

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH 2017 COUNCIL PUBLIC MEETING

A G E N D A

DATE: Wednesday November 29, 2017

COUNCIL PUBLIC MEETING: 7:00 P.M.

**Council Chambers- Municipal Office- 7404
Wellington Road 34**

≠ Denotes resolution prepared

1. Call the Meeting to Order
2. Disclosure of Pecuniary Interest & the General Nature Thereof.
3. **COMMUNICATIONS**
 1. Aird & Berlis correspondence dated April 27, 2017 regarding the use of a Zoning By-law to deal with Site Alteration Matters.
 2. Final Draft Comprehensive Zoning By-law – October 2017
4. **PUBLIC MEETING**
 1. Statutory Public Meeting – Final Draft Comprehensive Zoning By-law
 - a. Presentation by Nancy Reid and Mark Stone, Consultants for the Township
 - b. Public Comment – An opportunity will be provided to those in attendance to make comment on the Final Draft Comprehensive Zoning By-law
5. **CONFIRMING BY-LAW** ≠
 - (a) By-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch.
6. **ADJOURNMENT** ≠

April 27, 2017

Our File No.: 135359

Karen Landry
Chief Administrative Officer
The Corporation of the Township of Puslinch
7404 Wellington Road 34
Puslinch, ON N0B 2J0

Dear Ms. Landry:

Re: The Use of a Zoning By-law to Deal with Site Alteration Matters

Issue

We have been requested to provide an opinion with respect to whether matters related to site alteration can be incorporated within a zoning by-law and enforced as such.

Legislation

Zoning by-laws are authorized under section 34 of the *Planning Act*¹ and permit the councils of local municipalities to control the use of land, regulate the erection, location and use of buildings and prevent development of environmentally unsuitable or contaminated lands.² Section 34 provides an enumerated list setting out uses and other matters that a local municipality may regulate through a zoning by-law.

Section 142 of the *Municipal Act, 2001* provides a complete code with respect to a local municipality's powers to prohibit or regulate with respect to the placing or dumping of fill, the removal of topsoil and the alteration of the grade of land.³

Relevant portions of the legislative provisions above are set out at Appendix A.

Jurisprudence

We have been unable to locate any recent Ontario judgment in which a court has considered whether matters related to site alteration may be dealt with in a zoning by-law.

¹ *Planning Act*, R.S.O. 1990, c. P.13, as amended.

² *Neighbourhoods of Winfields Limited Partnership v. Death*, [2008] O.J. No. 3298, 49 M.P.L.R. (4th) 183 at para. 19.

³ *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

Prior to the enactment of the *Planning Act*, the municipal legislative authority to control the “use of land” was provided for in the various iterations of the *Municipal Act*. In a 1958 decision, *Pickering (Township) v. Godfrey*, the Ontario Court of Appeal held that the removal of sand, gravel and rock, being an interest in land, did not constitute a “use of land” for the purpose of the *Municipal Act*.⁴ This decision was subsequently followed in a British Columbia case in which the court concluded that the removal of sand, gravel and rock could not be regulated under a zoning by-law.⁵ In reaching this conclusion, the court stressed the presence of a specific provision in British Columbia’s *Municipal Act* which permitted a municipality to pass by-laws prohibiting and/or regulating the removal of soil from any land in the municipality stating:

In my view [the specific provision] of the *Municipal Act* of British Columbia supports the conclusion that a municipality is not authorized to regulate the removal of sand, gravel and rock from land under its power to regulate the “use of land” within a municipality. Rather, to regulate such conduct, a municipality must specifically pass by-laws pertaining to the removal of these substances...⁶

Analysis

A municipality, being a creature of provincial statute, can only exercise those powers that have been expressly granted to it, powers necessarily following from those or powers that are essential to its purposes.⁷ In Ontario, a local municipality is expressly granted the power to enact zoning by-laws under section 34 of the *Planning Act*. The specific things that a zoning by-law may do are explicitly set out in subsection 34(1) of the statute (see Appendix A).

It must be noted that *Pickering (Township) v. Godfrey*, discussed above, specifically dealt with the making of a pit or quarry. Subsection 34(2) of the *Planning Act* now specifically provides that “the making, establishment or operation of a pit or quarry shall be deemed to be a ‘use of land’ for the purposes of paragraph 1 of subsection 1.”

Section 124 of the *Municipal Act, 2001* permits municipalities to pass by-laws to regulate the operation of a pit or quarry.⁸ It is clear that with respect of pits and quarries, the legislature has provided municipalities with the explicit ability to regulate the same through

⁴ *Pickering (Township) v. Godfrey*, [1958] O.R. 429, [1958] O.J. No. 605 (Ont. C.A.); This case specifically dealt with the making of a quarry or pit.

⁵ *Vernon (City) v. Okanagan Excavating (1993) Ltd.* (1993), 84 B.C.L.R. (2d) 130 (B.C. S.C.).

⁶ *Ibid* at para. 20.

⁷ Paul Perell, “Ten Commandment and Attacking Municipal By-laws” in 26 *Advocates’ Quarterly* at p. 181. See *Pacific National Investments Ltd. v. Victoria (City)*, [2000] 2 S.C.R. 919 at para. 35 and *Nanaimo (City) v. Rascal Trucking Ltd.*, [2000] 1 S.C.R. 342 at para. 17.

⁸ We note that subsection 124(3) expressly provides that a municipal by-law cannot apply to pits and quarries that are designated in a regulation made under subsection 5(2) of the *Aggregates Resources Act*.

section 124 of the *Municipal Act, 2001* as well as through its zoning powers under section 34 of the *Planning Act*. This is an example of the same subject matter falling within two statutes but where each separate statutory authority has its own exclusive purposes and jurisdiction.⁹

In contrast, the *Planning Act* contains no specific provision which would permit a local municipality to use its zoning powers to regulate the use of land as such use relates to the matter of site alteration.

It is also worth noting that section 58 of the *Municipal Act, 2001*, which provides an upper-tier municipality with “all of the powers conferred on a local municipality under section 34 of the *Planning Act* for prohibiting the erection or location of buildings” in respect of land lying within 45 metres from any limit of an upper tier highway. The power of an upper-tier municipality to pass a “zoning restriction” is explicitly provided for by reference to section 34 of the *Planning Act*.

Based on the above, it is our opinion that matters of site alteration are not permitted to be regulated and enforced through a zoning by-law. Had the legislative drafters intended that site alteration be captured within the municipal zoning power, it would have been explicitly provided for in section 34 of the *Planning Act*, as is the case for pits and quarries, and *not* in a separate authority contained in the *Municipal Act, 2001*.

Our opinion is further supported by the following statement of the Ontario Court of Appeal concerning the proper approach to statutory interpretation:

As a matter of statutory interpretation a particular power precisely directed to a defined subject matter and which contains specific provisions appropriate to its exercise takes precedence over a general power conferred on the same body which is capable of covering the same subject matter and others.¹⁰

⁹ A good discussion of the distinction between zoning (under the *Planning Act*) and licensing (under the *Municipal Act, 2001*) is contained in *Neighbourhoods of Winfields Limited Partnership v. Death*, *supra* note 2, at (para. 74):

... there is a fundamental difference in purpose between a zoning by-law and a licensing by-law (in addition to the procedural differences) and that that distinction must inform the approach to interpreting each. That is, under sections 150 and 151 of the *Municipal Act 2001*, a licensing by-law is concerned with the regulation of a particular business or activity and with providing standards in the interests of public health or other public interests including control of nuisances and protection of persons inhabiting the particular business operation.... The licensing function does not include restricting the use of lands or with the exception of “adult entertainment establishments”, prohibiting certain uses in certain areas (sections 153(2) and 154(1), *Municipal Act*). A zoning by-law restricts the use of land in the areas to which it applies with a view to reducing impacts on neighbouring properties and implementing the official plan of a municipality.

¹⁰ *Ontario (Attorney General) v. Mississauga (City)*, 1981 CarswellOnt 1172, 15 M.P.L.R. 212, 33 O.R. (2d) 395 at para. 38 (Ont. C.A.).

The Court of Appeal has also determined that “a municipality cannot, by adopting a descriptive disguise by way of a recital to a by-law, transform it into a regulatory by-law under the *Municipal Act*, when in substance it is a zoning enactment pursuant to the *Planning Act*.”¹¹

In our opinion, a court would likely also find that a municipality cannot regulate site alteration matters under a zoning by-law when there is express statutory authority for such regulation pursuant to a by-law enacted under section 142 of the *Municipal Act, 2001*. Even if site alteration matters were to be included in a zoning by-law, the provisions could be challenged as being in substance matters related to site alteration and *ultra vires* the zoning authority of section 34 of the *Planning Act*.¹²

We note that the zoning authority under section 34 of the *Planning Act* does not authorize agreements to be entered into as a condition of the enactment of a zoning by-law or amendment. Therefore, it would not be a legal action for a municipality to enter into a zoning agreement that contains clauses that a zoning by-law itself would not permit (i.e. site alteration clauses).

Finally, we are aware that certain types of development agreements often contain prohibitions against the issuance of building permits if certain matters have not been completed or satisfied. It is our view that such clauses are *ultra vires*. The issuance of a building permit is mandated under subsection 8(2) of the *Building Code Act, 1992* if the chief building official can satisfy himself or herself that the matters listed therein have been complied with. A municipal agreement that specifies that building permits will not be issued unless other matters are provided, completed or satisfied would contravene the *Building Code Act, 1992* and would not justify the chief building official refusing to issue a permit.¹³

Conclusion

Based on the above, it is our opinion that a zoning by-law passed pursuant to section 34 of the *Planning Act* may not be used by a local municipality to regulate matters which are properly site alteration matters. The municipal power to regulate site alteration matters is set out in section 142 of the *Municipal Act, 2001*. Unlike the power to regulate pits and quarries which is expressly provided for in both the *Planning Act* and the *Municipal Act*,

¹¹ *R. v. Donald B. Allen Ltd.* (1975), 11 O.R. (2d) 271 at 276, 65 D.L.R. (3d) 599 at para. 13 (Div. Ct.).

¹² We appreciate that a zoning by-law is a matter of “applicable law” and that a site alteration by-law is not listed in article 1.4.1.3(1) of Division A the *Building Code* (O. Reg. 332/12). Accordingly, a chief building official can refuse to issue a permit if there is non-compliance with a zoning by-law but the chief building official cannot withhold the issuance of a permit if a site alteration by-law is contravened.

¹³ The list of applicable law under the *Building Code* is not discretionary – it is limited, exhaustive and finite. If a matter is not listed in article 1.4.1.3(1), it is not applicable law: *Crober v. South Dundas (Municipality)*, [2016] O.J. No. 261 (S.C.J.).

2001, the power to regulate site alteration matters is only contained in section 142 of the *Municipal Act, 2001*. As such, the municipal zoning power may not be used to regulate and enforce those matters related to site alteration as set out in the *Municipal Act, 2001*.

Yours truly,

AIRD & BERLIS LLP



John Mascarin

JM/LD/cw



Appendix A

Municipal Act, 2001, S.O. 2001, c. 25, s. 142

Site alteration

Definition

142. (1) In this section,

"topsoil" means those horizons in a soil profile, commonly known as the "O" and the "A" horizons, containing organic material and includes deposits of partially decomposed organic matter such as peat.

Powers of local municipality

(2) Without limiting sections 9, 10 and 11, a local municipality may,

- (a) prohibit or regulate the placing or dumping of fill;
- (b) prohibit or regulate the removal of topsoil;
- (c) prohibit or regulate the alteration of the grade of the land;
- (d) require that a permit be obtained for the placing or dumping of fill, the removal of topsoil or the alteration of the grade of the land; and
- (e) impose conditions to a permit, including requiring the preparation of plans acceptable to the municipality relating to grading, filling or dumping, the removal of topsoil and the rehabilitation of the site.

Delegation to upper-tier

(3) A lower-tier municipality may delegate all or part of its power to pass a by-law respecting the dumping or placing of fill, removal of topsoil or the alteration of the grade of land to its upper-tier municipality with the agreement of the upper-tier municipality.

Exemptions

(5) A by-law passed under this section does not apply to,

- (a) activities or matters undertaken by a municipality or a local board of a municipality;
- (b) the placing or dumping of fill, removal of topsoil or alteration of the grade of land imposed after December 31, 2002 as a condition to the approval of a site plan, a plan of subdivision or a consent under section 41, 51 or 53, respectively, of the *Planning Act* or as a requirement of a site plan agreement or subdivision agreement entered into under those sections;



(c) the placing or dumping of fill, removal of topsoil or alteration of the grade of land imposed after December 31, 2002 as a condition to a development permit authorized by regulation made under section 70.2 of the *Planning Act* or as a requirement of an agreement entered into under that regulation;

(d) the placing or dumping of fill, removal of topsoil or alteration of the grade of land undertaken by a transmitter or distributor, as those terms are defined in section 2 of the *Electricity Act, 1998*, for the purpose of constructing and maintaining a transmission system or a distribution system, as those terms are defined in that section;

(e) the placing or dumping of fill, removal of topsoil or alteration of the grade of land undertaken on land described in a licence for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the *Aggregate Resources Act*;

(f) the placing or dumping of fill, removal of topsoil or alteration of the grade of land undertaken on land in order to lawfully establish and operate or enlarge any pit or quarry on land,

(i) that has not been designated under the *Aggregate Resources Act* or a predecessor of that Act, and

(ii) on which a pit or quarry is a permitted land use under a by-law passed under section 34 of the *Planning Act*; or

(g) the placing or dumping of fill, removal of topsoil or alteration of the grade of land undertaken as an incidental part of drain construction under the *Drainage Act* or the *Tile Drainage Act*.

Exception

(6) A by-law respecting the removal of topsoil does not apply to the removal of topsoil as an incidental part of a normal agricultural practice including such removal as an incidental part of sod-farming, greenhouse operations and nurseries for horticultural products.

Exclusion

(7) The exception in subsection (6) respecting the removal of topsoil as an incidental part of a normal agricultural practice does not include the removal of topsoil for sale, exchange or other disposition.

By-law ceases to have effect

(8) If a regulation is made under section 28 of the *Conservation Authorities Act* respecting the placing or dumping of fill, removal of topsoil or alteration of the grade of land in any area of the municipality, a by-law passed under this section is of no effect in respect of that area.



Planning Act, R.S.O. 1990, c. P.13, s. 34(1)

Zoning by-laws

34. (1) Zoning by-laws may be passed by the councils of local municipalities:

Restricting use of land

1. For prohibiting the use of land, for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or abutting on any defined highway or part of a highway.

Restricting erecting, locating or using of buildings

2. For prohibiting the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway.

Marshy lands, etc.

3. For prohibiting the erection of any class or classes of buildings or structures on land that is subject to flooding or on land with steep slopes, or that is rocky, low-lying, marshy, unstable, hazardous, subject to erosion or to natural or artificial perils.

Contaminated lands; sensitive or vulnerable areas

3.1 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land,

- i. that is contaminated,
- ii. that contains a sensitive groundwater feature or a sensitive surface water feature, or
- iii. that is within an area identified as a vulnerable area in a drinking water source protection plan that has taken effect under the *Clean Water Act, 2006*.

Natural features and areas

3.2 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures within any defined area or areas,

- i. that is a significant wildlife habitat, wetland, woodland, ravine, valley or area of natural and scientific interest,
- ii. that is a significant corridor or shoreline of a lake, river or stream, or
- iii. that is a significant natural corridor, feature or area.

Significant archaeological resources

3.3 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land that is the site of a significant archaeological resource.



Construction of buildings or structures

4. For regulating 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 the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway, 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.

Minimum elevation of doors, etc.

5. For regulating the minimum elevation of doors, windows or other openings in buildings or structures or in any class or classes of buildings or structures to be erected or located within the municipality or within any defined area or areas of the municipality.

Loading or parking facilities

6. For requiring 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.

28534237.3



Puslinch **ZONING** **Bylaw**

TOWNSHIP OF PUSLINCH
COMPREHENSIVE ZONING BY-LAW



FINAL DRAFT | OCTOBER 2017

FOR REVIEW AND DISCUSSION PURPOSES ONLY

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BY-LAW No. XX-XX

OF THE

CORPORATION OF THE TOWNSHIP OF PUSLINCH

A By-law to prohibit the use of land and the **erection** and use of **buildings** and **structures** except for certain purposes, and to regulate the type of construction and the **height**, bulk, location, size, **floor area**, density, character, and use of **buildings**.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PUSLINCH ENACTS AS FOLLOWS:

DRAFT

1.0 Administration and Interpretation

1.1 GENERAL

1.1.1 Short Title

- a. This By-Law shall be referred to as the "Zoning By-Law" of the Corporation of the **Township** of Puslinch.

1.1.2 Application

- a. The provisions of this By-Law shall apply to all those lands lying within the corporate limits of the **Township** of Puslinch.

1.1.3 Repeal of Former By-law

- a. The provisions of the **Township** of Puslinch Zoning By-law 19/85, and all amendments thereto, are hereby repealed as far as they affect the lands covered by this By-law.
- b. Notwithstanding Section 1.1.3 b) above, the following lands shall continue to be subject to By-law 19/85:
 - i. lands subject to the transition clauses set out in Section 1.3 of this By-law, until Section 1.3 is repealed;
 - ii. properties known as:
 - 1. CON 2 REAR PT LOT 26 – frontage on Sideroad 25 N and Concession 7 - no municipal Address;
 - 2. CON 1 REAR LOT 24 - 7115 Concession 2;
 - 3. CON GORE REAR PT LOT 5 -6615 Concession 1; and
 - 4. CON 7 PT LOT 23 PT RD ALLOW RP 61R6244 PART 1 AND RP 61R10513 PART 9 - 92 Brock Road S and CON 8 PT LOT 23 PT RD ALLOW RP 61R20126 PARTS 1 and 2 - no municipal address.

1.1.4 Compliance

- a. No person shall change the use of any land, **building**, or **structures**, **erect** or use any **building** or **structure**, or occupy any land or **building**, except for a use permitted and in accordance with the regulations provided by this by-law for the **Zone** in which the **lot** is located.
- b. Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the **Township** of Puslinch, or any other regulations of the **County** of Wellington, Province of Ontario, or Government of Canada, that may otherwise affect the use of land, **buildings**, or **structures**.

1.1.5 Existing Uses Continued

- a. Nothing in this By-law shall apply to prevent the use of any **existing** land, **building**, or **structure** for any purpose prohibited by this By-law if it was lawfully used for such purposes on the day of the passing of this By-law so long as it continues to be used for that purpose.

1.1.6 Enforcement

- a. An **Officer** shall be responsible for the enforcement of this By-law and shall have all the power and inspection as provided under Section 49 of the Planning Act.

1.1.7 Violations and Penalties

- a. Every person who contravenes any provision of this By-Law, and, if the person is a corporation, every director or **officer** of the corporation who knowingly concurs in the contravention, is guilty of an offence and on conviction is liable to fines under the Planning Act.

1.1.8 Severability

- a. A decision of a court that one or more of the provisions of the 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.

1.2 INTERPRETATION

1.2.1 Definitions

- a. In this By-Law, unless the context requires otherwise, the definitions and interpretations set out in Section 3.0 hereof shall apply.
- b. For convenience, all words that are **bolded** are defined in Section 3.0 of this By-law.

1.2.2 Diagrams

- a. Diagrams and images in this By-law are for convenience of reference only, do not form an operative part of this By-law, and are not considered to be an integral part of this By-law. Diagrams and images shall not in any way modify or limit the regulations contained herein.

1.2.3 Legislation

- a. Wherever legislation is referenced in this By-law, the reference is meant to include all applicable amendments to the legislation, including successor legislation, as well as all regulations or other secondary legislation that is passed in accordance with the referenced statute.

1.2.4 Conflict

- a. In the event of any conflict between this By-law and any other by-law passed by the **Township**, the more restrictive provision prevails unless legally required otherwise.

1.2.5 Zone Boundaries

- a. The **zones** and **zone** boundaries are shown on Schedules A and B of this By-law. When determining the boundary of any **zone**, the following provisions apply:
 - i. a boundary indicated as following a highway, street, **lane**, unopened road allowance, railway right-of-way, utility corridor or watercourse is the edge of such highway, street, **lane**, unopened road allowance, railway right-of-way, utility corridor or watercourse;
 - ii. a boundary indicated as substantially following **lot lines** follows such **lot lines**;
 - iii. where a boundary is indicated as following the regulatory flood line, the boundary shall be the floodline as determined by the applicable **Conservation Authority**;
 - iv. where a boundary is indicated as running substantially parallel to the boundary of a highway and the distance from the highway is not indicated, the boundary is deemed to be parallel to such a highway and the distance from the highway is to be determined according to the scale shown on the Schedule(s);
 - v. a boundary indicated as following a shoreline follows such shoreline and in the event of a natural change in the shoreline, the boundary will move with the actual shoreline;
 - vi. where a **lot** falls into two or more **zones**, each portion of the **lot** is to be used in accordance with the provisions of this By-law for the applicable **zone**; and,
 - vii. where none of the above provisions apply, the **zone** boundary is to be scaled from the Schedule(s).
- b. In no case is a **zone** boundary dividing a **lot** into two or more **zone** categories intended to function as a property boundary for the purposes of calculating **yards** and setbacks. In all cases, the property line shall be used for the purposes of calculating setbacks, unless otherwise specified by this By-law.
- c. Where detailed resource mapping and/or site inspection results in a re-interpretation of the limits of the NE **Zone** or EP 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 NE **Zone** boundary, including any applicable setbacks.

1.3 TRANSITION

1.3.1 Complete Applications

- a. This By-law does not apply to prevent the issuance of a building permit for a project for which a Complete Application for a:

- i. Building Permit;
 - ii. Committee of Adjustment approval;
 - iii. Site Plan Control Approval;
 - iv. Part lot Control Exemption Approval; or
 - v. Approval of Draft Plan of Subdivision or Draft Plan of Condominium was received on or prior to the day before this By-law was passed by **Council**.
- b. A "Complete Application" means an application which could have been approved or granted on the day before this By-law was passed by **Council**, had it been processed or disposed of on that day as determined in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, and the Regulations, thereunder, the policies of the Wellington **County** Official Plan, and the applicable guidelines and policies of the **Township** of Puslinch.
- c. Where a project qualifies in accordance with Subsection 1.3.1 a., the building permit for that project may be issued, or the Committee of Adjustment approval, the Site Plan Control Approval, the Part **lot** Control Exemption Approval, and the Approval of the Draft Plan of Subdivision or Draft Plan of Condominium may be granted if the project in question complies with the provisions of the **Township** of Puslinch Zoning By-law 19/85 as it read on the day before this By-law was passed by **Council**.
- d. Nothing in this By-law applies so as to continue the exemption provided by Subsection 1.3.1 a. beyond the issuance of the permit or other approval, and in no case does the exemption mentioned in Subsection 1.3.1 c. continue beyond the repeal of this subsection.
- e. Once the permit or approval under Subsection 1.3.1 a. has been granted, the provisions of this By-law apply in all other respects to the land in question.
- f. Section 1.3 is repealed in its entirety three years from the date of enactment of this By-law.

1.3.2 Minor Variances

- a. All minor variances applied for prior to the enactment of this By-law and finally approved pursuant to Section 45 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or its predecessor continue to apply and remain in force as if they are variances to this By-law.

1.4 REVISIONS

- a. Revisions may be made to this By-law without the need for a zoning by-law amendment in the following cases:
- i. Correction of grammar, punctuation, or typographical errors or revisions to format in a manner that does not change the intent of the provisions;

- ii. Adding or revising technical information on maps or schedules that does not affect the zoning of lands; and
- iii. Changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, diagrams, 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.

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2.0 Classification of Zones

2.1 ZONES

- a. This By-law establishes the **Zones** identified in Table 2.1 below, and places all lands subject to this By-law in one or more of these **Zones**. The **zones** may be identified or referred to by its applicable **zone** symbol, as indicated in Table 2.1.
- b. For convenience purposes only, the third column of Table 2.1 describes the purpose of the **zone**. This column does not form a part of this By-law.

Table 2.1 **Zones** Established by the Zoning By-law

ZONES AND ZONE SYMBOLS		DESCRIPTION
a. Residential		
Urban Residential	UR	Provides for and regulates all forms of housing (including single-detached, semi-detached, duplex, and townhouse dwellings) in the Urban Centres of Aberfoyle and Morriston.
Hamlet Residential	HR	Provides for and regulates low density single detached units in the Hamlet of Arkell, as well as some small-scale multiple-unit development (including semi-detached and duplex dwellings).
Rural Residential	RUR	Provides for and regulates residential lots in rural areas, typically on lands designated Secondary Agricultural in the Official Plan.
Resort Residential	RR	Provides for and regulates seasonal or recreational residential uses in rural areas, typically on lands designated Recreational around Puslinch Lake and Secondary Agricultural in the Official Plan.
b. Mixed-use		
Core Mixed-Use	CMU	Provides for and regulates a wide range of commercial, service, office, residential, and mixed-uses in the Central Business Districts of Aberfoyle and Morriston.
c. Commercial		
Commercial	C	Provides for and regulates local commercial uses in the in the Hamlet of Arkell.
Highway Commercial	HC	Provides for and regulates commercial uses serving the travelling public or uses not considered compatible within the Central Business Districts of Aberfoyle and Morriston.
Agriculture-related Commercial	AC	Provides for and regulates small-scale commercial, industrial, and institutional uses in the Secondary Agricultural Area.

ZONES AND ZONE SYMBOLS		DESCRIPTION
Resort Commercial	RC	Provides for and regulates existing commercial recreational uses , typically on lands designated Recreational in the Official Plan.
d. Industrial		
Industrial	IND	Provides for and regulates dry industrial and limited commercial uses, typically on lands designated Rural Employment in the Official Plan.
Extractive	EX	Provides for and regulates licensed mineral aggregate operations within the Township .
Disposal	DI	Provides for and regulates waste disposal facilities within the Township .
e. Institutional		
Institutional	I	Provides for and regulates institutional uses in the in the Township .
f. Agricultural		
Agricultural	A	Provides for and regulates agricultural uses , normal farm practices, and farm businesses on lands designated Agricultural and Secondary Agricultural in the Official Plan.
g. Other		
Future Development One Zone	FD1	Provides for and regulates the orderly development land designated Future Development in the Urban Centre of Aberfoyle, where the specific nature of the intended land uses is not known at this time.
Future Development Two Zone	FD2	Provides for and regulates the orderly development of the unbuilt residential areas of the Urban Centres of Aberfoyle and Morriston.
Open Space Zone	OS	Provides for and regulates publicly-accessible built and natural settings for recreation, parks, and conservation areas.
Natural Environment Zone	NE	Provides for and regulates flood prone areas, hazardous lands, and natural heritage features, within the Township that have sensitivity or significance and require protection. These areas are designated "Core" Greenlands in the Official Plan.
Zone Overlays		
Environmental Protection Overlay	-	Corresponds to the Greenlands designation in the County Official Plan, and indicates that a physical feature is present that may require further review or permissions prior

ZONES AND ZONE SYMBOLS		DESCRIPTION
		to development approvals or the issuance of a building permit.
Source Protection Vulnerable Areas Overlay	-	Applies to vulnerable areas for each municipal water supply source, as established by relevant Source Protection Plans . The source protection vulnerable areas overlay is the exterior outline of the approved Wellhead Protection Areas A through C, Issues Contributing Areas and Intake Protection Zone – 1 present in the Township, pursuant to the Clean Water Act.
Floodplain Overlay	f	Applies to the limits of the Regulatory Floodline and recognizes and permits limited development for lawfully established buildings and structures .
Industrial Design Zone Overlay	-	Applies to certain Industrial properties with high visibility from Highway 401 or Highway 6 and requires additional provisions that require a high level of design for industrial development.

2.2 SPECIAL ZONE SYMBOLS

- a. Where the **zone** symbol zoning certain lands on the Zoning Maps is preceded, or followed by any combination of a hyphen, number, or letter, provisions relating to one or more of the following special **zone** regulations apply to the lands so designated on the Zoning Maps. Lands so identified shall be subject to all the provisions and restrictions of the applicable parent **zone**, except as otherwise provided by the special **zone**.

2.2.1 Special Provisions

- a. When a zoning symbol includes the suffix (sp) followed by a number on the attached Schedules to this By-law, the number refers to a site-specific special provision that applies to the lands noted. Site-specific special provisions are listed in Section 14.0 of this By-law. Unless specifically amended by the **zone** exception, all other provisions of this By-law apply.

2.2.2 Holding Provisions

- a. When a zoning symbol includes the suffix (h) followed by a number, the lands are subject to holding **zone** removal provisions. Requirements for the removal of a holding **zone** symbol are set out in Section 15.0.

2.2.3 Temporary Use Permissions

- a. When a zoning symbol includes the suffix (t) followed by a number, the subject zoning is temporary and expires on a date set out in Section 16.0.

2.3 LAND OWNERSHIP

- a. The **Township** makes no representation or implication, nor should any inference be drawn from the Schedules attached to this By-law as to the ownership of any land and/or rights of access to such land. Ownership and access rights are legal matters that fall solely within the purview of a court of competent jurisdiction.

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3.0 Definitions

The presence of definitions of various uses contained in this Section does not necessarily mean that the use is a permitted use within the **Township** of Puslinch unless specifically listed as a permitted use in a **zone** or **zones**.

Abattoir: any **premises** specifically designed to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, treating, storing and sale of the product on the **premises**.

Accessory apartment: a self-contained **dwelling unit** with a private kitchen, bathroom facilities and sleeping areas, which is within or subordinate to a detached, a **semi-detached**, or **townhouse dwelling**.

Accessory building or structure: a detached **building** or **structure**, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or **building** on the same lot.

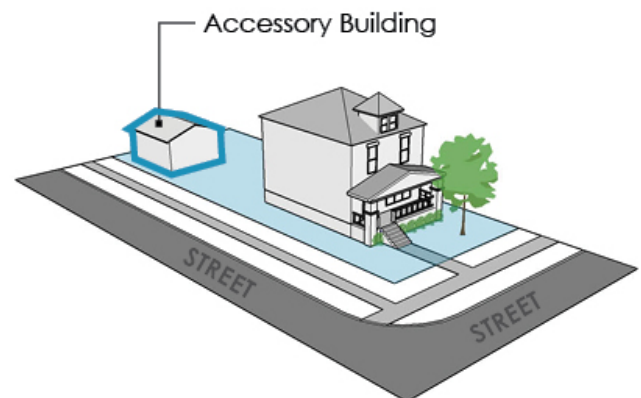
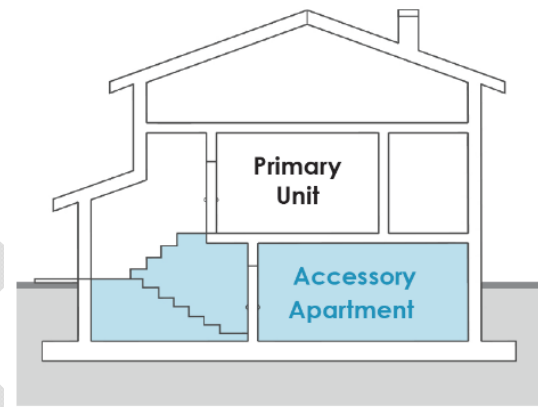
Accessory farm employee accommodation: a **building** or **structure** designed to be used on a temporary basis for the accommodation of employees of the main **agricultural use** on the same **lot** as the main **agricultural use**.

Accessory use: a use naturally and normally incidental to, subordinate to or exclusively devoted to a principal use and located on the same lot.

Activity: for lands subject to the Grand River, Halton Region and Hamilton Region **Source Protection Plans**, one or a series of related processes that occurs within a geographical area and may be related to a particular land use.

Adult entertainment establishment: any **premises** in which:

- a. goods, entertainment or services designed to appeal to erotic or sexual appetites or inclinations are provided including live entertainment, which includes the display of nudity; or
- b. body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any of a person's body, are performed, offered or solicited, excluding where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic



treatment and are performed or offered by persons licensed or registered to do so under the laws of the Province of Ontario; and

- c. **adult live nudity establishments**, Body Rub Establishments, Video Stores – Adult Only and **adult novelty stores**.

Adult live nudity establishment: any **premises** that provides live entertainment for its patrons, which includes the display of nudity, such as strip clubs.

Adult novelty store: any **premises** used for the sale, rental or lending of sex paraphernalia alone or in combination with one or more of adult electronic media, adult print media or other items.

Aggregate: gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock, other than metallic ores, or other prescribed material pursuant to the Aggregate Resources Act, as amended.

Aggregate Processing Facility: a facility used to process, crush, screen, wash, store/stockpile, and/or sort **aggregate resources**, and includes a cement manufacturing plant, a brick and tile manufacturing plant, an **aggregate** transfer station, and stockpiling/blending of recycled **aggregate resources**.

Agricultural service and supply establishment: any **premises** used for the supply of goods, materials, equipment and/or services that support **agricultural uses**.

Agricultural use: the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm **buildings** and **structures** and **accessory uses, buildings, and structures**, including an accessory **outdoor storage area**.

Agriculture-related uses: those **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 products and/or services to **farm** operations as a principal **activity**. Such uses could include **agricultural service and supply establishments**, and **farm** produce processing and storage facilities.

Agri-tourism Business: those agriculturally-related tourism uses that promote enjoyment, education, or **activities** related to the agricultural operation. The principal **activity** on the property shall be an **agricultural use**. As such, uses must:

- a. Be dependent on the existence of the agricultural operation; and,
- b. Use products that are produced on the property or related to agriculture.

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

Aisle: the area used by **motor vehicles** for access to and from all off-street **parking spaces**, but does not include an access **driveway**.

Alteration: the modification of a structural component of a **building** or **structure** 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: the common indoor and outdoor areas which are intended for recreational use by the occupants of a **building**/property, and may include open spaces, patios, balconies, pools, gymnasiums, communal play areas, lounges, sundecks and roof decks but shall not include service areas, **parking areas** and **driveways**.

Animal clinic: any **premises** where cats, dogs, and other domesticated animals (excluding livestock) are evaluated and/or treated for medical conditions and which may have accessory boarding facilities for animals in their care for limited time.

Animal clinic, agricultural: an animal clinic which is also used for the purposes of treating livestock and may also include the boarding or lodging of these animals in fully enclosed buildings in fields, pastures and other outdoor enclosures. This may also incorporate, as an accessory use, an animal shelter which means a building or structure in which stray or unwanted animals are contained and cared for until they are claimed, sold or destroyed.

Art gallery: a **building**, place, or area where paintings, sculptures, or other works of art are exhibited or sold.

Artisan studio: a **building**, place or area used for 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 or objects designed, created, or produced on site.

Asphalt plant: an industrial use that produces and/or recycles asphalt or similar coated road stone and has equipment designed to heat and dry aggregate and to mix mineral aggregate with bitumen and/or tar, and includes:

- a. the stockpiling and storage of bulk materials used in the process or finished product(s) manufactured on the premises; and/or
- b. the storage and maintenance of equipment, and facilities for the administration or management of the business.

Assembly hall: any **premises** used for the gathering of persons for civic, political, travel, religious, social, educational, recreational or similar purposes, and may include the preparation, serving, and consumption of food and beverages.

Attached: 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: any **premises** where goods, wares, merchandise, effects or the like are offered for sale to the highest bidder, but does not include a livestock auction.

Balcony: a horizontal platform that may be partially enclosed projecting from the exterior 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**.

Barrier-free: a **building** and its facilities, which can be approached, entered and used by persons with physical or sensory disabilities.

Basement: one or more **storeys** of a **building** located below the **first storey**.

Bed and breakfast establishment: a **single-detached dwelling** in which no more than five guest rooms are made available by the resident of the said **dwelling** for the temporary accommodation of the traveling public.

Boarding, lodging or rooming house: a **building** in which lodging is provided for more than four persons, or for the provision of services, or for both, and in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.

Buffer: 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: any **structure**, or part thereof, consisting of walls and a roof which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals, or chattels, and includes any **structure** defined as a **building** in the Building Code Act, as amended.

Building supply store: any **premises** where 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, including an accessory **outdoor storage area**.

Business or professional office: any **premises** used for conducting the affairs of businesses, professions, services, industries, governments, or like **activities**, in which the principal product of labour is the processing and/or storage of information rather than the production and distribution of goods.

Canopy: a roof-like **structure** projecting more than 300 mm from the exterior face of the **building**.

Caterer's establishment: any **premises** in which food and beverages are prepared for consumption off the **premises**.

Cemetery: land set aside to be used for the interment of human remains and includes a mausoleum, columbarium or other **structure** intended for the interment of human remains.

Centre-line:

- a. With reference to a **public street** - a line drawn parallel to and equidistant from the limits of the **public street** or designated road allowance; or
- b. With reference to a **private street** - a line drawn parallel to and equidistant from the edges of the paved surface of the **private street**.

Chief Building Official: 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.

Commercial fitness centre: any **premises** where physical fitness and recreation equipment and/or instruction are provided for use by the public.

Commercial greenhouse: 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 mall: means **premises** of primarily commercial uses that serve residents within the surrounding neighbourhoods and function as a unit either in a single **building** or in multiple **buildings** on the same **lot** or on abutting lots for which common loading and parking facilities and other common services may be but not necessarily are provided.

Commercial motor vehicle: a **motor vehicle** having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways.

Commercial recreation use: a privately-owned sports or recreation **premises** operated for use by private members and/or the public and includes uses such as a pool hall, bowling alley, paint ball facility, curling rink, rock climbing facility, and miniature golf, but does not include any other use otherwise classified or defined herein.

Commercial school or studio: any **premises** where instruction is given for hire or gain and includes a music, dance or yoga studio, an art, business, or trade educational establishment, and any other such specialized educational business.

Commercial self-storage facility: any **premises** used for the temporary storage of items, which contains secured storage areas and/or lockers which are generally accessible by individual loading doors for each storage unit or locker, or stored outdoors in a secured area.

Community garden: an area of land, rooftop, or other space managed and maintained by individuals and/or non-profit organizations, to grow and harvest:

- a. food crops; and/or
- b. non-food, ornamental crops, such as flowers grown for personal or group use, consumption, or donation. **Community gardens** may be divided into separate plots or may be farmed collectively and may include common areas maintained and used by **community garden** members.

Community use: a facility owned and operated by the **Township** or a non-profit community service group that provides social, recreational, or other similar facilities for use by the general public. Examples of **community uses** include cultural facilities, libraries, and sports/fitness facilities (such as arenas, indoor **swimming pools**, gymnasiums, tennis courts, and playing fields).

Composting yard: a **lot** or part thereof, used for the composting of food waste and organic materials.

Concrete batching plant: an industrial use where concrete or concrete products used in building or construction is produced, and includes facilities for:

- a. the administration or management of the business;
- b. the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises; and/or
- c. and the storage and maintenance of required equipment, but does not include the retail sale of finished concrete products.

Conservation Authority: the **Conservation Authority** having jurisdiction, or any successors thereto.

Conservation use: an area of land that is generally left in its natural state and which is used for any combination of preservation, protection, or improvement of components of the natural heritage system or other lands for the benefit of man and the natural environment and which may include, as an **accessory use**, passive recreational uses (such as hiking trails and cross country ski trails), and buildings and **structures** (such as nature interpretation centres and public information centres).

Contractor's yard: a **lot** or part thereof, used by any general contractor or builder as an **outdoor storage area** for equipment and materials, or where a contractor and/or tradesperson performs shop and assembly work, and/or offers a trade or service, which is not generally open to the public, and includes, but is not limited to, landscaping services, general construction services, cabinetry services, plumbing services and welding services, or other similar services but does not include any other use as defined by this By-law.

Council: the **Council** of the Corporation of the **Township** of Puslinch.

County: the Corporation of the **County** of Wellington.

Day care centre: any **premises** in which more than 5 children are provided with temporary care, protection and supervision in accordance with the Day Nurseries Act, as amended, and does not provide overnight accommodation.

Day care, private home: a private residence where care, protection and supervision are provided for up to five children or five elderly persons but which does not provide overnight accommodation to those being cared for.

Deck: 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** or **porch** as defined herein.

Drive-through service facility: any **premises**, including **stacking lanes**, that is used to provide or dispense products or services, either wholly or in part, through an attendant at a window or an

automated machine, to customers remaining in motorized vehicles. A **drive-through facility** does not include a **motor vehicle washing establishment** or a **gas bar**.

Driveway: a defined area providing access for **motor vehicles** from a public or private road or a **lane** to a **parking area**, **loading space**, **private garage**, carport, building or **structure**.

Dry cleaning plant: any **premises** used for 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: any **premises** used for receiving or distributing articles of clothing to be treated elsewhere, or having been treated elsewhere, to the processes of dry cleaning, dry dyeing or cleaning or pressing.

Dry Industrial Use: any **premises** used for industrial purposes, where the manufacturing process does not include or require the direct consumption of water and where the only waste water discharges are from auxiliary facilities such as washrooms, the indirect cooling of machinery and/or the pressure testing equipment.

Dwelling, duplex: a **dwelling unit** in a building that is divided horizontally into two **dwelling units**, each of which has an independent entrance either directly to the outside or through a common vestibule or a combination of both. A **dwelling unit** in any other type of building is not a **duplex dwelling**.

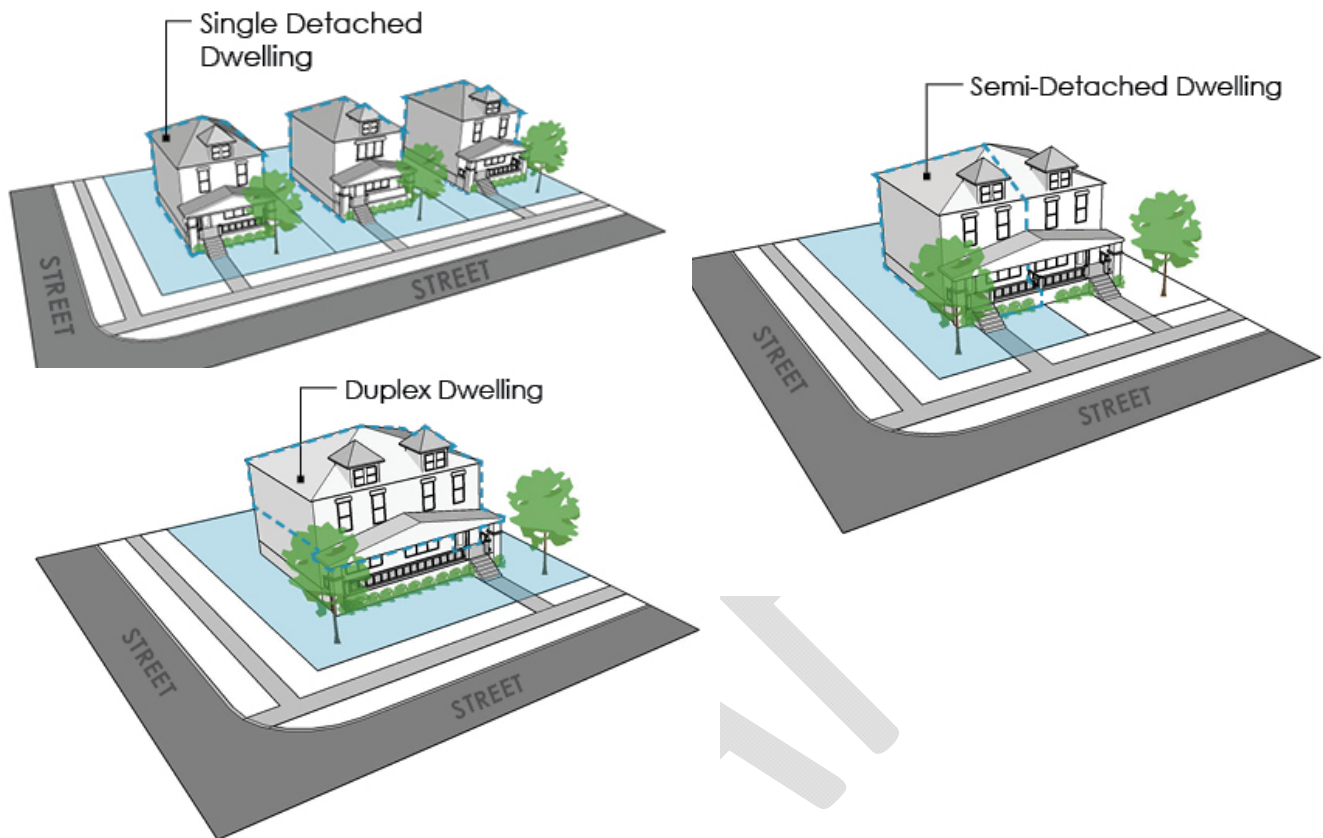
Dwelling, multiple: a **dwelling unit** in a building containing four or more **dwelling units** that would not be considered any other type of **dwelling unit** as defined by this By-law.

Dwelling, semi-detached: a **dwelling unit** in a building that is divided vertically into two **dwelling units** that share a common wall above **grade**. A **dwelling** in any other type of building is not a **semi-detached dwelling**.

Dwelling, single detached: a **dwelling unit** in a building containing only one **dwelling unit**.

Dwelling, townhouse: a **dwelling unit** in a building that is vertically divided into a minimum of three **dwelling units**, each of which has an independent entrance at **grade** to the front, rear, and/or side of the building. A **dwelling** in any other type of building is not a **townhouse dwelling**.

Dwelling or dwelling unit: a suite operated as a housekeeping unit, used, or intended to be used by one or more persons, and containing cooking, living, sleeping and sanitary facilities.



Erect: to build, construct, reconstruct, move, or enlarge a building or **structure**, and includes any physical operation and preparatory work.

Equestrian uses: the use of land or building for the boarding of horses, the training of horses and riders and the staging of equestrian events, which may include a riding arena, riding school, or boarding stable.

Equipment rental establishment: any **premises** where residential and commercial equipment is kept for rental to the public and/or contractors, but does not include an establishment where industrial equipment is kept for rental.

Existing: a lot, a building, or a **structure** in existence prior to the date of passing of this By-Law, so long as it continues to be used for that purpose, except as provided for in Section 13.3.

Factory outlet: any **premises** that is clearly secondary to an **industrial use** or a service trade, wherein products manufactured, produced, processed or stored on the **premises** are kept or displayed, for wholesale or retail sale, or wherein orders are taken for the delivery of such products.

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

Farm business: any **premises** that is limited in area and located on a **farm**, and depends directly on the **farm** for the business to operate. Examples include: **agri-tourism business; micro-brewery, distillery, or winery**; value-added processing or packaging; and pick-your-own operation. **Farm businesses** shall be accessory to the **existing** permitted **agriculture use(s)** on the lot and any commercial retail space shall primarily include the sale of value-added products produced by the **farm**.

Farm greenhouse: a building used for the growing of flowers, fruits, vegetables, plants, shrubs, trees, and other similar agricultural products, under glass, fiberglass or plastic, and other similar materials.

Farm produce sales outlet: a use accessory to an active agricultural operation on the property, that includes a building or **structure** with commercial retail space for the sale of value-added products produced by the **farm**. The sale of products not produced on the **farm** or by the **farm** corporation is prohibited.

Farmer's market: any **premises** where the **farm** products are sold from covered or open air areas designated for individual retailers.

Financial institution: any **premises** such as a bank, credit union, trust company or similar lending institution that is open to the public, excluding other businesses that offer financing for products sold at that business.

First storey: the **storey** that has its floor closest to **grade** and its ceiling more than 1.8 metre above **grade**.

Floor area: the space on any **storey** of a building between exterior walls and the centerline of required firewalls, including the space occupied by interior wall and partitions, but not including exits, vertical service spaces and their enclosing assemblies.

Floor Area, Net: means the total area of all floors of a building measured from the interior faces of the exterior walls or demising walls, but does not include the area of stair wells, elevators, escalators, ventilating shafts, attics, concourses, washrooms, **attached** enclosed and covered loading docks and related enclosed corridors used for loading purposes, above and below **grade** parking **structures**, storage rooms, rooms for garbage containment, and mechanical rooms.

Fuel depot: any **premises** where petroleum, gasoline, fuel oil, gas propane or other fuels are stored in tanks for wholesale distribution or bulk sales but does not include facilities for the sale of fuels for private **motor vehicles**.

Funeral establishment: a funeral parlour, undertaking establishment, or similar use used for furnishing funeral supplies and services to the public and may include facilities intended for the care and preparation of the human body for interment or cremation and facilities for the coordination of rites and ceremonies with respect to interment or cremation.

Garage, private: an enclosed building that is detached or part of the **principal building**, and is designed and used for the storage of one or more **motor vehicles** and in which there are no facilities for repairing or servicing such vehicles for gain or profit.

Garden centre: any **premises** used for the growing and/or retail sale of flowers, bushes, shrubs, trees, plants, and other **garden centre** stock. A **garden centre** also includes the incidental sale of such items as fertilizers, pesticides, soil, pots, and garden ornaments and may also include greenhouses.

Garden suite: a one-unit detached **dwelling** containing bathroom and kitchen facilities that is ancillary to an **existing** residential **structure** and that is designed to be portable.

Gas bar: an establishment used for the sale of **motor vehicle** fuels and **motor vehicle** accessories, and may also include accessory retail sales of convenience foods and beverages, car washes and sale of propane, but does not include repairs to a **motor vehicle**.

Golf course: the use of land for the purposes of playing golf and may include a clubhouse, **driving range**, eating establishment, banquet hall, meeting rooms and retail uses accessory to the **golf course**, but does not include **miniature golf courses** and similar uses operated for commercial amusement purposes.

Golf driving range: a public or private area designed, **landscaped**, and used for the practice of golf from individual tees.

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

Gravel pit: 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, but does not include a wayside pit, asphalt plant, or concrete batching plant.

Group home: residential accommodation in a **single-detached dwelling** for up to 10 people (exclusive of staff) with special needs beyond economic requirements, including physical, social, and mental needs, which require support functions for daily living.



Height: the vertical distance between the elevation of the **grade** adjoining the base of the exterior walls or supports of such building or **structure**, exclusive of any artificial embankment, at the centre of the front of the building, and the highest point of the roof surface or parapet wall. In the case of a **structure** not having a roof, **height** shall be measured to the top part of such **structure**.

Home business: an occupation conducted within a **dwelling unit** by the resident or residents of the **dwelling unit** and which is an **accessory use** to the **dwelling unit**.

Home industry: a small-scale use providing a service that is accessory to a **dwelling unit** or agricultural operation. A **home industry** may be conducted in whole or in part in an **accessory building** and may include a carpentry shop, a metal working shop, a welding shop, or minor equipment repair shop, etc., but does not include any **activity** relating to the operation or maintenance of a **motor vehicles** or any **activity** requiring the use of toxic chemicals.

Hospital: any institution, building or other **premises** or place established for the treatment of persons, and that is approved as a public **hospital** under The Public Hospitals Act, R.S.O. 1990, Chapter P40, as amended, or any successor legislation.

Hotel: a building used to accommodate a travelling public, by supplying them with sleeping accommodation (with or without meals) but without a stove, and which may include retail uses, a **restaurant**, meeting rooms, an exercise room, and other amenities for use by guests and which are accessory to the **hotel**.

Industrial equipment rental establishment: any **premises** where industrial equipment is kept for rental to the public and/or contractors.

Industrial use: any **premises** used for the processing of goods and materials; the assembly of manufactured goods; the manufacturing of goods; the repair and servicing of goods and similar uses; research laboratories; and printing establishments; including any permanent storage facilities or accessory equipment that is in conjunction with the use, but does not include a **motor vehicle service establishment**, or **motor vehicle body shop**.

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

Kennel: any **premises** used for boarding/training/breeding of dogs/cats/other domestic animals.

Landscaped: an area of land that is the site of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening, or other architectural elements, and may include lands that are used as walkways that provide access onto the **lot** from the street, or as snow storage areas, all of which are designed to enhance the visual amenity of a property and does not include **parking areas**.

Lane: a publicly or privately owned right of way that is not intended for general traffic circulation and which provides **motor vehicle** access to an abutting property.

Loading space: an unobstructed area of land that is used for the temporary parking of one or more **motor vehicles** while merchandise/materials are being loaded/unloaded from such **motor vehicle**.

Long term care facility: any **premises** licensed pursuant to the Long Term Care Homes Act, 2007, where a broad range of personal care, support and health services are provided for residents in a supervised setting, and may include one or more **accessory uses**, such as common dining, lounging, kitchen and recreational areas, and administrative and **medical offices** serving residents of the **long term care facility**.

Lot: a parcel of land that is registered as a legally conveyable parcel of land in the Land Titles Registry Office.

Lot area: the total horizontal area within the **lot lines** of a lot.

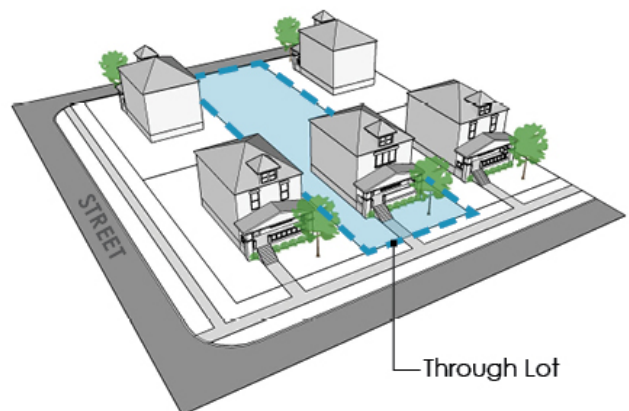
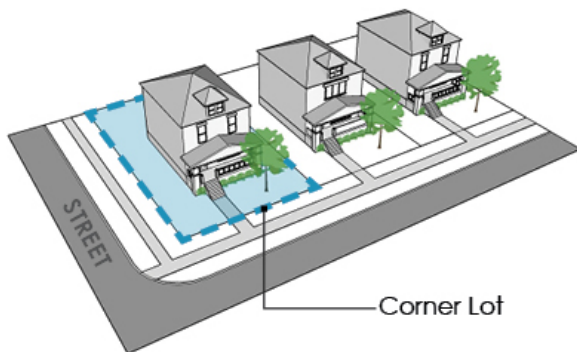
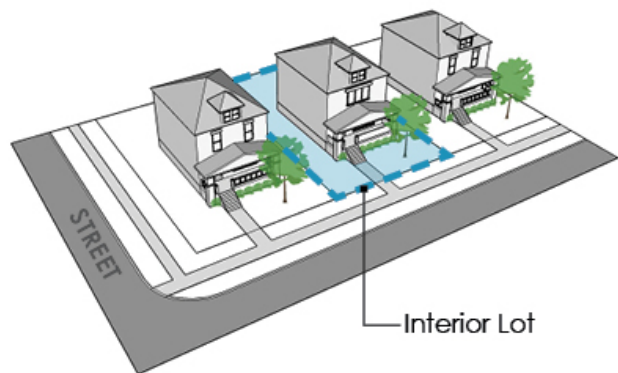
Lot, corner: a **lot** at the intersection of two or more **public streets** or upon two parts of the same **public street** with such street or streets containing an angle of less than or equal to 135 degrees.

Lot coverage: the total horizontal area of a **lot** covered by the **first storey** of all **buildings** and **structures** on the lot, but does not include open, unenclosed **decks**, patios, and **porches** not exceeding three metres in building **height** and not covered by a support roof **structure**.

Lot frontage: the horizontal distance between two **interior side lot lines** or between an interior side and **exterior side lot line** or between two **exterior side lot lines** with such distance being measured perpendicularly to the line joining the mid-point of the **front lot line** with the mid-point of the **rear lot line** at a point on that line 6.0 metres from the **front lot line**.

Lot, interior: a **lot** situated between adjacent lots and having access to one **public street**.

Lot, through: a **lot** that is not a **corner lot** but has **frontage** on more than one street.



Lot line: a line delineating any boundary of a lot.

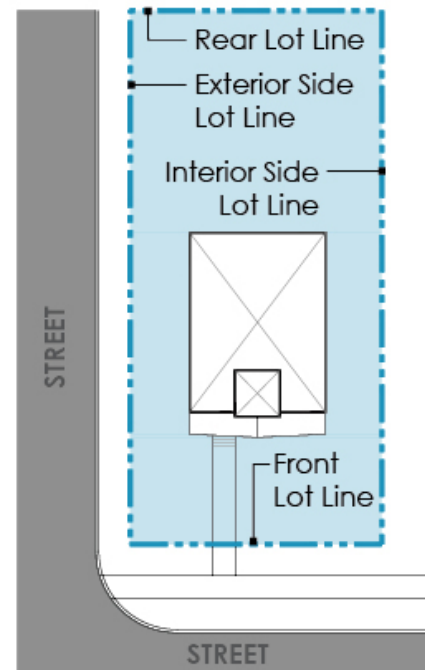
Lot line, exterior side: the **lot line** of a **corner lot**, other than the **front lot line**, which divides the **lot** from a **public street**.

Lot line, front: the **lot line** that divides the **lot** from the street, provided that in the case of a **corner lot**, the shorter **lot line** that abuts a street is deemed to be the **front lot line** and the longer **lot line** that abuts a street is deemed to be an **exterior side lot line**.

Lot line, interior side: a **lot line**, other than a **rear lot line** that does not abut a **public street**.

Lot line, rear: the **lot line** opposite the **front lot line**.

In the case of a **lot** with no **rear lot line**, the point where two side **lot lines** intersect is the point from which a line is drawn to the mid-point of the **front lot line**. In the case of a **corner lot**, the **exterior side lot line** is deemed to extend to its hypothetical point of intersection with the extension of the **front lot line** for the purposes of calculating **lot frontage**.



Marina: any **premises** located on the shore of a body of water which provides docking or mooring space or **structures** for all types of marine pleasure craft and may include electricity, water and sewer services for these craft as well as fueling facilities; such an establishment may also include those services and **structures** related to in-water and dry storage of marine pleasure craft and the sale, service and repair of such craft and commercial functions related to the boating public which are accessory and subordinate to the use of the site as a boating facility.

Marihuana: the substance referred to as "Cannabis" in sub item I(2) of Schedule II to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended.

Medical marihuana production facility: any building or **structure** licensed and/or authorized to possess, sell, provide, ship, deliver, transport, destroy, produce, export and/or import **marihuana** for medical purposes, including related research under, the Marihuana for Medical Purposes Regulations (SOR/2013-119) under Subsection 55(1) of the Controlled Drugs and Substances Act or as amended.

Medical office: any **premises** used for the medical, dental, surgical and/or therapeutic treatment of human beings including clinics operated by a number and/or variety of licensed medical professionals, but does not include a **hospital**.

Micro-brewery, distillery, or winery: any **premises** that may be operated in conjunction with a **restaurant** where beer, wine or liquor produced onsite may be consumed on the **premises**, or sold or distributed in accordance with Province of Ontario regulations and licensing requirements.

Mineral aggregate operation:

- a. lands under license or permit, other than for **wayside pits and quarries**, issued in accordance with the Aggregate Resources Act; and,
- b. associated facilities used in extraction, transport, beneficiation, processing, or recycling of **mineral aggregate resources** and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources: gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

Miniature golf course: any **premises** where a golf game is played with a putter on a small course that has various obstacles at each hole.

Mixed-use Building: a building used for any combination of permitted commercial uses and residential uses, but shall not include residential uses in the **first storey**.

Mobile home: a prefabricated building which is designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), and is designed and equipped for year-round occupancy and containing facilities for cooking or for the installation of cooking equipment, as well as sanitary facilities including a flush toilet and shower or bathtub.

Mobile home park means a **lot** containing two or more **mobile home lots**, with or without any **building, structures** or uses **accessory** thereto.

Model home: a building which is used on a temporary basis as a sales office or as an example of the type of **dwelling** that is for sale in a related development and which is not occupied or used as a dwelling.

Motel: any building that contains suites with no private cooking facilities that are rented on a temporary basis to the travelling public with each room being accessed from the outside.

Motor vehicle: any vehicle propelled or driven otherwise than by muscular power, but does not include a **motor vehicle** running only upon rails, a power assisted bicycle, a motorized snow vehicle, or a **farm** tractor.

Motor vehicle body shop: any **premises** used for the painting and/or repairing of the exterior and/or the undercarriage of **motor vehicle** bodies and includes the temporary parking of **motor vehicles** in the process of repair.

Motor vehicle sales and rental establishment: the use of land, **buildings** and **structures**, or portion thereof, where vehicles are displayed, sold, leased, or rented.

Motor vehicle service establishment: any **premises** where services performed or executed on **motor vehicles** and may include the installation of exhaust systems, repair of the electrical

systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, **motor vehicle** diagnostic centre, major and minor mechanical repairs or similar use.

Motor vehicle washing establishment: any **premises** in which the mechanical or hand washing and cleaning of **motor vehicles** is carried out.

Museum: any **premises** open to the public, which acquires, conserves, researches, communicates, and exhibits the tangible and intangible heritage of humanity and its environment for the purposes of education, study and enjoyment.

Non-complying: a building, **structure** or **lot** that does not comply with this Bylaw.

Non-conforming: a use that is not a permitted use in the **zone** in which the said use is situated.

Officer: a police **officer**, municipal law enforcement **officer** or any other person appointed by by-law to enforce the provisions of this By-law.

Outdoor commercial patio: an unenclosed outdoor space, whether covered, used for the accommodation of patrons of an associated **restaurant**.

Outdoor display and sales area: an outdoor place used in conjunction with the **principal building** or **structure** on the same lot, for the accessory display and/or sales of produce, merchandise, or the supply of services in association with the principal use of the lot. Such a display and/or sales area may be wholly or partially contained within a temporary tent **structure**.

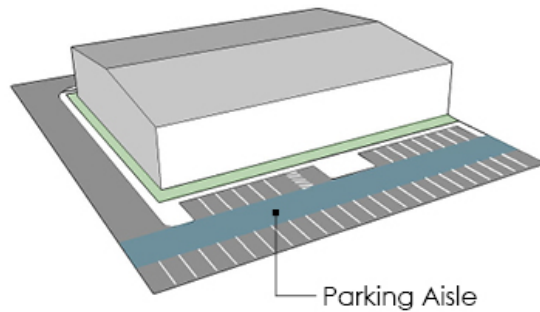
Outdoor storage area: the storage of equipment, goods, or raw materials outside of any building or **structure** in the open air. For the purposes of this by-law, the overnight parking of vehicles shall not be deemed to be outdoor storage. An **outdoor storage area** does not include an **outdoor display and sales area**, and does not include any permanent storage facilities or accessory equipment that is in conjunction with an **agricultural** or **industrial use**.

Outdoor storage use: any **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**.

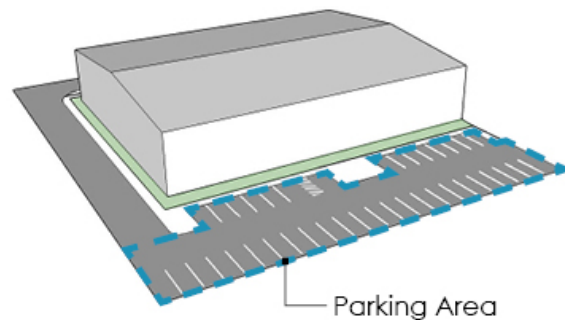
Park, public: any area of land under the jurisdiction of a **public authority** that is designed and/or maintained for active or passive recreational purposes and may include municipal parks and playgrounds, campgrounds, open spaces, **golf courses**, **swimming pools**, tennis courts, bowling greens, arenas, boating facilities, sports fields, and ancillary retail uses.

Park, private: a park, other than a **public park**, operated on a commercial and/or private member basis, and which includes one or more recreational uses, such as such as campgrounds, **golf courses**, **swimming pools**, tennis courts, bowling greens, arena, boating facilities, sports fields, a picnic area, and ancillary retail uses.

Parking aisle: that portion of a **parking area** which is provided and maintained to be used by vehicles to access individual **parking spaces**.



Parking area: an open area of land not located within a public road or **lane** that is intended for the use of parking of **motor vehicles** in **parking spaces**, but does not include a **driveway** or any area where **motor vehicles** for sale, rent or repair are kept or stored.



Parking lot, commercial: an area of land used for the parking of **motor vehicles** for a fee.

Parking area, municipal: an area of land used for the parking of **motor vehicles** that is owned and/or controlled by a **public authority**.

Parking space: an area of land which is provided and maintained for the purpose of temporary storage of a **motor vehicle** or commercial vehicle.

Personal service establishment: any **premises** providing services related to:

- a. the grooming of persons (such as a barber or salon or the maintenance, or repair of personal articles and accessories);
- b. small appliance or electronics repair; or
- c. the maintenance of a residence or business (such as private mail box, photocopying, or custodial services).

Place of entertainment: any **premises** that contains facilities that offer games for the amusement of the public, such as rides, games and similar types of uses, and which may include incidental preparation and sales of food and beverages on the **premises** but does not include establishments accommodating gambling or gaming **activities**, wagering or betting and does not include an **adult entertainment establishment**.

Place of worship: any **premises** used for the practice of religion and faith-based spiritual purposes wherein people assemble for religious worship, faith-based teaching, fellowship and community social outreach, and may include **accessory uses** such as a place of assembly, auditorium, **private school**, convent, parish hall and/or manse, if the manse is located on the same **lot** as the **place of worship**.

Planting strip: an area of land that is used exclusively for landscaping and can be crossed by **driveways** and walkways accessing a **lot** from the street.

Postal or courier outlet: any **premises** for 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.

Porch: a **structure** with a roof and at least one side that is open and unenclosed that is accessed by stairs from **grade** and which provides access to the **first storey** of a **dwelling unit**.

Portable asphalt or concrete plant: a building or **structure**:

- 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; or
- b. with equipment designed to mix cementing materials, **aggregate**, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the
- c. which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Premises: the whole or part of lands, **buildings** or **structures**, or any combination of these.

Principal building: a building in which the principal use(s) on the **lot** is conducted. For the purpose of this By-law, a **principal building** shall also include a school portable.

Private club: any **premises** used as a meeting place by members and guests of members of nonprofit and non-commercial organizations for community, social or cultural purposes. This definition does not include uses that are normally carried out as a commercial enterprise.

Propane transfer facility: any **premises**, including any outdoor area, where tanks having an aggregate propane storage capacity of less than 45,000.0 litres that is operated under the provisions of the Technical Standards and Safety Act, and from which the retail sale of propane fuel to the public is provided.

Public authority: any commission, board, or authority or any quasi-public body that is controlled by the Federal and/or Provincial governments and/or any commission, board, or authority or any quasi-public body that is controlled by the **County** or **Township**, provided it is owned or operated by or for, or under the authority of, the **County** or the **Township**.

Public use: any use of land, **buildings**, or **structures** by, or on behalf of, a **public authority**.

Recreational vehicle: a **motor vehicle** that is primarily designed to provide temporary living quarters for recreational camping, travel or seasonal use, whether it has its own motor power or is mounted on or towed by another vehicle, and includes travel trailers, fifth wheel travel trailers, tent trailers and campers whether the camper is or is not attached to a truck or other **motor vehicle** and does not include a **mobile home** or a manufactured home.

Recycling facility: where goods, wares, merchandise, articles, or things are dismantled and/or sorted for further use.

Reserve: a strip of land abutting a **public street** and owned by the **public authority** having jurisdiction over such **public street**.

Restaurant: any **premises** that is used for the preparation and serving of food and refreshments to the public for consumption at tables within or outside the building and which may include the preparation of food in a ready-to-consume state for consumption off the **premises**.

Retail store: any **premises** in which goods, wares, merchandise, substances, articles, or things are displayed, rented, or sold directly to the public, and includes a grocery store, but does not include any use otherwise defined by this By-law.

Retirement home: any **premises** licensed pursuant to the Retirement Homes Act, 2010, containing **dwelling units** or other rooms used for the accommodation of primarily elderly persons as their residence, and which contains a common dining area for the residents thereof, and may contain a common lounge, recreation room and **medical offices** serving residents of the **retirement home**.

Salvage yard: an area outside of an enclosed 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, private: an establishment used as an academic institution that secures the major part of its funding from sources other than government agencies.

School, public: a building or part of a building used as an academic school under the authority of a Provincially approved educational institution or parochial school operated on a non-profit basis.

Service or repair establishment: an establishment used primarily for the repair of household articles but does not include shops for the repair of internal combustion engines, **motor vehicles** or other similar uses.

Shipping container: An article of transportation equipment, including one that is carried on a chassis and is designed to facilitate the transportation of goods by one or more means of transportation and includes intermodal containers, bodies of transport trucks, or straight truck boxes.

Short term accommodation: use of a building or **structure** or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, license, rental agreement, or similar commercial arrangement for any period less than thirty (30) consecutive calendar days, throughout all or any part of a calendar year. **Short term Accommodation** uses shall not mean or include a **motel, hotel, bed and breakfast establishment, hospital**, or similar commercial or institutional use.

Sight triangle: A theoretical triangular area that is clear of any visual obstruction and is formed between points measured along a **lot line** a prescribed distance from the intersection of a street, highway, or railway corridor.

Stacking lane: a continuous on-site queuing **lane** that includes stacking tandem spaces for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings, or signs.

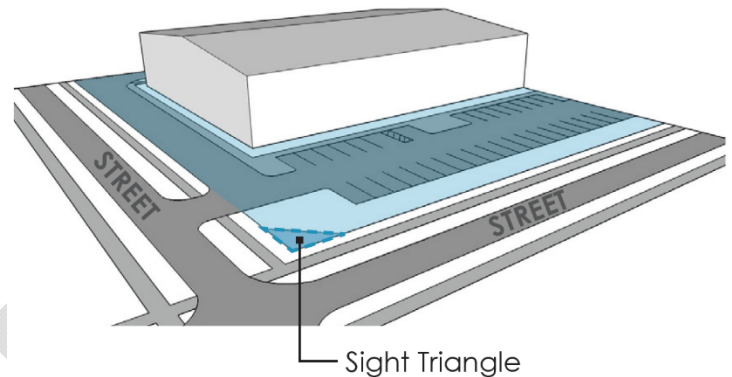
Storey: the portion of a building:

- a. that is situated between the top of any floor and the top of the floor next above it, or,
- b. that is situated between the top of the floor and the ceiling above the floor, if there is no floor above it.

Street, public: a roadway owned by a **public authority** and for the purposes of this By-law does not include a **private street**.

Street, private: a private right-of-way that is used by **motor vehicles** but is not owned by the **Township** or any other **public authority**.

Structure: anything that is **erected**, built, or constructed of parts joined together and **attached** or fixed permanently to the ground or any other **structure**. For the purpose of this By-law, a fence, a light standard, transformers, and a sign are deemed to not be **structures**. For the purpose of setback calculations, natural gas or electricity metres and air conditioning units, dog houses, freestanding mail boxes, **driveway** entrance pillars, statues, storage lockers under 1m high, pool pumps and filters not inside **accessory buildings**, flag poles, free standing trellises, shopping cart enclosures, **waste** receptacles, school bus shelters, composters, planters, and barbeques are not considered **structures** for the determination of setbacks.



Source Protection Plan: a drinking water **Source Protection Plan** prepared under the Clean Water Act.

Swimming pool: any artificially enclosed body of water, including a hot tub, not less than 0.4 metres deep, that is intended for recreational or competitive swimming, diving, or other bathing activities, but does not include a farm pond.

Theatre: any premises intended for the production and viewing of the performing arts or the screening and viewing of motion pictures, and consisting of an auditorium with permanently fixed seats intended solely for a viewing audience.

Threat, existing: for lands subject to the Halton Region and Hamilton Region **Source Protection Plans**, an activity that commenced, or has been engaged, in a location in a vulnerable area within ten years prior to the **Source Protection Plan** taking effect where there would be a drinking water threat. It includes any expansion of the activity only on the same parcel of land.

Threat, future: for lands subject to the Halton Region and Hamilton Region **Source Protection Plans**, any activity in a vulnerable area where there could be a drinking water threat that is not defined as an existing threat within the Halton Region and Hamilton Region **Source Protection Plans**.

Threat, significant drinking water: a drinking water threat that, according to a risk assessment, poses or has the potential to pose a significant risk.

Transport terminal: any premises where land is used for storing, servicing, washing, repairing, dispatching or loading of trucks and/or transport trailers with materials or goods that are not manufactured, assembled, or processed on the same lot, and which may include a warehouse.

Travel trailer park: lands used for overnight or short-term accommodation for travel trailers, tourist trailers, recreational vehicles, campers or tent trailers. The trailers may be parked or stored at the travel trailer park from season to season. No travel trailer park may be used for permanent accommodation except for one unit occupied by the owner or the caretaker.

Township: the Corporation of the Township of Puslinch or the land within the geographic limit of the Corporation of the Township of Puslinch.

Warehouse: a building or part thereof, which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food stuff substances and articles, but does not include a fuel storage tank.

Waste: ashes, garbage, refuse, domestic waste, industrial waste, municipal refuse, any material whose composition does not comply with the requirements of the Ministry of Environment Standards for Clean Fill, and other such materials as are designated in the regulations of the Environmental Protection Act, R.S.O. 1990, c. e. 19, as amended.

Waste disposal area: a facility operated by or for the Township of Puslinch or the County of Wellington, or authorized by the Ministry of Environment, where garbage, refuse or domestic or industrial waste is disposed of or dumped, and shall include a sewage treatment plant or sewage lagoon.

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

Wayside pits and quarries: a temporary pit or quarry opened and used by or for a **public authority** solely for a particular project or contract of road construction and not located on the road right-of-way.

Yard: an open, uncovered space on a **lot** pertaining to a building and unoccupied by **buildings** or **structures** except as specifically permitted in this By-law.

Yard, exterior side: the **yard** of a **corner lot** extending from the **front yard** to the **rear yard** between the **exterior side lot line** and the exteriors of the **principal building** or **structure** on the lot.

Yard, front: a **yard** extending across the full width of the **lot** between the **front lot line** and the nearest exteriors of the **principal building** or **structure** on the lot.

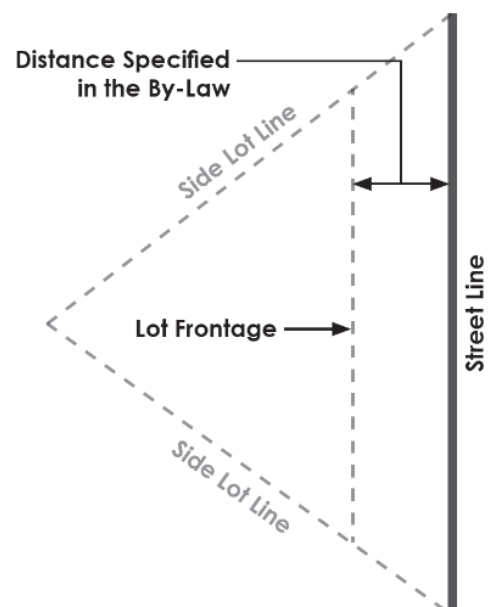
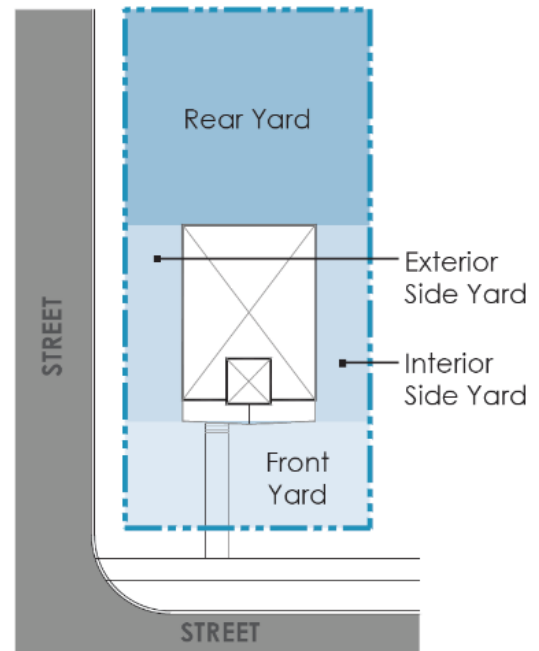
Yard, interior side: a **yard** other than an **exterior side yard** that extends from the **front yard** to the **rear yard** between the **interior side lot line** and the exteriors of the **principal building** or **structure** on the lot.

Yard, maximum: the maximum distance of a **yard** from a **lot line**. In calculating the maximum **yard**, the minimum horizontal distance from the respective **lot line** is to be used.

Yard, required: the minimum distance of a **yard** required from a **lot line**. No part of a **required yard** for a building or **structure** is to be included as part of a **required yard** for another building or **structure**. In calculating **required yards**, the minimum horizontal distance from the respective **lot lines** is to be used.

Yard, rear: a **yard** extending across the full width of the **lot** between the **rear lot line** and the nearest exteriors of the **principal building** or **structure** on the lot.

Zone: a classification of land use shown on the Schedules of this By-law.



4.0 General Provisions

4.1 ACCESS REGULATIONS

- a. Unless otherwise specified by this By-law, no lot, or building or **structure** on said lot, shall be used unless the lot:
 - i. abuts or fronts on a **public street** which is assumed by by-law by a **public authority**, or a 0.3 metre **reserve** abutting said **public street**;
 - ii. is being constructed pursuant to a subdivision agreement with the **Township**;
 - iii. fronts on a year-round maintained **public street** that was not established as a consequence of registering a plan of subdivision; or
 - iv. is a **private street** within a plan of condominium that either provides direct access to a street or which connects with other **private streets** within a plan of condominium or other plans of condominium to access a **public street**.

4.2 ACCESSORY APARTMENTS

- a. Where permitted by this By-law, a maximum of one **accessory apartment** shall be permitted per **single detached, semi-detached, or townhouse dwelling**, provided that:
 - i. the maximum **floor area** shall not exceed the lesser of 40 percent of the **floor area** of the principal **dwelling unit** or 130 square metres; and
 - ii. **individual on-site sewage and water services** are approved for the **lot** and have adequate capacity for the **accessory apartment** and any other uses on the lot.
- b. An **accessory apartment** shall only be permitted above a detached building in the Agricultural (A) **Zone**, subject to the following provisions:
 - i. the building is located within 15 metres of the **single detached** dwelling on the lot;
 - ii. the building does not exceed 8 metres in **height**;
 - iii. the building complies with the minimum interior side, exterior side, and **rear yard** requirements for a **single detached dwelling** in the Agricultural (A) **Zone**; and
 - iv. a maximum of one **accessory apartment** is provided on the lot.

4.3 ACCESSORY FARM EMPLOYEE ACCOMMODATION

- a. One **accessory farm employee accommodation** shall be permitted accessory to and on the same **lot** as an **agricultural use** subject to the following provisions:
 - i. the **lot** shall have a minimum area of 20 hectares;

- ii. the minimum **floor area** of the **accessory farm employee accommodation** shall be 75 square metres;
- iii. access to the **accessory farm employee accommodation** shall be provided by way of the same **driveway** and entrance way as the principal dwelling; and
- iv. The **accessory farm employee accommodation** shall be located within 100 metres of the principal dwelling.

4.4 ACCESSORY USES, BUILDING AND STRUCTURES

4.4.1 Accessory Uses Permitted in All Zones

Unless otherwise prohibited or restricted in this By-law, **accessory uses** shall be permitted in all **zones** in accordance with the provisions of this Section.

4.4.2 Accessory Buildings and Structures

- a. No **accessory building or structure** shall be **erected** on a **lot** prior to the **erection** of the **principal building** on the lot.
- b. No **accessory building or structure** shall be used for human habitation or as a **home business**, unless expressly permitted by this By-law.
- c. No **accessory building or structure** or part thereof shall be located within:
 - (i) an easement that is in favour of a **public authority**;
 - (ii) a **sight triangle**; or
 - (iii) 1.0 metre from the **principal building** on the lot.
- d. Nothing in this By-Law shall apply to prevent the **erection** of a:
 - (i) gatehouse, anywhere in a **front yard** or **exterior side yard** in an Industrial **Zone**;
 - (ii) boat house or boat dock at the edge of a watercourse; or
 - (iii) a partially enclosed shelter for use by children while waiting for a school bus, anywhere in a **front yard** or **exterior side yard** in an Agricultural (A) **Zone**.
- e. No more than three **accessory buildings or structures** shall be permitted on a **lot** in any Residential **Zone**, unless otherwise permitted by this By-law.
- f. Regulations in Table 4.1 shall also apply to **accessory buildings and structures**.

Table 4.1 Additional Regulations – **Accessory Buildings and Structures**

STANDARD	
Maximum lot Coverage – Residential Zones	10%
Maximum Lot Coverage – All Other Zones	
Lot area less than 1 ha	5%
Lot area between 1 and 4 ha	500 m ² plus 3% of lot area if greater than 1 ha
Lot area greater than 4 ha	1,400 m ² plus 1% of lot area if greater than 4 ha
Maximum Height	
Agricultural (A) Zone – lot area area greater than 1 ha	7 m
All Other Lot Sizes and Zones	5 m
Minimum Front yard	Equal to the minimum front yard requirement for the principal building
Minimum Interior side yard	2 m
Minimum Exterior side yard	Equal to the minimum exterior side yard requirement for the principal building
Minimum Rear yard	2 m

4.4.3 Setback Special Provisions

- a. For setback calculations in accordance with Table 4.1, the following Special Provisions shall also apply:
 - i. natural gas or electricity metres and air conditioning units, dog houses, freestanding mail boxes, **driveway** entrance pillars, statues, storage lockers under 1m high, pool pumps and filters not inside **accessory buildings**, flag poles, free standing trellises, shopping cart enclosures, **waste** receptacles, school bus shelters, back-up generators, composters, planters, and barbeques are not considered **structures** for the determination of setbacks;
 - ii. setback requirements and Special Provisions in Section 4.23 of this By-law shall also apply; and
 - iii. permitted **yard** encroachments and obstructions in Section 4.30 shall also apply.

4.5 BED AND BREAKFAST ESTABLISHMENTS

- a. Where a **bed and breakfast establishment** is permitted, such use shall be in accordance with the provisions for the **zone** in which it is located and shall also comply with the following regulations:
 - i. No more than 5 guest rooms shall be permitted in a **bed and breakfast establishment**;
 - ii. A **bed and breakfast establishment** shall be operated by the person or persons whose principal residence is the **dwelling** in which the **bed and breakfast establishment** is located;
 - iii. A **bed and breakfast establishment** shall only be permitted within a **single detached dwelling**; and
 - iv. Any exterior stairways required for a **bed and breakfast establishment** shall be located in a side or **rear yard**.

4.6 DWELLING UNITS

4.6.1 Location within Non-Residential Buildings

- a. Where a **dwelling unit** is located within or **attached** to a non-residential building, such building and **dwelling unit** shall:
 - i. not be located in a **basement** or cellar; and
 - ii. not be located on a **first storey**, unless located behind the principal non-residential use.

4.6.2 Maximum Number of Dwelling Units Per Lot

- a. A maximum of one **dwelling unit** shall be permitted per lot, except:
 - i. in the case of a **lot** which contained more than one legally established **dwelling unit** on the date of passing of this By-Law, in which case the maximum number of **dwelling units** permitted on such **lot** shall be the number of existing **dwelling units** on the said lot; or
 - ii. in a **zone** where more than one **dwelling unit** is specifically permitted hereby.

4.7 ESTABLISHED BUILDING LINES

- a. On any **lot** between two **existing buildings** which are not more than 90 metres apart and both of which are between the street line and the building line established by this section, a building may be **erected**, the front wall of which is in line with the front wall of the **existing** building closest to the required building line.

4.8 GARDEN SUITES

- b. A maximum of one **garden suite** may be permitted as a temporary use on an Agricultural or Residential lot, as an **accessory use** to an **existing single-detached dwelling**, subject to the following regulations:
 - i. **Driveway** access to both the principal **dwelling** and the **garden suite** shall be limited to one;
 - ii. The siting of a **garden suite** shall be in accordance with the provisions for **accessory uses** of subsection 2.4 of this By-law;
 - iii. The maximum **height** of a **garden suite** shall be 5.0 metres and no more than one **storey**;
 - iv. No **garden suite** shall be located closer than 3.0 metres to the principal residence on the **lot** or any building on an abutting property;
 - v. The **floor area** of any **garden suite** shall not exceed 100 square metres;
 - vi. All **garden suites** shall be provided with adequate water and sewage disposal systems; and
 - vii. All **garden suites** shall be established pursuant to Section 39 of the Planning Act, as amended, which authorizes **Council** to pass a Temporary Use By-law for a maximum duration of twenty years.

4.9 GROUP HOMES

- a. A **group home** may be permitted in any **single detached dwelling unit** provided the **dwelling unit** has 20 square metres per person residing within the **dwelling unit**. **Group homes** shall be registered with the municipality as per the Municipal Act.

4.10 HEIGHT RESTRICTIONS

- a. Unless otherwise restricted in this By-law, no building or **structure** shall exceed ten metres in **height**, except that neither this provision nor any other provision of this By-Law shall apply to restrict the **height** of any of the following **structures**:
 - i. antenna;
 - ii. barn;
 - iii. belfry;
 - iv. chimney;
 - v. clock tower;
 - vi. crushing, washing, screening, processing or **asphalt plant**;

- vii. elevator or stairway penthouse;
- viii. flag pole;
- ix. grain elevator and storage;
- x. grain dryer;
- xi. hydro-electric transmission tower;
- xii. ornamental **structure**;
- xiii. radio antenna;
- xiv. silo;
- xv. spire;
- xvi. steeple;
- xvii. **structure** containing heating, cooling or other mechanized equipment pertaining to a building;
- xviii. tower;
- xix. water storage tank or tower; or,
- xx. windmill.

4.11 HOME BUSINESSES

- a. Where permitted, **home businesses** shall be permitted in accordance with the following provisions:
 - i. At no time shall any **home business** employ more than one on-site employee who does not reside in the **dwelling** to which such **home business** is accessory;
 - ii. A maximum of two **home businesses** may be permitted in a **dwelling unit** provided each **home business** can meet the requirements of this By-law;
 - iii. A **home business** shall be permitted within an **accessory structure** in the Agricultural (A) **Zone**;
 - iv. The maximum total **floor area** dedicated to all **home businesses** on a **lot** shall not exceed the lesser of 25 percent of the **floor area** of the **dwelling** on the **lot** or 50 square metres. The maximum total **floor area** dedicated to **home businesses** includes any **home business** operated in an **accessory structure** in accordance with subsection (iii).
 - v. The **home business** shall be clearly incidental and secondary to the principal residential use to which it is accessory and shall not change the residential character of the dwelling.

- vi. No **home business** shall create or become a public nuisance, particularly with regard to noise, traffic, emissions, parking or radio or television interference.
- vii. The following uses are specifically prohibited as **home businesses** except where such uses are specifically permitted herein:
 - 1) **adult entertainment establishment**;
 - 2) **animal clinic** or **agricultural animal clinic**;
 - 3) any use involving the storage, repair, maintenance and/or towing of **motor vehicles**, **recreational vehicles** or engines;
 - 4) **bed and breakfast establishment**;
 - 5) **contractor's yard**;
 - 6) **hospital**;
 - 7) **industrial use**;
 - 8) **kennel**;
 - 9) **restaurant**;
 - 10) **retail store**;
 - 11) **salvage yard**;
 - 12) truck terminal; or
 - 13) **funeral establishment**.

4.12 HOME INDUSTRIES

- a. The following regulations apply to a **home industry** where permitted by this By-law:
 - i. The **home industry** shall clearly be secondary to the principal use of the property and shall not change the character of the property;
 - ii. A **home industry** shall not be permitted to operate or locate in any part of a dwelling;
 - iii. The total number of **home industries** permitted shall be limited to one per lot;
 - iv. There shall be no emission of noise, odour or dust that is not normally attributable to the use of the land for other uses permitted in the **Zone**;
 - v. Only two on-site employees, in addition to the permanent residents of the **dwelling unit**, may be employed by the **home industry**;
 - vi. The **home industry** shall meet the same **yard** provisions as required for the principal use on the property for the **Zone** in which it is located;
 - vii. The maximum total **floor area** dedicated to a **home industry** on a **lot** shall not exceed 100 square metres; and

- viii. The following uses are specifically prohibited as **home industry** except where such uses are specifically permitted herein:
- 1) a **restaurant**;
 - 2) **animal clinic** or **agricultural animal clinic**;
 - 3) **warehouse**; or,
 - 4) the repairing, sale or storage of **motor vehicles**, **mobile homes**, trailers, or heavy machinery.

4.13 KENNELS

- a. **Kennels** are prohibited uses unless specifically permitted by an amendment to this By-law.
- b. Where specifically permitted by an amendment to this By-law, no land, building or **structure** shall be used for a **kenneel**, unless the land, building and **structure** is in compliance with the following regulations and any other applicable provisions of this By-law:
- i. a secure, chain link fence enclosure shall be installed and maintained around any outdoor run or outdoor common play area;
 - ii. any pen area for the housing of dogs shall be constructed with solid walls and roofing;
 - iii. dog **activity** is not permitted in any outdoor run or outdoor common play area between the hours of 8 p.m. and 7 a.m.; and
 - iv. regulations in Table 4.2 below shall also apply.

Table 4.2 Additional Regulations – **Kennels**

STANDARD	
Minimum Required lot Area	6 ha
Minimum Required Front yard	30 m
Minimum Required Interior side yard	50 m
Minimum Required Exterior side yard	30 m
Minimum Required Rear yard	50 m
Minimum Separation from any Existing Residential Dwelling, or Commercial or Institutional Building on any Other Lot	200 m
Maximum Total Floor area on a lot for Pen Buildings and Structures for Housing of Dogs	150 m ²
Maximum Permitted Height of any Building Associated with a Kennel	Equal to the maximum height requirement for accessory buildings and structures of the Zone that applies to the lot (1)

STANDARD	
Total Maximum Permitted Outdoor Common Play Area	400 m2

Notes:

- (1) In no case, may a **kennel** contain anything other than single level dog runs.

4.14 LANDSCAPED OPEN SPACE AND PLANTING STRIPS

4.14.1 Landscaped Open Space

- a. **Landscaped** open space shall be provided in accordance with any **zone** provisions and the following regulations:
- Any part of a **lot** which is not occupied by **buildings, structures, parking areas, loading spaces, driveways**, excavations, or permitted **outdoor storage areas** shall be maintained as **landscaped** open space; however, this provision shall not apply to **agricultural uses**;
 - Where **landscaped** open space of any kind, including a **planting strip**, is required adjacent to any **lot line** or elsewhere on a lot, nothing in this By-Law shall apply to prevent such **landscaped** open space from being traversed by pedestrian walkways or permitted **driveways**, provided that the minimum angle of intersection between a **driveway** and a required **planting strip** shall be 60 degrees; and
 - No part of any **driveway, parking area, loading space, stoop, roof-top, balcony, swimming pool** or space enclosed within a building shall be considered **landscaped** open space.

4.14.2 Planting Strips

- a. A minimum 3.0 metre wide **planting strip** abutting the full length of a **lot line** is required on a **lot** in any Mixed-use, Institutional, Commercial, or Industrial **Zone** that abuts an interior side or **rear lot line** of a **lot** in any Residential **Zone**.
- b. Where a fence, wall, row of trees or hedgerow is provided as part of a **planting strip** required by this By-Law, such fence, wall, row of trees or hedgerow shall be designed to have an ultimate **height** of not less than 1.5 metres above the elevation of the ground at the nearest **lot line**, except that within a **sight triangle** the maximum **height** of any such landscaping materials shall be 0.6 metres.
- c. Where there is a wall or fence having a **height** of 1.5 metres or more along an interior side or **rear lot line**, the width of the **planting strip** established in sub-section (a) can be reduced to 1.5 metres in width.
- d. Where the ingress and egress of a **driveway** and/or walkway extend through a **planting strip**, it shall be permissible to interrupt the **planting strip** within 1 m of the edge of the **driveway** and/or walkway.

- e. **Planting strips** required by this section of the By-law can be counted as part of any **landscaped** open space requirement of this By-law.

4.14.3 Special Landscape Requirements along Brock Road

- a. Notwithstanding any other requirement of this by-law, a minimum 3.0 metre wide **planting strip** abutting the full length of the **lot line** is required on a **lot** in any **Zone** that abuts Brock Road, between the Urban Centres of Aberfoyle and Morriston, as shown on Map B-4 of this By-law.

4.15 LIGHTING

- a. The type, location, **height**, intensity, and direction of lighting shall be designed to ensure that lighting is confined to the building face, **parking area** and the vicinity of the site.
- b. Lighting fixtures shall be installed with the light directed downwards and deflected away from adjacent lots and streets, and in such a manner as to not confuse persons driving vehicles on such streets.

4.16 MINIMUM DISTANCE SEPARATION – MDS I AND II

4.16.1 MDS I – New Non-Farm Uses

- a. 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 the Agricultural (A) **Zone** or any other **zone** in which **agricultural uses** are permitted, shall be **erected** or altered unless it complies with the Minimum Distance Separation I (MDS I) setback from a livestock facility, calculated using the Formulas published by the Province of Ontario, as may be amended from time to time.
- b. The above provision shall not apply to lots **existing** as of the date of passing of this By-law, which are less than 4 hectares in area.
- c. The above provision shall also not apply to permitted **agriculture-related uses** and **farm businesses**, except where specifically required otherwise in this By-law.

4.16.2 MDS II – New or Expanding Livestock Facilities and Manure Storage Facilities

- a. Notwithstanding any other **yard** or setback provisions of this By-law to the contrary, no livestock facility or manure storage facility shall be **erected** or expanded unless it complies with the Minimum Distance Separation II (MDS II) setback, calculated using the Formulas published by the Province of Ontario, as may be amended from time to time.
- b. The above provision shall also not apply to permitted **agriculture-related uses** and **farm businesses**, except where specifically required otherwise in this By-law.

- c. Notwithstanding the above, an **existing** manure storage system which does not meet 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.

4.17 LEGAL NON-CONFORMITY AND LEGAL NON-COMPLIANCE

4.17.1 Buildings and Structures

- a. A **non-complying** building or **structure** that does not comply with this By-law, but which was legally **erected**/altered in accordance with a by-law that was in effect in accordance with Section 34 of the Planning Act, as amended, at the time of construction and/or **alteration** may be enlarged, repaired, or renovated provided that the enlargement, repair, or renovation does not further reduce the **existing yard(s)**, and all other provisions of this By-law are met.
- b. Nothing in this By-law shall apply to prevent the restoration, repair or renovation, or the replacement of any lawfully constructed building or **structure existing** prior to the passing of this By-law, provided that such restoration, repair or renovation, or replacement will not increase the **height**, size, volume or change the use of such building or **structure** unless in compliance with this By-law.

4.17.2 Lots

- a. A **lot** in existence prior to the effective date of this By-law that does not meet the **lot area** and/or **lot frontage** requirements of the applicable **zone**, may be used and **buildings** thereon may be **erected**, enlarged, repaired, or renovated provided the use conforms with the By-law and the **buildings** or **structures** comply with all the other provisions of this By-law.

4.17.3 Non-Compliance as a Result of Land Acquisition by a Public Authority

- a. Notwithstanding any other provision in this By-law, where, as a result of an acquisition of land by the **Township, County**, the Province of Ontario, the Government of Canada or any department, board, commission or agency thereof, and where such acquisition results in a contravention of this By-law, the following applies:
 - i. if the acquisition results in a contravention of this By-law with respect to minimum **lot frontage** and **lot area** requirements, the remaining **lot frontage** and/or **lot area** shall be deemed to be legal **non-complying**;
 - ii. if the acquisition results in a contravention of this By-law with respect to parking, loading, **planting strip, front yard, interior side yard, exterior side yard, rear yard, lot coverage, landscaped** open space or **amenity area** requirements, the lands so affected are deemed to comply with this By-law to the extent it complied with this By-law on the day before the acquisition was finalized; and
 - iii. notwithstanding subsection (ii), no new building, **structure** or addition to an **existing** building or **structure** shall be **erected** or located except in accordance with all the provisions of this By-law, excluding subsection (i).

4.17.4 Non-Conforming Uses

- a. No lands can be used, and no building or **structure** can be used, except in conformity with the provisions of this By-law unless such use legally existed before the date of passing this By-law and provided that it has continued and continues to be used for such purpose, and that such use, when established, was not contrary to any By-law in force at that time.

4.18 ONE PRINCIPAL BUILDING PER LOT

- a. No more than one **principal building** shall be constructed on a **lot** except for permitted **buildings** within an agricultural, commercial, institutional, or industrial **zone**.

4.19 MULTIPLE USES AND ZONES PER LOT

4.19.1 More than One Use

- a. Where any building, **structure** or **lot** is used for more than one purpose as provided by this By-law, the said building, **structure**, or **lot** shall comply with the provisions of this By-law relating to each use.
- b. Where standards or provisions pertaining to two or more uses on one **lot** are in conflict, the highest or more restrictive standards or provisions shall prevail.

4.19.2 More than One Zone

- a. Where a **lot** is divided into more than one **zone**, each portion of the **lot** shall be used for a purpose that is permitted within each applicable **zone**. Non-residential **accessory buildings and structures** shall be in the same **zone** as the **principal building**.

4.20 OUTDOOR COMMERCIAL PATIOS

- a. Where an **outdoor commercial patio** is located on a **lot** in conjunction with a **restaurant** on the same lot, the following provisions apply:
 - i. The **outdoor commercial patio** shall be set back a minimum of 12 metres from a Residential **Zone** boundary;
 - ii. The **outdoor commercial patio** shall be located outside of any required **parking spaces, loading spaces**, and required **planting strips**;
 - iii. The patio shall be located within 3.0 metres of the **restaurant** use;
 - iv. The patio shall be located outside of any required **sight triangle**; and
 - v. No patio shall provide for more than 50 percent of the **restaurant** seating permitted under the Liquor License Act within which the **outdoor commercial patio** is associated.

4.21 OUTDOOR DISPLAY AND SALES AREAS

- a. Where an **outdoor display and sales area** is located on a lot, the following provisions apply:
- i. **Outdoor display and sales areas** are prohibited in any minimum **required yard** setback of the **zone** in which it is located;
 - ii. The **outdoor display and sales area** shall be set back a minimum of 12 metres from any Residential **Zone** boundary;
 - iii. The maximum **height** of any **outdoor display and sales area** shall be 3 metres;
 - iv. The **outdoor display and sales area** shall be located outside of any required **parking spaces, loading spaces, sight triangles** and required **planting strips**; and
 - v. Notwithstanding subsection (d), if the outdoor sales and display area is temporary, it may occupy up to 10 percent of the **parking spaces** required by this By-law.
- b. For the purposes of this Section, temporary shall mean a period not to exceed 60 days in a calendar year.

4.22 OUTDOOR STORAGE USES AND AREAS

- a. Where an **outdoor storage uses and areas** is permitted by this By-law, the following provisions shall apply:
- i. The **outdoor storage area** shall only be permitted in a rear or **interior side yard** and shall not be located any closer than 20 metres to any **lot line** abutting a street, except that this provision shall not apply to any **outdoor storage area** located on a **lot** whereon the principal use is an **agricultural use**; and
 - ii. No **outdoor storage area** shall be located closer than two metres to any **lot line**, except that this provision shall not apply to any **outdoor storage area** located on a **lot** whereon the principal use is an **agricultural use**;
 - iii. The **outdoor storage area** shall not exceed the lesser of 25 percent of the total **lot area** or the total ground **floor area** of the **principal building** on the lot, except that this provision shall not apply to any **outdoor storage area** located on a **lot** whereon the principal use is an **agricultural use**;
 - iv. The **outdoor storage area** shall be screened by opaque fencing, a masonry wall, landscaping, or berms, to the satisfaction of the **Township**;
 - v. No materials (other than machinery and equipment) in an **outdoor storage area** shall exceed 6.0 metres in **height**, except that this provision shall not apply to any **outdoor storage area** located on a **lot** whereon the principal use is an **agricultural use**;
 - vi. The storage of derelict or scrap **motor vehicles** or machinery and used appliances or equipment in an **outdoor storage area** shall be prohibited;

- vii. An **outdoor storage area** is not permitted within any **yard** abutting a Residential **Zone** boundary;
 - viii. Any **outdoor storage area** shall be maintained as **landscaped** open space or provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and drained, except that this provision shall not apply to any **outdoor storage area** located on a **lot** whereon the principal use is an **agricultural use**; and
 - ix. Notwithstanding subsection (vi), no **outdoor storage area** shall be considered part of any **landscaped** open space required herein.
- b. Nothing in subsection shall apply to prevent or otherwise restrict the use as an **outdoor storage area** of any part of a **lot** containing a dwelling, for a special temporary sale, by auction or garage sale, of personal possessions belonging to the occupants thereof.

4.23 SERVICES REQUIRED

- a. Private servicing capability is a prerequisite to development within the **Township**. No building or **structure** shall be **erected** or used unless it has been demonstrated to the satisfaction of the **Township** that the **lot** is of sufficient size and shape to accommodate the dwelling, individual on-site water and sewage system envelopes, while maintaining compliance with Ontario Building Code requirements and O.Reg. 903 made under the Ontario Water Resources Act.

4.24 SHIPPING CONTAINERS

Shipping containers may be used as an **accessory structure** for storage purposes in the Agricultural (A) **Zone** and Industrial **Zones** subject to the following regulations.

4.24.1 Residential Zones

- a. **Shipping containers** shall not be permitted in a Residential **Zone** except on a temporary basis for moving purposes for a period not to exceed 14 days, in which case the **shipping container** shall be located on the **driveway**.
- b. A **shipping container** used for temporary storage in a Residential **Zone** shall only be permitted for a period not to exceed 6 months and shall be removed from the property upon the completion of construction which will be deemed to be the date of the issuance of an occupancy permit.
- c. A **shipping container** used for temporary storage in a Residential **Zone** shall not exceed a maximum **height** of 3 metres and a maximum length of 6 metres.
- d. **Shipping containers** shall not be subject to the maximum **lot** coverage requirements for **accessory buildings** in Residential **zones**, as per Table 4.1 of this By-law.

4.24.2 Agricultural and Industrial Zones

- a. **Shipping containers** shall only be permitted on a **lot** with a minimum area of 0.4 hectares.
- b. A maximum of one **shipping container** shall be permitted per 0.4 hectares of **lot area** to a maximum of four containers on any one lot.
- c. **Shipping containers** shall only be permitted in a **rear yard** and shall not be permitted in a required **parking area**.
- d. **Shipping containers** shall only be permitted where an **outdoor storage area** or **outdoor storage use** is also permitted.
- e. **Shipping containers** in an Industrial **Zone** shall be screened from the road **frontage** and **buildings** on abutting lots.
- f. **Shipping containers** shall not be permitted any closer than 10 metres to properties containing residential uses or **zoned** for residential use.
- g. **Shipping containers** shall not be used for human habitation.
- h. The maximum size of a **shipping container** permitted shall be 51 square metres.
- i. **Shipping containers** shall be subject to the maximum **lot** coverage requirements for **accessory buildings**, as per Table 4.1 of this By-law.

4.25 SHORT TERM ACCOMMODATION

- a. **Short term accommodation** is a prohibited use unless specifically permitted by an amendment to this By-law.
- b. Where specifically permitted by an amendment to this By-law, no land, building or **structure** shall be used for **short term accommodation**, unless the land, building and **structure** can meet the following regulations and any other applicable provisions of this By-law:
 - i. where permitted, the maximum occupant load of a **short term accommodation** use shall be 8 visitors;
 - ii. the minimum distance from any other **short term accommodation** uses or **bed and breakfast establishment** shall be 120 metres; and
 - iii. a **short term accommodation** use shall not occur on the same **lot** as a **home business**, in an **accessory apartment**, or **accessory building or structure**.

4.26 SIGHT TRIANGLES

4.26.1 Prohibition of Obstructions

- a. Notwithstanding any other provisions of this By-Law, within any area defined herein as a **sight triangle**, no building or **structure** shall be **erected**, no vehicle shall be parked, no land shall be graded, and no landscaping materials shall be permitted to grow, in such a manner as to

impede or obstruct the vision of persons driving vehicles on an abutting street above a **height** of 0.6 metres above the elevation of the **centre-line** of the said street.

- b. The following are prohibited on that portion of a **lot** defined as a **sight triangle**:
- a building or **structure**; and
 - a fence, tree, hedge, bush or other vegetation, the top of which exceeds 0.6 metres in **height** above the elevation of the **centre-line** of the adjacent street.

4.26.2 Extent of Sight Triangles

- a. For the purposes of calculating the extent of a **sight triangle**, the distance between the point of intersection of the two **lot lines** and their respective points of intersection with the line constituting the third side of the triangle shall be in accordance with Table 4.3:

Table 4.3 Requirements for **Sight Triangles**

STANDARD	
Where at least one of the abutting intersecting streets is a County Road or Highway	28 metres
Where neither abutting intersecting street is a County Road or Highway	9 metres
Where a street intersects a railway right-of-way at grade , or such greater distance as may be required from time to time by the Canadian Transportation Commission	46 metres

4.27 SWIMMING POOLS

4.27.1 Unenclosed Swimming Pools

- Unenclosed **swimming pools** shall be permitted in the interior, rear, and **exterior side yards**, provided they are set back a minimum of 1.5 metres from the interior side and **rear lot lines** and 3.5 metres from the **exterior side lot line**, with the setback measured from the water's edge of the **swimming pool**; and
- outdoor **swimming pool** pumps, filters and heaters, or any **accessory building or structure** containing such equipment, are permitted in the interior, rear and **exterior side yards**, provided they are set back a minimum of 2.0 metres from any **lot line**.

4.27.2 Lot Coverage Exemption

- Notwithstanding any other provisions of this By-Law, no outdoor **swimming pools** or any related **structures** shall be considered part of the **lot coverage** of a lot, but where a **swimming pool** is enclosed with a building or where a **structure** appurtenant to a **swimming pool** constitutes a building as defined herein, such building shall comply with any **lot coverage** requirements set out herein for the **zone** in which such building is located.

4.28 USES PERMITTED IN ALL ZONES

4.28.1 Public Uses

- a. **Public uses** shall be permitted in all **zones**.
- b. **Wayside pits and quarries, portable asphalt plants, and portable concrete plants** used on **public authority** contracts shall be permitted in all **zones**, except those areas of **existing** development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated **activities**.
- c. Where a **public use** is permitted, the following provisions shall also apply:
 - i. such **public use** shall comply with all applicable **zone** standards, and parking and loading requirements of the **zone** in which it is located;
 - ii. no **outdoor storage area** or **outdoor storage use** is permitted unless specifically permitted in the **Zone** in which the **public use** is located; and
 - iii. Any **accessory use** to a **public use** shall be clearly incidental and accessory to the principal use.

4.28.2 Other Uses

- a. Other uses permitted in any **zone**, excluding Natural Environment, Open Space **Zones**, and Floodplain **Zone** Overlay, are listed below:
 - i. essential emergency services such as police and fire stations and ambulance dispatch; and
 - ii. **municipal parking areas**.

4.28.3 Construction Uses

- a. Nothing in this By-Law shall prevent the use of any part, other than a **sight triangle**, of any **lot** in any **zone** for the **erection** of a legal sign not greater than 3 square metres an area, the excavation of soil or earth or the **erection** or use of any temporary building or **structure** where such sign, excavation, building or **structure** is directly incidental to, and necessary for, construction work on the same **lot** or work relating to a public utility or a street including, but not so as to limit the generality of the foregoing, a construction camp, a work camp, a tool shed, a wayside pit or a scaffold, but only for so long as such building or **structure** is necessary for the work in progress and until the work is completed or abandoned, and only while a valid building permit for the said construction remains in force, where applicable.

4.29 USES PROHIBITED IN ALL ZONES

- a. Unless otherwise specifically permitted in this By-law, the following uses are prohibited throughout the **Township**:

- i. an **adult entertainment establishment**;
- ii. the boiling of blood, tripe, bones or soaps for commercial purposes;
- iii. the tanning or storage of uncured hides or skins;
- iv. the manufacturing of glue or fertilizers from dead animals or from human or animal **waste**;
- v. an **abattoir**, stockyard, livestock exchange, or dead stock depot;
- vi. the extracting of oil from fish;
- vii. a track or course for the racing of **motor vehicles**, motorcycles, dirt bikes, snowmobiles or any other motorized vehicles;
- viii. a **salvage yard**;
- ix. a disposal site for **waste**;
- x. the refining, storage or use in manufacturing of coal oil, rock oil, fuel oil, natural gas, propane, burning fluids, naphtha, benzol, benzine, gasoline, dynamite, dualin, nitroglycerine, 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 firefighting 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;
- xi. the use of any tent, trailer or **motor vehicle** for human habitation, except where such tent, trailer or **motor vehicle** is located in a campground, in a **travel trailer park** or in a **mobile home** park;
- xii. the use of any **accessory building or structure** for human habitation or for gain or profit;
- xiii. the use of a truck, bus, coach body or rail car for human habitation or for storage purposes;
- xiv. the storage of disused rail cars, streetcars, buses, truck bodies or trailers without wheels;
- xv. the parking or storage of trailers or **commercial motor vehicles** on a vacant lot;
- xvi. the parking or storage of trailers or **commercial motor vehicles** on a **lot** for the purposes of advertising;

- xvii. the outdoor storage of partially dismantled **motor vehicles** or trailers or **motor vehicle** or trailer parts unless otherwise specifically permitted by this By-law; and,
- xviii. any use which causes the emission of corrosive gasses, toxic gasses or radioactive gasses or, into any **zone** other than an Industrial **Zone**, or electromagnetic fields, heat, glare, nonagricultural odours, noise, vibrations, dust, dirt, fly ash or smoke which does not comply with emission regulations as may be established from time to time by the Province of Ontario, the Government of Canada, or any agencies thereof;
- xix. large scale outdoor storage of salt and/or sand/salt mixtures; and,
- xx. the use of land for war games, organized assassination games, music festivals and/or concerts.

4.30 YARD ENCROACHMENTS AND OBSTRUCTIONS

4.30.1 Projection into Required Yards

- a. No part of any **required yard** shall be obstructed by any building or **structure** or part thereof except in the case of one or more of the following:
 - i. **accessory buildings or structures** specifically permitted in a **required yard** elsewhere in this By-Law;
 - ii. awnings, canopies, cornices, coves, belt courses, eaves, gutters, parapets, pilasters, sills, or weather-shielding **structures** shall be permitted to encroach into any **required yard** by no more than 0.6 metres;
 - iii. non-walk in bay, box out and bow windows, without foundations, with a maximum width of 3.0 metres and a maximum **height** of one **storey** shall be permitted to encroach into any **required yard** by no more than 0.5 metres;
 - iv. chimneys and gas fireplace projections and chases with a maximum width of 1.8 metres shall be permitted to encroach into any **required yard** by no more than 0.5 metres;
 - v. roofless functional and ornamental **structures** including, but not necessarily restricted to, drop awnings, clothes poles, ornamental fountains, statues, monuments, picnic tables, benches, cenotaphs, memorials, planters, garden trellises, fences, boundary and retaining walls, hedgerows and legal signs;
 - vi. **decks, porches**, patios, uncovered terraces and exterior steps providing access between finished **grade** and either the **basement** or the **first storey** of a building, where such **structures** project no more than 1.5 metres into a required **front yard**, a required **rear yard** or a required **exterior side yard**;
 - vii. fire escapes are permitted to encroach into any **required yard** by no more than 1.5 metres;

- viii. stairs that access any part of the **principal building** at or above **grade** and which are not associated with a **deck** or **porch**, may encroach into the required **rear yard** by no more than 1.5 metres and into the required front and **exterior side yards** provided that no part of the stairs or landing are closer than 0.6 metres from the front and **exterior side lot lines**. Stairs that access the **principal building** below **grade** are not permitted in the **front yard**, are not permitted in the required interior and **exterior side yards** and are permitted to encroach into the required **rear yard** by no more than 1.5 metres;
- ix. balconies projecting not more than 1.5 metres into any **required yard** and which do not project into any **sight triangle**;
- x. air conditioners, heat pumps and back up generators are permitted in the required interior side and **rear yards**, provided they are no closer than 0.6 metres from the interior side and **rear lot lines** and no closer than 1.5 metres from the **exterior side lot line**; and,
- xi. underground service **structures** such as sewage systems and firefighting tank reservoirs which do not project more than 2.0 metres into a required **interior side yard** or **rear yard**, and which do not project more than 3.0 metres into a required **front yard** or **exterior side yard**.

4.30.2 Projection Beyond Lot Lines

- a. No part of any building or **structure** on a **lot** shall project beyond any **lot line** or street line of such lot.

4.31 SETBACKS FROM THE NATURAL ENVIRONMENT ZONE

- a. No **buildings** or **structures**, including a private sewage treatment system and associated tile weeping bed, shall be constructed closer than 30 metres from the limit of a Natural Environment (NE) **Zone**.
- b. Notwithstanding the required setback in subsection (a) above or any other provision in this By-law to the contrary:
 - i. **Accessory buildings or structures** to **existing** residential dwellings, enlargements of **existing buildings** or **structures**, or reconstruction of **existing buildings** or **structures** including improvements to manure storage systems associated with an **existing** livestock facility, shall be permitted on land adjacent to the NE **Zone** provided that a minimum setback of three metres is maintained from the adjacent NE **Zone** boundary; and
 - ii. Where a vacant building **lot** existed on the day of passing of this By-law, a building permit may be issued for permitted **buildings** or **structures**, excluding new agricultural **buildings** and **structures**, provided that:
 - 1) there is no other suitable location on the **lot** outside of the 30 metre minimum setback, and
 - 2) a setback of at least three metres from the NE **Zone** boundary is maintained.

- c. Notwithstanding the above, the setback from the Natural Environment (NE) **Zone** may be reduced to a distance that is supported by the **Conservation Authority** having jurisdiction pursuant to its authority provided under the Conservation Authorities Act, R.S.O. 1990. Where the **Conservation Authority** provides written approval for a reduced setback from the NE **Zone** an amendment to this By-law shall not be required.

4.32 SETBACKS FROM WATERCOURSES

- a. No buildings or structures shall be constructed closer than 30 metres from a cold water watercourse or 15 metres from a warm water watercourse that is not within the Natural Environment (NE) Zone.

4.33 TEMPORARY RESIDENCE DURING CONSTRUCTION

- a. Where a new **single detached dwelling** is being constructed on a vacant **lot** in an Agricultural (A) **Zone**, a **mobile home** may be located and used as a temporary residence on the same **lot** during the construction of a new **dwelling** for a period of time not to exceed 12 months after the building permit for the new **dwelling** is issued.
- b. 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 as a temporary residence during the construction of the new residence for a period of time not to exceed 12 months after the building permit for the new **dwelling** is issued.

5.0 Parking and Loading Regulations

5.1 LOADING AND UNLOADING SPACE REGULATIONS

5.1.1 Loading Spaces Required

- a. The owner or occupant of 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 an **agricultural use**, shall provide and maintain, on the same lot, facilities comprising one or more **loading spaces** in accordance with the provisions of this Section.

5.1.2 Loading Space Requirements

- a. The number of **loading spaces** required on a **lot** shall be based on the total **net floor area** of all the uses on the said **lot** for which **loading spaces** are required by Subsection 5.1.1, in accordance with Table 5.1 below.

Table 5.1 Number of **Loading Spaces** Required

NET FLOOR AREA OF BUILDING OR STRUCTURE	MINIMUM NUMBER OF LOADING SPACES REQUIRED
Less than 250 m ²	0
Between 250 m ² and 2,500 m ²	1
Greater than 2,500 m ² and less than 5,000 m ²	2
Greater than 5,000 m ²	3 + 1 additional space for each 10,000 m ² in excess of 5,000 m ²

5.1.3 Dimensions of Loading Spaces

- a. The minimum dimensions of a **loading space** shall be 3.5 metres in width and 10 metres in length, with a minimum vertical clearance of 4 metres.

5.1.4 Location of Loading Spaces

- a. Required **loading spaces** shall:
- be provided on the same **lot** occupied by the building or **structure** for which the said **loading spaces** are required;
 - abut the building for which the **loading space** is provided; and
 - shall not form a part of any street or **lane**.

5.1.5 Yards Where Permitted

- a. **Loading spaces** shall not be permitted:
 - i. closer than 3.0 metres to any **lot line**;
 - ii. in any **front yard**;
 - iii. in any minimum **required yard**;
 - iv. between the exterior closest to the exterior **lot line** and the exterior **lot line**; and
 - v. closer than 7.5 metres to any Residential **Zone** boundary, except if it is located entirely within a **structure** or located in a Residential **Zone**.

5.1.6 Access to Loading Spaces

- a. Access to **loading spaces** shall be by means of a **driveway** at least 6 metres wide contained within the **lot** on which the **loading spaces** are located.

5.1.7 Addition to Existing Use

- a. When a building or **structure** has insufficient **loading spaces** on the date of passing of this By-Law to comply with the requirements herein, this By-Law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition, provided that any additional **loading spaces** required by this By-Law for such addition are provided in accordance with all provisions hereof respecting **loading spaces**.

5.1.8 Exemption for C1 and CMU Zone

- a. Notwithstanding any other provision hereof to the contrary, no **loading spaces** shall be required for any building, **structure**, or use located within a C1 or CMU **Zone**.

5.2 PARKING REGULATIONS

5.2.1 General Parking Provisions

- a. No person shall use any land or building in any **zone** for any purpose permitted by this By-law, unless the minimum number of **parking spaces** required are provided as specified by this By-law.
- b. Where the minimum number of **parking spaces** is calculated on the basis of a rate or ratio, the required number of **parking spaces** shall be rounded up to the next whole number.
- c. The parking requirements for more than one use on a **lot** or for a building containing more than one use, shall be the sum total of the parking requirements for each of the component uses, unless otherwise specified in this By-law.

- d. All required **parking spaces** shall be unobstructed and available for general parking purposes and used for that purpose at all times, unless otherwise specified in this By-law.

5.2.2 Parking spaces Required

- a. Except as otherwise provided herein, the owner or occupant of any lot, building, or **structure** used or **erected** for any of the purposes set forth in Tables 5.2 and 5.3 of this Subsection, shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said lot, building or **structure** from time to time, one or more **parking spaces** in accordance with the provisions of this Subsection.

Table 5.2 Residential **Parking space** Requirements

USE	MINIMUM PARKING SPACE REQUIREMENT
Accessory apartment	1 per dwelling unit , in addition to the requirement for the principal dwelling unit
Bed and breakfast	1 per guest room, in addition to the requirement for the principal dwelling unit
Boarding, lodging, or rooming house	1 per guest room, in addition to the requirement for the principal dwelling unit
Dwelling, duplex	2 per dwelling unit
Dwelling, multiple	1.5 per dwelling unit and 0.25 per unit for visitor parking spaces
Dwelling, semi-detached	2 per dwelling unit
Dwelling, Single detached	2 per dwelling unit
Dwelling, townhouse	2 per dwelling unit
Dwelling unit in mixed-use building	1 per dwelling unit
Garden suite	1 per dwelling unit
Group home	2 per dwelling unit
Home business	1 for any employee that is not a resident in the dwelling unit in addition to the required parking for the dwelling unit
Home industry	1 for any employee that is not a resident in the dwelling unit in addition to the required parking for the dwelling unit
Private home day care	The minimum parking space requirement for the principal dwelling unit
Retirement home	0.5 spaces per unit.

Table 5.3 Non-residential Parking Space Requirements

USE	MINIMUM PARKING SPACE REQUIREMENT (BASED ON NET FLOOR AREA UNLESS OTHERWISE NOTED)
Agricultural use	No requirement
Agriculture-related use	1 per 100 m ²
Agricultural service and supply establishments	1 per 40 m ²
Animal clinic or agricultural animal clinic	1 per 40 m ²
Art gallery	1 per 30 m ²
Artisan studio	1 per 30 m ²
Asphalt or concrete plant	1 per 30 m ² for office component
Assembly hall	1 per 5 persons seating capacity or 1 per 10 m ² GFA where there are no seats
Auction sales establishment	1 per 15 m ²
Motor vehicle body shop	3 per service bay
Motor vehicle sales and rental establishment	1 per 30 m ² for office component
Motor vehicle service establishment	3 per service bay or 1 per 100 m ² or whichever is greater
Motor vehicle washing establishment	1 plus 6 waiting spaces per wash bay
Building supply store	1 per 100 m ²
Business or professional office	1 per 40 m ²
Caterer's establishment	1 per 40 m ²
Commercial greenhouse	1 per 35 m ²
Commercial mall	1 per 20 m ²
Commercial school or studio	1 per 30 m ²
Commercial self-storage facility	1 per 100 m ²

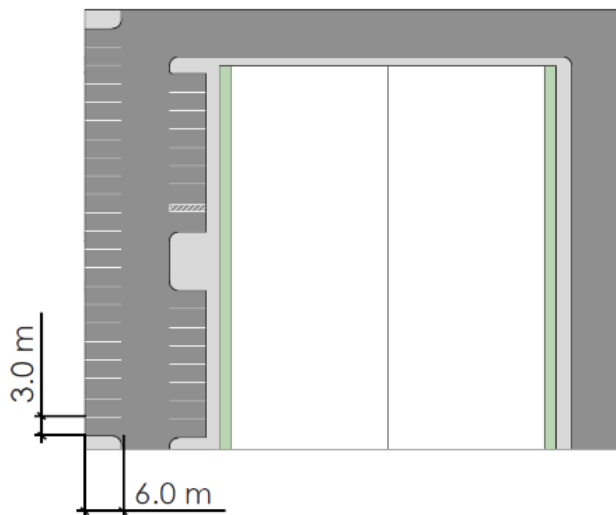
USE	MINIMUM PARKING SPACE REQUIREMENT (BASED ON NET FLOOR AREA UNLESS OTHERWISE NOTED)
Community garden	1 per 100 m ² of area used for community garden purposes
Contractor's yard	1 per 50 m ²
Day care centre	1 per 40 m ²
Dry cleaning plant	1 per 40 m ²
Dry cleaning depot	1 per employee and 2 additional spaces for pickup / loading
Factory outlet	1 per 20 m ²
Farm Business	1 per 40 m ²
Farm greenhouse	No requirement
Financial institution	1 per 20 m ² or 1 per 30 m ² if the financial institution has a drive-through service facility
Funeral establishment	1 per 20 m ²
Gas bar	1 per gas bar pump
Garden centre	1 per 35 m ²
Golf course	5 per hole
Golf driving range	1.5 per tee
Hospital	4 per bed
Hotel or motel	1 per guest room plus 1 per 20 m ² of net floor area of each refreshment room or dining room
Industrial use	1/100 m ² for the first 10,000 m ² of floor area And 1/200 m ² for any floor area after the first 10,000 m ²
Kennel	1 per 30 m ² for office component
Laundromat	1 per 30 m ²
Long term care facility	1 per 4 beds and 1 per 2 employees
Marina	0.5 per boat slip and

USE	MINIMUM PARKING SPACE REQUIREMENT (BASED ON NET FLOOR AREA UNLESS OTHERWISE NOTED)
	1/20 m2 of total retail floor area
Medical office	1 per 25 m2
Miniature golf course	1.5 per tee
Museum	1 per 30 m2
Personal service establishment	1 per 20 m2
Place of entertainment	1 per 20 m2
Place of worship	1 per 4 persons seating capacity or 1 per 10 m2, whichever is greater
Postal or courier outlet	1 per 30 m2
Private club	1 per 4 persons seating capacity or 1 per 10 m2, whichever is greater
Private school	1.5 per classroom for elementary schools 5.0 per classroom for secondary schools
Public buildings	1 per 30 m2
Public school	1.5 per classroom for elementary schools 5.0 per classroom for secondary schools
Recreational vehicle sales or rental establishment	1 per 30 m2 for office component
Equipment rental establishment	1 per 50 m2
Restaurant	1 per 10 m2 including outdoor patio area
Retail store	1 per 20 m2
Salvage yard	1 per 20 m2
Service or repair establishment	1 per 50 m2
Short term accommodation	0.5 parking spaces per occupant or 1.0 parking space per guest room used for sleeping, whichever is the greater
Trade service establishment	1 per 50 m2
Transport terminal	1 per 100 m2

USE	MINIMUM PARKING SPACE REQUIREMENT (BASED ON NET FLOOR AREA UNLESS OTHERWISE NOTED)
Warehouse	1 per 200 m ²
Any outdoor storage area involving the display and sale of goods and materials, including vehicles	1 per 100 m ² of net floor area and outdoor storage area
Any other use permitted by this by-law other than those listed above	1 per 20 m ² of net floor area
Any other place of assembly permitted by this by-law other than those listed above	1 per permitted Fire Code Capacity

5.2.3 Dimensions of Parking spaces

- a. A **parking space** required hereby shall have minimum rectangular dimensions of 3.0 by 6.0 metres, except that:
 - i. the minimum width of a **parking space** accessory to a **single detached, semi-detached** or **townhouse dwelling** shall be 2.5 metres; and,
 - ii. where the principal access to a **parking space** is provided on the longest dimension of such **parking space**, the minimum dimensions of the said **parking space** shall be 3.0 by 6.7 metres.



5.2.4 Shared Parking Spaces

- a. Where more than one of the uses listed in Table 5.3 are located on the same lot, **parking spaces** may be shared between the uses, and the cumulative total of **parking spaces** required for all the uses on the **lot** may be reduced from that required in Table 5.4.
- b. To calculate the required parking using Table 5.4:
 - A. Determine the parking requirement for each use;

- B. Calculate the parking requirement for each use;
- C. Multiply the required parking by the percentage of peak period for each time period;
- D. Calculate the total required parking for all uses in each time period, for both weekdays and Saturdays; and
- E. The time period with the highest total parking requirement is the required parking for the lot.

Table 5.4 Percentage of Required Parking Permitted to be Shared

USE	PERCENTAGE OF PEAK PERIOD							
	WEEKDAY				SATURDAY			
	Morning	Noon	Afternoon	Evening	Morning	Noon	Afternoon	Evening
Business or professional office	100	80	100	10	10	10	10	5
Financial institution	100	100	100	15	20	20	20	5
Hotel or motel	70	70	70	100	70	70	70	100
Place of entertainment or theatre	10	10	25	80	40	70	80	100
Restaurant	20	90	30	100	30	90	50	100
Retail store	75	80	90	90	80	100	100	50

5.2.5 Location of Parking Areas

- a. All required **parking spaces** shall be provided on the same **lot** occupied by the building, **structure**, or use for which such **parking spaces** are required, and shall not form a part of any street or **lane**.
- b. **Parking spaces** shall not extend into any part of a **lot** that is required to be used for **planting strips** as specified by this By-law.

5.2.6 Parking in Residential Zones

- a. The maximum width of a **driveway** leading to a **private garage** or carport in the front or **exterior side yards** shall be:
 - i. 6.0 metres for a **lot** having a **lot frontage** of 12.0 metres or less;
 - ii. Equal to 50 percent of the **lot frontage** on a **lot** having greater than 12.0 metres and less than 18.0 metres of **lot frontage**; or

- iii. 9.0 metres for a **lot** having a **lot frontage** equal to or greater than 18.0 metres.
- b. The width of the **lot** specified in subsection (a) above is the horizontal distance between the interior side and/or **exterior side lot lines**, with such distance being measured perpendicularly to the line joining the mid-point of the **front lot line** with the mid-point of the **rear lot line** at a point on that line 6.0 metres from the **front lot line**.
- c. The width of the **private garage** specified in subsection (a) above is the width of interior wall(s). In the case of a carport, the width is measured from the wall of the **principal building** to the outside of the post supporting the roof of the carport.
- d. Where a **private garage** is detached from the **principal building** and is accessed by a **driveway** crossing the **front lot line**, the **driveway** shall be located no closer to the **interior side lot line** than the minimum setback required for **accessory buildings or structures**.
- e. Where a **private garage** is detached from the **principal building** and is accessed by a **driveway** crossing the **exterior side lot line**, the **driveway** shall be located no closer to the **rear lot line** than the minimum setback required for **accessory buildings or structures**.
- f. Notwithstanding subsections (b) and (c) above, the setback for the **driveway** may be less to match the setback of a **private garage** that existed on the effective date of this By-law.

5.2.7 Yards where Permitted

- a. Except as otherwise provided herein, uncovered surface **parking areas** shall be permitted in any part of any **yard**, provided that any part of a **parking area** located within a **required yard** shall be separated from any **lot lines** adjacent to such **required yard** by a **planting strip** no less than 1.0 metre in width. This provision does not apply to a **parking area** accessory to a **single detached** dwelling,

5.2.8 Parking Structures

- a. Parking garages shall comply with the provisions for the **principal building** in accordance with this By-law.
- b. No setbacks or **yards** shall be required for any portion of a parking garage that is entirely below **grade**. This exemption also applies to external ventilation shafts, stairwells, landings, and other similar facilities.

5.2.9 Access to Parking Areas and Structures

- a. Access to **parking areas** shall be provided from an **public street** by means of one or more un-obstructed **driveways** not exceeding 6 metres in width for a **driveway** accessory to a single **dwelling** and 10 metres in width for any other **driveway**, measured parallel to the said street, at any point on the **lot** closer to the said street than the street setback required therefrom, provided that no **lot** shall have more than two **driveways** for the first 30 metres of street line thereof plus one **driveway** for each additional 30 metres of street line.

- b. **Driveways** and **parking aisles** shall have a minimum unobstructed width of 6 metres where two-way traffic is permitted and 3 metres **driveway** where only one-way direction of traffic flow is permitted and is clearly indicated by signs, pavement markings or both, except that the minimum width required for any **driveway** accessory to a **single detached, semi-detached** or **townhouse dwelling** shall be 2.5 metres.

5.2.10 Surfacing of Parking Areas, Driveways and Loading Spaces

- a. All **parking areas, driveways, and loading spaces** in any **zone** other than a Parks and Open Space **Zone**, an Industrial **Zone**, or an Agricultural **Zone** shall be provided and maintained with a stable treated surface so as to prevent the raising of dust or loose particles, such surface to be constructed of: asphalt, concrete, brick, interlocking brick, permeable paving, cement, or other similar hardscape surface, sufficient to provide stability, prevent erosion, be usable in all seasons, and provide adequate drainage facilities.

5.2.11 Addition to Existing Use

- a. Where an **existing** use has insufficient **parking spaces** on the date of passing of this By-Law to conform to the requirements herein, this By-Law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition or a change of use, provided that any additional **parking spaces** required by this By-Law for such addition or change of use are provided in accordance with all provisions hereof respecting **parking spaces** and **parking areas**.

5.2.12 Parking of Commercial Motor vehicles in Residential Zones

- a. The following provisions apply to the parking of **commercial motor vehicles** in Residential **Zones**:
 - i. The **commercial motor vehicle** shall be parked in a **private garage** or on a **driveway**;
 - ii. **Commercial motor vehicles** shall not be permitted on any **lot** unless a **principal building** has been constructed on that same lot;
 - iii. The **commercial motor vehicle** shall be no more than 7.5 metres in length (exclusive of hitch/tongue); and
 - iv. The **commercial motor vehicle** shall be no more than 3.2 metres in **height**, measured from the ground to the highest point of the vehicle.

5.2.13 Parking of Recreational Vehicles and Boats

- a. The following provisions apply to the outdoor parking or storage of any **recreational vehicle** or boat in a Residential **Zone**:
 - i. The **recreational vehicle** or boat shall not be used for human habitation purposes while parked on the lot;
 - ii. A total of one **recreational vehicle** and one boat shall be permitted on a lot;

- iii. The **recreational vehicle** or boat shall be parked in the interior or **rear yards**, or in a **yard** between a building and a lake or watercourse deemed to be a **front yard**, and/or on a **driveway** extending from a **private garage** or carport;
- iv. A **recreational vehicle** and a boat shall not be parked on the same **driveway**.
- v. A **recreational vehicle** or boat shall not occupy required **parking spaces**.
- vi. A **recreational vehicle** or boat, if located on the **driveway**, shall be located no closer than 0.5 metres from the edge of the property line.

5.2.14 Barrier-Free Parking

- a. Where the parking requirement for any use is 4 or more spaces, **barrier-free parking spaces** shall be provided in accordance with the following:
 - i. Each space shall have a minimum width of 3.6 metres and minimum depth of 5.7 metres;
 - ii. Each space shall be hard-surfaced and level;
 - iii. Each space shall be located near and accessible to an entrance; and,
 - iv. Each space shall be appropriately identified for its intended use by persons with limited mobility or other disabilities
- b. The number of **barrier-free** spaces shall be determined in accordance with Table 5.5 below.

Table 5.5 **Barrier-Free Parking space** Requirements

TOTAL NUMBER OF PARKING SPACES REQUIRED ON THE LOT	MINIMUM NUMBER OF REQUIRED PARKING SPACES DEDICATED AS BARRIER-FREE
3-25	1
26-100	1 + 3% of total number of parking spaces on lot
101-200	4 + 2% of total number of parking spaces on lot
201 or greater	8 + 2% of total number of parking spaces on lot

5.2.15 Bicycle Parking

- a. Bicycle **parking spaces** shall be required for the uses listed in Table 5.6 below in addition to any required **parking spaces** for **motor vehicles**.
- b. Each bicycle parking space shall be a minimum of 60 centimetres wide and 1.8 metres long.

Table 5.6 Bicycle Parking Space Requirements

USE	REQUIRED PARKING STANDARDS (PER NET FLOOR AREA)
Retail, personal, institutional	The greater of 2 spaces or 1 space /1000 m ²
Industrial	2 /1000 m ²
Long term care facility, retirement home	The lesser of 5 or 0.25 per bed or dwelling unit
Public and private school	1 /10 students of design capacity & 1 space/35 employees
Dwellings or mixed-use buildings with more than 6 dwelling units	2 spaces for the first 6 dwelling units plus 2 spaces for each additional 6 dwelling units or fraction thereof

6.0 Residential Zones

6.1 LIST OF APPLICABLE ZONES

Urban Residential	UR
Hamlet Residential	HR
Rural Residential	RUR
Resort Residential	RR

6.2 PERMITTED USES

Uses permitted in a Residential **Zone** are denoted by the symbol '✓' in the column applicable to the **zone** and corresponding with the row for a specific permitted use in Table 6.1. A number(s) following the symbol '✓' or identified permitted use indicates that one or more use-specific special provisions apply, which are listed below Table 6.1.

Table 6.1 Residential **Zone** Permitted Uses

USE	UR	HR	RUR	RR
Accessory apartment	✓	✓	✓	✓
Boarding/lodging/rooming house	✓	✓		
Community garden	✓	✓	✓	✓
Dwelling, duplex	✓	✓		
Dwelling, semi-detached	✓	✓		
Dwelling, Single detached	✓	✓	✓	✓
Dwelling, townhouse (1)	✓			
Group Home	✓	✓	✓	✓
Home Industry			✓	
Home business	✓	✓	✓	✓
Long term care facility	✓			
Private home day care	✓	✓	✓	✓
Retirement home	✓			

Park, public	✓	✓	✓	✓
School, Public	✓	✓		

Use-Specific Special Provisions:

- (1) The maximum number of **attached townhouse dwellings** permitted shall be 8.

6.3 ZONE STANDARDS

No person shall, within any Residential **Zone**, use any **lot** or **erect**, alter or use any building or **structure** except in accordance with the **zone** standards set out in Table 6.2. A number(s) following the **zone** standards, **zone** heading, or the standard, indicates that one or more use-specific special provisions apply, which are listed below Table 6.2.

Table 6.2 Residential **Zone** Standards

STANDARD	UR	HR	RUR	RR
Minimum Required Lot Area	0.4 ha (1)	0.4 ha (1)	0.4 ha (1)	0.4 ha (1)
Minimum Required Lot Frontage	18 m	20 m	30 m	20 m
Minimum Required Front yard	3 m	3 m	6 m	6 m
Minimum Required Interior side yard	2 m	2 m	3 m	3 m
Minimum Required Exterior side yard	3 m	3 m	6 m	6 m
Minimum Required Rear yard	6 m	6 m	6 m	6 m
Maximum Lot Coverage	45%	40%	40%	40%
Maximum building height	11 m	11 m	11 m	11 m
Minimum Required Landscaped Open Space	15%	15%	30%	30%

Use-Specific Special Provisions:

- (1) The minimum **lot** requirement may be reduced where site-specific hydrogeological studies have been completed by the landowner and approved by the **Township**, which

demonstrate that the proposed **lot(s)** will meet the minimum **lot** size recommendations of the studies.

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7.0 Mixed-Use Zones

7.1 LIST OF APPLICABLE ZONES

Core Mixed-Use CMU

7.2 PERMITTED USES

Uses permitted in a Mixed-Use **Zone** are denoted by the symbol '✓' in the column applicable to the **zone** and corresponding with the row for a specific permitted use in Table 7.1 and 7.2.

Table 7.1 Core Mixed-use **Zone** Permitted Uses (Residential Uses)

USE	CMU
Accessory Apartment	✓(1)
Boarding, lodging, or rooming house	✓(1)
Dwelling, duplex	✓ (2)
Dwelling, multiple	✓(1)
Dwelling, semi-detached	✓(2)
Dwelling, Single detached	✓(2)
Dwelling, townhouse	✓
Dwelling unit in mixed-use building	✓(1)
Group Home	✓(3)
Home business	✓(4)
Private home day care	✓

Use-Specific Special Provisions:

- (1) No portion of the **first storey** at street level or any **storey** below this level of a **mixed-use building** shall be used for residential purposes except for entrances and passageways to **dwelling units**.
- (2) Permitted only where the use legally existed on the effective date of this By-law.

- (3) Permitted only in a **single detached dwelling** that legally existed on the effective date of this By-law.
- (4) Permitted only as an **accessory use** to a **dwelling unit** in accordance with the **home business** regulations of this By-law.

Table 7.2 Core Mixed-use **Zone** Permitted Uses (Non-residential Uses)

USE	CMU
Animal clinic	✓ (1)
Artisan studio	✓
Art gallery	✓
Assembly hall	✓
Community garden	✓
Business or professional office	✓
Commercial school or studio	✓
Community use	✓
Day care centre	✓
Farmer's market	✓
Financial institution	✓
Funeral establishment	✓
Hotel	✓
Medical office	✓
Micro-brewery, distillery, or winery	✓
Mixed-use building	✓
Personal service establishment	✓

USE	CMU
Place of entertainment	✓
Place of worship	✓
Private club	✓
Private school	✓
Public school	✓
Public park	✓
Restaurant	✓
Retail store	✓
Service or repair establishment	✓
Theatre	✓

Use-Specific Special Provisions:

- (1) No outdoor animal facilities shall be permitted.

7.3 ZONE STANDARDS

No person shall, within any Mixed-use **Zone**, use any **lot** or **erect**, alter or use any building or **structure** except in accordance with the **zone** standards set out in Table 7.3. A number(s) following the **zone** standards, **zone** heading, or the standard, indicates that one or more use-specific special provisions apply, which are listed below Table 7.3.

Table 7.3 Core Mixed-use **Zone** Standards

STANDARD	CMU
Minimum Required Lot Area	0.4 ha (1)
Minimum Required lot Frontage	20 m
Minimum Required Front yard	0 m
Maximum Permitted Front yard	3 m

STANDARD	CMU
Minimum Required Interior side yard	0 m
Minimum Required Interior side yard if adjacent to any Residential Zone boundary	3 m
Minimum Required Exterior side yard	0 m
Minimum Required Rear yard	3 m
Minimum Required Rear yard if adjacent to any Residential Zone boundary	7.5 m
Maximum building height	3 storeys and not more than 11 m
Minimum building height	2 storeys and not less than 6.6 m
Buffer Requirement if adjacent to any Residential Zone boundary	A planting strip 1.5 metres wide shall be provided and maintained adjacent to every portion of any lot line that abuts any Residential Zone not separated by a public road.

Use-Specific Special Provisions:

- (1) The minimum **lot** requirement may be reduced where site-specific hydrogeological studies have been completed by the landowner and approved by the **Township**, which demonstrate that the proposed **lot(s)** will meet the minimum **lot** size recommendations of the studies.

8.0 Commercial Zones

8.1 LIST OF APPLICABLE ZONES

Commercial	C
Highway Commercial	HC
Agriculture-related Commercial	AC
Resort Commercial	RC

8.2 PERMITTED USES

to the **zone** and corresponding with the row for a specific permitted use in Table 8.1. A number(s) following the symbol '✓' or identified permitted use indicates that one or more use-specific special provisions apply, which are listed below Tables 8.1.

Table 8.1 Commercial **Zone** Permitted Uses

USE	C	HC	AC	RC
Agricultural use			✓ (1)	
Agriculture-related use			✓	
Agricultural service and supply establishments		✓	✓	
Animal clinic	✓	✓	✓	
Animal clinic, agricultural			✓	
Art gallery	✓			
Artisan studio	✓			
Assembly hall		✓		
Auction sales establishment			✓	
Motor vehicle body shop		✓		
Motor vehicle sales and rental establishment		✓		
Motor vehicle service establishment		✓		

USE	C	HC	AC	RC
Motor vehicle service establishment		✓		
Motor vehicle washing establishment		✓		
Building supply store		✓		
Business or professional office	✓	✓		
Caterer's establishment	✓	✓		
Commercial fitness centre	✓	✓		
Commercial greenhouse			✓	
Commercial recreation use				✓
Commercial school or studio	✓			
Commercial self-storage facility		✓		
Community garden	✓		✓	✓
Community use	✓	✓		✓
Contractor's yard		✓		
Day care centre	✓			
Drive-through service facility		✓		
Dwelling unit in mixed-use building	✓	✓		
Farm produce sales outlet		✓	✓	
Feed or flour mill			✓	
Financial institution	✓	✓		
Funeral establishment		✓		
Gas Bar		✓		
Garden centre		✓	✓	
Golf course				✓
Golf driving range				✓

USE	C	HC	AC	RC
Grading station for farm produce			✓	
Grain elevator or farm produce storage facility			✓	
Home business accessory to a permitted existing dwelling	✓	✓		
Hotel	✓			
Laundromat		✓		
Medical office	✓			
Miniature golf course		✓		✓
Mixed-use building	✓	✓		
Micro-brewery, distillery, or winery	✓	✓		
Motel	✓	✓		
Nursery		✓	✓	
Outdoor display and sales area	✓	✓	✓	✓
Personal service establishment	✓	✓	✓ (2)	
Place of entertainment		✓		✓
Place of worship	✓	✓		
Postal or courier outlet	✓	✓		
Private club		✓		
Public park	✓			✓
Private school	✓			
Recreational vehicle sales or rental establishment		✓		
Equipment rental establishment	✓	✓		
Restaurant	✓	✓		✓ (3)
Retail store	✓	✓	✓ (2)	✓ (3)

USE	C	HC	AC	RC
Service or repair establishment		✓		
Theatre		✓		
Trade service establishment		✓	✓ (2)	
Travel trailer park				✓
Warehouse			✓	

Use-Specific Special Provisions:

- (1) Permitted only where the use legally existed on the effective date of this By-law.
- (2) The maximum **floor area** permitted shall be 300 m².
- (3) Permitted only as an **accessory use** occupying a maximum of 10 percent of the GFA of the principal use.

8.3 ZONE STANDARDS

No person shall, within any Commercial **Zone**, use any **lot** or **erect**, alter or use any building or **structure** except in accordance with the **zone** standards set out in Table 8.2. A number(s) following the **zone** standards, **zone** heading, or the standard, indicates that one or more use-specific special provisions apply, which are listed below Table 8.2.

Table 8.2 Commercial **Zone** Standards

STANDARD	C	HC	AC	RC
Minimum Required Lot Area	0.4 ha (1)	0.4 ha (1)	0.4 ha	0.4 ha
Minimum Required lot Frontage	20 m	20 m	60 m	30 m
Minimum Required Front yard	0 m	3 m	15 m	10 m
Minimum Required Interior side yard	0 m	3 m	3 m	3 m
Minimum Required Interior side yard if adjacent to a Residential Zone Boundary	3 m	7.5 m	15 m	7.5 m
Minimum Required Exterior side yard	0 m	7.5 m	15 m	3 m

STANDARD	C	HC	AC	RC
Minimum Required Rear yard	3 m	3 m	3 m	3 m
Minimum Required Rear yard if adjacent to any Residential Zone boundary	7.5 m	7.5 m	7.5 m	7.5 m
Maximum Required Lot Coverage	40%	45%	35%	35%
Minimum Required Landscaped Open Space	25%	25%	15%	15%
Buffer Requirement if adjacent to any Residential Zone boundary	A planting strip 1.5 metres wide shall be provided and maintained adjacent to every portion of any lot line that abuts any Residential Zone not separated by a public road.			

Use-Specific Special Provisions:

- (1) The minimum **lot** requirement may be reduced where site-specific hydrogeological studies have been completed by the landowner and approved by the **Township**, which demonstrate that the proposed **lot(s)** will meet the minimum **lot** size recommendations of the studies.

9.0 Industrial Zones

9.1 LIST OF APPLICABLE ZONES

Industrial Zone	IND
Extractive Zone	EXI
Disposal Industrial Zone	D1

9.2 PERMITTED USES

Uses permitted in an Industrial **Zone** are denoted by the symbol '✓' in the column applicable to the **zone** and corresponding with the row for a specific permitted use in Table 9.1. A number(s) following the symbol '✓' or identified permitted use indicates that one or more use-specific special provisions apply, which are listed below Tables 9.1.

Table 9.1 Industrial **Zone** Permitted Uses

USE	IND (1)	EXI	DI
Aggregate processing facility		✓	
Agricultural use		✓ (4)	
Agricultural service and supply establishments	✓		
Motor vehicle body shop	✓		
Building supply store	✓		
Business or professional office	✓	✓ (2)	✓ (2)
Caterer's establishment	✓		
Commercial fitness centre	✓		
Commercial self-storage facility	✓		
Composting yard			✓
Contractor's yard	✓		
Dry cleaning plant	✓		
Factory outlet	✓ (2)		

USE	IND (1)	EXI	DI
Feed or flour mill	✓		
Fuel Depot	✓		
Grain storing, weighing and drying operation	✓		
Gravel pit		✓	
Industrial Use (1)	✓		
Industrial equipment rental establishment	✓		
Laboratory or research facility	✓		
Medical marihuana production facility	✓		
Mineral aggregate operation		✓	
Outdoor storage area or accessory processing area	✓		
Outdoor storage use	✓		
Postal or courier outlet	✓		
Recycling facility	✓		✓
Equipment rental establishment	✓		
Restaurant	✓ (2)		
Salvage yard			✓
Sawmill	✓		
Service or repair establishment	✓		
Trade service establishment	✓		
Transport terminal	✓		
Warehouse	✓	✓ (2)	
Waste disposal area			✓

USE	IND (1)	EXI	DI
Waste processing plant			✓
Waste transfer station			✓
Wayside Pit or Quarry		✓	

Use-Specific Special Provisions:

- (1) If a municipal water supply is not available, an **industrial use** shall not be permitted unless it is a **dry industrial use**.
- (2) Permitted only as an **accessory use**. All **accessory uses** shall occupy a combined maximum of 30 percent of the GFA of the principal use.
- (3) The maximum **floor area** permitted shall be 300 square metres.
- (4) The Agricultural **Zone** Standards in Section 10 shall apply.

9.3 ZONE STANDARDS

No person shall, within any Industrial **Zone**, use any **lot** or **erect**, alter or use any building or **structure** except in accordance with the **zone** standards set out in Table 9.2. A number(s) following the **zone** standards, **zone** heading, or the standard, indicates that one or more use-specific special provisions apply, which are listed below Table 9.2.

Table 9.2 Industrial **Zone** Standards

STANDARD	IND	EXI	DI
Minimum Required Lot Area	0.4 ha (1)	No minimum	No minimum
Minimum Required lot Frontage	30 m	No minimum	No minimum
Minimum Required Front yard	6 m	(2)	30 m
Minimum Required Interior side yard	5 m		10 m
Minimum Required Interior Yard if adjacent to any Residential Zone boundary	15 m		30 m
Minimum Required Exterior side yard	15 m		20 m
Minimum Required Rear yard	7.5 m		10 m

STANDARD	IND	EXI	DI
Minimum Required Rear yard if adjacent to any Residential Zone boundary	15 m		30 m
Maximum Lot Coverage	75%	No maximum	No maximum
Minimum Required Landscaped Open Space	15%	No minimum	No minimum
Maximum Height of Building	25 m	25 m	25 m
Buffer Requirement if adjacent to any Residential Zone boundary	A planting strip 1.5 metres wide shall be provided and maintained adjacent to every portion of any lot line that abuts any Residential Zone not separated by a public road.		

Use-Specific Special Provisions:

- (1) The minimum **lot** requirement may be reduced where site-specific hydrogeological studies have been completed by the landowner and approved by the **Township**, which demonstrate that the proposed **lot(s)** will meet the minimum **lot** size recommendations of the studies.
- (2) The following setbacks shall apply for lands **zoned** EXI:
 - i. No building, **structure** or product stockpile shall be located closer than 30 metres from any **zone** boundary.
 - ii. No building, **structure** or product stockpile shall be located closer than 90 metres from any Residential **Zone** boundary.
 - iii. No pitface or excavation shall be located closer than 30 metres from any public road allowance or 15 metres from any **zone** boundary.
 - iv. The stockpiling of berm material containing only topsoil and overburden material is permissible within the required pitface setback area specified in Subsection ii.

9.4 USE-SPECIFIC SPECIAL PROVISIONS FOR SALVAGE YARDS

The following additional provisions apply to **salvage yards**:

- a. That portion of the **premises** in which any chattels, lumber, automotive vehicle or part thereof is or are kept, stored, dismantled or wrecked in connection with the **salvage yard** shall be fenced with a closed wooden and/or metal fence, extending at least two metres in **height** from the ground and constructed of new material.
- b. No part of any such fenced area shall be within any required side, front or **rear yard**.

- c. The outside perimeter of the fences shall be planted with evergreen trees and such trees shall not be less than 1.5 metres in **height** and shall be so spaced as to completely obscure the fence; and the trees shall be maintained in a healthy condition and any diseased or dead trees shall be replaced as soon as possible.
- d. No part of any fence or any required side, front or **rear yard** shall be illuminated by electricity or other artificial means.
- e. All fences except those constructed of aluminum shall be painted and kept painted from time to time so as to maintain the wood or metal, as the case may be, in good condition. No display or advertising by means of painting names, objects or pictures upon any fence shall be permitted.
- f. All **buildings** constructed within the storage **yard** area shall be of masonry construction and no **existing** building not constructed of masonry (within the fenced area) shall be used in conjunction with any operation incidental to the wrecking of **motor vehicles**.
- g. Maximum **lot coverage** for all **buildings** shall be 60 per cent of the **lot area**.

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10.0 Institutional Zones

10.1 LIST OF APPLICABLE ZONES

Institutional Zone **I**

10.2 PERMITTED USES

Uses permitted in an Institutional **Zone** are denoted by the symbol '✓' in the column applicable to the **zone** and corresponding with the row for a specific permitted use in Table 10.1. A number(s) following the symbol '✓' or identified permitted use indicates that one or more use-specific special provisions apply, which are listed below Tables 10.1.

Table 10.1 Institutional **Zone** Permitted Uses

USE	I
Assembly hall	✓
Cemetery	✓
Community garden	✓
Community use	✓
Day care centre	✓
Farmer's market	✓
Hospital	✓
Long term care facility	✓
Museum	✓
Place of worship	✓
Private School	✓
Public park	✓
Public School	✓

10.3 ZONE STANDARDS

No person shall, within any Institutional **Zone**, use any **lot** or **erect**, alter or use any building or **structure** except in accordance with the **zone** standards set out in Table 10.2. A number(s) following the **zone** standards, **zone** heading, or the standard, indicates that one or more use-specific special provisions apply, which are listed below Table 10.2.

Table 10.2 Institutional **Zone** Standards

STANDARD	I
Minimum Required Lot Area	
Public School	0.8 ha
Other Private Use	0.4 ha
Minimum Required lot Frontage	
Public School	60 m
Other Private Uses	20 m
Minimum Required Front yard	3 m
Minimum Required Interior side yard	3 m
Minimum Required Interior Yard if adjacent to any Residential Zone boundary	7.5 m
Minimum Required Exterior side yard	7.5 m
Minimum Required Rear yard	3 m
Minimum Required Rear yard if adjacent to any Residential Zone boundary	7.5 m
Maximum Require Lot Coverage	40%
Minimum Required Landscaped Open Space	25%

11.0 Agricultural Zone

11.1 LIST OF APPLICABLE ZONES

Agricultural Zone

A

11.2 PERMITTED USES

Uses permitted in an Agricultural **Zone** are denoted by the symbol '✓' in the column applicable to the **zone** and corresponding with the row for a specific permitted use in Table 11.1. A number(s) following the symbol '✓' or identified permitted use indicates that one or more use-specific special provisions apply, which are listed below Tables 11.1.

Table 11.1 Agricultural **Zone** Permitted Uses

USE	A
Accessory apartment	✓
Agricultural use	✓
Agriculture-related uses	✓ (2)
Animal clinic, agricultural	✓
Bed and breakfast	✓
Community garden	✓
Conservation use	✓
Dwelling, single detached	✓
Equestrian uses	✓
Group home	✓
Farm business	✓ (3)
Farm greenhouse	✓
Farm produce sales outlet	✓

Home business	✓
Home industry	✓
Institutional use (1)	✓

Use-Specific Special Provisions:

- (1) Permitted only where the use legally existed on the effective date of this By-law.
- (2) **Agriculture-related uses** shall be subject to the Commercial **Zone** Standards established for the AC **Zone**, provided in Section 8.3 of this By-law.
- (3) **Farm businesses** shall be subject to the use-specific special provisions in Section 11.5 of this By-law.

11.3 ZONE REQUIREMENTS

No person shall, within any Agricultural **Zone**, use any **lot** or **erect**, alter or use any building or **structure** except in accordance with the **zone** standards set out in Table 11.2. A number(s) following the **zone** standards, **zone** heading, or the standard, indicates that one or more use-specific special provisions apply, which are listed below Table 11.2.

Table 11.2 Agricultural **Zone** Standards

STANDARD	A
Minimum Required Lot Area	4.0 ha
Minimum Required Lot Frontage	120 m
Minimum Required Front yard	10 m
Minimum Required Interior side yard	3 m
Minimum Required Exterior side yard	6 m
Minimum Required Rear yard	7.5 m
Maximum Lot Coverage	30%

11.4 REDUCED AGRICULTURAL LOT REQUIREMENTS

Notwithstanding anything contained in this Section, the minimum **lot** requirement may be reduced when:

- a. Such **lot** is contained within a plan of subdivision which was registered after the 27th day of March, 1946; or

- b. The **lot** is a parcel of land created by a consent pursuant to the provisions of the Planning Act.

A **lot** so created may only be used for an **agricultural use**, a **single detached** dwelling, a **home business** or a **public use** and shall be subject to the following provisions:

Table 11.3 Reduced **lot** Agricultural **Zone** Standards

STANDARD	REDUCED LOTS IN THE A ZONE
Minimum Required Lot Area	0.4 ha
Minimum Required lot Frontage	25 m
Minimum Required Front yard	7.5 m
Minimum Required Interior side yard	3 m
Minimum Required Exterior side yard	7.5 m
Minimum Required Rear yard	7.5 m
Maximum Lot Coverage	30%

11.5 USE-SPECIFIC SPECIAL PROVISIONS FOR FARM BUSINESSES

The following regulations apply to **farm businesses**:

- a. A **farm business** shall be located on a **lot** having a minimum **lot area** of 4.0 hectares and containing a permitted **agricultural use** and associated **single detached** dwelling.
- b. A maximum of three (3) **farm businesses** shall be permitted on a lot.
- c. **Farm businesses** shall not exceed the following size limits:
 - i. the area of the **lot** permanently, temporarily, or seasonally devoted to **farm businesses** shall not exceed the lesser of 15 percent of the **lot area** or 1 hectare, including the area of **existing** and new **buildings** and **structures** and any other areas of the **lot** used primarily for the **farm businesses**, excluding **existing driveways** shared with a permitted principal use on the **lot** and areas that produce a harvestable crop;
 - ii. the total **floor area** that is permanently, temporarily, or seasonally devoted to **farm businesses** shall not exceed 500 square metres including the **floor areas** used within all **principal buildings** or **structures** and **accessory buildings** or **structures** on the lot;
 - iii. where the **farm business** is located within **existing principal buildings** on the **lot**, the calculation of **floor area** used for such **farm businesses** shall be reduced by 50 percent; and,
 - iv. the total **lot coverage** of all **principal buildings** or **structures** and **accessory buildings** or **structures** shall not exceed the maximum **lot coverage** of the applicable **zone**.

- d. **Farm businesses** that involve value-added packaging, processing, sale and/or storage of products shall be limited to products produced by, or derived from, the principal **agricultural use(s)** on the **lot** as the primary source of the majority of the product, and may include product sourced from **agricultural uses** as a secondary source of product.
- e. Retail sales that form part of **farm businesses** shall be subject to the following regulations:
 - i. The total **floor area** devoted to retail sales shall not exceed 50 percent of the total **floor area** of all **buildings** and **structures** used in conjunction with the **farm business**, to a maximum of 250 square metres of **floor area** for retail use;
 - ii. A maximum of one (1) retail outlet shall be permitted on a lot;
 - iii. **Outdoor display and sales areas** shall be setback a minimum of 3 metres to all **lot lines**; and,
 - iv. **Outdoor display and sales areas** and any related **structures** shall not exceed a maximum **height** of 3 metres.
- f. Outside storage for purposes other than outside display and sales areas on the **lot** shall be located in a **rear yard** or side **yard** and screened from view from **public streets** and adjacent lots by **planting strips** in accordance with Subsection 4.14, and shall comply with the regulations of the applicable **zone**.
- g. **Farm businesses** shall be operated by the person or persons whose principal residence is the **dwelling** on the lot, and a maximum of two (2) persons other than the residents of the **dwelling** on the **lot** are permitted to be employed in the **farm business**.
- h. **Farm businesses** that include overnight accommodations shall be limited to a permitted **bed and breakfast establishment**.

12.0 Other Zones

12.1 LIST OF APPLICABLE ZONES

Natural Environment Zone	NE
Open Space Zone	OS
Future Development One Zone	FD1
Future Development Two Zone	FD2

12.2 PERMITTED USES

Uses permitted in the NE, OS, and FD **Zones** are denoted by the symbol '✓' in the column applicable to the **zone** and corresponding with the row for a specific permitted use in Table 12.1. A number(s) following the symbol '✓' or identified permitted use indicates that one or more use-specific special provisions apply, which are listed below Tables 12.1.

Table 12.1: Permitted Uses Other **Zones**

USE	NE	OS	FD1	FD2
Agricultural use	✓(1)	✓	✓	✓(1)
Boat house, boat dock	✓			
Cemetery		✓		
Community use		✓		
Community garden		✓		✓
Conservation use		✓		
Dwelling, single detached				✓
Private Park		✓		
Public Park	✓(2)	✓		

Use-Specific Special Provisions:

- (1) Permitted only where the use legally existed on the effective date of this By-law.
- (2) No buildings and structures shall be permitted.

12.3 ZONE REQUIREMENTS

No person shall, within any Natural Environment, Open Space, or Future Development **Zone**, use any **lot** or **erect**, alter or use any building or **structure** except in accordance with the **zone** standards set out in Table 12.2. A number(s) following the **zone** standards, **zone** heading, or the standard, indicates that one or more use-specific special provisions apply, which are listed below Table 12.2.

Table 12.2: Other **Zone** Standards

STANDARD	NE	OS	FD1	FD2
Minimum Required Lot Area	Refer to Section 12.4 for NE Standards	No minimum	0.4 ha	Subject to the Residential Zone Standards established for the UR Zone , provided in Section 8.3 of this By-law.
Minimum Required lot Frontage		No minimum	25 m	
Minimum Required Front yard		15 m	7.5 m	
Minimum Required Interior side yard		15 m	3 m	
Minimum Required Exterior side yard		15 m	7.5 m	
Minimum Required Rear yard		15 m	7.5 m	
Maximum Lot Coverage		10%	30%	
Minimum Required Landscaped Open Space		60%	N/A	

12.4 NE ZONE REQUIREMENTS

No person shall, within any NE **Zone**, use any **lot** or **erect**, alter or use any building or **structure** except in accordance with the following provisions:

- No **alteration** or disturbance to watercourses or to municipal drains associated with open watercourses shall be permitted without the approval of the municipality in consultation with the **Conservation Authority** having jurisdiction in the area.
- For the purposes of this By-law, a boat house is an **accessory building** subject to the provisions of Section 4.4.
- or passive recreation use shall meet the **required yard** and **lot coverage** provisions of the Open Space **Zone**.

Required setbacks from the Natural Environment **zone** are contained within the General Provisions of this By-law.

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13.0 Zone Overlays

13.1 LIST OF ZONE OVERLAYS

Environmental Protection	-
Source Protection Vulnerable Areas	-
Floodplain	(f)
Industrial Design	-

13.2 ENVIRONMENTAL PROTECTION ZONE OVERLAY

In addition to the Natural Environment Zone, the zoning maps comprising Schedule B-1 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** Official Plan, 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 the following special provisions:

- a. The special provisions in Table 13.1 shall apply prior to the granting of any planning approvals or the issuance of any building permit for proposed development on lands within the EP Overlay:

Table 13.1: Environmental Protection Special Provisions

FEATURE	SPECIAL PROVISION
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.
part of an Area of Natural and Scientific Interest (ANSI)...	Development will not be allowed in the ANSI 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.
part of a stream or valleyland...	Development will not be allowed in the 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.

FEATURE	SPECIAL PROVISION
part of a significant woodland...	Development will not be allowed in the 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.
part of an Environmentally Sensitive Area (ESA)...	Development will not be allowed in the 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.
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.
a regulated area according to a Conservation Authority	The erection of a building or structure will not be allowed unless the written approval of the applicable Conservation Authority is obtained.

13.3 SOURCE PROTECTION VULNERABLE AREAS ZONE OVERLAY

The purpose of the Source Protection Vulnerable Areas Overlay is to prevent the inadvertent approval of Planning Act applications and/or the issuance of building permits that may result in the establishment of land uses or **activities** that are **significant drinking water threats**. The effect of the Source Water Protection Area Overlay is to ensure the **Township** and the **County's** Risk Management Official are consulted with, and any necessary approvals pursuant to the Clean Water Act and the Grand River, Halton Region and/or Hamilton Region **Source Protection Plans** as applicable are obtained by the landowner/applicant prior to submitting a Planning Act application and/or the issuance of a building permit.

13.3.1 General Regulations

- Within the Source Water Protection Area Overlay shown on Schedule B-2, any use or **activity** that is, or would be, a **significant drinking water threat** or **future threat** is required to conform with all applicable **Source Protection Plan** policies and, as such, may be prohibited, restricted, or otherwise regulated by that **Source Protection Plan**.
- The **County's** Risk Management Official shall determine whether a new land use or **activity** is, or involves, a **significant drinking water threat** in accordance with the Clean Water Act and whether the use or **activity** is prohibited or regulated through a Risk Management Plan in accordance with the applicable **Source Protection Plan**.

13.3.2 Grand River Source Protection Plan – Existing Uses and Activities

Existing uses, **activities**, building or **structures** are permitted, as specified below, "or except where otherwise indicated in the Grand River Source Protection Plan":

- a. A use, **activity**, building or **structure** at a location in a vulnerable area that is in compliance with all applicable regulations on the effective date of the Grand River **Source Protection Plan**, or at some point prior to the effective date of the **Source Protection Plan** with a demonstrated intent to continue; or
- b. An expansion of an **existing** use or **activity**, which may include a new building or **structure** to service the **existing** use or **activity**, where the expansion reduces the risk of contaminating drinking water; or
- c. The expansion, replacement or **alteration** of an **existing** building or **structure** associated with a **significant drinking water threat** that does not increase the risk of contaminating drinking water; or
- d. The conversion of an **existing** use to a similar use, provided it is demonstrated that the conversion will reduce the risk of contaminating drinking water.

13.3.3 Halton Region and Hamilton Region Source Protection Plans –existing threats

- a. An **existing threat** which poses a **significant drinking water threat activity** shall be managed pursuant to the Halton Region and Hamilton Region **Source Protection Plans**, as applicable, and may be subject to a Risk Management Plan.

13.4 ABERFOYLE FLOOD PLAIN ZONE OVERLAY

Land in Aberfoyle that contains **existing** development and is within the flood plain of Mill Creek is identified on Schedule B-3 of this By-law. Notwithstanding anything in this By-law to the contrary, development is not permitted within the area subject to the Floodplain Overlay with the exception of minor changes to **existing buildings** and **structures** subject to the following special regulations:

- a. The conversion of an **existing** residence to a commercial use, if permitted by the applicable **zone**, shall require flood proofing measures approved by the municipality in consultation with the Grand River **Conservation Authority**.
- b. The conversion of **existing** commercial **buildings** to residential uses is prohibited.
- c. The creation of new **dwelling units** is prohibited.
- d. The following additional uses shall be prohibited:
 - i. **Accessory apartment dwelling units;**
 - ii. An institutional use including a **hospital**, nursing home, day nursery, **public school** and **private school**;
 - iii. An essential emergency service such as that provided by fire, police, and ambulance stations and electrical substations;

- iv. Uses associated with the disposal, manufacture, treatment, or storage of hazardous substances.
- e. Additions or enlargements to **structures existing** on the date of passage of this By-law will be permitted up to a maximum of fifty (50) percent of the **existing** ground **floor area** with flood proofing measures approved by the municipality in consultation with the Grand River **Conservation Authority**.

13.5 INDUSTRIAL DESIGN ZONE OVERLAY

In accordance with the 2008 Puslinch Design Guidelines Study, it is a goal of the **Township** to provide a high level of design for industrial development visible from highways and arterial roads. Therefore, lands that are **zoned** IND and visible from Highway 401 or the Hanlon Expressway are identified on Schedule B-4 of this By-law. Notwithstanding anything in this By-law to the contrary, development within these areas shall be subject to the following special regulations:

- a. All uses permitted in the IND **zone** shall be permitted provided they are within a wholly enclosed building and with no outside storage areas.
- b. **Buildings** shall have at least one entrance that faces Highway 401 or the Hanlon Expressway.
- c. Parking, loading, and service areas shall not be visible from Highway 401 or the Hanlon Expressway, or shall be screened by architectural screening, landscape buffering or a combination.
- d. All exterior building elevations visible from Highway 401 or the Hanlon Expressway shall provide breaks in plane created by a change in plane, incorporation of an architectural detail, or a change in material.
- e. A strip of land not less than 9.0 metres in width shall be provided along the **lot line** which abuts Highway 401 or the Hanlon Expressway, and shall be used for no other purpose than landscaping.

14.0 Site-Specific Special Provisions

Where a **zone** symbol is followed by the letters 'sp' and a number in superscript (example: sp¹⁵), the symbol refers to a Site Specific Special Provision that applies to the lands so zoned. The provisions of this By-law are modified as set out in Table 14.1 below. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

Table 14.1: Site-Specific Special Provisions

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
1	Multiple		Kennel	N/A	N/A
2	Multiple		N/A	Any barns and/or liquid manure tanks existing as of the date of passing of this by-law are not permitted to be used for keeping or housing of livestock, or for manure storage, but may be used accessory to a permitted use.	N/A
3	Multiple		Existing single detached dwelling Existing accessory structure	N/A	The enlargement of legally existing buildings and structures shall not be permitted.
4	A		Shooting range Hall for meetings and banquets Sportsmen's private club A max. of 20 seasonal tourist trailers	N/A	N/A

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
5	A		Nursing home Single detached dwelling	N/A	N/A
6	A		Restaurant Hall for meetings and banquets Travel trailer park containing a max. of 75 seasonal tourist trailers Home for the aged Rest home Shooting range	N/A	N/A
7	A		Religious retreat, which may include a community hall, lodge, and conference centre, or other buildings used for the purpose of leadership training and conferences, and buildings accessory thereto	N/A	Except for any buildings which existed prior to September 20, 1989, the setback for any new buildings shall be 500m from the northern most lot line . Buildings used for agricultural purposes shall be permitted with a min. setback of 350m from the northern most lot line .
8	A		Hall for meetings and banquets; A travel trailer park containing a max. of 60 seasonal tourist trailers Outdoor recreation A single dwelling unit for a caretaker	N/A	N/A

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
9	A		<p>Agricultural uses</p> <p>Intensive agricultural uses</p> <p>Agricultural research, including but not limited to:</p> <p>Poultry research</p> <p>Beef and sheep testing</p> <p>Turkey research</p> <p>Equine research</p> <p>Swine research</p> <p>Water control management research</p> <p>Agricultural waste management research</p> <p>Environmental biology research plots</p> <p>Plant science research</p> <p>Pasture research</p> <p>Soil conservation research</p> <p>Administrative offices related to agricultural industry</p> <p>Uses, buildings and structures accessory to the above permitted uses</p>	N/A	<p>New livestock buildings and manure storage facilities shall require a min. setback of 488.0m (1600.0 ft.) to any lot line.</p> <p>Added by OMB Order dated May 13, 1991.</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
10	A		Erection of berms Forestry and woodlots Open space and conservation Fish and wildlife management Sand and/or gravel extraction	Aggregate extraction	Agricultural (A) Zone provisions do not apply to any berm erected .
11	A	By-law 25/91	A building contractor's headquarters consisting of three existing buildings which may include: administrative offices, workshop, indoor storage area, aircraft hangars, and truck bays Log cabin Agricultural use Buildings, structures and uses accessory to the following permitted uses	N/A	Side yard (min. each side): as existing Rear yard (min.): as existing
12	A	By-law 24/94	N/A	N/A	Setback for residential buildings (min.): 198.12m from front lot line
13	A	By-law 36/98	Existing kennel Temporary haul route Landscape berms	Extraction	Temporary shall mean until such time as the extraction use being carried out is completed.

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
14	A	By-law 28/98	Veterinarian's clinic within an existing building on the property	N/A	N/A
15	A	By-law 32/01	N/A	N/A	Total floor area of accessory building (max.): 444m ² 5 part-time employees who are not residents of the property shall be permitted
16	A	By-law 27/05	A veterinary clinic limited to a premises where horses are given on-site medical or surgical treatment Accessory office use, pharmacy, laboratory and/or mobile veterinary operation	N/A	Total floor area of veterinary clinic (max.): 300 m ²
17	A	By-law 26/03	Veterinarian clinic Blacksmith shop Tack shop	N/A	Total floor area (max.): 279m ²
18	A	By-law 35/05 Approved by OMC	Kennel Accessory uses	N/A	Front yard depth (min.): 20m Exterior side yard (min.): 15m Floor area (max.): 480m ² Outdoor common play area (max.): 400m ² Outdoor pen area – aggregate (max.): 450 m ²

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
					<p>Min. kennel building setback from NE Zone: 15m</p> <p>All outdoor play areas shall be enclosed by chain link fencing. Outdoor pens shall be provided with roofing, walls, and solid wood fencing to provide noise attenuation.</p> <p>Dogs shall not be permitted within any outdoor pens or play areas overnight.</p> <p>Off-street parking shall be provided.</p>
19	A	By-law 60/05	Kennel Accessory uses	N/A	<p>Front yard depth (min.): 75m</p> <p>Kennel floor area (max.): 143m²</p> <p>Outdoor common (max.): 2,200m² play area</p> <p>Outdoor pen area (max.): 72m² (aggregate)</p> <p>An accessory office for therapeutic procedures shall not include surgical procedures or services requiring overnight stay.</p>
20	A	By-law 23/10	Agricultural uses Existing single-detached dwellings Reforestation Ecological enhancement	Aggregate extraction Processing Loading Stockpiling	N/A

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
			<p>Temporary uses:</p> <p>Private internal haul route</p> <p>Entry signage</p> <p>Acoustical and landscape berms</p> <p>Scientific monitoring for ecological and hydrogeological purposes</p>		
21	A	By-law 42/10	N/A	No buildings shall be constructed within 25m of the southern boundary of the registered right-of-way of Oak Lane located on the north side of the subject property.	N/A
22	A	By-law 20/10	N/A	Residential dwelling	N/A
23	A	By-law 10/13	<p>Kennel Accessory uses</p> <p>Breeding of dogs</p> <p>Outdoor pens</p>	N/A	<p>Dog kennels shall only be located within the ground floor of the bank barn existing.</p> <p>Outdoor common play areas shall be restricted to the south side of the existing bank barn.</p> <p>The kennel office and accessory uses shall be within a max. distance of 70m from the existing bank barn.</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
					<p>The max. outdoor common play area shall be 2,275m².</p> <p>All outdoor play areas shall be enclosed by chain link fencing.</p> <p>Dogs shall not be permitted within outdoor play areas between the hours of 8:00 p.m. and 7:00 a.m.</p> <p>Off-street parking shall be provided.</p>
24	A	By-law 40/15	N/A	N/A	<p>Lot frontage (min.): 14.7m</p> <p>Rear yard (min.): 45.7 m</p>
25	A	By-law 07/16	<p>A service trade restricted to a printer's shop, a plumber's shop, a painter's shop, a carpenter's shop, an electrician's shop, a welding shop, a machine shop, or a monument engraving shop, which may include accessory administrative offices</p> <p>Agricultural use</p>	Outdoor storage	<p>Lot area (min.): 0.4 ha</p> <p>Front yard depth (min.): 60 m</p> <p>Side yard (min.) each side: equal to 1/2 building height, but not less than 3.0m</p> <p>floor area (max.): 465 m²</p> <p>Building height (max.): 8.0m</p> <p>Landscaped open space (min.): 25%</p> <p>Planting strip – side yard (min.): 3.0m</p>
26	RR		<p>A max. of 20 single-detached residential dwellings</p> <p>Home occupations</p>	<p>Buildings, structures or septic systems shall not be constructed on lots 1 and 11 within 15m of the</p>	<p>Where a lot abuts Puslinch Lake, the front yard shall be considered a rear yard.</p> <p>For lots 4 to 9 inclusive, which abut Puslinch</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
			Private park/recreational areas A community entrance feature A private right-of-way Public uses	wetland boundary	Lake, the min. front yard setback for main buildings and septic systems shall be 15m from the front lot line .
27	RUR		N/A	N/A	On lots 13 - 27 inclusive, a rear yard setback of at least 15m for buildings, structures and septic tanks will be required.
28	RUR	By-law 10/99	A single detached dwelling A home occupation A public use An accessory apartment	N/A	Lot frontage (min.): 27.5m Interior side yard width (min.): 5m Rear yard depth (min.) – Lots 2, 3, 4 and 5: 15m Rear yard depth (min.) – Lots 6 and 7: 30m Front yard depth (min.) – Lots 15, 16, 17 and 18): 10m
29	RUR	By-law 2/05	N/A	N/A	Lot frontage (min.): 27.5m Lot area (min.): 3240m ² Interior side yard (min.): 5m
30	RUR	By-law 41/08	N/A	N/A	Lot frontage (min): 27.5m Front yard depth (min.): 10 m Front yard depth (min.) – Lots 27 and 28: 15m

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
					Front yard depth (min.) – lot 36: 0.5m Interior side yard width (min.): 5m Exterior side yard width (min.): 5m Exterior side yard width (min.) – lot 48: 10m Lot coverage (max.): 40%
31	RUR	By-law 28/10	N/A	N/A	Lot area (min.): 2,023 m2 Lot frontage (min.): 27.5m Lot frontage (min.) – Units 7, 8, 29, 30, 53, 54: 24m Front yard depth (min.): 7.5 m Front yard depth (min.) – Units 7, 8, 9, 23, 24, 25, 26, 28, 29, 30, 31, 53, 54: 10m Interior side yard (min.): 5.0m Interior side yard width (min.) – Units 8, 22, 24, 25, 28, 29, 30, 53, 54: 3m Exterior side yard (min.): 7.5m Rear yard depth (min.): 7.5m Landscaped open space (min.): 30% Lot coverage (max.): 20% No additional setback will be required from the

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
					boundary of any NE zone
32	RUR	By-law 28/10 By-law 9/13	N/A	N/A	<p>Lot frontage (min.) – Lots 2, 7, 8: 40m</p> <p>Lot frontage (min.) – Lots 4, 5, 10, 13, 15: 30m</p> <p>Lot frontage (min.) – lot 6: 27m</p> <p>No additional setback will be required from the boundary of any NE zone</p>
33	CMU	By-law 40/91	<p>A commercial mall containing any of the following:</p> <p>Bakery</p> <p>Bank</p> <p>Business or professional office</p> <p>Catering establishment</p> <p>Clinic</p> <p>Dry cleaner's distribution station</p> <p>Merchandise service shop</p> <p>Personal service establishment, but limited to a barber shop, a beauty salon, a shoe repair shop, and a tailor</p> <p>Public use</p> <p>Refreshment room</p> <p>Restaurant</p>	N/A	<p>Lot area (min.): 1.7 ha</p> <p>Lot frontage (min.): 100.0m</p> <p>Gross Floor Area (max): 441 69 sq ft/4103 sq m</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
			Retail store , excluding automotive uses Variety store Veterinarian's clinic Uses, buildings and structures accessory to a permitted use		
34	C1	By-law 47/12	Clinic Professional office	N/A	Floor area (max.): 220m ² Front yard setback (min.): 8m Parking space dimensions (min.): 2.7m by 6.0m Side yards – buffer areas (min.): 1m Access to parking area – unobstructed width (min.): 4m A buffer area shall consist of one or more of the following screening devices: Opaque fence Continuous row of trees Continuous hedgerow of evergreens or shrubs
35					
36	C2		Automobile service station Restaurant Picnic area	N/A	N/A

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
37	C2	By-law 47/14	<p>A warehouse use in association with existing retail and office uses</p> <p>Buildings and structures accessory to the uses permitted in this Zone</p> <p>Truck and vehicular access from Brock Road (Wellington Road 46) only</p>	<p>The outdoor storage of raw materials and finished products</p> <p>Commercial vehicular access from Wellington Road 34</p>	<p>Building height (max.): 10m for warehouse buildings</p> <p>Building area expansion for warehouse use (max.): 2,323m²</p> <p>Floor area for all warehouse uses, including existing building (max.): 4,645m²</p> <p>Lot coverage (max.): 35%</p> <p>Setback from NE Zone limit (min.): 20m</p> <p>Any building or structure shall only be constructed as an addition to existing buildings and such land shall be merged with the abutting 20 Brock Road property.</p> <p>Any stormwater management infrastructure shall maintain a min. setback of 12m to the limit of the NE Zone and a min. 15m to an adjacent stream.</p> <p>A landscape planting area shall be established along the stream corridor.</p>
38	C3		<p>Automobile sales and service establishment</p> <p>Buildings, structures and uses accessory</p>	N/A	<p>Front yard setback – main building (min.): 35m</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
			to the above main uses		<p>Floor area – main building (max.): 1,000m²</p> <p>Off-street parking shall be provided.</p> <p>Vehicles for sale or lease may be located to the front of the main building for the purposes of display, but all such vehicles shall maintain a min. setback from the street line of 25m</p> <p>One vehicle display space on the raised landscaped area may have a min. setback of 19m (62.4 ft.) from the street line.</p> <p>The number of vehicles permitted to be displayed between the street line and the front of the main building shall not exceed 23 vehicles and shall be displayed at finished grade.</p> <p>A 25m landscaped area shall be required along the entire frontage save and except for an access driveway and one raised vehicle display space as permitted above.</p> <p>The aggregate number of vehicles parked, displayed or stored shall not exceed 170 vehicles.</p> <p>All outdoor storage, garbage enclosures,</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
					ancillary equipment and materials shall be contained within a fenced and screened area to the rear of the main building and shall not be visible from any public road or adjacent lot.
39	C3	By-law 20/98	<p>An existing single detached dwelling unit</p> <p>A public indoor storage facility</p> <p>A service trade</p> <p>A transport terminal</p> <p>A warehouse</p>	<p>Buildings, structures or outdoor storage within 33.7m of the limit of Provincial Highway No. 401</p>	<p>Lot coverage (max.): 35%</p> <p>Outdoor storage area (max.): 1,858m²</p> <p>Outdoor storage area shall be fenced and screened so that it is not visible from any public road or abutting property.</p>
40	C3	By-law 22/98	<p>An existing single detached dwelling</p> <p>A transport terminal with associated truck sales and service</p>	<p>Buildings, structures, or outdoor storage within 33.7 m (±110 ft.) of the limit of Provincial Highway No. 401</p>	<p>Lot coverage (max.): 35%</p> <p>Outdoor storage area (max.): 100m²</p> <p>The outdoor storage area shall be fenced and screened so that it is not visible from any public road or abutting property.</p> <p>The Highway Setback area shall be used for landscaped open space and may also be used for the temporary parking of motor vehicles.</p> <p>A planting strip of not less than 3m in width shall be provided along the entire length of the</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
					subject property abutting Highway 401. The planting strip may be located within the Highway Setback.
41	C4		Travel trailer park Variety store Laundromat Single dwelling unit Boat launch Dance hall Restaurant Marina and marine related facilities	N/A	N/A
42	C4		Golf course Restaurant Club house Single dwelling unit		
43	C4	By-law 14/94	Travel trailer park to a max. of 200 recreational vehicle sites Single dwelling unit Concession stand for food sales Picnic shelters Variety store Laundromat Baseball diamonds Washrooms	Tent camping	N/A
44	C4		Travel trailer park to a max. of 200	N/A	N/A

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
			recreational vehicle sites including tent camping Single dwelling unit		
45	C4		A summer camp under the meaning of The Public Health Act	N/A	N/A
46					
47	C4	By-law 14/94	Day picnicking Washrooms Concession stand with food sales Pools and water slides Mini golf Volleyball courts Horseshoe pits Picnic shelters Playgrounds	N/A	N/A
48	C4		Variety store Gas bar Take-out restaurant with no "eat-in" dining facilities Dwelling unit	N/A	N/A
49	C4		Golf course Pro shop with a max. floor area of 350.0m ² (but shall not include shower,	N/A	N/A

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
			<p>snack bar or dining facilities)</p> <p>Passive recreational uses such as cross-country skiing and walking trails</p> <p>The growing, harvesting and retail sales of Christmas trees</p> <p>Accessory uses, buildings and structures</p>		
50	C4		<p>A clubhouse, including a bar and dining room and/or restaurant</p> <p>Tennis courts</p> <p>All uses permitted in the C4-11 Zone</p>	N/A	N/A
51	C4		<p>Golf course</p> <p>Golf driving range</p> <p>An existing single-detached dwelling</p> <p>Club house</p> <p>Pro-shop</p> <p>Maintenance building and works yard</p> <p>Practice putting greens</p> <p>Passive recreational uses such as cross-country skiing and walking trails</p>	N/A	<p>The max. floor area of the club house/pro shop building (including dining facilities) shall not exceed 350m² (exclusive of basement).</p> <p>The clubhouse use may include an outdoor patio area with a max. floor area of 400m².</p> <p>The max. floor area of the maintenance building shall not exceed 400m².</p> <p>The outdoor storage of equipment or material shall be contained within a fenced or screened storage area that is not visible from</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
			Accessory buildings, structures and uses		any public road or adjacent lot. Off-street parking shall be provided.
52	IND	By-law 29/08	Business or professional office Asphalt plant Concrete batching plant Retail sales of aggregate , asphalt, concrete, and related products produced on the premises Equipment storage and maintenance facilities Outdoor storage areas for aggregate and related products Processing and storage of recycled materials for asphalt and concrete production Internal haul route for an adjacent existing licensed pit Uses, buildings and structure accessory to the above permitted uses		Lot area (min.): 6 ha Lot frontage (min.): 180m Front yard depth (min.): asphalt or concrete plants – as existing , all other buildings and structures – 15m Building height (max.): asphalt or concrete plants – 40m, all other buildings and structures – 15m Side yard depth (min.): 15m Lot coverage (max.): 20% Landscaped open space (min.): 25% The open storage of aggregate materials is permitted within buildings or fenced areas on the property but shall maintain a min. setback of 60m from the front lot line and 15m from the zone limits. The open storage of road construction equipment shall maintain a 15m setback from the zone limits and shall be screened from view from a public road or adjacent lot by a solid fence or planting

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
					strip of min. 1.5m in height.
53	IND	By-law 61/15	<p>Building or contractor's establishment</p> <p>Business office or professional office</p> <p>Dry industrial uses</p> <p>Medical office</p> <p>Research establishment/ laboratory</p> <p>Self-storage facility</p> <p>Service trades</p> <p>Tree nursery/ commercial greenhouses</p> <p>Veterinarian's clinic (no keeping of animals outdoors)</p> <p>Administration office</p> <p>Showroom</p> <p>Wholesale outlet</p> <p>Other uses, buildings, and structures ancillary to an above listed permitted use</p>	Uses or activities which contravene the provisions of subsection 3(22)	<p>Outdoor storage areas shall only be located to the rear of a permitted main building and not be visible from a public road or adjacent properties.</p> <p>The establishment of the NE zone for the land surrounding the land zoned IND-8, includes the natural heritage features and the approved associated buffer areas. Accordingly, the setback provisions of Section 3(25) do not apply to the land zoned IND-8.</p>
54	IND	By-law 51/16	Truck repair shop	N/A	Parking requirements (min.) for uses within a multi-tenanted building: 1 space per 50m2 of net floor area
55	EXI		Asphalt plant	N/A	N/A

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
			Retail sales of asphalt Any use permitted in an EXI Zone		
56	EXI	By-law 24/88	The permitted uses of the EXI Zone Batching plant restricted to concrete	N/A	No building or structure shall be located closer than 14 m from any zone boundary
57	EXI	By-law 24/90	N/A	N/A	The extraction of aggregate resources shall not occur below a point which is 1.0m above the high water table.
58	EXI	By-law 28/86	All uses permitted in an EXI Zone	N/A	No setback shall be required for: Any pitface or excavation on those lands zoned EXI-5 when adjacent to an H-4 Zone or adjacent to an A-13 Zone Any building, structure , or reduce stockpile on those lands zone EXI-5 from an adjacent H-4 Zone Any berm on those lands zoned EXI-5 from an adjacent H-4 Zone or from an adjacent A-13 Zone
59	EXI	By-law 29/91	N/A	N/A	The extraction of aggregate resources occurring below a point which is 1.0m above the high water table.

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
60					
61	EXI	By-law 04/96	N/A	N/A	The extraction of aggregate resources occurring below a point which is 1.0m above the high water table.
62	EXI	By-law 26/97	N/A	N/A	
63	EXI	By-law 36/97	All uses permitted within the EXI Zone	N/A	The extraction of aggregate resources shall not occur below any point which is 1.0m above the high water table with the exception of those areas identified on the approved Site Plans accompanying the Pit License. The total area which may be extracted below the water table shall not exceed 7.5 ha (18.5 acres) of the license area.
64	EXI	By-law 36/97	All uses permitted within the EXI Zone An existing single detached dwelling	N/A	
65	EXI	By-law 42/03	The making, establishment or operation of pits or quarries	N/A	The extraction of aggregate resources shall not occur below any point which is 1.5m above the high water table.
66	EXI	By-law 23/10	All uses permitted within the EXI Zone	N/A	N/A
67	EXI	By-law 23/10	All uses permitted within the EXI Zone		The depth of aggregate extraction shall not occur below any point which is 1.0m above the high water table. Extraction below the water table may occur

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
					<p>in order to establish a permanent hydraulic barrier.</p> <p>Variations to the precise location and size of the natural separators or the banks of the lakes created by aggregate extraction are permitted without amendment to the Zoning By-law.</p> <p>Deletion of this zone, in whole or in part, shall require an amendment to the Zoning By-law.</p>
68	OS	By-law 34/95	<p>Sand and/or gravel extraction</p> <p>Forestry</p> <p>Fish and wildlife management</p> <p>Any public use</p>	Aggregate extraction	N/A
69	OS	By-law 26/97	<p>Sand and/or gravel extraction</p> <p>Forestry</p> <p>Fish and wildlife management</p>	Aggregate extraction	N/A
70	OS	By-law 17/00	<p>Sewage disposal system</p> <p>Attenuation area</p>	Uses, buildings or structures not directly related to the sewage disposal system	N/A
71	OS	By-law 50/05	<p>Forest management</p> <p>Passive recreation</p> <p>A private water supply well</p>	N/A	N/A

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
72	OS	By-law 48/07	Fish and wildlife management Passive recreation	N/A	Landscaped open space (min.): 60%, except that any area left in a natural state, including the pond existing as of the date of passing of this by-law, shall be considered to be part of the landscaped open space.
73	NE	OMB decision on June 23/86	Existing buildings and kennels as they exist at the date of passing of this By-Law A barn on the existing foundation for which the Grand River Conservation Authority has issued a permit	N/A	N/A
74	NE	By-law 33-1989 as amended by By-law 16/96	A landscape contractor's yard with no retail or wholesale sales An accessory dwelling unit attached to the existing building	N/A	N/A
75	NE	By-law 31/90 as amended and approved	Sand and/or gravel extraction Forestry Fish and wildlife management Any public use	Aggregate extraction	Added by By-law 31/90 as amended and approved by OMB Order dated August 10, 1990.

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
		by OMB Order dated August 10, 1990	Research and educational use		
76	A		Fencing construction business	N/A	N/A
77	A	By-law 20/09	<p>A building contractor's office which may include administration offices, workshop and storage buildings</p> <p>Buildings, structures and uses accessory to the above use, including outdoor storage</p> <p>Designated secondary AG uses:</p> <p>Small scale Commercial Industrial Institutional</p>	N/A	<p>Lot area (min): 1.0 ha</p> <p>Lot frontage (min): 65.0m</p> <p>Side yard (min.) each side: equal to 1/2 building height but not less than 4.5m</p> <p>Rear yard (min.): as existing</p> <p>Lot coverage (max.):10%</p> <p>Landscaped open space (min.) - 25%</p> <p>Landscaped buffer: a landscaped buffer min. 3.0m wide shall be provided in the following locations:</p> <p>i) abutting the western limit of this zone commencing at a point a max. of 25m setback from the street line for a min. length of 110m</p> <p>ii) abutting the eastern limit of this zone commencing at a point</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
					<p>a max. of 50m setback from the street line</p> <p>Outdoor storage:</p> <p>All outdoor storage of equipment or materials shall be setback a min. of 100m from a street line.</p> <p>Outdoor storage shall be fully screened so it is not visible from any public road, public highway or adjacent lot by means of a planting strip.</p>
78	A	By-law 42/14	<p>Professional office with a max. floor area of 100m² (1,076 sq. ft.), a max. height of 8.5m (27.1 ft.) and setback approximately 240 m from Concession Road 1; 250m from Side road 25; and 145m from the East property line</p> <p>Any use permitted in an (A) zone</p>	Outdoor storage associated with the professional office use	<p>The professional office building shall be contained to an area in proximity to the existing building cluster. It shall not be used for residential purposes and shall not contain any sleeping quarters within it.</p> <p>The number of employees permitted to work at the professional office shall not exceed three and shall not include any off-site employees.</p>
79	NE	By-law 23/10	<p>Conservation uses</p> <p>Scientific monitoring for ecological and hydrogeological purposes</p>	The making, establishment or operation of a pit Any ancillary land use related to aggregate extraction	N/A

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
80	NE	By-law 28/12	<p>Storm water management facilities</p> <p>Conservation uses including: forest management, fish and wildlife management, flood control, erosion control</p> <p>Passive recreation</p>	N/A	N/A
81	A	2016-060	<p>A landscaping and property maintenance contractor's business which may include a main building for administration office, workshop and indoor storage</p> <p>Buildings, structures and uses accessory to the above use, including outdoor storage</p>	Retail sales from the property	<p>Lot area (min.): 0.75ha</p> <p>Main building size (max.): 720m²</p> <p>Off street parking: may be permitted between the main building and street line (setback to provide areas for landscape buffer)</p> <p>Lot coverage (max.): 10%</p> <p>Landscaped open space (min.): 30%</p> <p>Landscaped buffer (min.): 4m wide, along the southerly limit of this zone.</p> <p>All outdoor storage of equipment or materials shall be setback a min. of 10m from Wellington Road 34 and a min. of 70m from Concession Road 7.</p> <p>Outdoor storage area shall be fenced and fully screened so it is not visible from any public road or adjacent lot by</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
					means of a vegetative screen, berms, fencing or combination thereof.
82	HR, NE	2016-066	<p>Forest management</p> <p>Fish and wildlife management</p> <p>Flood control</p> <p>Erosion control</p> <p>Storm water management</p>		<p>Building setback from the NE-16 Zone (min.): 15m</p> <p>The required setback to the NE-16 limit may be further reduced pursuant to the requirements of 3(25)(c) of this By-law.</p> <p>The encroachment within the setback area by the existing heritage dwelling immediately abutting the Zone is recognized by this By-law.</p>
83	IND	041-2017		outdoor storage areas and uses	
84	UR		<p>A max. of 55 single detached dwellings</p> <p>A community entrance feature</p> <p>Private parks, trails and accessory structures</p> <p>A private right-of-way</p> <p>Private communal water services</p>		<p>Lot frontage (min.): 15m</p> <p>Lot area (min.): 700m²</p> <p>Lot coverage (max.): 35%</p> <p>Front yard setback (min): 6m</p> <p>Side yard setback (min.): 1.83m</p> <p>Rear yard setback (min.): 6.5m</p> <p>Dwelling height (max.): 6.5m</p> <p>Bedrooms (max.): 2</p> <p>Floor area (min.): 93m²</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
					<p>Floor area (max.): 193m²</p> <p>Access road (min. ROW width): 7.6m (two way)</p> <p>Off-street parking (min.): 1 parking space per unit</p> <p>Visitor parking spaces/area (min.): 1 parking space for every 4 dwellings. Visitor parking spaces may be clustered with no more than 7 spaces per parking area</p> <p>The community entrance feature, the storm water management facility and the residential lots are exempt from the provisions of subsection 3(18)(a) and 3(25) of this By-law.</p>
85	RUR		<p>A max. of 72 Mobile Homes or Manufactured Dwellings</p> <p>An accessory single detached dwelling unit for the caretaker and/or manager</p> <p>A laundromat serving on site residents only</p> <p>A variety store serving on site residents only</p> <p>An existing private clubhouse serving</p>		<p>Site area for each mobile home or manufactured dwelling (min.): 280m²</p> <p>Site coverage (max. – including accessory buildings): 35.0%</p> <p>Building floor area (max. – including accessory buildings): 96.0m²</p> <p>Building setback from front site line (min.): 3.0m</p> <p>Building separation (min.): 3.5m from the building face</p> <p>Off-street parking for each mobile home or manufactured dwelling</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
			<p>on site residents only</p> <p>Sales of mobile homes or manufactured dwellings for use on site, but not including the manufactured dwelling</p>		<p>(min.): 1 parking space located on each site area or within a max. of 30m of a site area</p> <p>floor area (max.):</p> <p>Laundromat 100m²</p> <p>Variety store 150m²</p> <p>Private club 300m²</p> <p>Sales area/ outdoor display (max.): 500m²</p> <p>Every mobile home or manufactured dwelling located on a site area shall have access from a common roadway.</p> <p>At the time of coming into force of this By-law, any use of a site area less than 280m² as identified on Schedule "B" hereto shall comply with all Zone Provisions of sub-section (3) except clause (a).</p>
86	RUR		<p>One dwelling unit, per site</p> <p>An accessory single detached dwelling for a caretaker or manager</p> <p>An administrative office</p> <p>A laundromat serving on site residents only</p> <p>A library serving on site residents only</p>	<p>No travel trailers or recreational vehicles including any additions thereto shall be occupied for year-round use nor be permitted to convert to year-round use</p>	<p>Site area per dwelling (min.): 280m². A max. of 63 sites may contain less than the 280m² provided they are greater than 230m² in total site area</p> <p>Site width (min.): 9.0m</p> <p>Site front yard (min.): 3.0m</p> <p>No accessory buildings or structures shall be located within the required front yard, except carports, decks;</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
			<p>A variety store serving on site residents only</p> <p>A maintenance building servicing the site</p> <p>A recreation building and pavilion</p> <p>A sales office for sites and dwelling units</p> <p>Uses accessory to the above permitted uses</p>		<p>together with sheds located on through lots or lots abutting a waterway, all of which accessory structures shall be located a min. of 2.0m from the front site line.</p> <p>This By-law recognizes those accessory buildings or structures which existed prior December 19, 2012 that are within the front yard or have a front yard less than 2.0m.</p> <p>A dwelling unit is permitted for year-round occupancy only if:</p> <p>It is a mobile home or manufactured building which complies with the Ontario Building Code (OBC) for year-round occupancy</p> <p>It is a unit that is existing on a site on the subject lands as of the date of passing of this By-law that can be converted to an equivalent OBC or CSA standard for year-round occupancy and certified as such by a professional engineer to the satisfaction of the Chief Building Official in accordance with the Ontario Building Code Act and amendments thereto. All conversions to year-round use must comply with the most</p>

No.	PARENT ZONE	BY-LAW	ADDITIONAL PERMITTED USES	PROHIBITED USES	SITE SPECIFIC SPECIAL PROVISIONS
					<p>recent OBC or CSA standards for acceptance</p> <p>An occupancy permit for year-round occupation has been issued by the Chief Building Official</p>
87	ER2		<p>A single detached dwelling</p> <p>A home occupation</p> <p>A public use</p> <p>An accessory apartment in a single detached dwelling</p>		<p>Lot area (min.): 0.4ha</p> <p>Lot frontage (min.): 50m</p> <p>Front yard depth (min.): 15m</p> <p>Interior side yard width (min.): 10m</p> <p>Exterior side yard width (min.): 10m</p> <p>Rear yard depth (min.): 10m</p> <p>Lot coverage (max.): 30%</p> <p>Landscaped open space (min.): 30%</p> <p>Accessory apartments floor area (max.): 40% of the floor area of the Principal Dwelling</p>

15.0 Holding Provisions

Where a **zone** symbol is followed by the letter 'h' and a number in superscript (example: ^{h15}), the symbol refers to a Holding Provision, as set out in Table 15.1 below.

Table 15.1: Holding Provisions

No.	ZONE DESIGNATION	PERMITTED USES	CONDITIONS FOR REMOVAL	DATE ENACTED
1	RUR	Until the holding symbol is removed, no dwelling shall permit year-round occupancy.	Development shall not be permitted until: (i) The sewage treatment and water supply services have been completed to provide for year-round operation of those services. (ii) A development agreement between the owners of the land and the Township addressing occupation of the units, operation and maintenance of the services and financial arrangements has been registered on title of the lands. (iii) Where a site is being converted from seasonal to year-round use, an occupancy permit has been issued by the Chief Building Official permitting the year-round occupation of the dwelling unit on the site.	2000
2	CMU	Until the holding symbol is removed, no new buildings or structures shall be permitted.	Development shall not be permitted until the Ministry of Transportation is no longer the road authority fronting the subject lands. Additions to existing uses shall be permitted.	2017
5	IND	Until the holding symbol is removed, no new buildings or structures shall be permitted.	In accordance with Section 9.8.3 of the Wellington County Official Plan, these lands have lower priority for development than the industrial lands in the "Puslinch Economic Development Area". Accordingly, development shall not be permitted until a detailed concept plan is developed, in cooperation with the City of Guelph, which provides an appropriate connection between the City's industrial lands to the	2017

No.	ZONE DESIGNATION	PERMITTED USES	CONDITIONS FOR REMOVAL	DATE ENACTED
			north and the proposed interchange on the Hanlon Expressway. Additions to existing uses shall be permitted.	
7	IND	Until the holding symbol is removed, no new buildings or structures shall be permitted.	Development shall not be permitted until an appropriate development agreement has been entered into covering such matters as road improvements and related financial contributions.	TBC

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16.0 Temporary Use Provisions

Where a **zone** symbol is followed by the letter 't' and a number in superscript (example: ^{t15}), the symbol refers to a Temporary Use Provision, as set out in Table 16.1 below. As such, one or more additional uses are permitted on the lands noted until the permission granted by the site specific Temporary Use By-law expires.

Table 16.1: Temporary Use Provisions

No.	ZONE DESIGNATION	TEMPORARY USES	DATE ENACTED	DATE EXPIRED
1	A	Garden suite with a max. floor area of 110 m ²	December 2, 2008	December 2, 2018
2	A	Garden suite	TBC	October 3, 2032
3	A	Garden suite with a max. floor area of 125.4 m ²	TBC	February 6, 2033

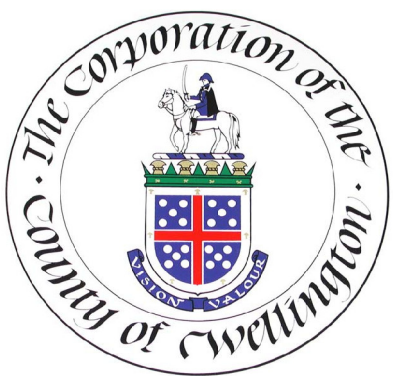
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Township of Puslinch

Zoning By-Law No. XX/XX

Schedule 'A'



Legend

- Site Specific Exemption
- Zoning Limits
- Environmental Protection Overlay
- Natural Environment

Zone Descriptions

- A Agricultural
- AC Agricultural Commercial
- C Commercial
- CMU Core Mixed Use
- DI Disposal Industrial
- EXI Extractive Industrial
- FD Future Development
- HC Highway Commercial
- HR Hamlet Residential
- I Institutional
- IND Industrial
- NE Natural Environment
- OS Open Space
- RC Resort Commercial
- RR Resort Residential
- RUR Rural Residential
- UR Urban Residential
- f- Flood Special Policy Area
- (sp#) Site Specific Exemption
- (h#) Holding Provision
- (t#) Temporary Zone

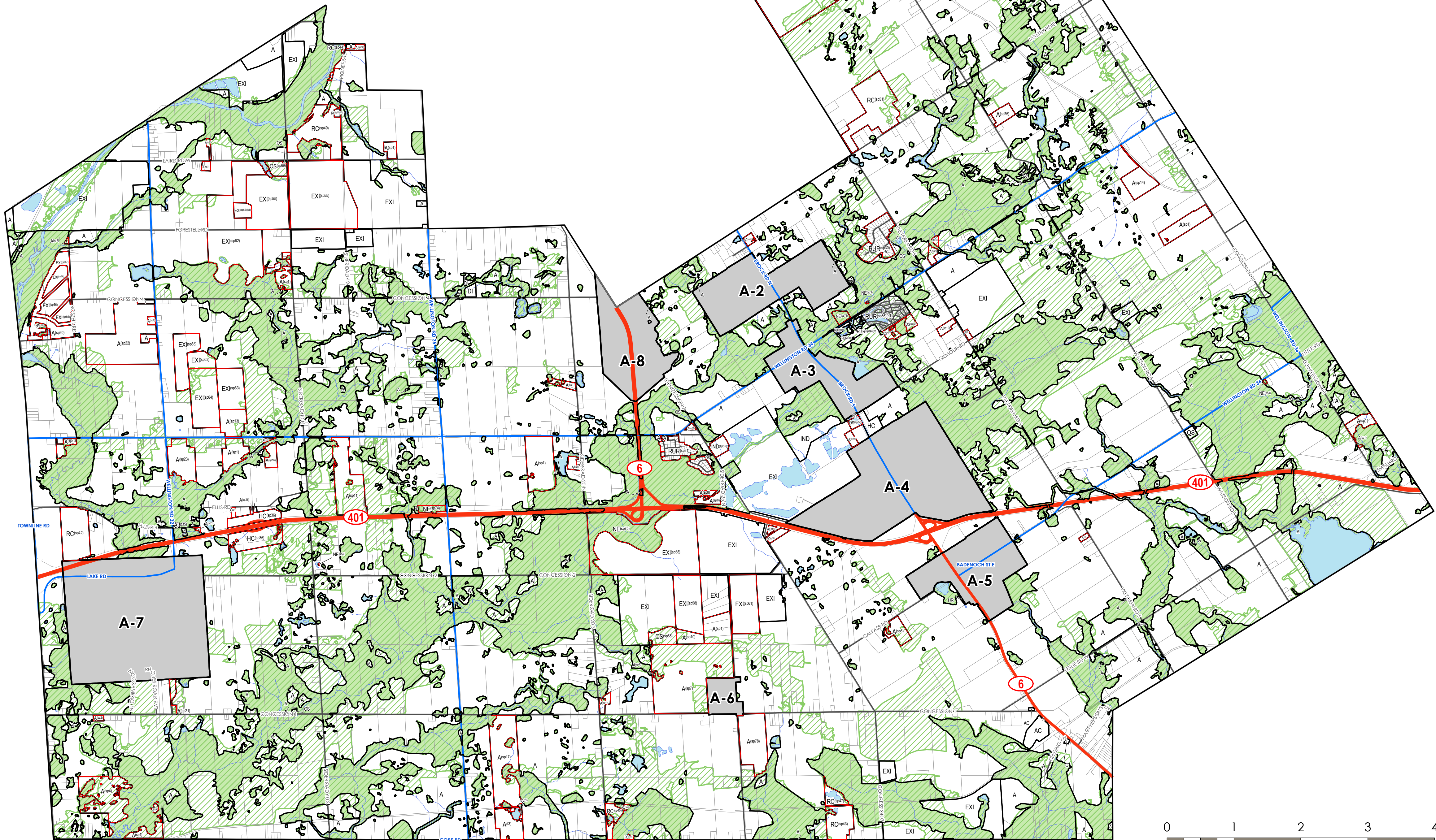
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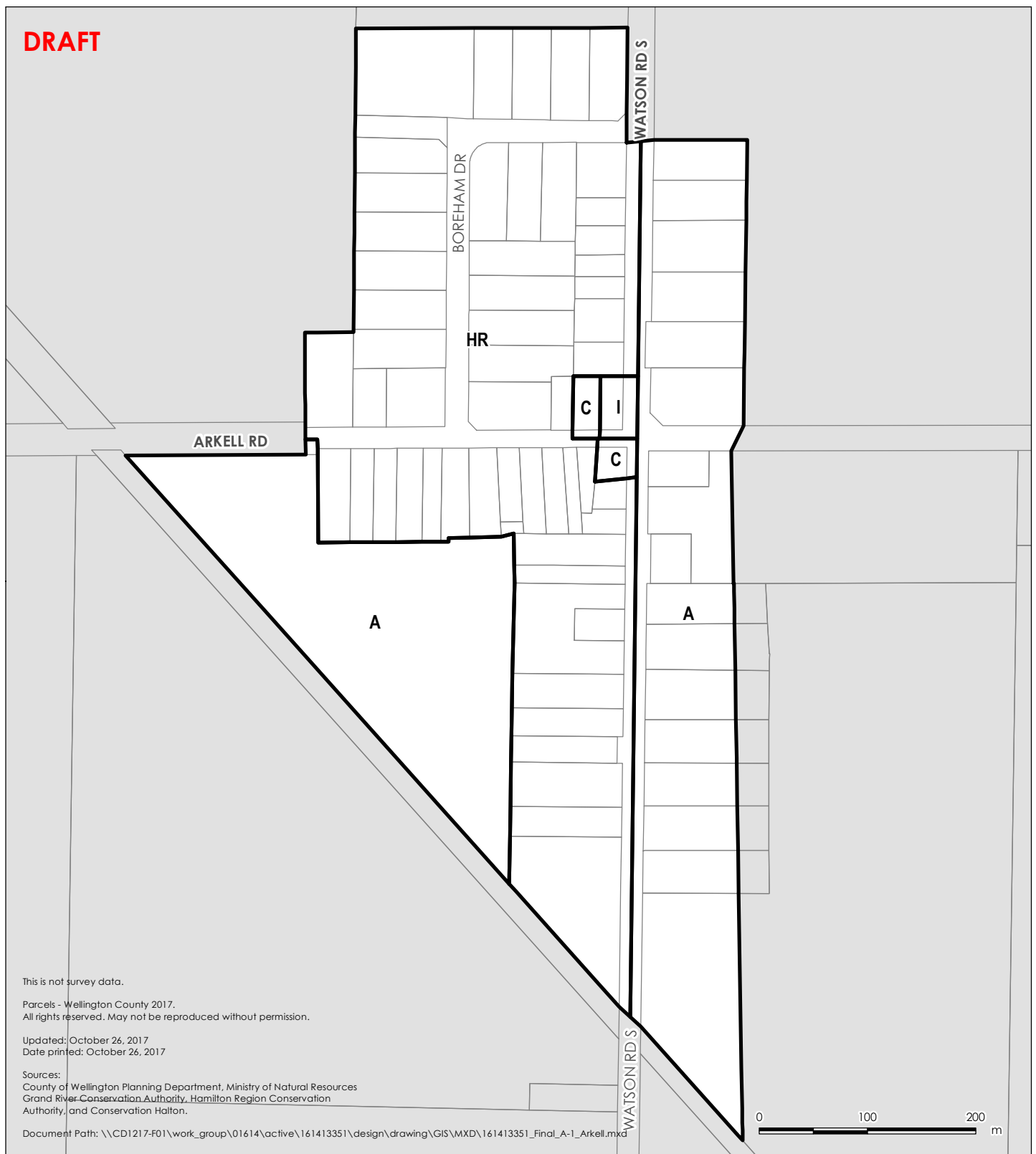
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Legend

- Site Specific Exemption
- Zoning Limits
- Environmental Protection Overlay
- Natural Environment

Zone Descriptions

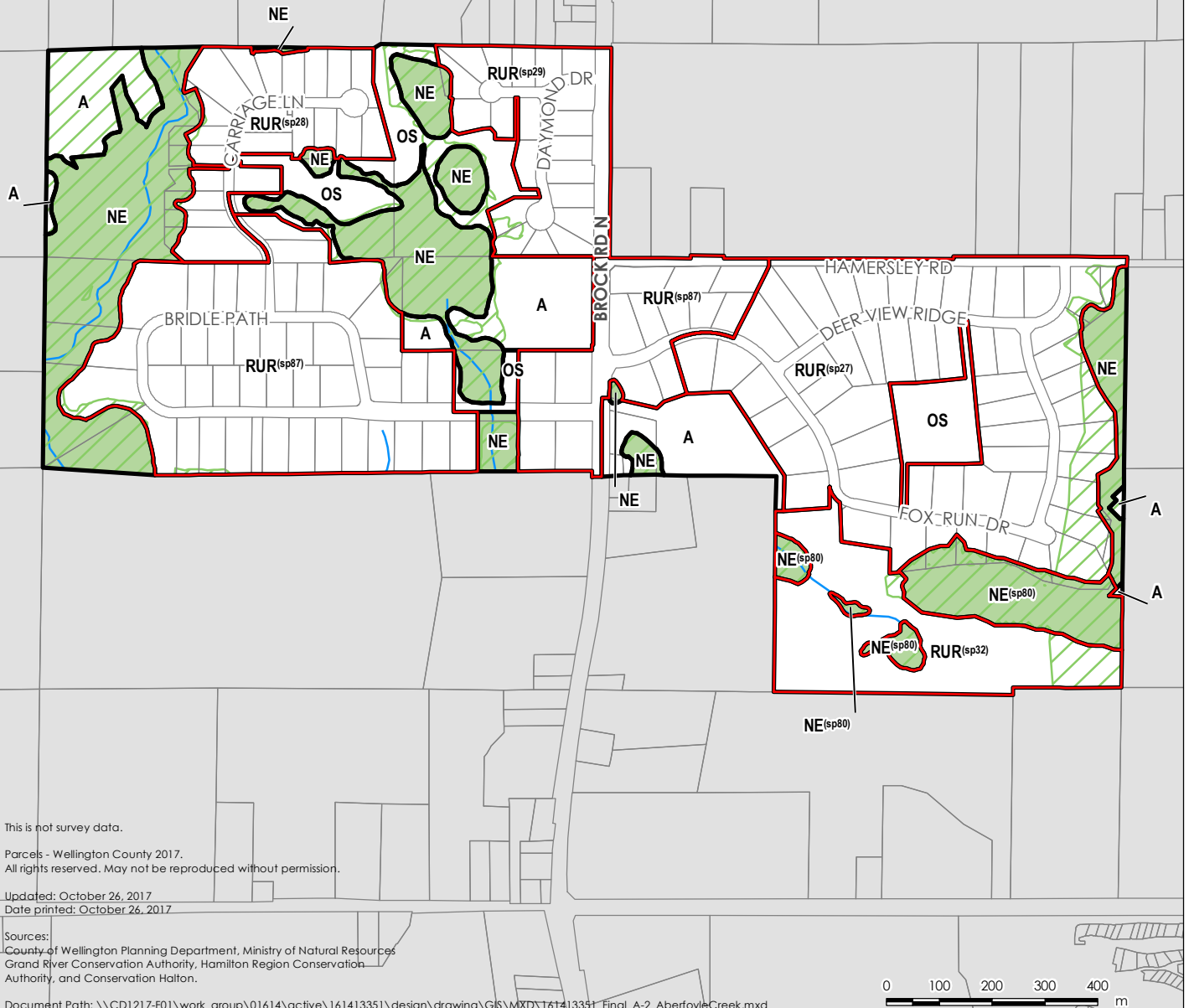
A	Agricultural	FD	Future Development
AC	Agricultural Commercial	HC	Highway Commercial
C	Commercial	HR	Hamlet Residential
CMU	Core Mixed Use	I	Institutional
DI	Disposal Industrial	IND	Industrial
EXI	Extractive Industrial	NE	Natural Environment
		OS	Open Space
		RC	Resort Commercial
		RR	Resort Residential
		RUR	Rural Residential
		UR	Urban Residential
		(sp#)	Site Specific Exemption
		(h#)	Holding Provision
		(t#)	Temporary Zone



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Map A-1
Schedule A
Township of Puslinch
Zoning By-Law
No. XX/XX
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Legend

- Site Specific Exemption
- Zoning Limits
- Environmental Protection Overlay
- Natural Environment

Zone Descriptions

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- AC Agricultural Commercial
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- RUR Rural Residential
- UR Urban Residential
- (sp#) Site Specific Exemption Holding Provision
- (h#)
- (t#) Temporary Zone



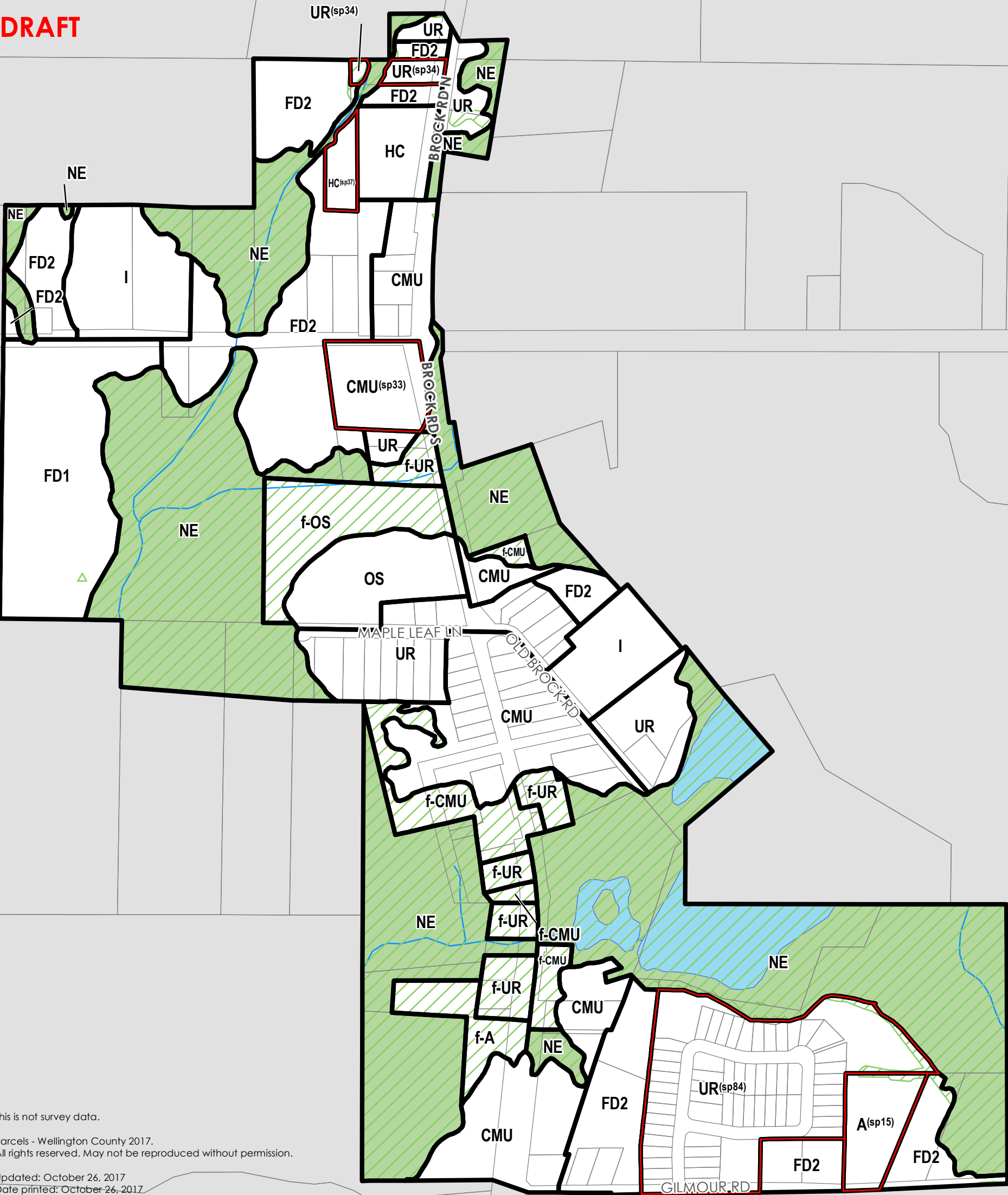
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Map A-2

Schedule A
Township of Puslinch
Zoning By-Law
No. XX/XX

**ABERFOYLE CREEK &
FOX RUN ESTATES**

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Legend

- Site Specific Exemption
- Zoning Limits
- Environmental Protection Overlay
- Natural Environment

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- AC Agricultural Commercial
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- RUR Rural Residential
- UR Urban Residential
- f- Flood Special Policy Area
- (sp#) Site Specific Exemption
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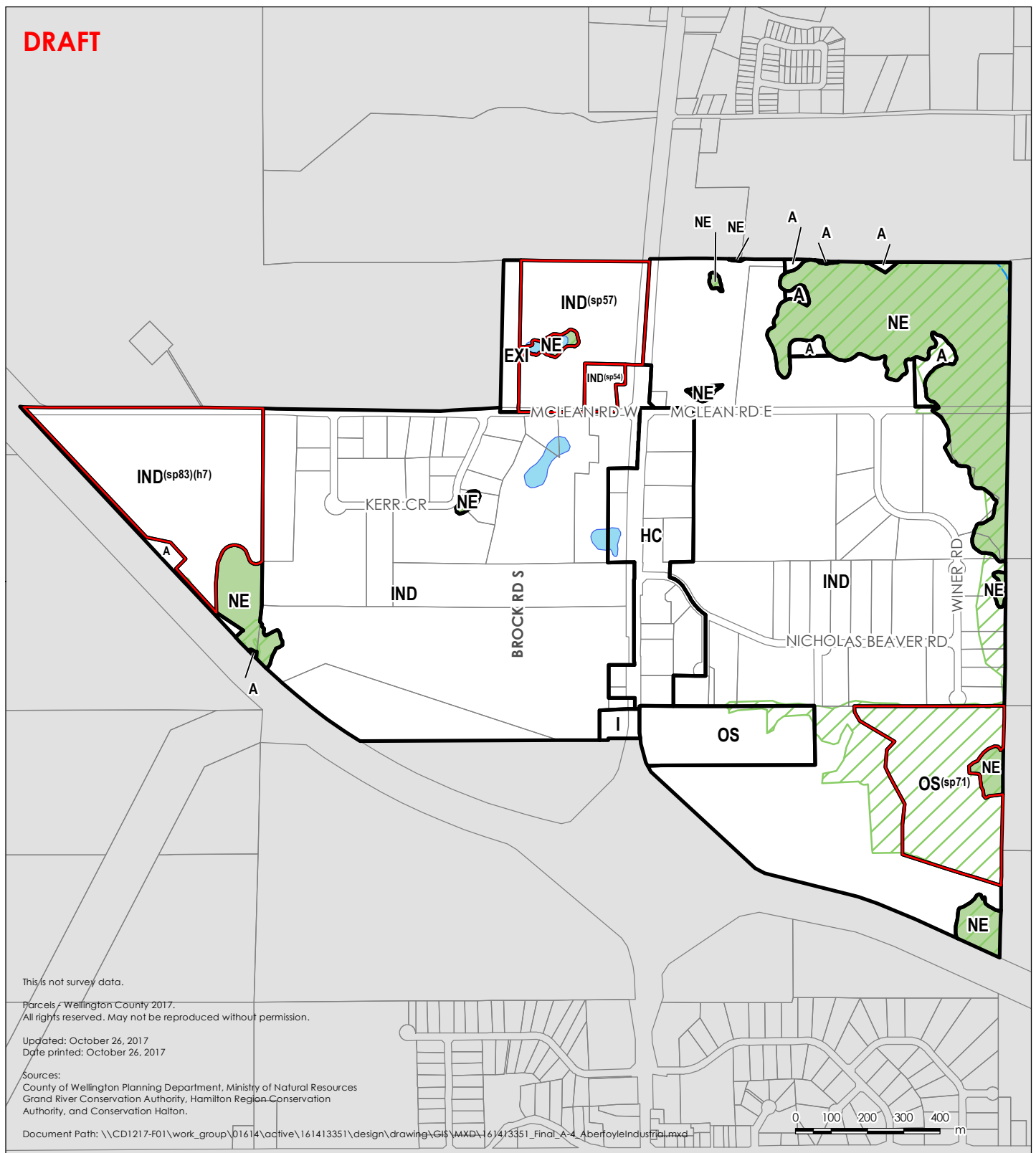
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Map A-3

Schedule A
Township of Puslinch
Zoning By-Law
No. XX/XX

Aberfoyle

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Legend

- Site Specific Exemption
- Zoning Limits
- Environmental Protection Overlay
- Natural Environment

Zone Descriptions

- A Agricultural
- AC Agricultural Commercial
- C Commercial
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- UR Urban Residential
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- (t#) Temporary Zone



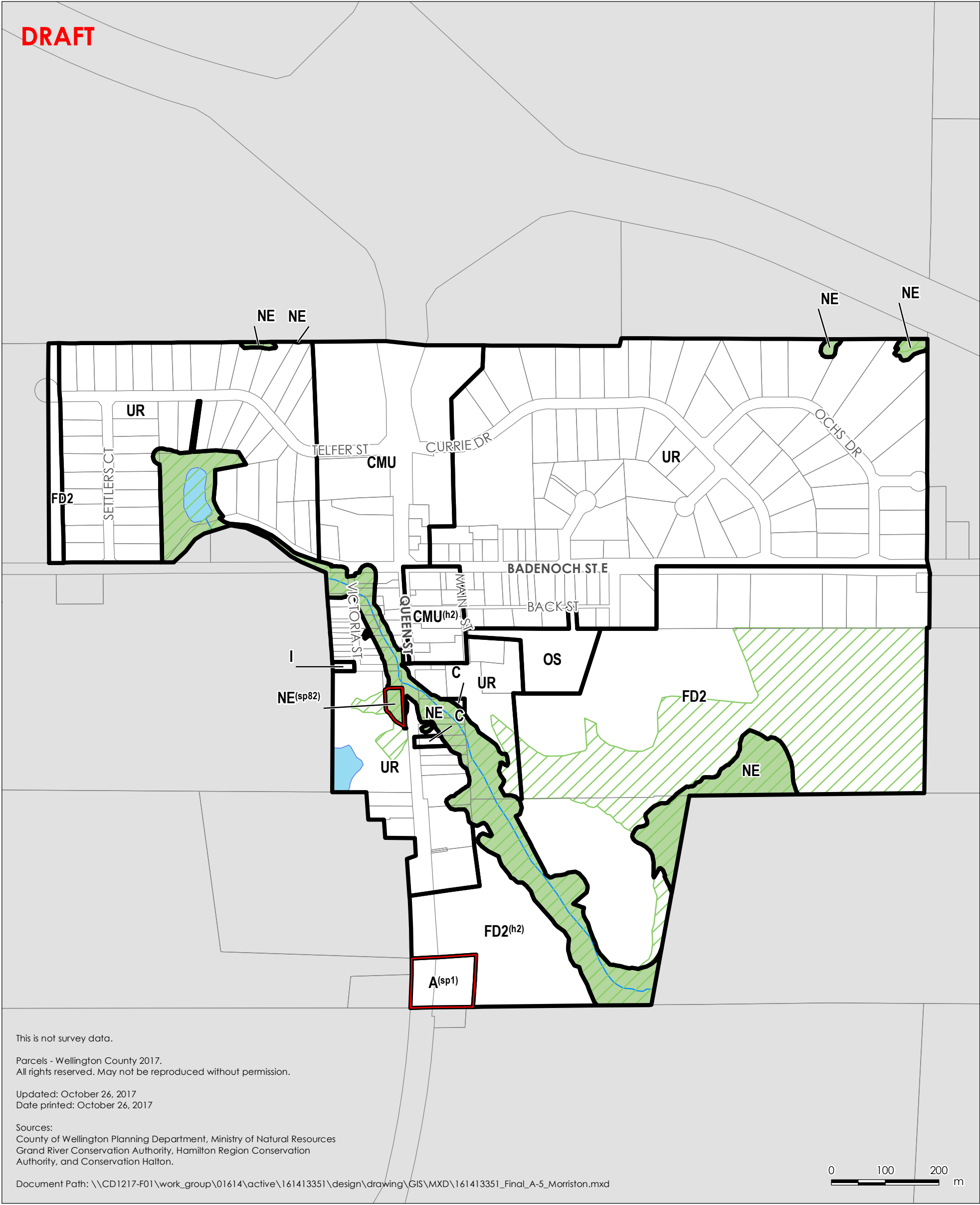
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Map A-4

Schedule A
Township of Puslinch
Zongin By-Law
No. XX/XX

**ABERFOYLE
INDUSTRIAL AREA**

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Legend

- Site Specific Exemption
- Zoning Limits
- Environmental Protection Overlay
- Natural Environment

Zone Descriptions

- A Agricultural
- AC Agricultural Commercial
- C Commercial
- CMU Core Mixed Use
- DI Disposal Industrial
- EXI Extractive Industrial

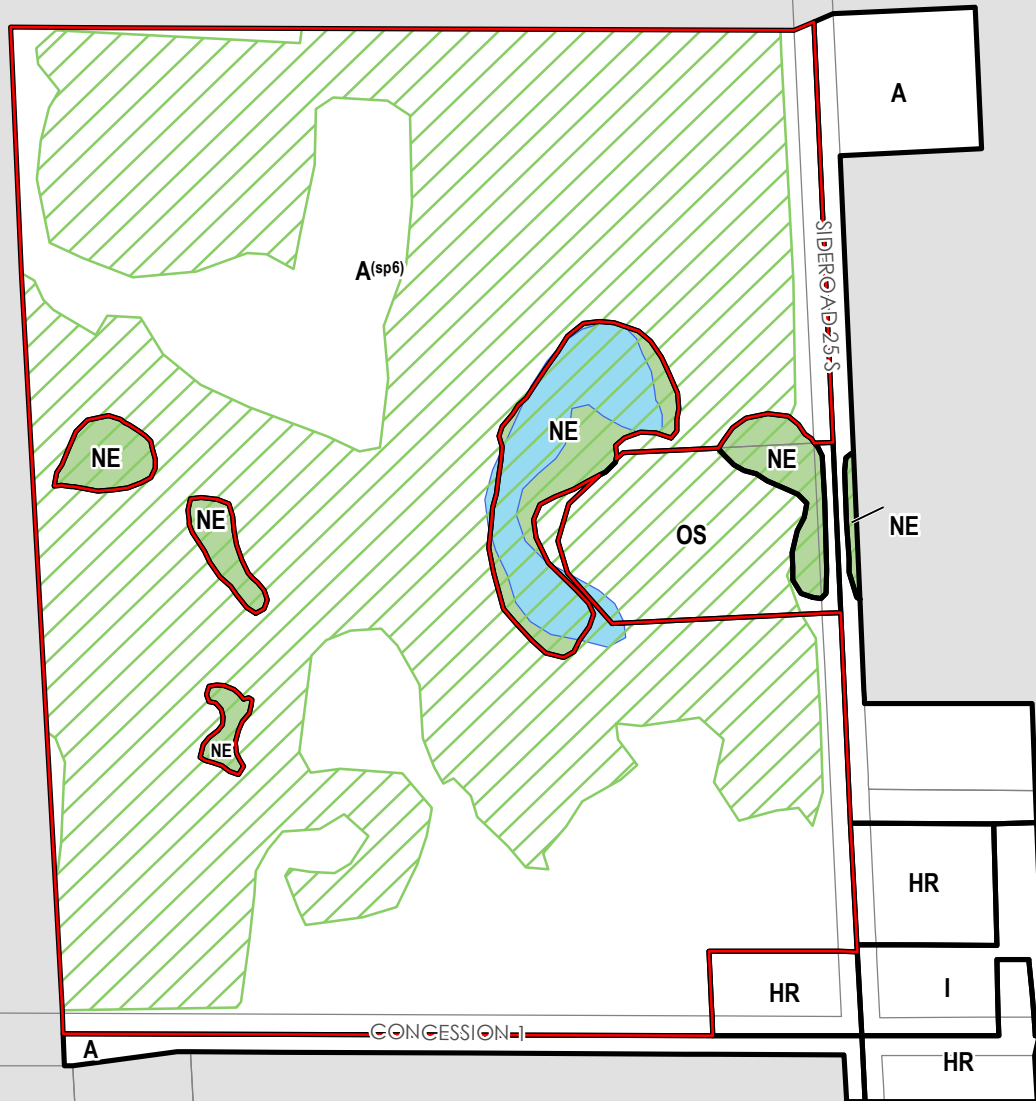
- FD Future Development
- HC Highway Commercial
- HR Hamlet Residential
- I Institutional
- IND Industrial
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- RC Resort Commercial
- RR Resort Residential
- RUR Rural Residential
- UR Urban Residential
- (sp#) Site Specific Exemption
- (h#) Holding Provision
- (t#) Temporary Zone



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Map A-5
Schedule A
Township of Puslinch
Zongin By-Law
No. XX/XX
Morriston

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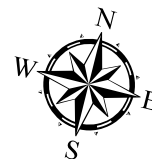
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- Site Specific Exemption
- Zoning Limits
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- Natural Environment

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- RR Resort Residential
- RUR Rural Residential
- UR Urban Residential
- (sp#) Site Specific Exemption Holding Provision
- (h#)
- (t#) Temporary Zone



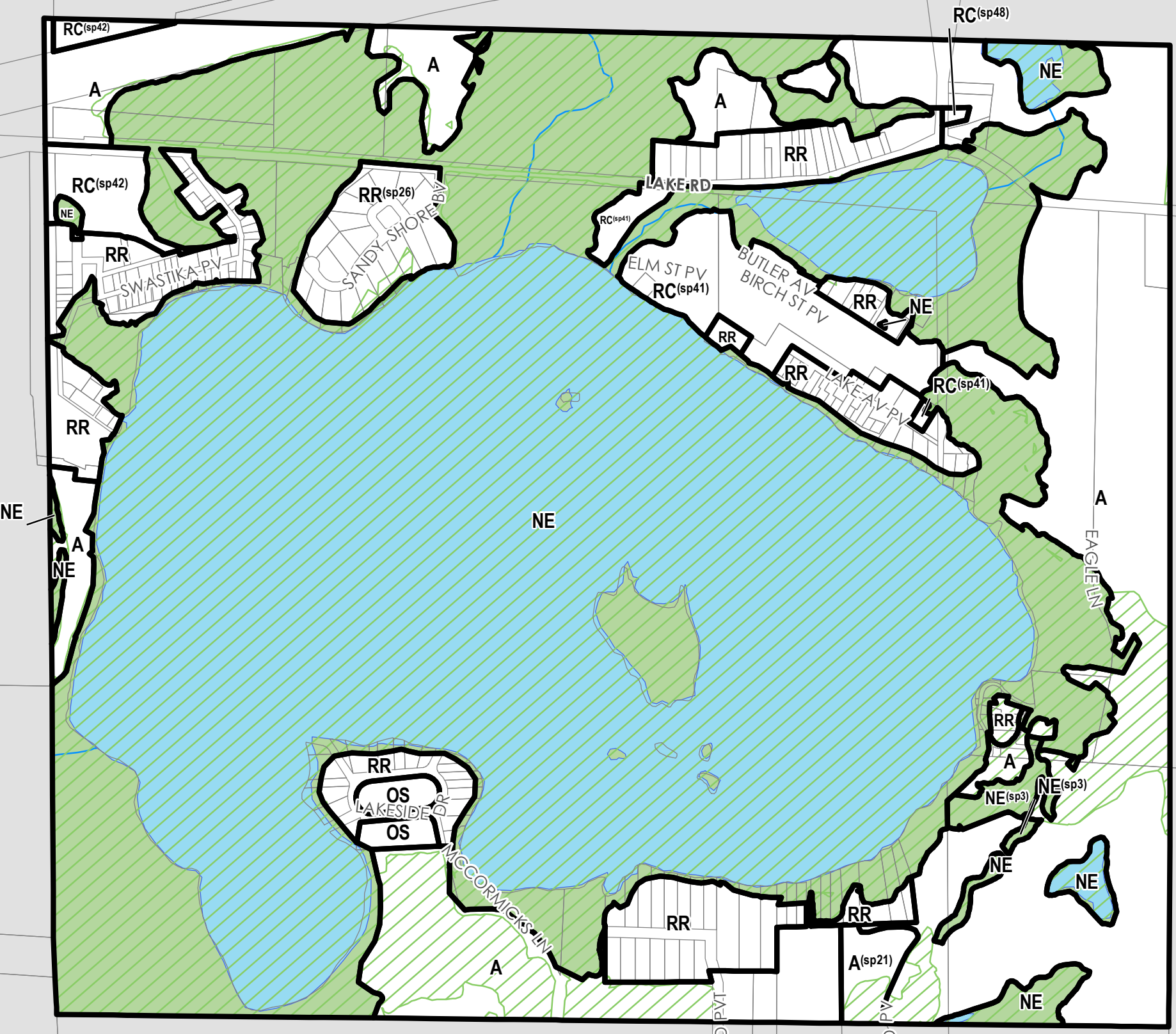
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Map A-6

Schedule A
Township of Puslinch
Zoning By-Law
No. XX/XX

Crieff

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Legend

- Site Specific Exemption
- Zoning Limits
- Environmental Protection Overlay
- Natural Environment

Zone Descriptions

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- RC Resort Commercial
- RR Resort Residential
- RUR Rural Residential
- UR Urban Residential
- (sp#) Site Specific Exemption
- (h#) Holding Provision
- (t#) Temporary Zone



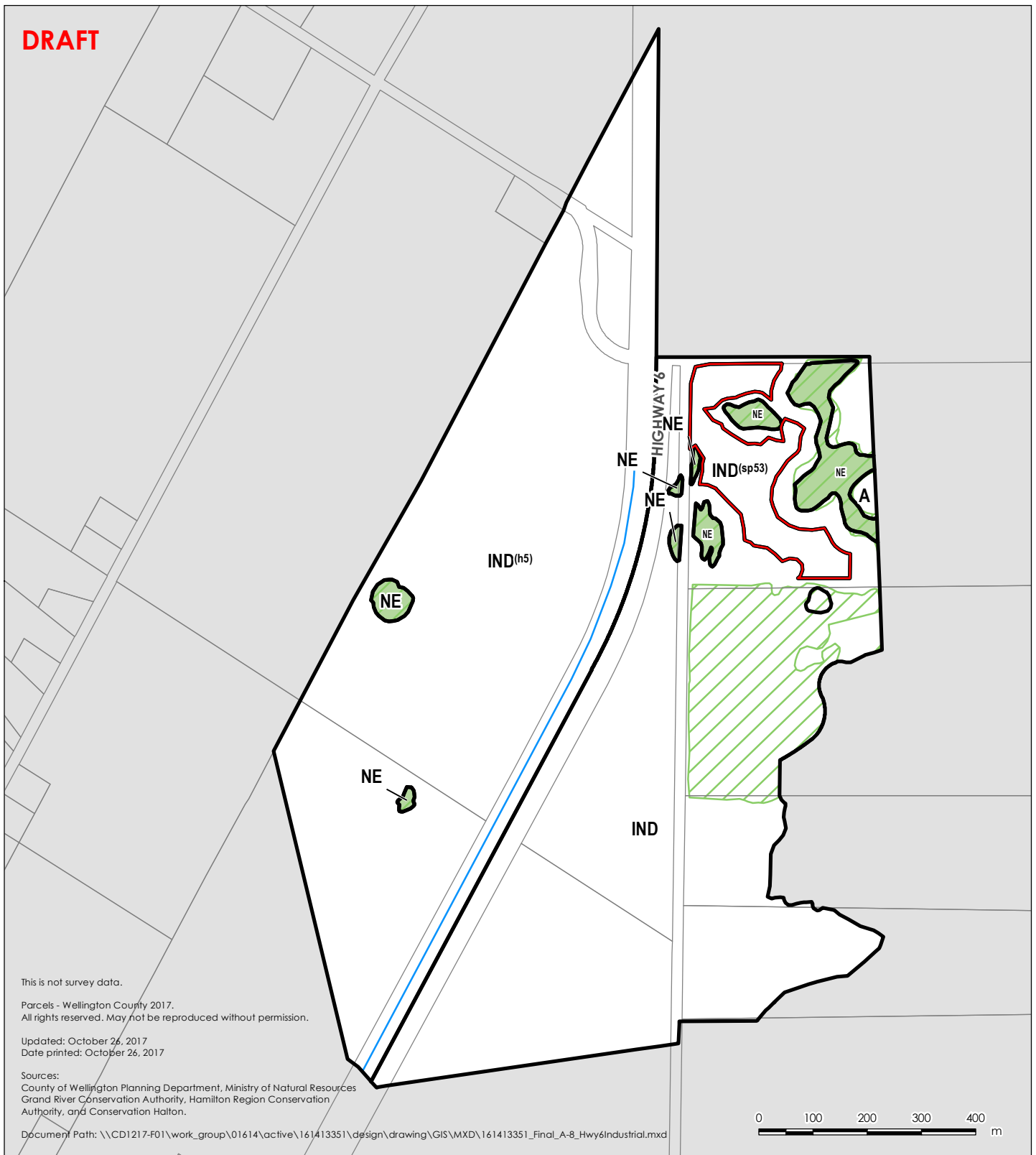
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Map A-7

Schedule A
Township of Puslinch
Zongin By-Law
No. XX/XX

Puslinch Lake

DRAFT



Legend

- Site Specific Exemption
- Zoning Limits
- Environmental Protection Overlay
- Natural Environment

Zone Descriptions

- A Agricultural
- AC Agricultural Commercial
- C Commercial
- CMU Core Mixed Use
- DI Disposal Industrial
- EXI Extractive Industrial

- FD Future Development
- HC Highway Commercial
- HR Hamlet Residential
- I Institutional
- IND Industrial
- NE Natural Environment
- OS Open Space
- RC Resort Commercial
- RR Resort Residential
- RUR Rural Residential
- UR Urban Residential
- (sp#) Site Specific Exemption
- (h#) Holding Provision
- (t#) Temporary Zone



DRAFT

Map A-8
Schedule A
Township of Puslinch
Zoning By-Law
No. XX/XX
**Highway 6
Industrial**

DRAFT



Township of Puslinch

Zoning By-Law No. XX/XX
Schedule 'B' Overlay

Map B-1

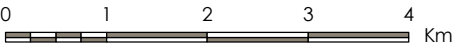
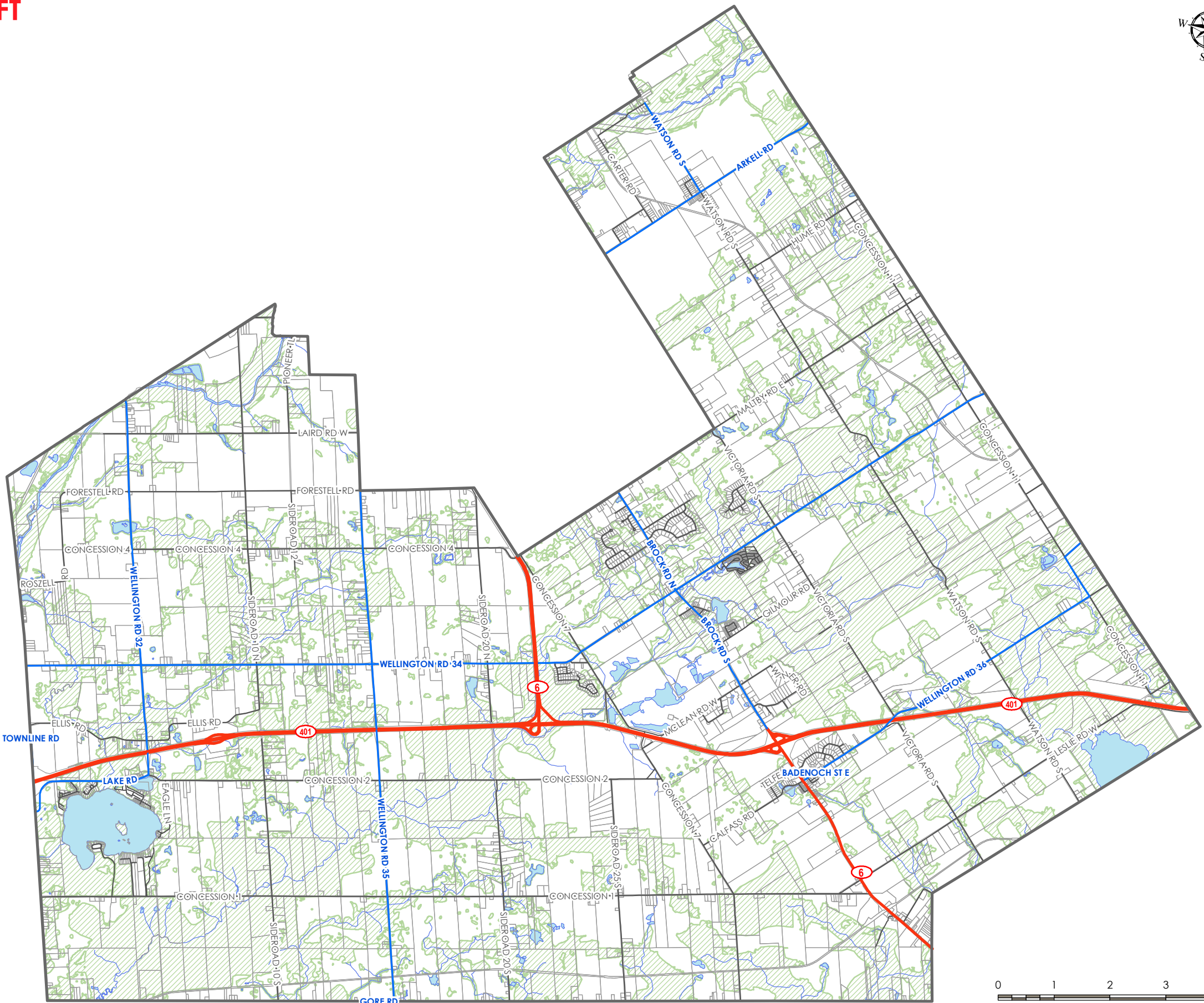
Environmental Protection
Overlay

Legend

- Local Road
- County Road
- Provincial Highway
- Watercourse
- Waterbody
- Municipal Boundary
- Parcels

Overlay

- Greenlands Official Plan Designation**
- Environmental Protection



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Sources:
County of Wellington Planning Department, Ministry of Natural Resources
Grand River Conservation Authority, Hamilton Region Conservation
Authority, and Conservation Halton.

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Township of Puslinch

Zoning By-Law No. XX/XX
Schedule 'B' Overlay

Map B-2

Source Protection
Vulnerable Areas Overlay

Legend

- Local Road
- County Road
- Provincial Highway
- Watercourse
- Waterbody
- Municipal Boundary
- Parcels

Overlay

- Wellhead Protection Area**
- Source Protection Vulnerable Areas

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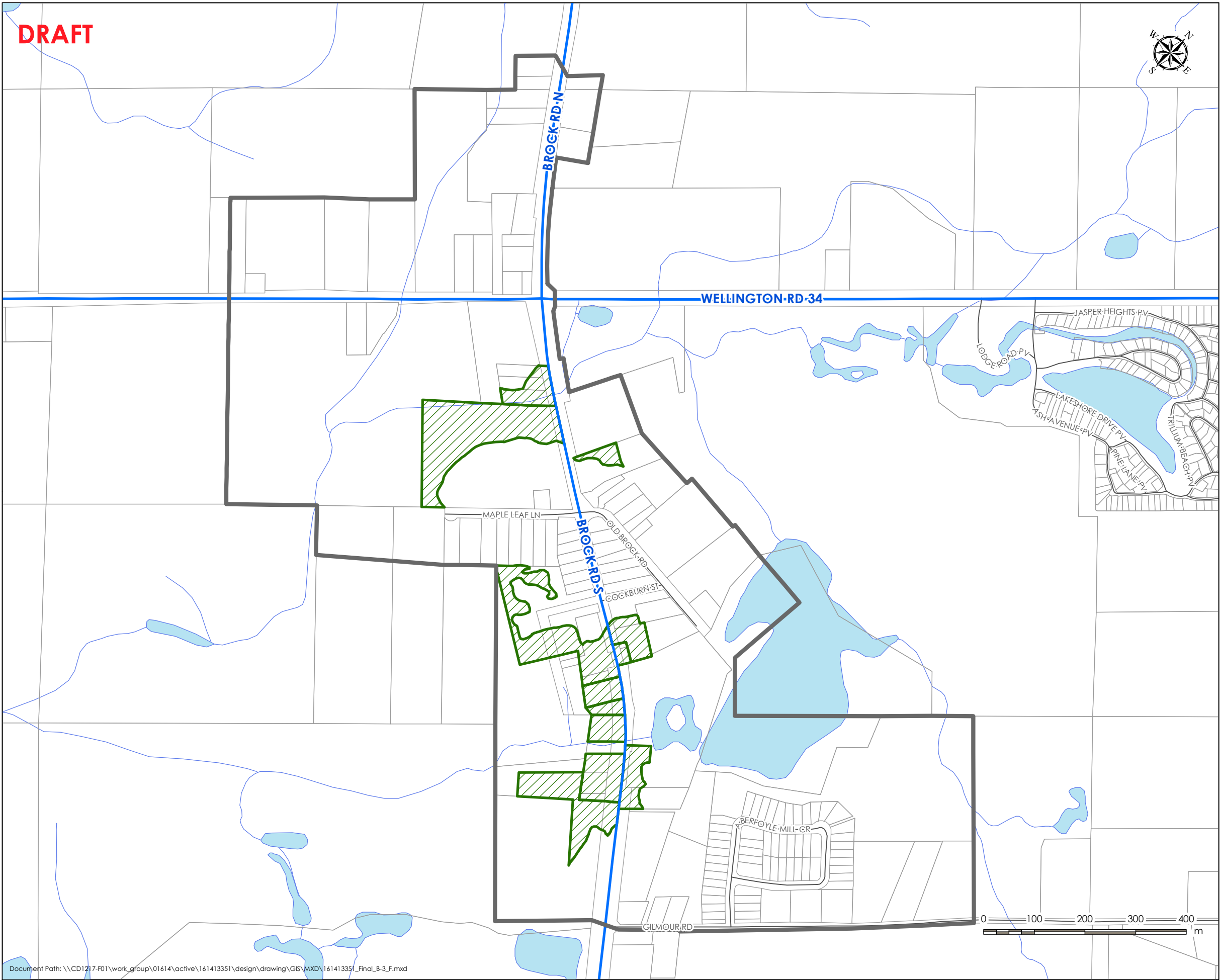
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Township of Puslinch

Zoning By-Law No. XX/XX
Schedule 'B' Overlay

Map B-3

Flood Special Policy
Area Overlay

Legend

- Local Road
- County Road
- Provincial Highway
- Watercourse
- Waterbody
- Aberfoyle Limits
- Parcels

Overlay

- Floodplain Zoning Designation**
- Flood Special Policy Area

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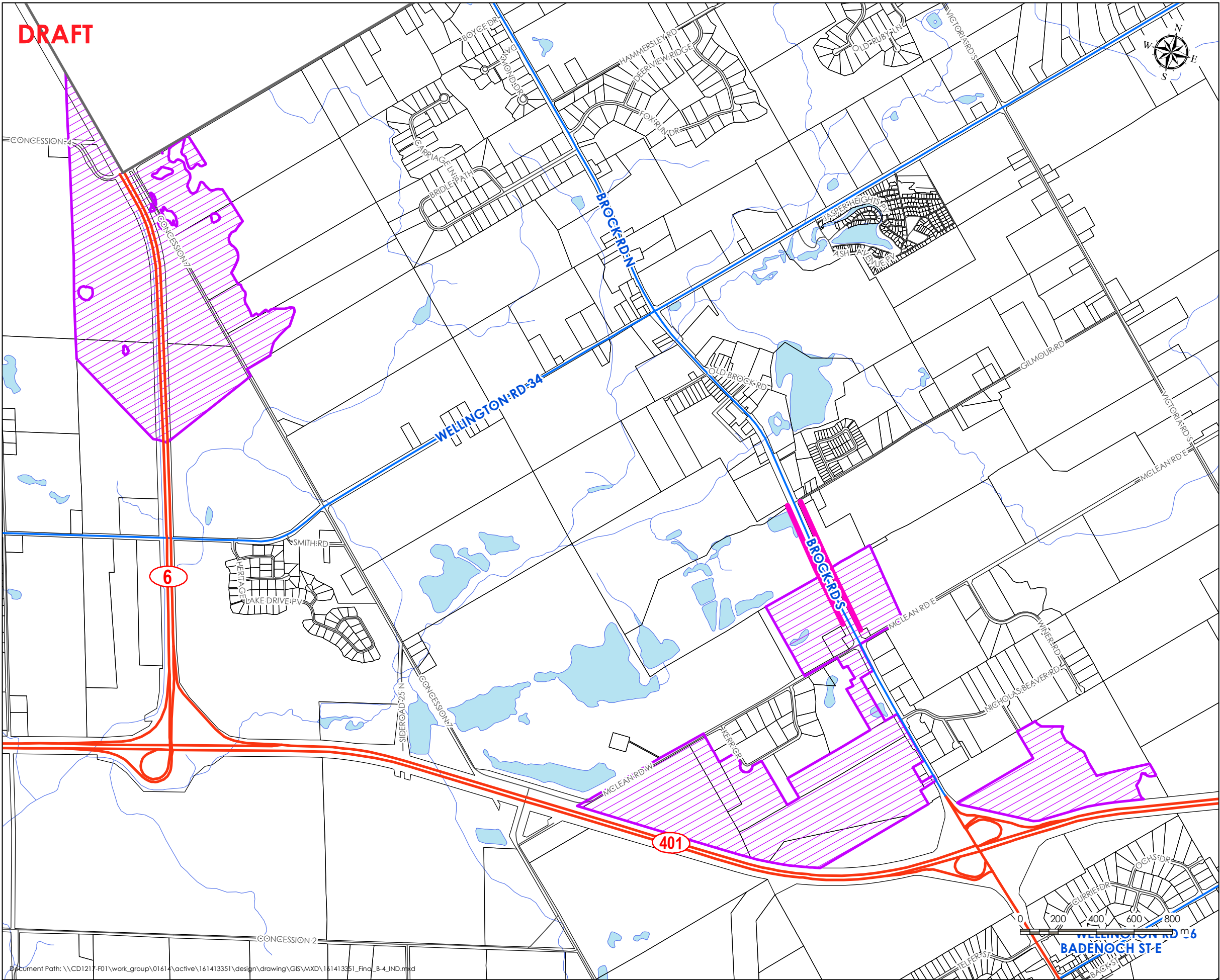
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Township of Puslinch

Zoning By-Law No. XX/XX
Schedule 'B' Overlay

Map B-4
Industrial Design Overlay

Legend

- Local Road
- County Road
- Provincial Highway
- Watercourse
- Waterbody
- Municipal Boundary
- Parcels

Overlay

- Industrial Lands Fronting Major Highways**
- Industrial Design Overlay
 - 3m Landscape Buffer

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Puslinch

ZONING



Bylaw

STATUTORY PUBLIC MEETING #2

November 29, 2017

Meeting Purpose

The purpose of tonight's Statutory Public Meeting is to:

1. Provide a summary of the zoning by-law review process.
2. Provide a summary of the proposed changes to the Zoning By-law.
3. Hear any comments either in support or opposed to the proposed Zoning By-Law changes.

PLEASE NOTE:

- There are no decisions being made today.
- This is the second Statutory Public Meeting scheduled for November 29th, 2017.
- Comments will be recorded and changes to the final Draft may be undertaken in December 2017.
- Changes to the final Draft will be presented in a final report to Council on January 24, 2017.

Background and Goals

BACKGROUND:

- The Township's Zoning By-law 19/85 is more than 30 years old.
- There have been over 215 amendments to the Zoning By-law.
- New legislative and policy documents have been put into place since its adoption.
- The Township has recently completed a number of local Strategies and Plans.

PROJECT GOALS:

1. Implement upper-tier plans and policies.
2. Implement local strategies and planning documents.
3. Maintain existing zoning regulations that already work.
4. Address local issues and opportunities.
5. Implement innovative and flexible zoning techniques.
6. Eliminate duplication, redundancy, and contradictions.
7. Improve formatting, organization, accessibility, and interpretation.
8. Identify issues that could be addressed through another process.

Work Program

PHASE 1	Background Analysis and Issues Identification	2016
PHASE 2	Preliminary Consultation	
PHASE 3	Discussion Paper	
PHASE 4	First Draft Zoning By-Law Preparation	
PHASE 5	Consultation on Draft Zoning By-Law	2017
PHASE 6	Revised (Draft) Zoning By-Law and Report	
PHASE 7	Statutory Public Meeting and Presentation to Council	
PHASE 8	Passing of New Comprehensive Zoning By-Law	

SUMMARY

- Completed over 8 phases and a 16-month period.
- Phases 1-3 involved:
 - Identifying issues with the existing by-law
 - Recommending new approaches to address issues
- Phases 4-8 involved:
 - Developing a new Zoning By-law
 - Consulting on various Draft versions

OPPORTUNITIES FOR PUBLIC INPUT

- Project Steering Committee included residents and business owners
- Public Information Session: Oct. 20, 2016
- Open House #1: Feb. 16, 2017
- Open House #2: June 15, 2017
- Open House #3: Sept. 28, 2017
- Statutory Open House #4: Nov. 28, 2017
- Notices sent by mail and email
- Brochures and newspaper ads
- Township website and www.puslinchforward.ca

Key Changes: Organization and Format

Section	Contents
1.0	Administration and Interpretation
2.0	Classification of Zones
3.0	Definitions
4.0	General Provisions
5.0	Parking and Loading Requirements
6.0 -12.0	Zone Categories
13.0:	Zone Overlays
14.0	Site Specific Special Provisions
15.0	Holding Provisions
16.0	Temporary Use Provisions

KEY CHANGES:

1. Zones are organized and grouped together by common uses.
2. Permitted Use and Zone Regulations are organized in tables for easier reference.
3. Modernized and expanded definitions apply to all permitted uses (i.e., craft brewery, Farmer's Market, farm business).
4. Separate section on Parking and Loading requirements.
5. Defined terms bolded for convenience.
6. Updated and colour zone mapping Schedules was prepared.
7. Illustrations added to help clarify certain defined terms.
8. Site-specific zone exceptions reviewed, updated, and organized in a separate section.

Key Changes: General Provisions and Parking

GENERAL PROVISIONS:

1. Updated regulations for:

- Accessory Apartments
- Accessory Uses
- Garden Suites
- Home businesses
- Kennels

2. New regulations for:

- Home industries
- Shipping Containers
- Short Term Accommodation



PARKING:

1. Updated parking requirements for:

- Residential and non-residential uses

2. New regulations for:

- Parking of recreational vehicles and boats
- Shared Parking
- Bicycle Parking



Key Changes: Zone Structure

	Existing Zone Structure	Recommended Zone Structure
Agricultural Zones	1. Agricultural (A) Zone	1. Agricultural (A) Zone
Residential Zones	1. Hamlet Residential (HR) Zone 2. Residential Community (RC) Zone 3. Resort Residential (RR) Zone 4. Millcreek Residential (MR) Area Zone 5. Mini Lakes (ML) Zone 6. Estate Residential Type 1 (ER1) Zone 7. Estate Residential Type 2 (ER2) Zone 8. Rural Residential (RUR) Zone	1. Urban Residential 1 (UR1) Zone 2. Hamlet Residential (HR) Zone 3. Resort Residential (RR) Zone 4. Rural Residential (RUR) Zone
Commercial/ Mixed-use Zones	1. Hamlet Commercial (C1) Zone 2. Highway Commercial (C2) Zone 3. Agricultural Commercial (C3) Zone 4. Resort Commercial (C4) Zone	1. Core Mixed Use (CMU) Zone 2. Hamlet Commercial (C1) Zone 3. Highway Commercial (C2) Zone 4. Agricultural Commercial (C3) Zone 5. Resort Commercial (C4) Zone
Industrial Zones	1. Industrial (IND) Zone 2. Extractive (EX1) Zone 3. Disposal Industrial (DI) Zone	1. Industrial (IND) Zone 2. Extractive (EX) Zone 3. Disposal Industrial (DI) Zone
Institutional Zones	1. Institutional (I) Zone	1. Institutional (I) Zone
Other Zones	1. Open Space (OS) Zone 2. Natural Environment (NE) Zone	1. Future Development 1 (FD) Zone 2. Future Development 2 (FD2) Zone 3. Open Space (OS) Zone 4. Natural Environment (NE) Zone
Overlays/ Suffixes	N/A	1. Environmental Protection (EP) Overlay 2. Source Protection Vulnerable Areas Overlay 3. Floodplain Overlay 4. Industrial Design Zone Overlay

Key Changes: Permitted Uses and Standards

PERMITTED USES:

1. Updated in accordance with Provincial Planning Documents and Official Plan.
2. Introduced new terms and defined uses.
3. Added a wider range of permitted uses wherever possible and appropriate.



ZONE STANDARDS:

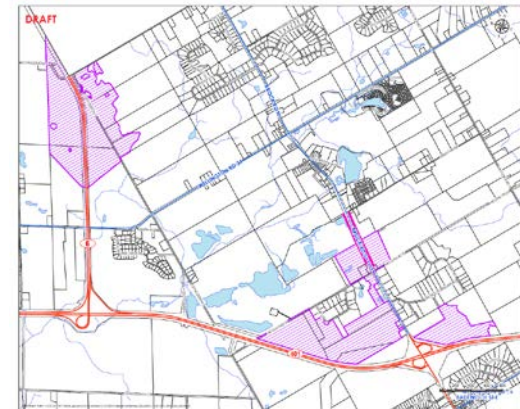
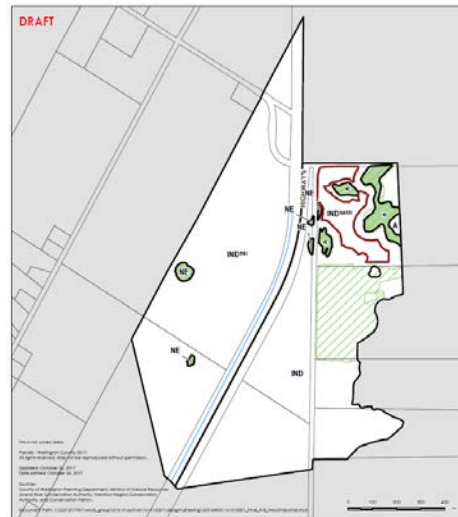
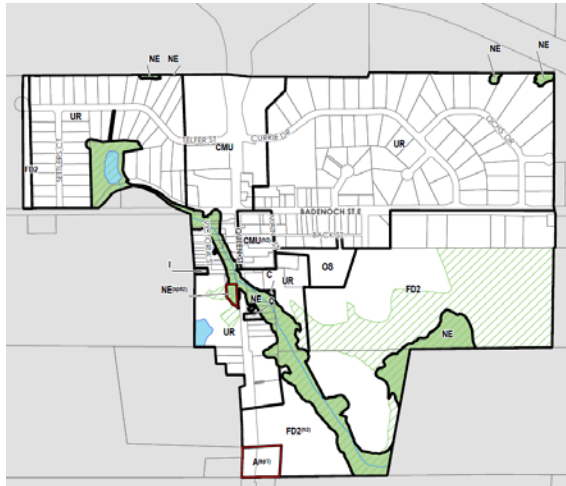
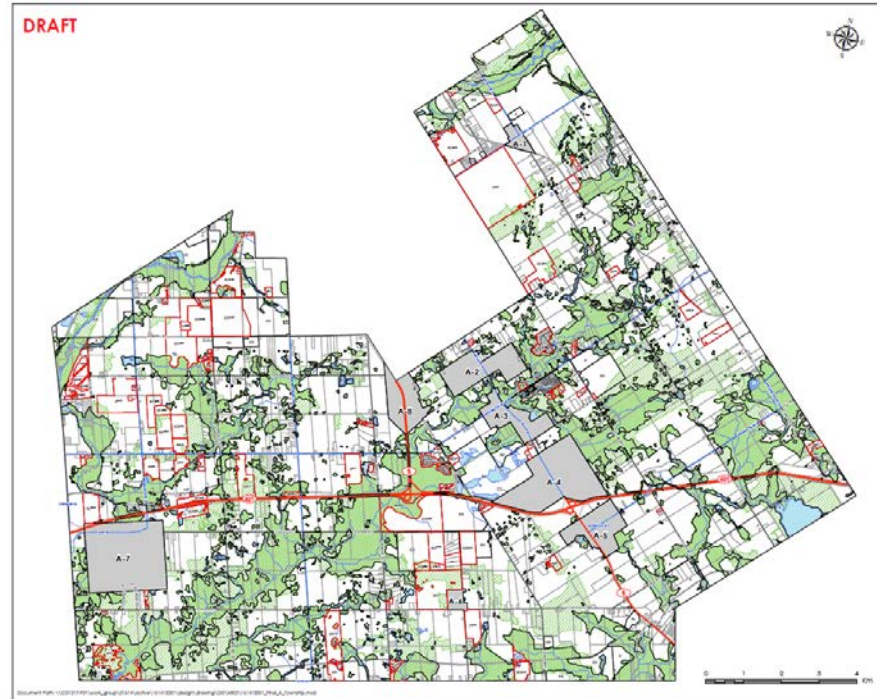
1. Maintained standards that are already working.
2. New minimum lot size requirement for most zones.
3. Updated other zone standards based on best practices:
 - Reduced lot frontage, front yard, side yard, rear yard, and landscaped open space requirements
 - Increased lot coverage
 - Maximum building height
4. Use-Specific Standards:
 - Maintained for: salvage yards and EX1 Zone
 - Introduced for: Farm Businesses

ALL SITE SPECIFIC ZONES HAVE BEEN REVIEWED BASED ON A SET OF CRITERIA AND UPDATED (I.E., MAINTAINED OR ELIMINATED)

Key Changes: Mapping

ZONING BY-LAW MAPS UPDATED:

1. Implemented Official Plan mapping (NE Zone, EP Overlay, SPP Overlay)
2. Pre-zoning in the Urban Centres (CMU, FD1 and FD2, IND)
3. Overlays (Industrial Design, Flood Plain)
4. Appendix 1: Conservation Authority Regulatory Limits



Summary of Comments Received

Comments received from:

- Wellington County
- Conservation Authorities
- Ministry of Transportation
- Upper Grand District School Board
- Individual Landowners and residents

Comments requiring further review:

1. Some defined terms and permitted uses
2. NE Zone mapping updates (under review by GRCA)
3. Proposed standards for kennels
4. EXI Zone standards
5. Pre-zoning and other site specific changes/provisions

PLEASE NOTE:

Comments are being documented and reviewed and responses will be provided in the final report to Council.

Next Steps

- Second statutory public meeting: November 29, 2017
- Deadline for comments: November 30, 2017
- Final revisions to address comments: December 2017
- Final by-law and report to Council: January 24, 2018

PLEASE NOTE:

- A third Statutory Public Meeting may be required if significant changes are made as a result of comments received.



Puslinch

ZONING



Bylaw

STATUTORY PUBLIC MEETING #2

November 29, 2017

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 081-2017

Being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Puslinch at its regular meeting held on November 29, 2017.

WHEREAS by Section 5 of the *Municipal Act, 2001, S.O. 2001, c.25* the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Section 5, Subsection (3) of the *Municipal Act*, a municipal power including a municipality's capacity, rights, powers and privileges under section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Puslinch at its Regular meeting held on November 29, 2017 be confirmed and adopted by By-law;

NOW THEREFORE the Council of the Corporation of the Township of Puslinch hereby enacts as follows:

- 1) The action of the Council of the Corporation of the Township of Puslinch, in respect of each recommendation contained in the reports of the Committees and each motion and resolution passed and other action taken by the Council at said meeting are hereby adopted and confirmed.
- 2) The Head of Council and proper official of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action of the Council.
- 3) The Head of Council and the Clerk are hereby authorized and directed to execute all documents required by statute to be executed by them, as may be necessary in that behalf and the Clerk authorized and directed to affix the seal of the said Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 29th DAY OF NOVEMBER, 2017.

Dennis Lever, Mayor

Karen Landry, C.A.O./Clerk