

SECTION 2 GENERAL ZONING MATTERS

2.0 GENERAL ADMINISTRATION, INTERPRETATION, IMPLEMENTATION & ENFORCEMENT

2.1 APPLICATION

The provisions of this Zoning By-law shall apply to all those lands lying within the Township of Woolwich. From and after the effective date of this Zoning By-law, no land shall be used, and no building or structure shall be erected or used and no change of occupancy of any building or structure or land or premise shall be made in whole or in part except in conformity with the provisions of this Zoning 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*, as amended or replaced (the “*Building Code Act*”) or any other By-law of the Township or Regional Municipality of Waterloo (the “Region”) in force from time to time or the obligation to obtain any licence, permit, or approval lawfully required under any By-law of the Township or Region or by a governmental authority having jurisdiction to make such restrictions. This Zoning 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

Notwithstanding any other provisions in this Zoning By-law, if a permitted use, building and/or structure is subject to two or more conflicting regulations required in the zone that the parcel lies, such permitted use, building and or structure shall be subject to the more restrictive regulation required in the applicable zone.

2.4 CONFLICTS WITH OTHER MUNICIPAL BY-LAWS

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

2.5 CONFORMITY REQUIREMENTS

- a) No person shall use any land, construct, alter or use any building or structure or part thereof, and no person shall permit the use of any land, construction, alteration or use of any building or structure or part thereof, within the limits of the Township of Woolwich except in conformity with the permitted uses and applicable regulations contained in this Zoning By-law.
- b) No building, structure, or part thereof constructed or altered in contravention of this Zoning By-law shall be used, or permitted to be used, by any person so long as such building, structure, or part thereof, continues to contravene the provisions of this Zoning By-law.

- c) 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 Zoning 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 Zoning By-law are complied with.
- d) 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 Zoning By-law. Any change of use to the lot, building or structure that complies to this Zoning By-law will require a Zoning Compliance Certificate pursuant to Section 2.12.

2.6 LEGAL NON-CONFORMING USES, BUILDING, STRUCTURES AND LAND

- a) Nothing in this Zoning By-law shall apply:
 - i) To prevent the use of any land, building or structure for any purpose prohibited by this Zoning By-law if such land, building, or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose; or
 - ii) To prevent the erection or use for a purpose prohibited by this Zoning By-law of any building or structure for which a permit has been issued under subsection 8(1) of the *Building Code Act*, prior to the day of the passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under subsection 8(10) of the *Building Code Act*.
- b) Nothing in this Zoning By-law shall prevent the strengthening or restoration to a safe condition of a building or structure so long as the strengthening or restoration does not alter the height, size or volume of the building or structure or change its use to other than a conforming one.
- c) A building destroyed by fire, flood or any act of God may be restored or reconstructed on the same lot provided that:
 - i) The building setbacks existing at the time prior to the destruction are not further reduced;
 - ii) The height, size and/or volume of the building at the time prior to the destruction has not increased; and
 - iii) That a building permit for such restoration or reconstruction is issued and substantial construction to be completed within one (1) year of the date of destruction, as deemed by the Chief Building Official and that the said building continues to be used for the purpose for which it was used immediately prior to destruction.
- d) Notwithstanding anything contained in this subsection, where on the day of the passing of this Zoning By-law a building lawfully exists which was designed for and was used for residential purposes, nothing in this Zoning By-law, regardless of the zone within which the building is located, shall prevent:

- i) The construction of a building or structure for a use accessory to a Residential Building in accordance with the regulations for accessory buildings in the zone within which such Residential Building is located or the regulations for an accessory building in the R-1 Zone if the property is located in a non-residential zone, and all other regulations of Section 4 of this Zoning By-law; and
 - ii) The enlarging or extension of the existing Residential Building by not more than twenty-five percent (25%) of the total floor area of the building on the day of the passing of this Zoning By-law, so long as such Residential Building when enlarged or extended will conform with the General Regulations contained in Section 4 of this Zoning By-law and the specific regulations related to the side and rear yards contained in the R-5 Zone for expansion to existing single, semi and duplex residential units and the R-6 Zone for any other expansion to existing multiple residential units.
 - iii) The creation of an accessory dwelling unit shall be permitted on a legal non-conforming lot, as defined in Section 4.4 of this Zoning By-law, provided that all other applicable provisions of this By-law are met.
- e) Where for any reason the use of any land, building or structure for a purpose prohibited by this Zoning By-law but which was in existence on the day of the passing of this Zoning By-law, has ceased for a period exceeding one year, such non-conforming use deemed to cease shall not be resumed.
- f) 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 Zoning-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 Zoning By-law are complied with.
- g) For residential buildings and structures existing on the day of the passing of this Zoning By-law but which do not comply with applicable setback requirements within the zone that the parcel lies, refer to Sections 4.2 n) (Existing Accessory Building Setbacks), 4.12 (Existing Building Line Setbacks) and 4.18 (Existing Side and Rear Yard Setbacks).

2.7 NON-COMPLYING LOTS

Any use, including a use permitted in a zone within which the parcel lies, shall be interpreted to be a non-conforming use if located on a non-complying lot, and no change of use or expansion of an existing use shall be allowed on a non-complying lot, except as provided for in Section 2.6 of this Zoning By-law.

2.8 SPECIAL PROVISIONS FOR DEDICATION OF ROAD ALLOWANCES AND RESERVES

- a) Notwithstanding Section 2.5 c), existing buildings, structures and/or lots which do not satisfy the applicable regulations of the zone within which such buildings or structures and/or lots are located because of a road dedication to the Township, shall not be deemed as non-complying; and

- b) Daylighting triangles and reserve blocks will be deemed to be part of a lot only for the purpose of calculating lot width, frontage, or lot area.

2.9 ESTABLISHMENT OF ZONES AND ZONING MAPS

2.9.1 Zoning Classifications

For the purpose of this By-law, the zoning classifications noted below are established, and the lands included in each zone are shown on the zoning maps forming Schedules B and C to this Zoning By-law and such zones may be referred to by the appropriate corresponding symbol.

ZONE CLASS	MAP SYMBOL	PRIMARY PURPOSE OF ZONE
AGRICULTURAL	A	To accommodate farms and farm-related activities and operations
RESIDENTIAL	R-1	To accommodate a limited range of low-density housing on private services
	R-2	To accommodate low-density housing and larger lots on full municipal services
	R-3	To accommodate low/medium density housing and mid-size lots on full municipal services
	R-4	To accommodate medium-density housing and mid-size lots on full municipal services
	R-5	To accommodate medium-density housing with limited high-density housing on smaller size lots on full municipal services
	R-6	To accommodate medium to high density housing on full municipal services
	R-7	To accommodate medium to high density housing with mixed-use opportunities on full municipal services
COMMERCIAL	C-1	To accommodate commercial uses in the Central Business Districts or Core Area
	C-2	To accommodate country settlement core commercial uses with limited light industrial
	C-3	To accommodate neighbourhood commercial uses
	C-4	To accommodate convenience commercial uses
	C-5	To accommodate auto-related type uses
	C-6	To accommodate service commercial uses

EMPLOYMENT	EM-1	To accommodate heavy industrial uses that are not on full municipal services
	EM-2	To accommodate heavy industrial uses that are on full municipal services
	EM-3	To accommodate industrial uses and limited commercial uses in a rural industrial area
	EM-4	To accommodate light industrial and limited commercial uses on full municipal services
	EM-5	To accommodate heavy industrial and business-park type uses with limited commercial on full municipal services
	EM-6	To accommodate prestigious business-park and light industrial uses with an increased range of commercial uses
	EM-7	To accommodate GO Station type uses
	EM-8	To accommodate airport related services and operations as well as a range of employment and commercial uses that are aviation related
EXTRACTIVE	E	To accommodate mineral aggregate operations
INSTITUTIONAL	P	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
MIXED-USE	MU-1	To accommodate a limited range of mixed-use development with no retailing
	MU-2	To accommodate a greater range of mixed-use development with some limited retailing
	MU-3	To accommodate a greater range of mixed-use development with an increase range of retailing to support a Village Main Street designation
	MU-4	To accommodate a greater range of mixed-use development along the outer area of a Central Business District or Core Area
OPEN SPACE	O-1	To accommodate public parks and recreational facilities
	O-2	To protect core environmental features

OVERLAYS	AIR	Airport Overlay Zone
	CHL	Cultural Heritage Landscape
	RBA	Hazard Lands – Regulatory Buffer Area
	FF	Hazard Lands – Flood Fringe (Two Zone)
	FW	Hazard Lands – Floodway (Two Zone)
	F	Hazard Lands – Flood (One Zone)
	SE	Hazard Lands – Slope Erosion
	EF	Environmental Features
	ESL	Environmental Sensitive Landscape
STOCKYARDS	ST-1	To accommodate power centre commercial uses within the Stockyards Area
	ST-2	To accommodate industrial/commercial uses within the Stockyards Area
	ST-3	To accommodate a broader range of commercial uses within the Stockyards Area
	ST-4	To accommodate campus type office, limited retailing, and certain commercial uses within the Stockyards Area

2.9.2 Zoning Maps and Boundaries

The Zoning Maps comprising of Schedules ‘A’ to ‘F’ (the “Zoning Map”) show the boundaries and extent of all Defined Areas (Zones). These Zoning Maps, together with all notations, references, and other information are hereby incorporated in and form part of this Zoning 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:

- a) 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.
- b) 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 the 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.
- c) 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 using the scale shown on the Zoning Maps.

- d) If there are no distinct features on a property as what was described in a), b) and c) above, then scaling the Zoning Map can determine the zoning boundary of a property.
- e) The O-2 Zone, Hazard Lands Overlay Zones, the Hazard Lands – Regulatory Buffer Area Overlay Zone and Environmental Feature Overlay Zone boundaries identified on the schedules to this Zoning By-law are intended to generally identify the location of potentially hazard land features, or natural heritage (i.e., environmental) features or associated buffer/regulatory area that must be protected from development. During review of development applications and building permit applications, if necessary, the boundaries of these zones or overlay shall be more precisely determined in consultation with the Grand River Conservation Authority (GRCA) or other agencies having jurisdiction in the area.
- f) In addition to e) above, where detailed resource mapping and/or site inspection results in a reinterpretation of the limits of these zones or overlay boundaries, a zoning amendment will not be required, and all requirements of this Zoning By-law shall be reviewed relative to the revised interpretation of such boundaries 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 GRCA, any provisions as set out in the permit shall also apply and shall supersede the zoning provisions where more restrictive.
- g) Where any street or lane or portion thereof as shown on the zoning maps is hereafter closed or diverted, or where any land included in any railway right-of-way shall hereinafter cease to be used for railway purposes, the lands formerly included in such street, lane or railway right-of-way shall be included within the abutting zone or zones as shown on the zoning maps.
- h) 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.

2.9.3 Exemption Zones and Special Provisions

Where the zone symbol applying to certain lands as shown on the Zoning Maps, being Schedule 'B' – Map Book, is followed by a number (for example 'A123' or '16.123') then special provisions apply to such lands. Such special provisions are outlined in Section 16 of the Zoning By-law which deals with exemptions or additional permission or alternative standards. The lands or portion thereof that are subject to these special provisions are illustrated in the corresponding Schedule 'A' map. Lands denoted in this manner shall be subject to all the restrictions of the zone except as otherwise provided for by the special provisions.

2.9.4 Overlay Zones

This Zoning By-law contains several overlay zones that are illustrated on the applicable Zoning Map (i.e., Schedules 'B', 'D', 'E' and 'F') and/or Map Index and includes corresponding zoning regulations in Section 15. The overlay zones include:

- a) Airport (AIR) Overlay Zone – Section 15.0
- b) Cultural Heritage Landscape (CHL) Overlay Zone – Section 15.1
- c) Hazard Lands – Regulatory Buffer Area (RBA) Overlay Zone – Section 15.2
- d) Hazard Lands – Flood Fringe Zone (FF) Overlay Zone – Section 15.3
- e) Hazard Lands – Floodway Zone (FW) Overlay Zone – Section 15.4
- f) Hazard Lands – Flood (F) Overlay Zone (One Zone) – Section 15.5
- g) Hazard Lands – Slope Erosion (SE) Overlay Zone – Section 15.6
- h) Environmental Features (EF) Overlay Zone – Section 15.7
- i) Environmental Sensitive Landscape (ESL) Overlay Zone – Section 15.8

Where the overlay zone is indicated on a Zoning Map and/or Map Index it will include a certain letter symbol suffix after the underlying zoning category to identify the applicable overlay zone to refer to in Section 15 in order to determine the additional regulations that the lands or portion thereof are subject to. 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.

Where, on the Zoning Maps in Schedule 'B', the map symbol as established above is followed by the letter "RBA" "F", "FF", "FW", "SE" or "EF" in brackets or contains an O-2 Zone, it is to indicate areas which have been identified in co-operation with the GRCA as containing hazard Lands or natural heritage features and associated buffer areas and are subject to flood or unstable soil conditions or environmental protection and therefore regulations of Section 15 related to the overlays and Section 14 related to the O-2 zone are respectively applied.

2.9.5 Holding Zone Suffix (H)

- a) In any case where the zone or map symbol in Section 16 and shown on Schedules 'A', 'B' and/or 'C' for any zoning classification or a particular use within a zoning classification has the suffix "H", the lands so identified shall be used for the following purposes only, until the "H" symbol has been removed by by-law:
 - i) Uses existing at the date of passing of the Holding By-law unless otherwise specified in the site-specific by-law applying to the lands denoted in the site-specific zoning included in Section 16 of this By-law.
 - ii) Other uses listed in the site-specific By-law applying to the lands denoted by the site-specific zoning included in Section 16 of this By-law.

- b) Prior to removal of the Holding Symbol “H”, Council shall be satisfied that all requirements or conditions of the Township, Region, or other public agencies, as set out in the Official Plan and identified as applying to the lands shown on Schedules ‘A’, ‘B’ and/or C included in this Zoning By-law, have been met.

2.9.6 Temporary Use By-law Suffix (T)

When a zoning symbol in Section 16 includes the (T) suffix, the subject zoning permission is temporary and expires on a date set out in the applicable zone provisions.

2.9.7 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 respective zone shall apply and any conflicting regulations between two or more of the zones are subject to Section 2.3.

2.9.8 Hazard Lands Overlay Zones Mapping vs GRCA’s Regulated Areas Mapping

The Township acknowledges that properties containing, or adjacent to Hazard Lands including floodplains, wetlands, slopes, and watercourses are subject to the Conservation Authorities Act which authorizes the GRCA to regulate and prohibit development in such areas (i.e., Regulated Areas). The Township further acknowledges that the mapping lines in Schedule ‘B’ of this Zoning By-law related to the Hazard Lands – Overlay Zones in Section 15 are to correspond with the Regulated Areas’ mapping provided by the GRCA, which may change from time to time. Compliance with this Zoning By-law does not entitle a person to erect, enlarge, alter, reconstruct or use any building or structure in whole or in part in Regulated Areas, nor grade or place fill in Regulated Areas, without first obtaining a permit or written consent from the GRCA. The readers of this Zoning By-law are directed to consult with the GRCA to review the most updated mapping of the Regulated Areas to determine the required approvals when considering uses and development within, adjacent or near Regulated Areas in Woolwich. The Township, as part of a regular general review of the Zoning By-law, will update the Schedule ‘B’ mapping of the Hazard Lands – Overlay Zones in accordance with latest version of the GRCA’s Regulated Areas mapping.

2.10 INTERPRETATION OF CERTAIN WORDS AND ILLUSTRATIONS

In this Zoning By-law, unless the context clearly indicates the contrary the following will apply:

- a) Words used in the present tense include the future.
- b) Words in the singular number include the plural, and the converse.
- c) Words in the masculine gender shall include the feminine, and the converse.
- d) The word "shall" be mandatory.

- e) The word “use” or “used” when used as a noun shall mean anything done or permitted by the owner or occupant of any land, building or structure building or structure or any combination thereof is designated, arranged, intended, occupied or maintained, either directly or indirectly, or through any trustee, tenant, servant or agent acting for or with the knowledge and consent of such owner or occupant, for the purpose of making use of the said land, building or structure. When used as a verb, the word "use" or "to use" shall have a corresponding meaning.
- f) Where in Section 3 (Definitions) the act of defining imposes restrictions, regulations or controls, such restrictions, regulations, and controls are adopted as restrictions, regulations and controls imposed by this By-law.
- g) All illustrations contained in the Zoning By-law are for information only to assist in the interpretation of the Zoning By-law and does not form part of the Zoning By-law.

2.11 ADMINISTRATION

This Zoning By-law shall be administered by the Planning Section of Development Services on the direction of the Council of the Corporation of the Township of Woolwich.

2.12 ZONING COMPLIANCE CERTIFICATE

Pursuant to Section 34(6) of the *Planning Act*, no change may be made in the use of any land, building or structure until a Zoning Compliance Certificate, as defined in Section 3, has been issued by the Township of Woolwich.

2.13 BUILDING AND OTHER PERMITS

- a) Notwithstanding the provisions of any other By-laws of the Township of Woolwich, 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 Zoning By-law.
- b) It shall be prohibited for any person(s) to use or permit the 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.

2.14 TECHNICAL REVISIONS TO THE ZONING BY-LAW

Revisions may be made to this Zoning 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; and/or
- 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/or

- 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.

2.15 ENTRY AND INSPECTION

By-law Enforcement Officers pursuant to the *Municipal Act*, a 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*.

2.16 USE OF BUILDINGS, STRUCTURES, AND DRIVEWAYS

No person shall erect, alter, enlarge, reconstruct, or use any building, structure, or driveway, or use any land, in whole or in part, contrary to any provision of this By-law.

2.16a ORDER AND DIRECTIONS

A By-law Enforcement Officer may, in accordance with section 444 of the *Municipal Act*, 2001, S.O. 2001, c. 25, or any successor thereof, order or direct any person to:

- a) discontinue or refrain from:
 - i. undertaking any work or activity that contravenes this By-law;
 - ii. using or occupying any land, building, driveway, or structure in contravention of this By-law; or
 - iii. doing any work that contravenes this By-law;
- b) carry out any works required to bring the land, building, driveway, structure, or use into conformity with this By-law; or
- c) obtain any permit, approval, or certificate required to comply with this By-law.

2.17 PENALTIES

Any person who contravenes any provision of this By-law shall be liable to a penalty as set out in section 67(1) of the *Planning Act*, R.S.O. 1990, c. P.13, or any successor thereof.

Any corporation which contravenes under any provision of this by-law shall be liable to a penalty as set out in section 67(2) of the *Planning Act*, R.S.O. 1990, c. P.13, or any successor thereof.

2.18 REMEDIAL ACTION

If a Person fails to do a matter or thing as directed or required by this By-law, including to comply with an order under this By-law, the Township may, in default of it being done by the Person directed or required to do it, and in accordance with section 446 of the *Municipal Act*, 2001, S.O. 2001, c. 25, or any successor thereof, do the matter or thing at the Person's expense. The Township may further recover the costs of doing a matter or thing from the Person directed or required to do it by action or by adding the costs to the tax roll for the property and collecting them in the same manner as property taxes.

2.19 EFFECTIVE DATE OF THE ZONING BY-LAW

This Zoning By-law shall come into force as of the day that it is passed by the Council of the Township of Woolwich, subject to the provisions of Section 34 (30) of the *Planning Act*.

2.20 ZONING BY-LAW REPEALED

Zoning By-law 55-86 and amendments thereto (the “Previous Zoning By-law”), passed prior to the date of the passage of this Zoning By-law are hereby repealed.

2.21 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.

2.22 COMMITTEE OF ADJUSTMENT DECISIONS AFFECTING THE PREVIOUS ZONING BY-LAW

- a) Where the Committee of Adjustment of the Township of Woolwich or the Ontario Land Tribunal (the “OLT”) or its legal predecessors, the Ontario Municipal Board (the “OMB”) or Local Planning Appeal Tribunal (the “LPAT”), has authorized a minor variance from the provisions of the Previous Zoning By-law referred to in Section 2.20, in respect of any land, building or structure and the decision of the Committee of Adjustment or the Ontario Land Tribunal or its legal predecessors the OMB or LPAT has become final and binding prior to the enactment of this Zoning By-law, the provisions of this Zoning 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.
- b) Where the Committee of Adjustment of the Township of Woolwich or the OLT or its legal predecessors, the OMB or the LPAT, has made a decision in accordance with Sections 45(2) (a) or (b) of the *Planning Act*, when the Previous Zoning By-law was in force and in effect, the provisions of this Zoning By-law as they may apply to such use, building or structure are deemed to be modified to the extent necessary to implement the previous decision.

2.23 TRANSITION – APPROVED SITE PLAN/AGREEMENT

Where the Township of Woolwich has entered into an approved Site Plan and/or Agreement in respect of any land, building or structure prior to the effective date of this Zoning By-law, the provisions of this Zoning By-law shall be deemed to be modified to the extent necessary to give effect to such Site Plan and/or Agreement.

2.24 TRANSITION – COMPLETE BUILDING PERMIT APPLICATIONS

- a) Nothing in this Zoning By-law shall prevent the erection, alteration, enlargement, reconstruction, or use of a *Building* or *Structure* provided that a complete building permit application is submitted to the Township prior to the effective date of this By-law which:
 - i) Complies with the zoning provisions in effect on the submission date; and,
 - ii) Consistent with an Approved Site Plan and/or Agreement where applicable.
- b) For the purposes of this Section, a “complete building permit application” means an application for a building permit that satisfies the requirements set out in the Building Code and the Township Building By-law including:
 - i) The application is accompanied by all required plans, specifications, information, documents, and fees as determined by the Township’s Chief Building Official; and,
 - ii) The development will not contravene any applicable law.

2.25 TRANSITION – COMPLETE SITE PLAN APPROVAL APPLICATIONS

- a) Nothing in this Zoning By-law shall prevent the erection, alteration, enlargement, reconstruction, or use of a *Building* or *Structure* provided that:
 - i) A complete site plan application is submitted to the Township prior to the effective date of this Zoning By-law which is in compliance with the zoning provisions in effect on the day before the effective date of this Zoning By-law; and,
 - ii) A building permit is obtained in accordance with the following within four (4) years of the effective date of this Zoning By-law for the main *Building* or *Structure* which shall be in compliance with the Approved Site Plan submitted pursuant to Section 2.24 a) ii).
- b) For the purpose of Sections 2.23, 2.24 and this Section:
 - i) “Approved Site Plan” means the approved plans and drawings pursuant to Subsection 41(4) and Subsection 41(5) of the *Planning Act* and execution of an agreement pursuant to Subsection 41(7)(c) of the *Planning Act*.
 - ii) “Complete site plan application” means an application for approval of plans and drawings pursuant to Subsection 41(4) and Subsection 41(5) of the *Planning Act* but excludes a pre-application consultation submission pursuant to Subsection 41(3.1) of the *Planning Act*.

2.26 TRANSITION – COMPLETE MINOR VARIANCE APPLICATIONS

- a) Nothing in this Zoning By-law shall prevent the erection, alteration, enlargement, reconstruction, or use of a Building or Structure in a circumstance set out in sub-section b) below for which a complete application for a minor variance under Section 45 of the *Planning Act* was filed on the day before the effective date of this Zoning By-law.
- b) Where a project qualifies under sub-section a) above:

- i) The minor variance may be granted in compliance with Section 45 of the Planning Act in the context of the applicable by-law as it is read on the day before the effective date of this Zoning By-law; and
- ii) A building permit for that project may be issued after final approval is received for the minor variance if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of the applicable by-law as it is read on the day before the effective date of this Zoning By-law.

2.27 TRANSITION – COMPLETE ZONING BY-LAW AMENDMENT APPLICATIONS

Where an application for an amendment to Zoning By-law 55-86 is deemed complete by the Township of Woolwich prior to the date of passage of this Zoning By-law, such application shall be continued and finally disposed of under former Zoning By-law 55-86 as it read on the day the application was deemed complete, and this Zoning By-law shall be read with necessary modifications.

2.28 ONE RESIDENTIAL BUILDING

Not more than one Residential Building shall be erected, located or used on any one lot except where permitted elsewhere in this By-law.