawn, flowers, ornamental shrubs, trees or other natural vegetation but shall not include loading or parking areas, traffic aisles, driveways, ramps or outdoor storage/display and sales areas. c) A planting strip having a minimum width of 6.0 metres shall be provided between the front lot line and any parking area or outdoor storage/display and sales areas. d) All other requirements of the C2 zone shall apply.
15.79.2	A.79.2	Notwithstanding any provision of this By-law to the contrary, on lands zoned **A.79.2** the following special provisions shall apply: a) The permitted uses shall only include a nursery business including the sale of nursery stock and landscape materials; greenhouses; a single detached dwelling; and uses, buildings and structures accessory to any permitted uses but shall not include a livestock housing facility. b) The minimum front yard for buildings shall be 27.3 m from the original road allowance. d) The minimum side yard for buildings shall be 12.1 m. e) The total ground floor area of four additional future greenhouses shall not exceed 743.2 m^2

		g) The total floor area of all additional future commercial buildings within this zone shall not exceed 743.2 m^2 h) The maximum lot coverage of all existing and proposed buildings and structures shall not exceed 20%.
15.80.1	M2.80.1	Notwithstanding any other provision of this by-law to the contrary, on the lands zoned **M2.80.1**, the sales area of a variety or convenience store shall not exceed 92.9 m^2.
15.80.2	IN.80.2	Notwithstanding any other provisions of this By-law to the contrary, on lands zoned IN.80.2, the following special provisions shall apply in addition to the IN zone regulations: <u>Accessory Structures</u> The provisions of Section 4.2, Table 4B, Column B shall not apply to accessory structures. The following provisions for accessory structures shall apply: a) Accessory structures are permitted in the required front yard, b) The maximum height of an accessory structure, specifically the salt and sand storage shed, shall be 13 metres. c) Accessory structures shall be permitted before the construction of the main building.
15.82.1	R3.82.1	Notwithstanding any other provision of this by-law to the contrary, in an **R3.82.1** Zone, the following special provisions shall apply: <u>Permitted Uses</u> ▪ freehold street townhouse dwellings <u>Lot Requirements</u> Minimum Lot Area: 200 m^2 per unit Minimum Lot Frontage: 6.0 m per unit Minimum Front Yard Setback: 6.0 m Access stairs may project up to 2.5 metres into the required front yard. Minimum Rear Yard Setback: 6.0 m Minimum Interior Side Yard: 1.5 m Minimum Landscaped Open Space: 35% of total lot area and 25% of front yard area Maximum Building Height: 10.5 metres
15.82.2	R3.82.2	Notwithstanding any other provision of this by-law to the contrary, in an **R3.82.2** Zone, the following special provisions shall apply: <u>Permitted Uses</u> ▪ freehold street townhouse dwellings <u>Lot Requirements</u>

		Minimum Lot Area: 200 m^2 per unit Minimum Lot Frontage: 6.0 m per unit Minimum Front Yard Setback: 6.0 m Access stairs may project up to 2.5 metres into the required front yard Minimum Rear Yard Setback: 6.0 m Minimum Side Yard Setback: 3.0 metres on one side 1.5 metres on the other side Minimum Landscaped Open Space: 55% of total lot area and 30% of front yard area Maximum Building Height: 10.5 metres
15.81.1	R3.81.1	Notwithstanding anything else in this by-law to the contrary, the following special provisions shall apply to land zoned **R3.81.1**: 1. Permitted Uses: • Any use permitted by the R1 zone • Any use permitted by the R2 zone • Any use permitted by the R3 zone 2. Lot Regulations a) R1 zone uses shall comply with the lot requirements of the R1C zone, except for the following:

	Building Regulations Single Detached Dwelling
Minimum Lot Area	325 m^2
Minimum Lot Frontage	10.9 m
Minimum Front Yard	4.5 m (1)(2)
Minimum Rear Yard	7.5 m
Minimum Interior Side Yard	1.2 m one 0.6 m other side (3)
Minimum Exterior Side Yard	4.2 m (1)(2)
Maximum Lot Coverage	42.5%
Maximum Height	3 storeys or 11m

Notes:

(1) Maximum porch projection into front yard of 1.5m
(2) Minimum 6.0m to front face of garage if driveway crosses front lot line or exterior side yard
(3) Minimum 1.8m between abutting dwellings

b) R2 zone uses shall comply with the lot requirements of the R2 zone, except for the following:

	Building Regulations Semi Detached Dwelling
Minimum Lot Area	215 m^2
Minimum Lot Frontage	7.2 m
Minimum Front Yard	4.5 m (1)(2)

		Minimum Rear Yard: 7.5 m Minimum Interior Side Yard: 1.2 m on unattached side Minimum Exterior Side Yard: 4.2 m (1)(2) Maximum Height: 3 storeys or 11m Notes: (1) Maximum porch projections into front yard of 1.5m (2) Minimum 6.0 m to front face of garage if driveway crosses front lot line or exterior side lot line. c) R3 zone uses shall comply with the lot requirement of the R3 zone. Notwithstanding the foregoing, where a street townhouse has a lot frontage or width of 7.5 m or greater, the minimum front yard shall be 4.5 m (14.8 ft) but shall be at least 6 m (19.7 ft) to the front face of a garage.
15.81.2	M2.81.2	Notwithstanding any other provision of this by-law, on land zoned **M2.81.2** a retail store devoted primarily to the sale of agricultural supplies is permitted. Retail sale of general merchandise is permitted as a secondary use to the foregoing.
15.81.3	R2.81.3	Notwithstanding anything else in this By-law to the contrary, on the land zoned R2.81.3, the following special provisions shall apply: Lot Regulations Minimum Lot Frontage: 8.0 metres Minimum Lot Area: 268.0 m^2 per unit Interior Side Yard: Where the dwelling does not include an attached garage the, minimum interior side yard on one side shall be 1.5 m (4.9 ft) Driveway Width: 6.0 metres
15.82.3	R4.82.3	Notwithstanding any other provision of this by-law to the contrary, in an **R4.82.3** Zone, the following special provisions shall apply: <u>Permitted Uses</u> • an apartment dwelling • a single detached dwelling • a hydroelectric power generating station <u>Lot Requirements</u> Apartment / Single Detached / Hydro Station Maximum Number of Dwelling Units: 6 / 1 / n/a Minimum Lot Area: 1,000 m^2 / 500 m^2 / n/a

		Minimum Lot Frontage	30.0 m	12.0 m	n/a
		Minimum Front Yard Setback	12.0 m	12.0 m	n/a
		Minimum Rear Yard Setback	0.0 m	4.0 m	n/a
		Minimum Interior Side Yard	7.5 m on one side, 1.2 m on the other side	1.2 m on one side, 1.5 m on the other side	n/a
		Maximum Lot Coverage	30%	35%	n/a
		Minimum Landscaped Open Space	35% of total lot area	40% of total lot area	n/a
		Maximum Building Height	15.0 m	10.5 m	n/a
		Minimum Required Parking Spaces	8	2	n/a

15.82.4 — **R4.82.4**

Notwithstanding any other provision of this by-law to the contrary, in an **R4.82.4** Zone, the following special provisions shall apply:

Permitted Uses

- an apartment dwelling which may incorporate a hydroelectric power generating station
- an enclosed parking structure on a separate lot or block in the R4.82.4 zone
- a sewage pumping station with standby power generator

Lot Requirements

	Apartment Building	Parking Structure	Sewage Pumping Station
Maximum Number of Dwelling Units	25	n/a	n/a
Minimum Lot Area	3,000 m^2	800 m^2	n/a
Minimum Lot Frontage	140.0 m	15.0 m	n/a
Minimum Front Yard Setback	0.0 m	4.5 m	n/a
Minimum Rear Yard Setback	0.0 m	15.0 m	n/a
Minimum Interior Side Yard	60.0 m on one side,	0.0 m	n/a

<table>
<tr><td></td><td></td><td>
<table>
<tr><td></td><td>1.5 m on the other side</td><td></td><td></td></tr>
<tr><td>Maximum Lot Coverage</td><td>40%</td><td>40%</td><td>n/a</td></tr>
<tr><td>Minimum Landscaped Open Space</td><td>35% of total lot area</td><td>n/a</td><td>n/a</td></tr>
<tr><td>Maximum Building Height</td><td>20.0 m</td><td>6.0 m</td><td>n/a</td></tr>
<tr><td>Minimum Required Parking Spaces</td><td>38, but may be provided on another lot or block within the same zone</td><td>n/a</td><td>n/a</td></tr>
</table>
</td></tr>
<tr><td>15.82.5</td><td>R3.82.5</td><td>Notwithstanding any other provision of this by-law to the contrary, in an R3.82.5 Zone, the following special provisions shall apply:

<u>Permitted Uses</u>

▪ freehold street townhouse dwellings

<u>Lot Requirements</u>

Minimum Lot Area — 200 m^2 per unit
Minimum Lot Frontage — 6.0 m per unit
Minimum Front Yard Setback — 6.0 m; Access stairs may project up to 2.5 m into the required front yard
Minimum Rear Yard Setback — 6.0 m
Minimum Interior Side Yard — 1.5 m
Minimum Exterior Side Yard — 4.5 m
Maximum Building Height — 10.5 m</td></tr>
<tr><td>15.82.6</td><td>IN.82.6</td><td>Notwithstanding any other provision of this by-law to the contrary, in an IN.82.6 Zone, the minimum number of off-street parking spaces shall be 1 space for every four beds plus 1 space for every two employees.</td></tr>
<tr><td>15.82.7</td><td>C2.82.7</td><td>Notwithstanding any other provision of this by-law to the contrary, in a C2.82.7 Zone the following special provisions shall apply:

<u>Permitted Uses</u>

All uses permitted by the C2 zone, plus the following uses:

• Retail store with a gross leasable area of less than 371.6 m^2

<u>Lot Regulations</u>

a) Minimum Lot Frontage — 15 m
b) Minimum Lot Area — 700 m^2
c) Minimum Front Yard — 7.5 m
d) Minimum Rear Yard — 7.5 m</td></tr>
</table>

		e) Minimum Interior Side Yard 1.5 m f) Minimum Exterior Side Yard 7.5 m g) Maximum Lot Coverage 50% h) Maximum Height of Main Building 2 storeys
15.82.8	OS.82.8 R4.82.8	Notwithstanding any other provision of this by-law, on lands zoned **R4.82.8** and **0S.82.8**, the following special provisions shall apply: <u>Permitted Uses</u> In an R4.82.8 zone, all uses permitted by the R4 zone In an OS.82.8 zone, the only permitted uses shall be passive recreation as a common amenity area in conjunction with an apartment building on the portion of the site zoned R4.82.8. <u>Building Regulations</u> The parcels zoned R4.82.8 & OS.82.8 shall be combined for the purposes of determining zoning compliance in accordance with the requirements of Section 7.4.2 Table G. <u>Exceptions</u> Notwithstanding any other provision in this by-law the contrary, the following special provisions shall apply: 1. The habitable floor space elevation of any residential dwelling unit shall be located above the regulatory flood elevation. 2. No basements are allowed. 3. Mechanical, electrical, air conditioning and heating equipment shall be located above the regulatory flood level. 4. Safe access shall be provided. 5. The prior written approval of the Grand River Conservation Authority is required for any fill or construction. 6. The maximum number of dwelling units shall be 50. 7. No buildings or structures are permitted on the lands as an amenity area. The provisions of Table 4B shall apply to any structures. The prior written approval of the Grand River Conservation Authority is required for any fill or construction on lands zoned OS.82.8. 8. Subject to site plan approval, a canopy over the building entrance facing Scotland Street shall be subject to the following regulations: a. The maximum projection into the yard abutting the Scotland Street road allowance shall be 9.8 metres. b. No part of any canopy shall be located within 0.2 metres of the street line c. No part of any canopy shall be located within 0.3 metres of the street line at grade level.
15.83.1	R1A.83.1	Notwithstanding any other provision of this by-law to the contrary, in an **R1A.83.1** Zone, a portion of a lot zoned EP may form part of the required frontage and lot area and a driveway may be constructed on lands zoned EP.

15.85.1	IN.85.1	Notwithstanding any other provision of this by-law, in an **IN.85.1** Zone the following special provisions shall apply: <u>Permitted Uses</u> A church and an accessory residence (Manse) on the same lot as a church A group home in accordance with Section 4.16, which may be located on a separate lot from a church and manse permitted in the same zone <u>Excluded Uses</u> A public building A school A cemetery A hospital A day care centre A retirement residence A nursing home A museum A library A community centre <u>Building Regulations</u> The provisions of Section 8.1.2 (Table 8A) shall apply to the establishment of a church and/or manse. Notwithstanding the foregoing, a minimum setback of 120 metres shall be maintained from the adjacent locally significant wetland. The provisions of Section 7.1.2 (Table 7A) pertaining to a lot with individual on-site sewer services shall apply to the establishment of a group home.
15.87.1	R1A.87.1	Notwithstanding anything else in this By-law to the contrary, on lands zoned **R1A.87.1**, the following special provisions shall apply: a) The lot line abutting Lamond Street shall be considered the front lot line and all driveway entrances shall be from Lamond Street.
15.87.2	R1A.87.2	Notwithstanding any other provision of this by-law to the contrary, in an **R1A.87.2** Zone, the minimum rear yard setback shall be 20 metres.
15.89.1	A.89.1	Notwithstanding anything else in this By-law to the contrary, on lands zoned **A.89.1**, no livestock housing facility shall be permitted
15.92.1	R1A.92.1	Notwithstanding any other provision of this by-law to the contrary, on lands zoned **R1A.92.1,** one single detached dwelling shall be permitted with access to a public highway by means of a private right of way that is established pursuant to an agreement between the Owner and the Township (“agreement road”). For the purposes of determining zoning compliance, the agreement road shall be considered equivalent to a public street.

15.94.1	A.94.1	Notwithstanding any other provision of this By-law to the contrary, in an **A.94.1** Zone the permitted uses shall not include a livestock housing facility and shall not include a single detached dwelling or any uses related to or accessory to the foregoing. Agricultural uses shall be limited to fallow, field crops, and pasturage.
15.94.2	R1A.94.2	Notwithstanding any other provision of this By-law to the contrary, in an **R1A.94.2 Zone** the following special provisions shall apply: a) In addition to the uses permitted by the R1A zone, an existing seasonal farm produce stand is also permitted as a use accessory to a single detached dwelling. b) A seasonal farm produce stand shall be limited to the sale of produce grown on site. c) All other applicable provisions of the R1A zone shall continue to apply. d) Any existing accessory buildings that do not comply with the regulations of the R1A zone shall continue to be permitted in accordance with their existing use and performance standards.
15.94.3	A.94.3(T)	Notwithstanding anything else in this By-law to the contrary, on lands zoned **A.94.3(T**) the following special provisions shall apply: Additional Permitted Uses • A garden suite Special Regulations • This garden suite is a temporary use and is permitted until January 19, 2014, at which time the zoning reverts back to Agricultural.
15.96.1	C5.96.1	Notwithstanding any other provision of this by-law to the contrary, the following special provisions shall apply to land zoned **C5.96.1**: <u>Permitted Uses:</u> Existing recognized uses within existing buildings as of the date of passage of this by-law shall be permitted to continue until such time as the uses cease. <u>Additional Permitted Uses:</u> • Business or professional office • Retail store with a gross floor area less than 300 square metres (3,229 ft^2) • Service or repair shop • Tradesperson's shop • Light industrial undertakings, including assembly, fabricating, manufacturing, processing and packaging of goods or raw material.

15.98.1	M1.98.1 M1.98.2	Notwithstanding anything else in this by-law to the contrary, the lands zoned **M1.98.1** and **M1.98.2** shall only be used for the following: 1. A utility pole company which shall include the chemical treatment, storage and sale of poles, lumber and wood products, the storage and repair of trucks and equipment directly associated with the utility pole company; 2. Uses accessory to the permitted uses which shall include office space, employee washrooms and lunchroom facilities, off-street parking areas and off-street loading areas a. The following regulations shall apply to the above uses: b. No poles, lumber or treated wood products shall be stored within 98 metres of the front lot line; c. The treatment of poles, lumber and wood products shall be restricted to the area zoned M1.98.2; Areas zoned EP shall be left in their natural state and shall not be used as part of the area of operation nor for the storage of poles, lumber or wood products.

2 ENACTMENT

2.2 FORCE AND EFFECT

This By-law shall come into effect in accordance with the Planning Act, R.S.O. 1990, c.P.13, as amended.

2.3 READINGS BY COUNCIL

Read a first and second time this 13th day of July, 2009.

_____ _____

Mayor Clerk

Read a third time and passed this 13th day of July, 2009.

_____ _____

Mayor Clerk