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PUSLINCH FORWARD: Township of Puslinch Comprehensive Zoning By-law Project

DISCUSSION PAPER:

**Key Issues and Recommendations for a
New Comprehensive Zoning By-law**

DRAFT | January 2017

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PART ONE:

INTRODUCTION AND CONTEXT

Purpose: To provide an introduction and background to the CZBL project, as well as an overview of the relevant Planning Context.

1.0 Introduction

1.1 Background

The Township of Puslinch is subject to Zoning By-law 19/85, which is more than 30 years old. Since the creation of the existing Zoning By-law, new legislative and policy documents have been put into place by the Province and County. For example:

- In 1999, the Wellington County Official Plan came into effect, which applies to the Township of Puslinch and sets out a Vision for a 20-year period and provides direction for physical development and the protection of resources;
- In 2005 and 2006 the Ontario Greenbelt Plan and Growth Plan were implemented to provide direction about where and how future growth should and should not be accommodated;
- In 2009, the Wellington County Official Plan was amended to implement the Growth Plan, and it was amended again in 2013 to implement the Greenbelt Plan and address other conformity matters; and
- In 2014, Ontario's Provincial Policy Statement was updated to provide planning direction for strong, sustainable, and resilient communities.

Currently, there is a need for the Township to update the Zoning By-law to ensure consistency and/or conformity with the latest Provincial and County planning documents.

In addition, from a local perspective, there are several Township strategies and Plans that could be implemented through a new Zoning By-law, including the 2016 Community Based Strategic Plan and the 2015 "Our Corridor" Community Improvement Plan, as well as a set of Design Guidelines prepared in 2008. Through these documents, Council, Staff, and residents have started to articulate their vision for the future of the Township.

The intent of this project is to create an up-to-date and contemporary Zoning By-law, which will protect various interests throughout the Township. It will also help the community achieve its vision for the future, in part, through the implementation of modern zoning approaches and tools.

Puslinch Forward
will result in a
contemporary
zoning by-law that
can help Puslinch
create the kind of
future it wants.

1.2 What is a Zoning By-law?

A Zoning By-law is a legally enforceable document required by the Planning Act, which is used by the Township to control the use of land. Regulations in the Zoning By-law state precisely:

- The types of uses and buildings that may be permitted on a lot;

- Where buildings or structures may be located on a lot;
- The required size and dimensions of a lot; and
- Building heights, parking requirements, and setbacks that must be met.

The Township's Zoning By-law is intended to manage future development and to protect property owners from conflicting land uses. It implements the goals, objectives, and policies of the Official Plan and can also be used to help encourage transition and change in certain areas of the Township.

A property owner is not eligible to obtain a building permit unless their proposed use, building, or structure complies with the requirements of the applicable Zoning By-law. Further, if a building or structure is erected, or the use of land or a building changes in a manner that does not comply with the Zoning By-law, a property owner may be subject to penalties.

However, if a proposed change to the use of land or a building does not comply with the Zoning By-law, a property owner may apply for a minor variance or a zoning by-law amendment to permit the proposed use of land or a building. In this case, the proposed minor variance or zoning by-law amendment would be subject to a public process, and may or may not obtain approval from Council.

1.3 Work Program

1.3.1 Key Project Phases

The Comprehensive Zoning By-law (CZBL) project involves an 8-Phase Work Program that is anticipated to be complete by mid-2017. Figure 1.1 on the following page has been prepared to summarize key project phases, steps, and timing. The following is a brief description:

Phase 1 (Completed): Has involved a review of the existing Puslinch Zoning By-law and other relevant planning documents to identify key issues, with input from Township staff.

Phase 2 (Completed): Has involved consultation with the public, a project Advisory Committee that has been assembled for the CZBL project, and Township Council, on the key issues identified in Phase 1. A preliminary discussion of possible options to address the issues has also been undertaken with these groups.

Phase 3 (on-going): This Discussion Paper has been prepared, which presents a summary of the zoning issues and various options which have been explored in Phases 1 and 2. The options discussed are identified and a recommended approach to addressing each key issue is presented.

Phase 4: A new Draft Zoning By-law will be prepared based on the recommendations identified in Phase 3.

Phase 5: Will involve consultation with the public, project Advisory Committee, and Township Council, on the new Draft Zoning By-law.

Phase 6: A revised Draft Zoning By-law will be prepared, based on input received during Phase 5.

Phase 7: A public open house and public meeting, as mandated by the Planning Act, will be held to formally present and receive feedback on a final Draft Zoning By-law.

Phase 8: Will involve final revisions to the final Draft Zoning By-law and the adoption of a new Comprehensive Zoning By-law by Township Council.

It should also be noted that property-specific zoning changes will not be entertained as part of the CZBL project; rather these requests should be considered through the Zoning By-law Amendment process.

1.3.2 Public Consultation

Each Phase of the Work Program will allow opportunities for members of the public and other stakeholders to review information and get involved, including:

- The project website will be updated regularly with project status updates;
- Project newsletters will be prepared to share updates, ideas, and information;
- Public sessions and open houses are being held at key project milestones;
- An Interactive mapping tool is available to explore current zoning and will be updated with proposed zoning (www.puslinchforward.ca); and,
- Other more innovative community outreach events are being held to spread the word about the CZBL project in the community and to hear about current issues with the existing By-law.

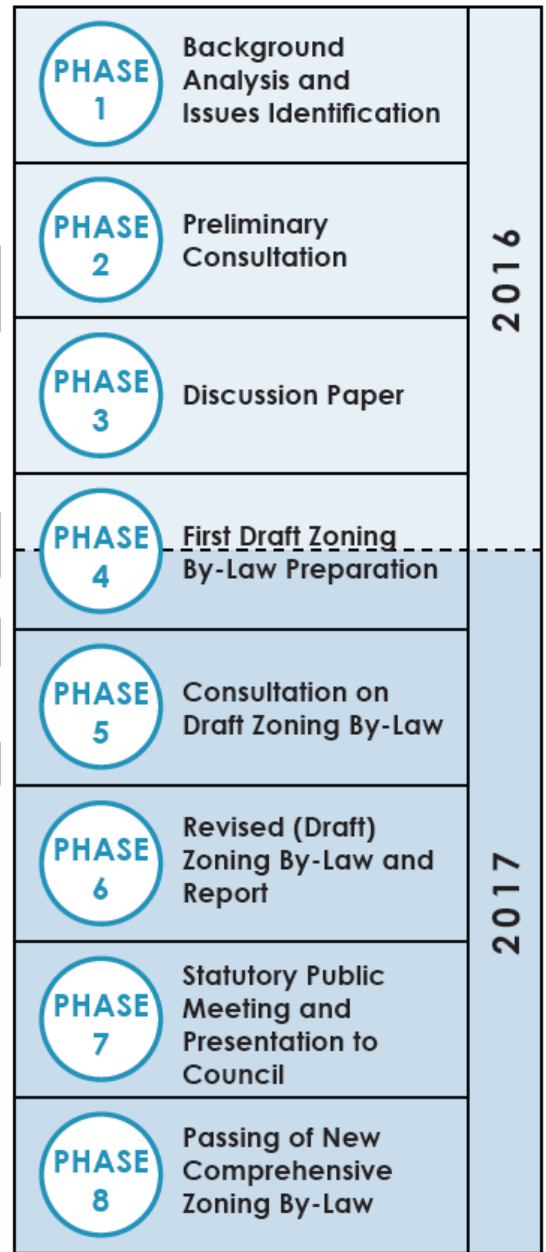


Figure 1.1: Puslinch Forward Work Program



Figure 1.2: Community consultation event at the Aberfoyle Farmer's Market

To-date, the following events have been held:

- A newsletter has been prepared and is available at www.puslinch.ca;
- On Saturday August 27, 2016, members of the project consulting team visited the Aberfoyle Farmer's Market to engage in a community discussion about zoning (as shown on the picture above);
- On September 12, 2016, a meeting with the project's 'Advisory Committee' (made up of Township and County staff, Conservation Authorities, school board representatives, local developers, and members of the local business community and citizens) was held to gather additional information and ideas about issues with the existing Township By-law.
- On September 21, 2016, an introductory presentation was made to Township Council to explain the project purpose, background, and work program, and to highlight key issues that had been identified to-date;
- On October 20, 2016, a Public Information Session was held to explain the project purpose, background, and work program to the community and to receive feedback on key issues identified to-date; and

- On November 14, 2016, a second meeting with the project's 'Advisory Committee' was held to share and receive feedback on the options and recommendations contained in this report.

1.4 Project Goals

A new Zoning By-law can be of benefit to Township Staff, residents, and developers in a variety of ways. It can help create opportunities for economic growth and redevelopment; protect important natural features, heritage resources and agricultural lands; provide for the reasonable enjoyment of property; and address unique local needs.

Therefore, to ensure that the Township benefits from the CZBL project to the extent possible, a set of project goals have been established and will serve to guide the decision-making process. Specifically, each of the options identified throughout this Discussion Paper with respect to how an issue can be addressed will be tested against the following goals:

Goal #1: Implement upper-tier plans and policies.

The new CZBL will be brought into conformity with Provincial legislation, Plans, and policies, and with the updated County of Wellington Official Plan.

Goal #2: Implement local strategies and planning documents.

The new CZBL will, to the greatest extent possible, implement zoning regulations that "give teeth" to locally prepared strategies and planning documents.

Goal #3: Maintain existing zoning regulations that already work.

The new CZBL will carry forward existing zoning regulations that are effective.

Goal #4: Address local issues and opportunities.

The new CZBL will address issues that are relevant to the local community, such as economic development, increased housing opportunities, and urban design.

Goal #5: Implement innovative and flexible zoning techniques.

The new CZBL will be contemporary and will implement the latest and most innovative approaches to zoning, where appropriate.

Goal #6: Eliminate duplication, redundancy, and contradictions.

The new CZBL will be streamlined, and new zoning provisions and mapping will be clear, easy to interpret, and not contain contradictory or unenforceable provisions.

Goal #7: Improve formatting, organization, accessibility, and interpretation.

The new CZBL will allow for frequent and new users alike to navigate and find information easily.

Goal #8: Identify issues that could be addressed through another process.

Issues that should be considered through the Official Plan or other municipal by-laws will be identified and addressed through other processes or reviews.

1.5 Purpose of this Discussion Paper

This Discussion Paper is divided into three sections, which address the following:

Part One: Provides an introduction and background to the CZBL project, as well as an overview of the relevant Planning Context;

Part Two: Provides an analysis of the existing Puslinch Zoning By-law 19/85, and discusses key issues, and preliminary options/recommendations for a new CZBL; and

Part Three: Provides a simplified summary of Part Two of this Report, focusing on the recommendations for a new CZBL.

1.5.1 How to Read This Discussion Paper

This Discussion Paper has been a working document through Phases 1, 2 and 3 of the Zoning By-law Review and has served as a basis for consultation with the public, Township staff, and local stakeholders. Throughout the following Sections, this Discussion Paper identifies:

- Key Issues with the Existing Zoning By-law;
- Actions and options for addressing the Key Issues; and
- A recommended approach, which will serve as the basis for a new CZBL.

1.6 Issues

Key issues with the existing Zoning By-law were identified during Phases 1 and 2 by Township staff and the consulting team, members of the public, Township Council, and the Advisory Committee through the consultation events identified earlier.

1.7 Actions and Options

To address the key issues, a range of options are identified throughout this Paper.



Key issues for the preparation of a new Zoning By-law, as well as potential options for dealing with them, are highlighted for the benefit of readers. They are shown in bold text, and further emphasized using the 'Puslinch Forward' arrow, as shown here.

These options were shared with members of the public, Township Council, and the project Advisory Committee, to receive feedback and identify a recommended option to be implemented through the development of a new CZBL for Puslinch.

1.8 Recommendations

Based on the input and feedback received, this Discussion Paper identifies a set of Recommendations to address the key issues, and to be used as the basis for preparing the Draft CZBL. Recommendations have also been tested against the project goals, as presented in Section 1.4, above. By doing so, local goals have informed the decision-making process to ensure that clear, agreed-upon directions have been developed.

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2.0 Planning and Growth Context

2.1 Provincial Legislation, Plans, and Policies

The Province of Ontario sets out several a legislative documents, Plans, and policies, which address Provincial interests with respect to protecting and developing land. It is the responsibility of local Municipalities to ensure that these Provincial interests are implemented, where appropriate, through Zoning By-law regulations.

The following is a brief overview of these key planning documents, highlighting some of the implications for the Township's CZBL project. A more detailed discussion of the ways in which the following can and should be implemented by the Township's CZBL is provided in Part Two of this Discussion Paper.

2.1.1 Planning Act

The Planning Act is the key legislative planning document that describes how municipalities can plan, manage, and regulate land use in Ontario, including through the use of Official Plans and Zoning By-laws.

Specifically:

- Under Sections 16 and 17 of the Planning Act, most municipalities¹ are required to prepare and adopt Official Plans, which contain goals, objectives, and policies to guide decision making on land use planning matters; and
- Under Section 34, a municipal council may pass a zoning by-law to implement the Official Plan and to regulate the use of land and the location, height, bulk, size, floor area, spacing, character and use of buildings and structures, as well as parking and loading requirements and lot requirements. Additionally, zoning by-laws may be used to prohibit the use of land or erection of buildings and structures where natural features, hazards, or significant resources occur.



Under the Planning Act, the Township's new Zoning By-law is required to be consistent with the Provincial Policy Statement and conform to the applicable municipal Official Plan.

¹ Local municipalities in Wellington County have the option of relying on the County's Official Plan policies or developing their own more detailed policies for all or parts of their community. The Township of Puslinch relies on the County's Official Plan.


2.1.2 Strong Communities through Affordable Housing Act, 2011

The Strong Communities Through Affordable Housing Act, 2011 (Bill 140) is intended to improve the affordable housing system and provide enhanced land use planning tools for municipalities to support the creation of affordable housing options, including garden suites and secondary units.

Through the Strong Communities Through Affordable Housing Act, several amendments to the Planning Act were made to address this goal, including:

- Requiring municipalities to implement official plan policies and zoning by-law provisions that allow second units in detached, semi-detached and townhouses.
- Allowing municipalities to determine appropriate locations and performance standards for these units.
- Taking away the ability to appeal official plan policies and zoning by-law provisions for second units, except for official plan policies that are included in five-year updates of municipal official plans.
- Adding affordable housing to matters of Provincial interest.

Bill 140 also introduced a regulation-making ability for the Minister of Municipal Affairs and Housing to prescribe minimum standards for second units; however, a regulation has not been issued under this authority. As a result, municipalities are responsible for determining what standards or zoning provisions should apply to second units.



It is noted that Wellington County has included policies within its Official Plan, which allow second units in detached, semi-detached and townhouses. Additional policies have been established with respect to appropriate locations and performance standards for these units. These Official Plan policies will need to be implemented through the Township's new CZBL.

2.1.3 Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) sets a policy foundation for regulating the development and use of land; it provides direction on matters of Provincial interest and supports the enhancement of the quality of life for all citizens of Ontario.

The legislation requires that Planning Act applications must be "consistent with" the Provincial Policy Statement. The PPS sets out policies on matters of provincial interest such as:

- Building Strong Healthy Communities;
- Development and Land Use Patterns;
- Settlement Areas and Rural Areas;

- Land Use Compatibility;
- Employment and Housing;
- Public and Open Spaces;
- Infrastructure and Public Service Facilities;
- Transportation Systems and Climate Change;
- Natural Heritage and Water Resources;
- Agriculture;
- Minerals and Petroleum, and Aggregate Resources;
- Cultural Heritage and Archaeology; and
- Natural and Human-Made Hazards.

Zoning By-laws are identified as an implementation tool in the PPS and planning authorities are required to keep their Zoning By-laws up-to-date with the PPS.



With respect to implementation of the 2014 PPS, it is noted that this has not yet been completed by Wellington County through its Official Plan. Implementation of some policies in the 2014 PPS could be addressed through the Township's CZBL project.

2.1.4 Greenbelt Plan, 2005

The Greenbelt Plan was approved by the Province of Ontario in 2005, to provide protection for agricultural land and ecological features by identifying where urbanization should not occur within the Greater Golden Horseshoe. It includes lands within the Niagara Escarpment Plan and Oak Ridges Moraine Conservation Plan.

The vision for the Greenbelt Plan includes a broad band of permanently protected land which:

- Protects against the loss and fragmentation of the agricultural land base and supports agriculture as the predominant land use;
- Gives permanent protection to the natural heritage and water resource systems that sustain ecological and human health and that form the environmental framework around which major urbanization in south-central Ontario will be organized; and
- Provides for a diverse range of economic and social activities associated with rural communities, agriculture, tourism, recreation, and resource uses

Local municipalities must ensure their Official Plans conforms to the Greenbelt Plan and include the Greenbelt area, protected countryside and natural heritage system in their Official Plan

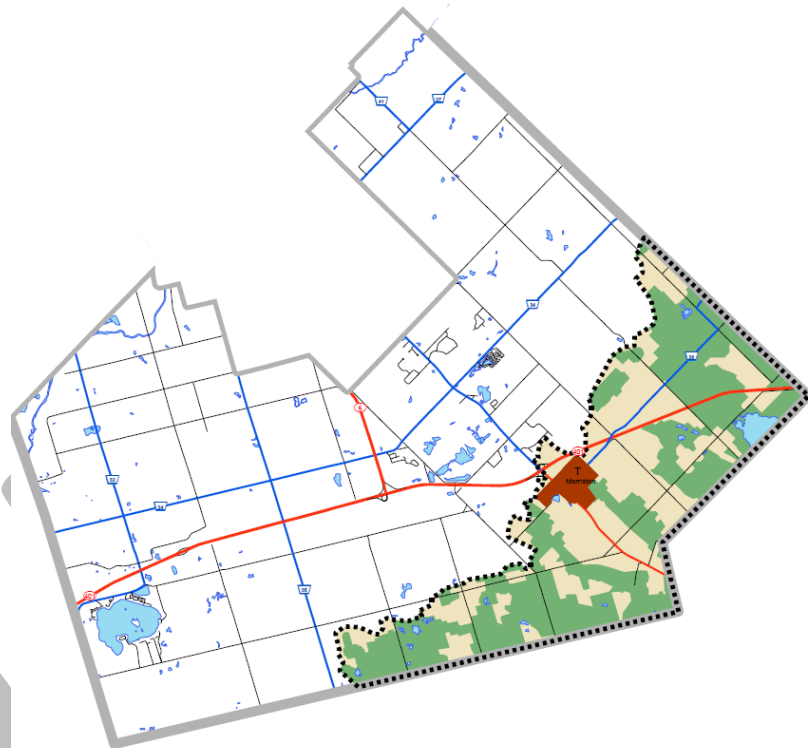
Mapping. Therefore, these features must also be reflected in the appropriate Zoning categories and provisions.

A portion of The Township of Puslinch is located within the Greenbelt Plan Area. As shown in Figure 1.3, the southeastern portion of the Township is designated Greenbelt Protected Countryside and Greenbelt Natural Heritage System, while the Urban Centre of Morriston is designated as a Town and Village.

Figure 1.3: Greenbelt Plan Area affecting the Township of Puslinch

Legend

- Greenbelt Boundary
- Greenbelt Protected Countryside
- Greenbelt Natural Heritage System
- Settlement Areas
- T Towns and Villages
- H Hamlet



There are policies in the Wellington County Official Plan which implement the relevant policies of the Greenbelt Plan (as a result of the County's Greenbelt Conformity exercise in 2013), which will need to be implemented as part of the CZBL project.

2.1.5 Growth Plan for the Greater Golden Horseshoe, 2006

The Growth Plan for the Greater Golden Horseshoe (as amended) was prepared by the Province to provide policies with respect to where and how growth should occur in a rapidly developing part of the Province. This includes the County of Wellington and the Township of Puslinch.

Specifically, there are policies for managing population and employment growth, which include:

- Directing significant portion of new growth to the built-up area of community through intensification;
- Reducing the dependence on the automobile through development of a mixed-use, pedestrian friendly urban environment;
- Ensuring availability of sufficient land for employment to accommodate forecasted growth to support the GGH's economic competitiveness;
- Planning for a balance of jobs and housing;
- Encourage development of complete communities;
- Directing development to settlement areas where municipal services are available; and
- Prohibiting establishment of new settlement areas.

The Growth Plan sets density and intensification targets for residential and employment growth occurring annually within each upper and single-tier municipality. Municipalities within the Greater Golden Horseshoe are required to develop and implement through their Official Plans a strategy and policies to phase in and achieve these targets.



As noted earlier, the Wellington County Official Plan underwent a five-year review, which included implementation of Growth Plan policies and targets (through OPA 81). The Township's new CZBL will also need to implement these upper-tier policies.

2.1.6 Source Water Protection Plans

The Clean Water Act, 2006 requires Source Water Protection plans to be developed to protect municipal sources of drinking water. These Source Water Protection Plans are developed based on watershed boundaries. The Township of Puslinch is within two Source Water Protection Plan areas, being Grand River and Halton-Hamilton.

To protect municipal sources of drinking water, source water wellhead protection areas and surface water intake zones are identified by Source Water Protection Plans, and restrictions on certain land uses within and near these areas apply.



It is noted that the Wellington County Official Plan currently provides mapping and policies for the Wellhead protection areas, and these will need to be implemented through the CZBL project.

2.2 Wellington County Official Plan

The Township relies on the County of Wellington's Official Plan to provide direction on the physical development of Puslinch and the long term protection of local resources. As previously noted, the County's Official Plan has been updated to implement Provincial Plans and policies as follows:

- Places to Grow addressed through OPA 65 in 2009; and,
- Greenbelt Plan conformity, and other matters of policy or plan conformity identified by the Province, was addressed through OPA 81 in 2013.

Section 2.2 of the County's Official Plan establishes a 'Commitment to the Future', which outlines the following examples of objectives for planning across the County, which are relevant to the Township of Puslinch and its CZBL project:

- 2.2.1 Accommodate a total County population of 122,000 by the year 2031;
- 2.2.2 Direct growth to urban areas and in particular to those with municipal sewer and water services²;
- 2.2.3 Provide opportunities for jobs, commerce and services that are based on population growth;
- 2.2.4 Provide opportunities for housing which accommodate a wide range of need and affordability;
- 2.2.5 Ensure that County residents have convenient access to commercial uses and services;
- 2.2.6 Maintain strong main streets in towns and villages as a focus for commerce and services;
- 2.2.7 Develop communities, which are efficient and livable;
- 2.2.8 Ensure cost effective development and land use patterns;
- 2.2.9 Maintain the small town and rural character of the County;
- 2.2.10 Protect the agricultural land base for farming;
- 2.2.11 Ensure that farmers, following normal farming practices, are not hindered by conflicting development;

² There are no municipal sewer or water services currently provided within Puslinch, which means that only limited growth will be accommodated by the Township during the planning horizon. This is discussed to a greater extent in Section 2.4 (Growth Context) of this Discussion Paper.

- 2.2.14 Maintain clean water, clean air and a healthy, diverse and connected Greenlands system;
- 2.2.15 Protect, restore or, where feasible, improve the diversity, connectivity and ecological functions of natural heritage features and areas such as wetlands, environmentally sensitive areas, streams and valley lands, woodlands, areas of natural and scientific interest, discharge and recharge areas and other open space areas;
- 2.2.17 Prevent, eliminate or minimize the risks to public health or safety and to property caused by natural hazards;
- 2.2.18 Promote a natural heritage systems approach to watershed management that includes protecting the County's Greenlands System and public health and safety.
- 2.2.19 Ensure that County residents continue to have convenient access to health care, education and cultural facilities;
- 2.2.24 Ensure the quality and quantity of groundwater and surface water are protected as an essential resource for urban and rural water supplies, agricultural production, the maintenance of the Greenland system, and future growth.

To achieve these objectives, lands within Wellington County are placed in the following broad categories:

- A Greenlands system, which is the focus for protection of the natural heritage system;
- Rural systems, which are the focus for resource activities; and,
- Urban systems, which are the focus for growth in the County.

In accordance with these categories, the following Official Plan Designations apply throughout the Township of Puslinch:

The Greenlands System

- Core Greenlands
- Greenlands
- Earth Science ANSI

The Rural System

- Prime Agricultural
- Secondary Agricultural
- Recreational
- Rural Employment Area
- Country Residential Policy Area

The Urban System

- Hamlet Area
- Urban Centre



The Wellington County Official Plan provides several policy directions for future growth and development and the protection of resources to 2031. Some of these policies must be implemented through the Township's CZBL, while others are optional. In addition, the Wellington County Official Plan establishes land use designations and corresponding land use policies, which will also need to be implemented by applying appropriate zones and zone provisions in the CZBL.

2.3 Township Strategies and Plans

2.3.1 Community Based Strategic Plan

The first Community Based Strategic Plan (CBSP) for the Township of Puslinch was prepared in early 2016, and is based on significant input from the local community about how the Township should approach the future. The CBSP establishes a 5-year timeframe (2015-2020) with strategic goals and objectives over the short, medium, and long term of the plan. The following are examples of goals and objectives identified by the CBSP, which are examples of zoning-related issues in the Township:

- Puslinch must achieve a greater balance between commercial and residential growth;
- Protecting "special" geographical features of Puslinch will be essential to the future;
- Puslinch must remain environmentally secure;
- Create space for cyclists and make the Township an "oasis" for recreational purposes;
- Aging in place and affordable housing for all stages of life is an important consideration;
- Residents need to get more involved in community service and local government;
- Accessory dwelling units, including garden suites; and
- Township water resources.



The above list of goals and objectives from the CBSP represent a set of local priorities and special consideration should be given to how they can be addressed through the Township's new CZBL.

2.3.2 Design Guidelines

In February 2010, a set of Design Guidelines were prepared for the Township of Puslinch, which identify priority geographic areas, including Brock Road from Morriston to Aberfoyle, and the industrial/mixed use corridor between the two Urban Centres. The Guidelines are intended to be applied to commercial, industrial and institutional development and redevelopment in order to enhance the streetscape along Brock Road, improve the quality of site and building design, and

protect what makes Puslinch unique. There are three categories of guidelines, as well as goals for each.



There is an opportunity to implement several guidelines through the new CZBL, which would make them legal requirements that must be met through the development application process. This should be considered only where it is desired and appropriate to do so.

The following are some examples of guidelines that apply to key areas of Morriston and Aberfoyle, as well as the connecting Brock Road mixed-use/industrial corridor, which could be implemented by the Township's Zoning By-law:

- A2.1 Minimize building setback from Brock Road;
- A3.1 Provide 3.0-metre-wide (minimum) perimeter landscape area abutting Brock Road measured from inside the property line;
- A3.3 Minimize the impact of driveways by designing to the minimum width necessary;
- B1.2 Outdoor storage shall not be permitted on sites with highway visibility, shall be screened with a combination of berms, landscaping, and fencing from County roads, and shall otherwise be screened from off-site view.

2.3.3 Community Improvement Plan

In 2016, the Township prepared and adopted a Community Improvement Plan (CIP) for the Urban Centres of Aberfoyle and Morriston, as well as the Brock Road industrial and mixed-use corridor. The purpose of the CIP is to provide a set of financial incentives and municipal leadership programs, that will help encourage the redevelopment, revitalization, and overall improvement of Puslinch, and to achieve the following Vision:

Within the next 10 years 'Our Corridor' will be integrated and transformed into an attractive, prosperous, and distinctive economic corridor. Residents, families, and visitors will come to 'Our Corridor', to shop, eat, socialize, celebrate, play, and explore. They will be able to move around safely through a network of roads, paths, and trails. Our corridor will be connected to its agricultural heritage, rural way of life, and local pride.

In addition to the above Vision, the CIP identifies the following set of goals:

1. Promote beautification and restoration of public and private property;
2. Celebrate and restore local built and cultural heritage;
3. Attract new business development;
4. Support and promote existing businesses;

5. Encourage active transportation and enhance recreational opportunities;
6. Provide attractive streetscapes, including parking, gateway signage, tree plantings and lighting; and
7. Provide safe pedestrian and cycling connections between Morriston and Aberfoyle.

Finally, the CIP identified the completion of a Zoning By-law Review as a priority municipal leadership initiative to help achieve the Vision and Goals. The CIP states:

"The Township may undertake a review of zones and zoning provisions that currently apply to the 'Our Corridor' Community Improvement Project Area to ensure that the regulatory regime:

- Conforms to the overall policy direction of the County's Official Plan;
- Is consistent with Township development objectives;
- Is supportive of revitalization, renewal, and the Township's overall Vision for 'Our Corridor';
- Facilitates the development of a particular use or form that is believed to be most beneficial for the community;
- Provides certainty to developers; and
- Implements contemporary zoning tools, such as form base zoning, bonusing, zoning with conditions, and holding by-laws."



There is an opportunity to develop new zoning regulations and provisions that would be supportive of the Vision and goals of the Township's local CIP, to continue to encourage revitalization, redevelopment, and economic development within the Urban Centres and Brock Road industrial and mixed-use area.

2.4 Context for Growth

The above review and discussion of key planning legislation, plans, and policies has identified several growth directions that can (to some degree) be implemented through a new zoning by-law, such as:

- Encouraging intensification of the existing built-up areas;
- Promoting employment areas and opportunities;
- Providing for a wide range of housing types;
- Supporting economic development.

However, while these growth directions are intended to be implemented in communities across Ontario, and in particular the Greater Golden Horseshoe, it is important to consider the extent to

which they can actually be realized in the Township of Puslinch given a number of significant growth constraints.

Part 3 of the County of Wellington Official Plan outlines the Wellington Growth Strategy. Generally, the Strategy encourages development patterns which are cost efficient, environmentally sound, compatible with existing uses, maintain small town character, maintain resource land, and provide access to community services and facilities.

The Strategy also clearly directs most growth to the Urban Centres that offer municipal water and sewage services and states that **growth will be limited in urban centres and hamlets that offer partial, private, and communal or individual on-site services**. This would include the Township of Puslinch which currently has no municipal water and sewage services.

In addition, through a recent amendment (OPA99³) to the Growth Strategy in the County's Official Plan, growth is now forecasted across the County to the year 2041. In total, the Growth Strategy states that the County will plan for new housing, commerce, employment, and services for about 46,000 new residents. It is also the responsibility of the County to allocate this growth to lower-tier municipalities, and the Table below demonstrates that **only a limited amount of growth has been allocated to the Township of Puslinch**:

Table 2.1: Projected Growth in Puslinch to 2041

	2016	2036	2041
Total Population ¹	7,815	9,565	9,655
Households	2,685	3,295	3,335
Total Employment ²	4,020	5,160	5,630

Source: County of Wellington Official Plan Amendment No.99

In total, it is estimated that by 2041 the Township will accommodate new growth in the range of 1,840 more people, 650 more households and 1,610 jobs by the year 2041.

However, it is also noted that most this growth will occur outside of the Urban Centres, as shown in Figure 2.2 below. The County's Strategy further indicates that additional housing development is limited within the communities of Aberfoyle and Morriston, and this is due to environmental constraints (e.g. the Greenbelt), and a limited availability of vacant, developable land.

³ At the time of this Report, OPA 99 and the forecasted projections to 2041 are currently under appeal.

Table 2.2: Projected Growth - Aberfoyle, Morriston, and outside Urban Centres to 2041

	2016	2036	2041	Net Difference
ABERFOYLE				
Total Population	325	345	335	10 persons
Households	120	130	130	10 households
MORRISTON				
Total Population	480	590	620	140 persons
Households	185	225	235	50 households
OUTSIDE URBAN CENTRES				
Total Population	7,010	8,630	8,700	1,690 persons
Households	2,380	2,940	2,970	590 households

Clearly, there are significant limitations on opportunities for growth in Puslinch, especially in the Urban Centres of Aberfoyle and Morriston. This is largely due to a lack of servicing; however, even if services were to be available in the near future, the potential for future growth would be limited by the amount of developable land within the Urban Centres.

Although Provincial and County directions for growth currently emphasize the need to accommodate intensification in built-up areas, and a wider range of housing, it is recognized that the extent to which this will occur in the Township's Urban Centres is limited. That said, there is still an opportunity to consider how these growth directions can be applied to Puslinch as appropriate and to the extent possible given the existing constraints. Therefore, as part of the overall approach of the Zoning By-law Review to create an up-to-date, forward thinking, and contemporary Zoning By-law, subsequent sections of this report will explore opportunities to promote a more compact and urban form of development, where growth opportunities do exist. However, recommendations to this effect should be considered in light of the growth context described herein.



3.0 Contemporary Zoning Tools

3.1 Pre-zoning

3.1.1 Overview

Zoning tools were originally put in place to prevent certain types of land uses and buildings from being established areas of a municipality, to protect property owners from conflicting land uses. Today, zoning is also being used to help encourage certain types of land uses and buildings in certain areas, to promote transition and change. This zoning tool/approach is called 'Pre-zoning'.

Pre-zoning involves the municipally-led rezoning of a property or properties in advance of a proposed development initiated by a land owner. The intent behind pre-zoning is to facilitate the development of desired uses and/or built form. Often areas are pre-zoned to support redevelopment, revitalization, or economic development initiatives in communities, including downtown or industrial areas in a manner that conforms to applicable Official Plan designations and policies.

By pre-zoning certain lands, the following benefits can be realized:

- Development activity is encouraged by providing some certainty to property owners or developers;
- Rezoning application fees and time constraints are significantly reduced or eliminated altogether; and
- The potential for costly and time consuming appeals to the Ontario Municipal Board may be avoided.

However, pre-zoning can also lead to concerns that the rezoning was not subject to the usual public process where Council and the community can review and provide input on site-specific applications. To address these concerns, a Holding Symbol can be applied to lands that have been pre-zoned requiring Council to lift the Holding Symbol only once certain criteria have been met. This approach is discussed further in Section 3.2.

3.1.2 Case Study/Best Practice

In 2013, the City of Orillia implemented its own approach to pre-zoning certain properties within the downtown area, to implement some of the key recommendations of the 'Downtown Tomorrow' Strategic Master Plan. The Master Plan, which was prepared in 2012, recommended that areas along the waterfront be pre-zoned in order to encourage private sector investment. Specifically, the Master Plan states:

“Pre-zoning the parcels for the desired uses and built form... should be done in consultation with the landowners with the expressed intent to encourage redevelopment. If the right zoning is in place, the City can be more assured that redevelopment, when it does happen, will be generally appropriate.”

In the case of Orillia, 'Intensification Areas' along the waterfront, as identified by the City to achieve intensification targets identified by the Province, were pre-zoned to permit the development of apartment buildings, without the need for a site specific rezoning, which had historically been required.



There may be an opportunity for Puslinch to consider whether pre-zoning of certain areas (i.e., the Urban Centres and/or Industrial Areas) would be appropriate to facilitate the development of desired uses and/or built form and encourage redevelopment, revitalization, and economic development.

3.2 Holding Zones

3.2.1 Overview

The use of a 'Holding Zone' can also be used as a more contemporary and flexible approach to zoning. Holding zones ("H") can be applied to certain properties where development would be considered premature or inappropriate until the developer meets certain conditions or requirements. A Holding zone outlines the conditions or requirements that would need to be satisfied before the 'lifting' or removal of the "H" would be permitted. A land owner or developer would be required to make an application to the municipality requesting the holding provision be lifted and to demonstrate how the conditions for removal have been met.

Notably, the removal of an "H" is a public process that requires Council approval. Therefore, this approach can be used to address concerns related to pre-zoning, which is not subject to the usual public process where Council and the community can review and provide input on site-specific applications. Using this approach, a Holding Zone is applied in association with the pre-zoning of a property. By applying an "H" to a property that is pre-zoned, a municipality can ensure that members of the community and Council have an opportunity to review and comment on the details and design of a proposed development and to ensure that potential concerns such as those related to design, traffic, or servicing are addressed.

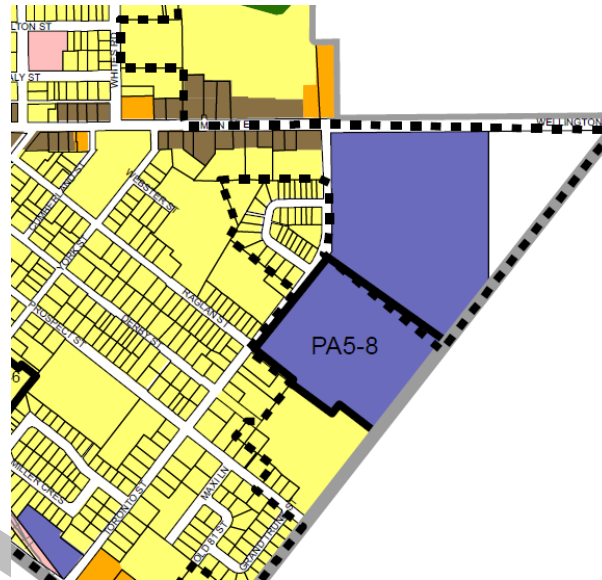
3.2.2 Case Study

An example of the use of a Holding Zone can be found in the Urban Centre of Palmerston in the Town of Minto. Currently, Industrial lands located outside of the built-up area (as shown in Figure 3.1 below) are subject to a Policy Area PA5-8 in the Wellington County Official Plan, which states that:

“The policy area shall be placed in an appropriate industrial zoning category and shall be subject to a Holding (H) provision. No industrial uses are to take place in the policy area until the

holding provision is removed by Council. Prior to the removal of holding, Council shall require the submission and approval of associated technical reports, including a Noise and Vibration Study and a Stormwater Management Report.”

Figure 3.1: Policy Area 5-8 in the Town of Minto



The Policy Area is intended to ensure compatibility between the subject lands and neighbouring residential uses, and this is also implemented using a Holding Zone, as shown in Figure 3.2 below.

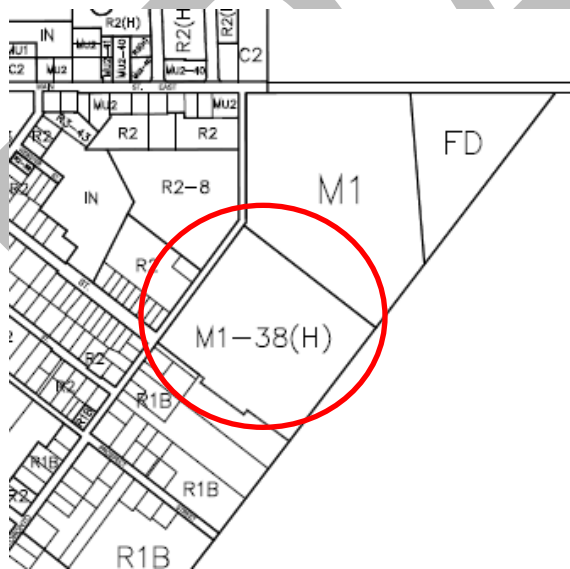


Figure 3.2: A Holding Zone applies to Policy Area 5-8 in the Zoning By-law

Provisions in the Zoning By-law state that:

“Until the “H” symbol is removed, the land zoned M1-38 (H) may only be used for the following:

- industrial accessory uses: a car parking lot and driveway, a truck driveway and stormwater management facilities.
- buffer accessory uses: agricultural crops, passive recreational, landscaping, noise mitigation features (such as berms, fences and vegetative plantings).
- an extension of Raglan Street or a residential driveway, to provide access to residential land to the south.

Council may pass a by-law removing the "H" symbol once it has received and approved associated technical reports, including:

- Noise and Vibration Study
- Stormwater Management Report"

 **Where there are opportunities for Puslinch to pre-zoning certain properties or areas of the Township (i.e., the Urban Centres and/or Industrial Areas) the use of a Holding Zone may also be appropriate to ensure that new development is reviewed as part of a public process and to avoid premature or inappropriate development occurring in the Township.**

3.3 Overlay Zones

3.3.1 Overview

Another contemporary zoning tool increasingly being used by municipalities involves the creation of 'overlay zones' within a Zoning By-law. Overlay zones are special zones placed over a certain area of a municipality, which provide a set of regulations that are applied **in addition to** the requirements of the underlying or base zoning.

By using overlay zones, the following benefits can be realized:

- Certain resources that are present in certain areas of a municipality can be protected;
- Development can be encouraged in other certain areas that need redevelopment or revitalization by allowing for increased flexibility in local zoning; and
- Land use controls can be targeted to deal with problems or issues.

Overlay zones have traditionally been used to apply regulations for areas subject to floodplain or hazard constraints. However, overlay zones can be used to specify minimum and/or maximum height requirements in a certain area such as a main street area or downtown. Another very common type of overlay zone is designed for historic preservation. This overlay would apply to designated historic properties or to areas (or streets) within the community.

3.3.2 Case Study/Best Practice

A Heritage Area Overlay has been implemented by the Township of Centre Wellington in its existing Zoning By-law. The Heritage Area Overlay applies to Heritage Areas located within Elora and Fergus, and applies special regulations to:

- Lands zoned R1A, which are intended to provide primarily for single detached dwellings and accessory uses; and
- Lands zoned R1B, which apply a smaller minimum lot frontage than the R1A zone.

The special regulations include greater minimum lot area and frontage requirements, lower maximum lot coverage and lower building height than would otherwise apply to the R1A and R1B zones.

The Overlay is identified on an Appendix Map to the Township of Centre Wellington Zoning By-law, as shown in Figure 3.3 below.



There may be an opportunity for Puslinch to consider whether the creation of overlays may be appropriate to address specific problems or issues that are present within a certain area of the Township.

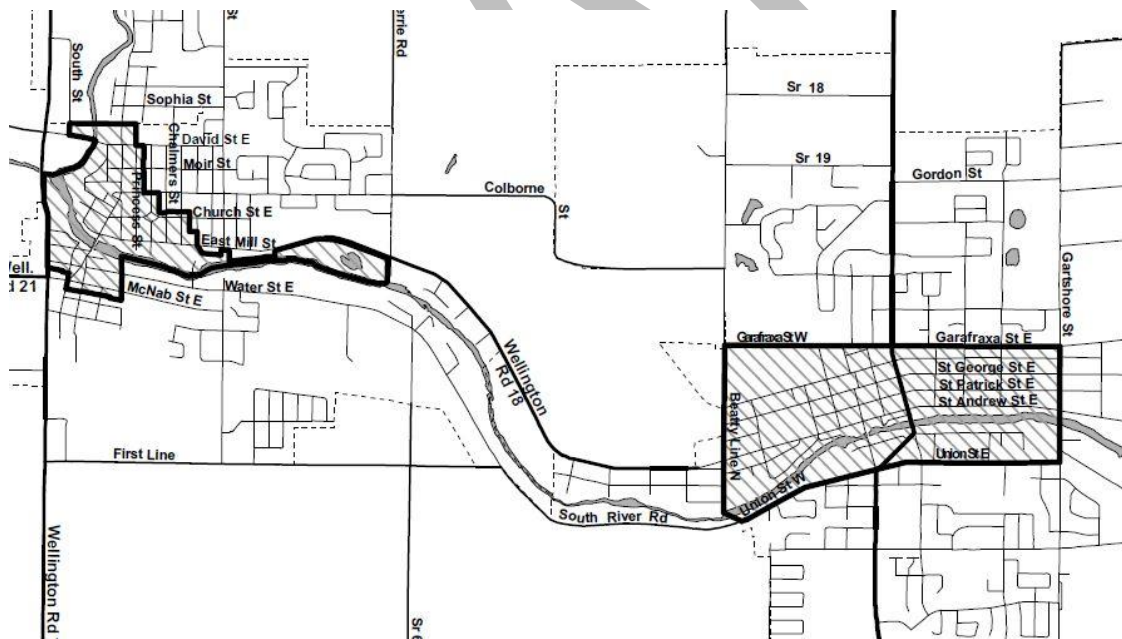


Figure 3.3: Heritage Area Overlay from Centre Wellington Zoning By-law

PART TWO: EXISTING BY-LAW ANALYSIS

Purpose: Provides an analysis of the existing Puslinch Zoning By-law 19/85, and discusses a number of key issues, and preliminary options/recommendations for a new CZBL.

4.0 Overview and Analysis of Existing By-law

4.1 Overview of the Existing By-law

As noted earlier, the existing Township of Puslinch Zoning By-law 19/85 was approved by the Ontario Municipal Board on May 12, 1986, making it more than 30 years old. The organization and structure of the current By-law is typical of many Zoning By-laws in Ontario, and is summarized below:

PART 1: INTRODUCTION, INTERPRETATION AND GENERAL PROVISIONS

Section 1: Introduction – The scope of the By-law is provided including conformity requirements and application of the By-law to existing uses and structures. Direction on interpretation of the By-law text and mapping is also provided, along with inspection authority, building permit requirements, and penalties for violations.

Section 2: Definitions – Identifies defined terms, and provides definitions for those terms.

Section 3: General Provisions – Provides regulations for buildings, structures and uses that apply generally to more than one Zone throughout the Township.

PART 2: ZONES AND ZONE PROVISIONS

Section 4: Zone and Zone Symbols – Lists the various Zone Classifications in the By-law and provides direction with respect to the use of Zones and Zone symbols. Details respecting Special Zones, Holding Zone categories, and the Special Flood Plain Provisions for Aberfoyle are also provided.

Sections 5 through 20: Zones – Permitted uses and requirements for each Zone are provided including: minimum lot size, lot frontage and yard requirements; and, maximum coverage and building height.

ZONING SCHEDULES – Identify applicable Zone or Zones for each property in the Township.

4.2 Overview of the Existing Zone Structure

In the existing Zoning By-law, there are currently 20 different zones that apply across the Township. Existing zone classifications and zones are summarized in the following Table 4.1.

Table 4.1: Summary of Existing Zone Structure

CLASSIFICATION	ZONES	ZONE SYMBOL
Agricultural	Agricultural Zone	A
Residential	Hamlet Residential Zone	HR
	Residential Community Zone	RC
	Resort Residential Zone	RR
	Millcreek Residential Area Zone	MR
	Mini Lakes Zone	ML
	Estate Residential Type 1 Zone	ER1
	Estate Residential Type 2 Zone	ER2
	Rural Residential Zone	RUR
Commercial	Hamlet Commercial Zone	C1
	Highway Commercial Zone	C2
	Agricultural Commercial Zone	C3
	Resort Commercial Zone	C4
Industrial	Industrial Zone	IND
	Extractive Zone	EXI
	Disposal Industrial Zone	DI
Institutional	Institutional Zone	I
Open Space	Open Space Zone	OS
	Natural Environment Zone	NE

4.3 Summary of Amendments

There have been over 215 approved amendments to the Zoning By-law since its adoption in 1986. Site or area-specific amendments are shown as special provisions or exceptions and are provided in each respective Zone section in the By-law.

On July 20, 2016, Township Council passed By-law 42/16 being a Housekeeping Amendment to Zoning By-law 19/85. The Housekeeping Amendment amended the Zoning By-law to:

- Update the definitions of 'bed and breakfast establishment', 'front lot line', 'structure' and 'dwelling unit';
- Add the following new terms and definitions: building or contractor's yard; farm; farm building cluster; livestock; livestock barns; livestock facilities; and manure storage;
- Delete the definition of 'agricultural service dwelling' and replace it with a new definition for 'secondary dwelling accessory to a farm';
- Replace the definition of 'lot frontage';
- Add general provisions and parking requirements for bed and breakfast establishments;

- Replace the general provisions for: dwelling units located within a basement or cellar; minimum distance separation – MDS 1 and 2; and group homes;
- Modify or add certain provisions related to home occupations, open storage, projections into required yards and setbacks from the Natural Environment Zone;
- Add a new Temporary Residence During Construction section in General Provisions;
- Add the following permitted uses in the Agriculture Zone: an accessory apartment in a single detached dwelling, an accessory bed and breakfast establishment, and a secondary dwelling accessory to a farm;
- Add Zone requirements for accessory apartments and secondary dwellings accessory to a farm in the Agriculture Zone;
- Amend certain Zone requirements including: Resort Residential (RR) Zone – front yard depth (minimum); recognizing non-complying accessory buildings or structures which existed prior to December 19, 2012 in the Mini Lakes (ML) Zone; and ML Zone – Site Coverage (maximum) and Building Floor Area (maximum) for recreation buildings;
- Add an accessory apartment as a permitted use in the Estate Residential Type 1 (ER1) and Estate Residential Type 2 (ER2) Zones and add zone requirements for accessory apartments; and
- Add a minimum separation distance requirement of 180 metres between single detached dwellings and barns with an intensive agricultural use in the following Zones: ER1, ER2 and Rural Residential (RUR) Zone.

5.0 Analysis of Terminology and Definitions

5.1 The Importance of Terminology and Definitions


Often, the definitions section is the longest part of a new zoning by-law because of their importance in the interpretation and implementation of zone requirements and provisions. For example:






1. Definitions are used to implement the intent of Provincial policy or an Official Plan. Terms should therefore be used consistently between these policy documents and the implementing Zoning By-law, to ensure clarity and ease of use.
2. Definitions provide direction for determining property characteristics and measurements (such as number of storeys, building setbacks, yards), and building types (such as primary versus accessory buildings, or single detached dwellings versus secondary suites);
3. Definitions provide clarity with respect to uses that are permitted by specifying what does and does not constitute a 'use'. For example, the term 'personal service establishment' without a definition could mean many things, and a definition should provide additional detail on the types of activities that would be permitted; and
4. Definitions also provide clarity with respect to uses that are **not** permitted. For instance, if a use is defined in a Zoning By-law, but not identified as a permitted use in a Zone, then that use is not permitted in that Zone.



5.2 Review of Existing Terms and Definitions

A preliminary analysis of existing definitions has been completed, and several general issues have been identified, as shown in Table 5.1, below. General approaches for dealing with the issues are also identified.

Table 5.1: Terminology and Definitions Analysis – Key Issues, Examples, and Options

ISSUES	EXAMPLES FROM EXISTING BY-LAW	OPTION
1. There is some terminology and associated definitions from recent Provincial Legislation or Plans, and the Wellington County Official Plan that are not used or defined in the Township's Zoning By-law.	<ul style="list-style-type: none"> The term 'agriculture related uses' as established by the 2014 Provincial Policy Statement is not included in the existing by-law. 	 <p>Terminology and definitions from Provincial Legislation or Plans, and the Wellington County Official Plan could be implemented in the new Zoning By-law, where appropriate in the Township context.</p>

ISSUES	EXAMPLES FROM EXISTING BY-LAW	OPTION
2. Some of the definitions refer to outdated Provincial legislation.	<ul style="list-style-type: none"> The by-law currently refers to the 'Homes For The Aged and Rest Homes Act, R.S.O. 1980', which is no longer in effect. 	 Where outdated legislation is referenced, it could be updated or removed as appropriate.
3. Due to the age of the existing By-law, some terminology is outdated and not consistent with contemporary best practices.	<ul style="list-style-type: none"> The term 'church' is currently used in the existing by-law; however, a more contemporary term for this use is 'place of worship', which encompasses a broader range of religious buildings, including temples, mosques, synagogues, and churches. 	 Where existing terminology is outdated, it could be removed, where appropriate or updated based on contemporary best practices.
4. There are some land use terms that are not currently defined.	<ul style="list-style-type: none"> The term 'farmers market' is not currently defined in the existing By-law. 	 All uses referenced in the By-law should be associated with a clear definition. Further, if any new uses are added to the By-law to address Official Plan conformity or other matters, a new definition for each new use could be added.
5. There are some terms in the existing by-law that are not clearly defined.	<ul style="list-style-type: none"> The existing definition for 'group home' refers to the term 'family' which is difficult to define/ interpret. 	 Definitions could be updated and clarified as required. Based on contemporary best practices.
6. There are some definitions in the existing by-law that are defined more than once.	<ul style="list-style-type: none"> 'Amusement park' is defined on page 2-5 of the existing by-law, and then again on page 2-17. There is some overlap between the definition of 'concrete plant' and 'concrete batching Plant'. 	 For clarity, terminology should be defined only once in the Zoning By-law. Further, all defined terms could be reviewed to identify opportunities to consolidate similar terms that may be included under a broader defined term.

ISSUES	EXAMPLES FROM EXISTING BY-LAW	OPTION
		This may assist in introducing some greater flexibility into the Zoning By-law, while simplifying the number of permitted uses.
7. There are some terms that are defined through cross referencing in the existing by-law.	<ul style="list-style-type: none"> The definition for 'County Road' refers to the general definition for 'road'. 	 For clarity, cross referencing of defined terms could be eliminated to the extent possible.
8. There are some terms that have corresponding meanings in the existing by-law.	<ul style="list-style-type: none"> As part of the definition for 'alter', the existing by-law states that 'altered' and 'alteration' have corresponding meanings. 	 For clarity, the identification of corresponding meaning could be eliminated.

Notwithstanding the issues identified above, it is also noted that many of the definitions in the Township's existing Zoning By-law are suitable as-is and should be carried forward.

5.3 Organizing Definitions

5.3.1 Numbering

The current Township Zoning By-law employs a numbering system in the Definitions Section as shown in the excerpt below:

(1) **"ABANDONED"** means the failure, in the opinion of the Zoning Administrator, to proceed expeditiously with construction work or to undertake construction work during any continuous 12-month period.


(2) **"ABATTOIR"** means a building or structure, or part thereof, used for the slaughtering of animals.



The Township could eliminate the existing numbering system in the new Zoning By-law, which would avoid the need in the future to re-number all definitions when a new definition is added with future amendments. Definitions would simply be listed alphabetically – this is a common approach in Zoning By-laws today.


5.3.2 Location of Definitions

In addition, some municipalities now provide definitions at the back of the Zoning By-law to allow for the general provisions, parking and loading standards, and zone sections to be up front in the document. This is practical since most users of Zoning By-laws will refer to the definitions section after reviewing zone, general, parking and loading regulations. Since the definitions section of the Zoning By-law is often the lengthiest, an index of defined terms could also be included in the new Zoning By-law to assist readers in navigating the document, and finding a certain definition.

 **The Township could relocate its definitions section to the end of the Zoning By-law, which would be more user friendly and intuitive. An index of defined terms could also be included to assist users in finding a definition.**

5.3.3 Bolding of Defined Terms

Many Zoning By-laws today either italicize or bold defined terms throughout, to indicate to a reader that the term being used has a precise definition that should be referred to as part of the implementation of zoning regulations.

 **The Township could use italics or bold font to highlight the use of defined terms, which would be more user friendly and intuitive. It is noted that the Wellington County Accessible Communications Guidelines recommend the use of Bold font instead of italics wherever possible.**

5.4 Recommendation

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that:

1. All the suggested approaches to solving the issues identified in table 5.1 be implemented through the preparation of a new CZBL for Puslinch; and
2. All the additional suggested approaches identified in Section 5.3 also be implemented.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 5.2: Summary of Project Goals Met

CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #1: Implement upper-tier plans and policies.	✓
Goal #2: Implement local strategies and planning documents.	

CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #3: Maintain existing zoning regulations that already work.	✓
Goal #4: Address local issues and opportunities.	✓
Goal #5: Implement innovative and flexible zoning techniques.	✓
Goal #6: Eliminate duplication, redundancy, and contradictions.	✓
Goal #7: Improve formatting, organization, accessibility, and interpretation.	✓
Goal #8: Identify issues that could be addressed through another process.	

DRAFT

6.0 Analysis of General Provisions

6.1 Overview

The existing Township of Puslinch Zoning By-law sets out General Provisions (i.e., provisions that apply to multiple zones within the Township) in Section 3. The existing General Provisions are comprehensive, and address topics such as those shown in table 6.1 below.

Table 6.1: General Provisions in the Existing By-law

EXISTING GENERAL PROVISIONS IN BY-LAW 19/85	
• Accessory uses	• Building additions
• Grading	• Group homes
• Height restrictions	• Home occupations
• Landscaping	• Lighting
• Loading spaces	• Open storage
• Parking regulations	• Sight triangles
• Swimming pools	• Yard encroachments
• Garden suites	• Setbacks from Natural Environment Zone and watercourses

The CZBL project represents an opportunity to assess the existing General Provisions based on a review of contemporary best practices and to determine the need for updates based on input from members of the public, Township staff, Council, and the CZBL project Advisory Committee. Additionally, consideration may be given to whether new general provisions are required.

The following Section provides an overview of some of the issues that have been identified with respect to General Provisions in the existing By-law. It identifies options for updating existing general provisions and for new provisions to address local issues.

6.2 Accessory Buildings and Structures – Lot Coverage

6.2.1 Existing By-law Provisions

Section 3(1)(b) of the current Zoning By-law requires that the total lot coverage of all accessory buildings or structures on a lot does not exceed five percent of the lot area. This requirement translates into a reasonable lot coverage for smaller lots. For example, on a 1,000 m² (0.25 acre) lot, the maximum lot coverage for accessory buildings and structures would be 50 m² (538 ft²).

However, the five percent lot coverage maximum would permit very large accessory buildings on larger lots. For example, on a two-hectare rural residential lot, a total lot coverage of 1,000 m² (10,764 ft²) for accessory buildings and structures would be permitted.

6.2.2 Best Practices Review

Our review of best practices in other municipalities reveals that many Zoning By-laws set out different lot coverage provisions for accessory buildings and structures based on zones and lot sizes. For example, the Township of Centre Wellington and Guelph Eramosa Zoning By-laws permit the following:

- 5 percent in industrial, commercial, institutional, open space and mixed uses zones; and
- 10 percent in residential zones.

Best practices also reveal some possible approaches to reducing lot coverage permissions on larger lots, particularly in the agricultural area:

- The Township of Centre Wellington Zoning By-law permits:
 - 5 percent lot coverage on agricultural lots less than 10 hectares in size; and
 - 1 percent on lots 10 hectares or greater in size.
- The Guelph Eramosa Zoning By-law permits:
 - 10 percent on agricultural lots less than or equal to 8,000 m²; and
 - 5 percent for lots greater than 8,000 m² in size; and
 - 1 percent or 4,000m² for lots greater than 35 hectares, whichever is less.

6.2.3 Summary of Issues and Options

Based on the review of existing general provisions, and comments received by the public, Township staff, members of Council, and the Advisory Committee, the following issues have been identified and discussed with respect to regulations for maximum lot coverage of accessory buildings and structures:

ISSUE 1:

There is the need to consider more restrictive lot coverage provisions for accessory buildings and structures in the Township, particularly for larger sized lots.



OPTION A: The Township could carry forward the existing 5 percent maximum lot coverage requirement for all zones.



OPTION B: The Township could carry forward the existing 5 percent maximum lot coverage requirement for industrial, commercial, institutional, open space and mixed

uses zones (if applicable in the new By-law) and introduce a more restrictive maximum lot coverage requirement(s) for zones where larger lots are likely to occur.



OPTION C: The Township could also consider establishing a maximum permitted floor area for all accessory buildings and structures on a lot, which would apply in addition to the existing 5 percent maximum lot coverage requirement for all zones.

6.2.4 Recommendation

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that a combination of **OPTION B and C** be implemented. In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 6.2: Summary of Project Goals Met

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

6.3 Home Occupations

6.3.1 Official Plan Context

The Wellington County Official Plan provides policy direction with respect to home occupations. The following table shows where and how such uses are permitted in accordance with the Official Plan:

Table 6.3: Summary of Official Plan Policies for Home Occupations and Home Industries

USE	URBAN SYSTEM POLICIES		RURAL SYSTEM POLICIES	
	URBAN SYSTEM	RESIDENTIAL DESIGNATION	RURAL SYSTEM	PRIME AGRICULTURAL
Home Occupation	<p>Section 4.2.6 requires that Home Businesses in the Urban System are:</p> <ul style="list-style-type: none"> • small; • Normally restricted to the occupants of the property; • Oriented towards providing services rather than retail functions; and • Compatible with surrounding residential development. 	<p>Section 8.3.8 permits home occupations in single-detached dwellings within the Residential Designation if they:</p> <ul style="list-style-type: none"> • Are clearly secondary to the residential use • Do not generate noise, odour, traffic, or visual impacts which may have adverse effect on nearby properties. <p>Section 8.3.8 also states that the Zoning By-law shall contain provisions regulating home occupations.</p>	<p>Section 4.2.6 also applies to the Rural System. Additionally, the following uses may be considered:</p> <ul style="list-style-type: none"> • Sales outlets for agricultural products produced on the farm; • Bed and breakfast establishments • Farm vacation enterprises. 	<p>Section 6.4.4 permits small home occupations if:</p> <ul style="list-style-type: none"> • They are conducted from the main residence • Employment is normally limited to the occupants of the property • Examples include bed and breakfast, day care, hairdresser, and professional services <p>Section 6.4.4 also permits farm businesses subject to zoning provisions. This is discussed in Section 13.3 of this report.</p>
Home Industry	Not Permitted	Not permitted	<p>Section 4.2.6 states that home industries which are small in scale with limited employees, and minimal off site impact are permitted in the Rural System.</p>	<p>Section 6.4.4 permits home industries which are small in scale with a limited number of employees and minimal off-site impacts. Examples include minor equipment repair, woodworking, crafts, and welding.</p>

6.3.2 Existing By-law Provisions

The term 'home occupation' is defined as: "an occupation or business conducted for gain or profit as an accessory use within, or on the same lot as, a permitted dwelling or dwelling unit by one or more persons residing therein".

The following is a summary of the existing general provisions dealing with home occupations in Section 3(9) of the existing By-law:

- Currently, home occupations are permitted in the following zones:
 - Agricultural (A);
 - Hamlet Residential (HR);
 - Resort Residential (RR);
 - Estate Residential Type 1 (ER1);
 - Estate Residential Type 2 (ER2);
 - Rural Residential (RUR);
 - Hamlet Commercial (C1) – provided the home occupation is accessory to a permitted existing single dwelling;
 - Highway Commercial (C2) – provided the home occupation is accessory to a permitted existing single dwelling; and
 - Industrial (IND) – provided the home occupation is accessory to a permitted existing single dwelling.
- The existing By-law currently permits home occupations within an accessory structure in the Agricultural Zone.
- In all other zones, home occupation uses are restricted to the main residential dwelling on a lot, which is occupied by the owner/tenant.
- Home occupations are also subject to the following restrictions:
 - They must be accessory to a single dwelling occupied by the owner/tenant;
 - No more than 1 person who does not reside in the dwelling may be employed;
 - Not more than 25 per cent of the total dwelling unit area is used;
 - They must be clearly incidental and secondary to the main residential use;
 - They must not change the residential character of the dwelling;
 - They must not create or become a public nuisance, particularly with respect to noise, traffic, emissions, parking or radio or television interference;
 - The following types of home occupation are not permitted:
 - (i) an automotive use;
 - (ii) a hospital;
 - (iii) a veterinarian's clinic;
 - (iv) a restaurant;
 - (v) a refreshment room;
 - (vi) a truck terminal;

- (vii) a salvage yard;
 - (viii) a variety store;
 - (ix) an undertaker's establishment;
 - (x) a contractor's yard;
 - (xi) a bed and breakfast establishment; and
- A service trade may be permitted so long as it remains compatible with the surrounding areas.

In addition, Section 3(15)(a)(i) of the existing By-law states that open storage shall be permitted where it is "accessory to a permitted or existing non-residential use or home occupation carried on in an enclosed building or portion thereof on the same lot".

6.3.3 Summary of Issues and Options

Based on the review of Official Plan policies, existing general provisions, and comments received by the public, Township staff, members of Council, and the Advisory Committee, the following issues have been identified and discussed:

ISSUE 1:

There may be a need to be more restrictive about the types and scale of home occupations permitted within in the applicable zones, to ensure that they are compatible with surrounding land uses.

OPTIONS:

 The Township could consider:

- a. Refining the list of zones in which home occupations are permitted;
- b. Expanding the list of prohibited home occupations;
- c. Providing greater clarity with respect to the types of service trades that are not permitted as home occupations;
- d. Adding a maximum floor area cap for home occupations to ensure that they remain small in scale;
- e. Allowing a maximum of 2 home occupations per dwelling unit (subject to the size restrictions discussed);
- f. Including signage restrictions; and
- g. Prohibiting outdoor storage in residential neighbourhoods.

ISSUE 2:

In accordance with the policies of the Official Plan, which permit home industries in the Rural System and Agricultural Area, there is a need to implement a definition of home industry (which is currently not defined in the existing by-law) and establish a set of regulations to control their use.

OPTIONS:



The Township could consider establishing provisions that are like those set out for home occupations, as well as provisions dealing with:

- a. Setbacks;
- b. Parking provisions;
- c. Screening of outdoor storage; and
- d. Landscaping requirements.

ISSUE 3:

In accordance with the policies of the Official Plan, which permit a range of farm businesses in Prime Agricultural Areas, there is an opportunity to provide greater flexibility in this regard through the Zoning By-law. This is discussed in greater detail as part of the analysis of the Agricultural Zone in Section 13.3 of this Discussion Paper.

6.3.4 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that:

1. All the options identified with respect to further regulating **home occupations** be implemented through the preparation of a new CZBL for Puslinch; and
2. All the options identified with respect to new regulations dealing with **home industries** be implemented through the preparation of a new CZBL for Puslinch.
3. With respect to the regulations to be included in the new CZBL, additional discussions with Township staff should be held to determine what is appropriate in the context of Puslinch. Draft regulations will be shared with the public, Advisory Committee, and members of Council for review and input.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 6.4: Summary of Project Goals Met

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

6.4 Kennels

6.4.1 Official Plan Context

The Wellington County Official Plan states that permitted uses on lands designated Prime Agricultural Area may include kennels on existing lots of record and local zoning by-laws may establish criteria for these uses (Sections 6.4.3 and 6.4.12). Kennels are not identified as a permitted use in any other designation.

6.4.2 Existing By-law Provisions

Kennels are not permitted as-of-right in the current Zoning By-law. However, there are a total of six exceptions in the current Zoning By-law with respect to kennels in the Township. Special provision A-2 added a kennel as an additional permitted use but did not establish any special regulations. Special provisions A-26 and NE-1 recognized existing kennels on those properties.

The following chart provides a summary comparison of the exceptions established to regulate kennels on the other three properties.

Table 6.5: Summary of Existing Special Provisions Dealing with Kennels

PROVISIONS	A-35	A-37	A-52
Minimum Front Yard Depth (m)	20	75	
Minimum Exterior Side Yard (m)	15		
Maximum Floor Area (m ²)	480	143	
Maximum Outdoor Common Play Area (m ²)	400	2,200	2,275 (restricted to south side of existing bank barn)
Total Maximum Outdoor Pen Area (m ²)	450	72	
Minimum Setback from NE Zone (m)	15		
Maximum Setback			Kennel office and accessory uses within 70 metres from existing bank barn
Chain Link Fence Enclosure Required	Yes		
Outdoor Pen Construction	Roofing, walls and solid wood fencing		
Dog Activity	Not permitted in outdoor pens or play areas overnight	Not permitted in outdoor pens or play areas between hours of 8 pm and 7 am	
Other		Accessory uses such as office for therapeutic procedures and indoor training permitted. Surgical procedures or services requiring overnight stay not permitted.	Breeding and outdoor pens prohibited.

6.4.3 Best Practices Review

A review of best practices reveals a variety of approaches to regulating kennels in other municipalities. The following points are noted:

- Many municipalities require a site-specific amendment to the Zoning By-law to permit a kennel use while others permit kennels as-of-right in agricultural/rural zones.
- Many Zoning By-laws include general provisions to regulate kennels such as:
 - Minimum lot frontage (e.g. 120 m – Centre Wellington);
 - Minimum lot area (e.g. 6 ha – Centre Wellington, 2 ha - Tay);
 - Maximum lot coverage (e.g. 10% - Tay);
 - Minimum front yard (e.g. 30 m – Centre Wellington, 8 m - Tay);
 - Minimum rear yard (e.g. 8 m – Tay, 12 m – Ottawa, 100 m – Oro Medonte);
 - Minimum front yard (e.g. 46 m – Centre Wellington, 15 m – Ottawa, 30 m – Oro Medonte);
 - Minimum side yard (e.g. 46 m – Centre Wellington, 8 m – Tay, 15 m – Ottawa, 100 m – Oro Medonte);
 - Minimum exterior side yard (e.g. 8 m – Tay, 100 m – Oro Medonte);
 - Maximum height of a kennel (e.g. 11 m – Oro Medonte, same accessory building but in no case may the kennel contain anything other than single-level dog runs – Ottawa); and
 - Minimum separation distance (e.g. 90 m from any residential, commercial, public, or institutional building or from the lot line of any other property containing a licensed kennel).
- The City of Ottawa has additional regulations depending on the number of dog runs, as summarized in Table 6.6, below.

Table 6.6: Provisions for Kennels in the City of Ottawa Zoning By-law

MINIMUM REQUIREMENTS	4 OR FEWER DOG RUNS	MORE THAN 4 DOG RUNS
Lot frontage (m)	80	120
Lot area (ha)	0.8	4
Separation from residential building (m)	100	215

- The Township of Oro Medonte Zoning By-law has additional regulations based on the 'Class' of Kennel, as summarized in Table 6.7, below.

Table 6.7: Provisions for Kennels in the Oro Medonte Zoning By-law

CLASS	MINIMUM REQUIRED LOT SIZE	MINIMUM DISTANCE FROM A RESIDENTIAL BUILDING
CLASS A (no more than eight dogs over 12 weeks of age)	4 ha	130 m
CLASS B (no more than 50 dogs over 12 weeks of age)	20 ha	200 m

6.4.4 Summary of Issues and Options

Based on the review of Official Plan policies, existing provisions, best practices, and comments received by the public, Township staff, members of Council, and the Advisory Committee, the following issues have been identified and discussed with respect to kennel regulations:

ISSUE 1:

To-date, the establishment of kennels has been regulated through individual site-specific zoning by-law amendments. There may be a need to regulate the establishment of kennels more consistently through the Zoning By-law.



OPTION A: The Township could continue with the current approach of requiring a site-specific amendment to the Zoning By-law for the establishment of any new kennel or the expansion of an existing kennel.



OPTION B: The Township could also consider adding a new set of general provisions related to the use of land for a kennel to clearly and consistently set out minimum requirements.

6.4.5 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that:

- OPTIONS A and B** be implemented through the preparation of a new CZBL for Puslinch.

2. With respect to the regulations to be included in the new CZBL, additional discussions with Township staff should be held to determine what is appropriate in the context of Puslinch. Draft regulations will be shared with the public, Advisory Committee, and members of Council for review and input.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met.

Table 6.8: Summary of Project Goals Met

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

6.5 Parking

6.5.1 Official Plan Context

The Wellington County Official Plan (Section 13.11.1) directs that all local municipalities ensure adequate parking and loading facilities are provided by setting out standards for all land uses in the Zoning By-law.

Cycling is also encouraged in the County, in part through the review of "Zoning By-laws to provide bicycle parking standards for uses such as apartments, shopping facilities, industrial uses and community facilities" (Section 12.3).

6.5.2 Existing By-law Provisions

PARKING PROVISIONS:

The following is a summary of general provisions dealing with parking, as set out in Section 3(16) of the existing By-law:

- Minimum parking space requirements are provided for **residential uses** based on number of spaces per dwelling unit. For example, a minimum of one parking space is required for any single detached dwelling and a total of three parking spaces are required for any dwelling with a home occupation use.

It is noted that most contemporary zoning by-laws require a minimum of two parking spaces for any single detached, semi-detached or townhouse dwelling and one parking space for a home occupation use.

- Minimum parking space requirements are provided for **non-residential uses** based calculations/requirements, depending on the use, including: spaces per establishment, capacity of the facility, gross floor area, net floor area, number of holes (for golf courses) or number of beds (for hospitals).

It is noted that most contemporary zoning by-laws do not calculate parking requirements based on capacity since the capacity of a facility can be difficult to calculate and can vary over time.

- Minimum required parking space dimensions are:
 - 2.5 x 6 m for a single detached dwelling; and
 - 3 x 6 m for all other uses.
- Parking is required to be provided on same lot occupied by the building, structure, or use, except that parking may be provided on a separate lot if it is located within 150 metres of the lot or adjacent to a C1 Zone;
- Minimum required width of a driveway accessing parking areas is:
 - 6 m for a single detached dwelling; and
 - 10 for all other uses.
- No lot shall have more than two driveways for the first 30 metres of street line plus one driveway for each additional 30 metres of street line;
- Minimum required width of driveways and parking aisles is:
 - 6 m for two-way traffic; and
 - 3 m for one-way traffic.

- Barrier free parking (with a minimum width of 4 m and minimum length of 6 m) is required as follows:

Table 6.9: Existing Barrier Free Parking Requirements

NUMBER OF PARKING SPACES REQUIRED	NUMBER OF SPACES THAT MUST BE BARRIER FREE SPACES
4-25	1
26-50	3
51-75	4
76-100	6
101-150	8
151-200	10
201-300	13
301-400	15
401-500	17
501-1000	20
Greater than 1000	2% of total

LOADING PROVISIONS:

The following is a summary of general provisions dealing with loading in Section 3(12) of the existing By-law:

- Loading spaces are required for any purpose involving the receiving, shipping, loading or unloading of goods, wares, merchandise, or raw materials (except for an agricultural use and any use in a C1 Zone); and
- The minimum number of required loading spaces is based on the total net floor area of use(s) on lot, as summarized in Table 6.10.

Table 6.10: Existing Loading Requirements

FLOOR AREA (M ²)	MINIMUM NUMBER OF LOADING SPACES REQUIRED
<250	0
>250 to 500	1
>500 to 2,500	2
>2,500 to 7,500	3
>7,500	3 + 1 additional space for each 10,000 m ² more than 7,500 m ²

- Minimum loading space dimensions are:
 - 3.5 m wide;
 - 10 m long; and
 - 4.0 m of vertical clearance.
- Loading spaces are permitted in any yard but prohibited within 3.0 m of any lot line; and
- Minimum width of access to loading spaces is 3.5 m.

6.5.3 Summary of Issues and Options

Based on the review of Official Plan policies, existing general provisions, and comments received by the public, Township staff, members of Council, and the Advisory Committee, the following issues have been identified and discussed with respect to parking and loading regulations:

ISSUE 1:

There is an opportunity to update the parking space requirements for residential uses to reflect contemporary standards and best practices.



OPTION A: The Township could increase the number of required parking spaces for single detached residential dwellings, in accordance with the findings of a more detailed best practices review.



OPTION B: The Township could introduce new parking space requirements for semi-detached or townhouse dwelling units, in accordance with the findings of a more detailed best practices review.

ISSUE 2:

There is an opportunity to update the parking space requirements for non-residential uses to reflect contemporary standards and best practices.




OPTION A: The Township could carry forward existing parking space requirements for non-residential uses that are effective.



OPTION B: The Township could also consider standardizing the way non-residential parking space requirements are calculated, based on a common and easily measurable standard, such as spaces per 100 m² of floor area.

ISSUE 3:

There is an opportunity to consider other innovative and flexible approaches to parking to promote more efficient use of land, local economic development, and active transportation.



OPTION A: The Township could consider implementing a 'shared' parking formula in areas where a mix of uses are present with different peak parking periods, or for mixed-use developments. Shared Parking means that parking spaces are shared by more than one user, which allows parking facilities to be used more efficiently. It is a type of Parking Management. Shared Parking takes advantage of the fact that most parking spaces are only used part time by a certain group, and many parking facilities have a significant portion of unused spaces, with utilization patterns that follow predictable daily, weekly and annual cycles. Based on input from Township staff and the Advisory Committee, shared parking may be appropriate in the Township's Urban Centres, where current limitations on existing parking can be an impediment to establishing a new business in an existing building.



OPTION B: The Township could consider including minimum bicycle parking requirements for industrial uses, certain commercial uses and community facilities, including schools.

6.5.4 Recommendation

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that:

1. All the options identified with respect to further regulating parking be implemented through the preparation of a new CZBL for Puslinch.
2. With respect to the regulations to be included in the new CZBL, additional discussions with Township staff should be held to determine what is appropriate in the context of Puslinch. Draft regulations will be shared with the public, Advisory Committee, and members of Council for review and input.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 6.11: Summary of Project Goals Met

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

6.6 Second Units/Accessory Dwelling Units and Garden Suites

6.6.1 Official Plan Context

Section 4.4.6 of the Wellington County Official Plan permits second units (or also known as accessory or basement apartments) in single detached, semi-detached and rowhouse/townhouse dwellings.

The County Official Plan also states that local municipalities may enact zoning provisions to address certain matters including:

- Ensuring adequate off-street parking can be provided for both the main residential unit and the secondary unit;
- If a garden suite and second unit is permitted on the same lot; and
- Prohibiting a second unit in a dwelling located in hazardous lands.

A second unit may also be permitted in a building ancillary to a single detached dwelling (provided there is no second unit in the main residence), and directs that local municipalities may enact zoning provisions to address certain matters including:

- Requiring the clustering of the detached second unit with the single detached dwelling;
- Ensuring that the second unit is clearly secondary to the single detached dwelling;

- Requiring screening/buffering, where deemed necessary, to minimize visual impacts to adjacent properties and frontages; and
- Prohibiting a second unit in an ancillary structures located in hazardous lands.

It is noted that the County's policies are in accordance with Bill 140 (the Strong Communities Through Affordable Housing Act), which:

- Requires municipalities to implement official plan policies and zoning by-law provisions that allow second units in detached, semi-detached and townhouses, or as accessory units.
- Allows Municipalities to determine appropriate locations and performance standards for these units.

The County's Official Plan also sets out policies with respect to establishing garden suites, and states that they may be permitted on lands designated Agricultural Area, Hamlet, and Residential, subject to the following policies set out in Section 4.4:

- The garden suite must be located near the farm buildings and/or main residence on a property; and
- Requiring screening/buffering, where deemed necessary, to minimize visual impacts to adjacent properties.

It is noted that garden suites are permitted via the passage of a temporary use by-law for a period not exceeding 20 years.

6.6.2 Existing By-law Provisions

The following definitions are provided in the current Zoning By-law:

- Accessory Dwelling Unit: a dwelling unit accessory to a permitted non-residential use or accessory to a permitted single detached dwelling in an Agricultural (A) Zone, Estate Residential Type 1 (ER1) Zone or Estate Residential Type 2 (ER2) Zone.
- Garden Suite: a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing single-detached residential unit. A garden suite is pre-built and designed to be portable, but shall not include a mobile home or tourist trailer as defined herein.

It is noted that the Township's existing Zoning By-law uses the term 'Accessory Dwelling Unit', where the Wellington County Official Plan uses the term 'Second Unit'.

PROVISIONS FOR ACCESSORY DWELLING UNITS

The Housekeeping Amendment recently approved by the Township added accessory apartments as a permitted use in the Agricultural (A), Estate Residential Type 1 (ER1) and Estate Residential Type 2 (ER2) zones.

The following provisions were also added to each of the three Zones to regulate accessory apartments:

- Floor Area (maximum) – Accessory apartments are permitted to occupy up to 40% of the Floor Area of the Principal Dwelling. In this context "Floor Area" means the total Floor Area of the Building measured from the exterior face of outside walls, or centre line of common walls. Floor Area does not include basements, stairs, landings, cold cellars, garages, and carports;
- Servicing - The accessory apartment must connect to the existing well and septic which services the main dwelling; and
- Accessory buildings - Accessory apartments are not permitted in, or as, a detached building or structure.

PROVISIONS FOR GARDEN SUITES

The current By-law permits garden suites as a temporary use within the Agricultural and Residential Zones as an accessory use to an existing single detached dwelling and subject to the following provisions:

- (a) Driveway access to both the main dwelling and the garden suite shall be limited to one so that no new entrance from the street shall be created;
- (b) The siting of a garden suite shall be in accordance with the provisions for accessory uses of subsection 3(1) of this By-law;
- (c) The maximum floor area of a garden suite shall be 92.9 square metres;
- (d) The maximum height of a garden suite shall be one storey or 5.0 metres, whichever is less;
- (e) No garden suite shall be located closer than 3.0 metres to the main residence on the lot or any building on an abutting property;
- (f) Only one garden suite may be established on a lot with one existing single detached dwelling. No garden suite is permitted on a lot upon which is located an accessory apartment or approved second dwelling;
- (g) All garden suites shall be provided with adequate water and sewage disposal systems;
- (h) 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. Council may also enter into a development agreement with the owner of the garden suite to deal with, among other things, the installation, maintenance and removal of the unit, the period of occupancy, the submission of a performance bond, and rehabilitation of the site to its "pre-garden suite" condition; and

- (i) Garden sites shall comply with all other applicable requirements of this zoning By-law, any other municipal by-laws, as well as any applicable legislation such as the Ontario Building Code.

6.6.3 Summary of Issues and Options

Based on the review of Official Plan policies, existing provisions, best practices, and comments received by the public, Township staff, members of Council, and the Advisory Committee, the following issues have been identified and discussed with respect to second unit and garden suite regulations:

ISSUE 1:

There is a need to update existing permissions with respect to accessory apartment units to be in accordance with the Strong Communities Through Affordable Housing Act.



OPTION A: The new CZBL should permit accessory apartments as-of-right in single detached, semi-detached and townhouse dwellings.

ISSUE 2:

In accordance with the policies of the County's Official Plan, the Township may also wish to consider additional provisions to further regulate the establishment of accessory apartment units and garden suites in Puslinch.



OPTION A: The Township could consider:

- a. Prohibiting an accessory apartment unit where a garden suite exists;
- b. Adding new regulations to specifically prohibit accessory units in the Aberfoyle Floodplain;
- c. Adding parking and servicing requirements for accessory units.



OPTION B: The Township could also consider establishing provisions to regulate the size of garden suites to ensure that the garden suite is clearly secondary to the main residence, such as:

- a. Maximum site coverage; and/or
- b. Maximum floor area as a percentage of the main residence.

6.6.4 Recommendation

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that:

1. All the options identified with respect to further regulating **second units and garden suites** are implemented through the preparation of a new CZBL for Puslinch.
2. With respect to the regulations to be included in the new CZBL, additional discussions with Township staff should be held to determine what is appropriate in the context of Puslinch. Draft regulations will be shared with the public, Advisory Committee, and members of Council for review and input.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 6.12: Summary of Project Goals Met

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

6.7 Shipping Containers

6.7.1 Context

Many municipalities are reporting an increase in the number of complaints regarding the illegal use, location, and aesthetics of shipping containers. Shipping containers are easily transportable, and used containers are readily available and relatively inexpensive to purchase. Because of this, shipping containers are being used for a variety of purposes including storage on properties and even human habitation.

6.7.2 Existing By-law Provisions

There are currently no provisions defining or regulating the use and location of shipping containers in the Township's existing By-law.

6.7.3 Best Practices Review

TOWN OF OAKVILLE

The Oakville Zoning By-law defines 'shipping container' as "an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use 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".

The Oakville By-law regulates where shipping containers are permitted by allowing them only where outside storage is a permitted use. The By-law further states that they shall only be used as a building in conjunction with manufacturing, a transportation terminal or warehousing.

TOWNSHIP OF CENTRE WELLINGTON

Shipping containers are not permitted in the Township of Centre Wellington, either alone or in conjunction with other uses, regardless if such shipping container is situated on a foundation.

TOWNSHIP OF STRATHROY-CARADOC

The definition of 'shipping container' in the Strathroy-Caradoc Zoning By-law is like the Oakville definition. The By-law states that where a shipping container is used for storage accessory to a main use, the container shall only be permitted in an Industrial Zone and General Agricultural (A1) Zone, or if associated to a large format retail store, public garage or motor vehicle sales establishment. In addition, a shipping container is only permitted in a rear yard in compliance with the rear yard depth requirements of the applicable zone.

6.7.4 Summary of Issues and Options

Based on the review of best practices and comments received by the public, Township staff, members of Council, and the Advisory Committee, the following issues have been identified and discussed with respect to regulating the use of shipping containers:

ISSUE 1:

There may be a need to introduce regulations dealing with the use of shipping containers in the Township's new Zoning By-law.

OPTIONS:



The Township could consider:

- a. Including a definition of shipping container;
- b. Limiting the use to certain zones (e.g. certain industrial and/or commercial zones) and/or permitting the temporary use of containers on residential lots as part of a move;
- c. Prohibiting the use of shipping containers for human habitation;
- d. Prohibiting shipping containers from locating in required parking spaces, landscape and buffer areas, and daylight triangles; and
- e. Requiring that shipping containers are only permitted as accessory temporary storage to a main use and building on a property, and comply with the accessory structure requirements of the By-law.

6.7.5 Recommendation

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that:

1. All the options identified with respect to regulating **shipping containers** be implemented through the preparation of a new CZBL for Puslinch; and
2. With respect to the regulations to be included in the new CZBL, additional discussions with Township staff should be held to determine what is appropriate in the context of Puslinch. Draft regulations will be shared with the public, Advisory Committee, and members of Council for review and input.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 6.13: Summary of Project Goals Met

CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #1: Implement upper-tier plans and policies.	
Goal #2: Implement local strategies and planning documents.	
Goal #3: Maintain existing zoning regulations that already work.	
Goal #4: Address local issues and opportunities.	✓

CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #5: Implement innovative and flexible zoning techniques.	
Goal #6: Eliminate duplication, redundancy, and contradictions.	
Goal #7: Improve formatting, organization, accessibility, and interpretation.	
Goal #8: Identify issues that could be addressed through another process.	

6.8 Short Term Rentals

6.8.1 Context and Official Plan Policies

Short term rentals of residential dwelling units are now commonplace in many municipalities and with the growth of websites that facilitate rentals, many municipalities are now considering options to regulate such uses. In regulating such uses, municipalities must balance the benefits of providing additional accommodation opportunities for tourists with potential issues and concerns with short term rentals, such as noise, property standards maintenance, and safety.

While the Official Plan identifies where residential uses are permitted and in what forms, there is limited direction with respect to short term accommodation or rentals. However, there is some policy direction with respect to tourism and recreational uses, including:

- “The Rural System may also contribute employment opportunities through the development of tourism and recreation opportunities.” (Section 4.2.5);
- In addition to accommodating “a range of commercial, industrial and institutional uses serving the rural resource and agricultural sectors”, rural areas of the Protected Countryside “are also intended to support a range of recreation and tourism uses such as trails, parks, golf courses, bed and breakfasts and other tourism based accommodation, serviced playing fields and campgrounds, ski hills and resorts”. (Section 9.9.8);
- “Recreational areas are normally land associated with lakes, reservoirs, ponds, rivers or other scenic resources which have potential for the development of recreational or seasonal residential uses relying on recreational activities”. (Section 6.7.1); and
- Sections 6.7.3 and 6.7.4 recognize existing cottage development and minor infilling on Puslinch Lake, and that “cottage areas originally established for seasonal use are increasingly being used year-round. These areas were not normally designed for year-round use nor are the cottages always suitable for such use”.

It is noted that the Township has unsuccessfully attempted to restrain the use of a property in the Resort Residential (RR) Zone by short term renters in the past. In this case, the Township argued that the residential use was being used as a 'tourist establishment', which is defined in the existing By-law as follows:

"any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, and without limiting the generality of the term, also includes a cabin establishment, a tourist home, a tourist cottage and a housekeeping cottage but does not include:

- i. a camp operated by a charitable corporation approved under The Charitable Institutions Act, R.S.O. 1980, Chapter 64;
- ii. a recreation camp within the meaning of the regulations under The Health Protection and Promotion Act, 1983; or
- iii. a club owned by its members and operated without profit or gain".

The Provincial Superior Court ruled that the existing By-law is unacceptably vague, uncertain, and insufficiently specific with respect to short-term rentals, and currently attempts to regulate persons and not uses. Therefore, it currently has no force or effect to the extent that it purports to regulate short term rentals within the RR Zone.

6.8.2 Best Practices Review

In response to a growing number of complaints and concerns regarding the short term rental of private houses, chalets and condominium units in the Town of The Blue Mountains, Official Plan and Zoning By-law Amendments were approved in 2011 to address the issue.

The Town's Zoning By-law now defines short term accommodation as the "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, tourist cabin or cottage, hospital, commercial resort unit, or similar commercial or institutional use." Short term accommodation is only permitted in the RR, R5, R6, R7 and R8 Zones under Zoning By-law No. 83-40, as amended, and in the RR and RM1 Zones under Zoning By-law No. 10-77, as amended.

In addition, the Town established several regulations for short term accommodation uses including:

- Must be connected to municipal sanitary sewer and water system;

- Parking required for a single unit building - 0.5 parking spaces per occupant or 1.0 parking space per guest room used for sleeping, whichever is the greater;
- Parking required for multi-unit building - 1.75 parking spaces per unit having four guest rooms used for sleeping or less plus 1.0 additional parking space for each additional guest room used for sleeping;
- Occupant load maximum – 8; and
- Minimum distance from one short term accommodation or bed & breakfast establishment and another short term accommodation use - 120 metres.

In 2014, the Town also implemented a Short Term Accommodation Licensing By-law, which provides a system of licensing for short term accommodation premises rented for 30 consecutive days or less. Property owners are required to obtain a license from the municipality on a bi-annual basis, and the Town may revoke the license if the owner fails to comply with a part of the Licensing By-law.

6.8.3 Summary of Issues and Options

Based on the review of existing provisions, best practices and comments received by the public, Township staff, members of Council, and the Advisory Committee, the following issues have been identified and discussed with respect to regulations dealing with short term rentals:

ISSUE 1:

There may be a need to introduce regulations dealing with short term rentals in the Township's new Zoning By-law.

OPTION A:

➔ **The Township could establish a definition for 'short term accommodation' and update or remove the definition of 'tourist establishment' in the existing Zoning By-law to provide a clear distinction between different types of residential and tourist accommodation uses.**

OPTION B:

➔ **The Township could prohibit the establishment of 'short term accommodation' uses as of right by not identifying it as a permitted use in any zone. Effectively, an amendment to the Zoning By-law would be required for the establishment of 'short term accommodation' anywhere in the Township.**

OPTION C:



The Township could permit 'short term accommodation' uses as of right in certain zones, as appropriate, and identify a set of regulations to address safety, such as servicing, parking, and occupant loads.

6.8.4 Recommendation

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that:

1. **OPTIONS A and B** with respect to regulating **short term accommodation** be implemented through the preparation of a new CZBL for Puslinch.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 6.14: Summary of Project Goals Met

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

6.9 Source Water Protection

6.9.1 Context

There are two Source Protection Plans that apply in the Township of Puslinch: the Grand River Source Protection Plan which applies to the vast majority of the Township and the Halton Region-Hamilton Region Source Protection Plan.

In April 2016, the Ministry of Environment and Climate Change released the 'Integrating Source Protection into Municipal Planning Documents' guidance report to summarize recommended content for municipal planning documents, including Zoning By-laws.

Section 4.2 of the Ministry's document states that "the zoning by-law should have a section that contains all zoning regulations that apply to designated vulnerable areas (e.g. WHPA or IPZ) for the protection of drinking water sources (for example as part of the general provisions section or as a separate section in the by-law). These vulnerable areas should be mapped either on the zoning maps or on a separate zoning schedule".

Section 4.2 of the Ministry document also states that "each source protection plan includes an appendix that lists the policies per the provisions that give them legal effect under the Clean Water Act". All land use planning decisions must 'conform with' policies on List A of the appendix (significant drinking water threats that affect Planning Act decisions) and 'have regard to' policies on List B (low and moderate drinking water threats that affect Planning Act decisions).

However, the Ministry document also recognizes that Source Protection Plans are enabled through the Clean Water Act and therefore do not need to be integrated into official plans or zoning by-laws to be implemented by municipalities. It is recommended that as a minimum, municipalities include schedules in their official plans and zoning by-laws where the policies of Part IV apply, as many residents and businesses are familiar with these documents and rely on them for information related to development.

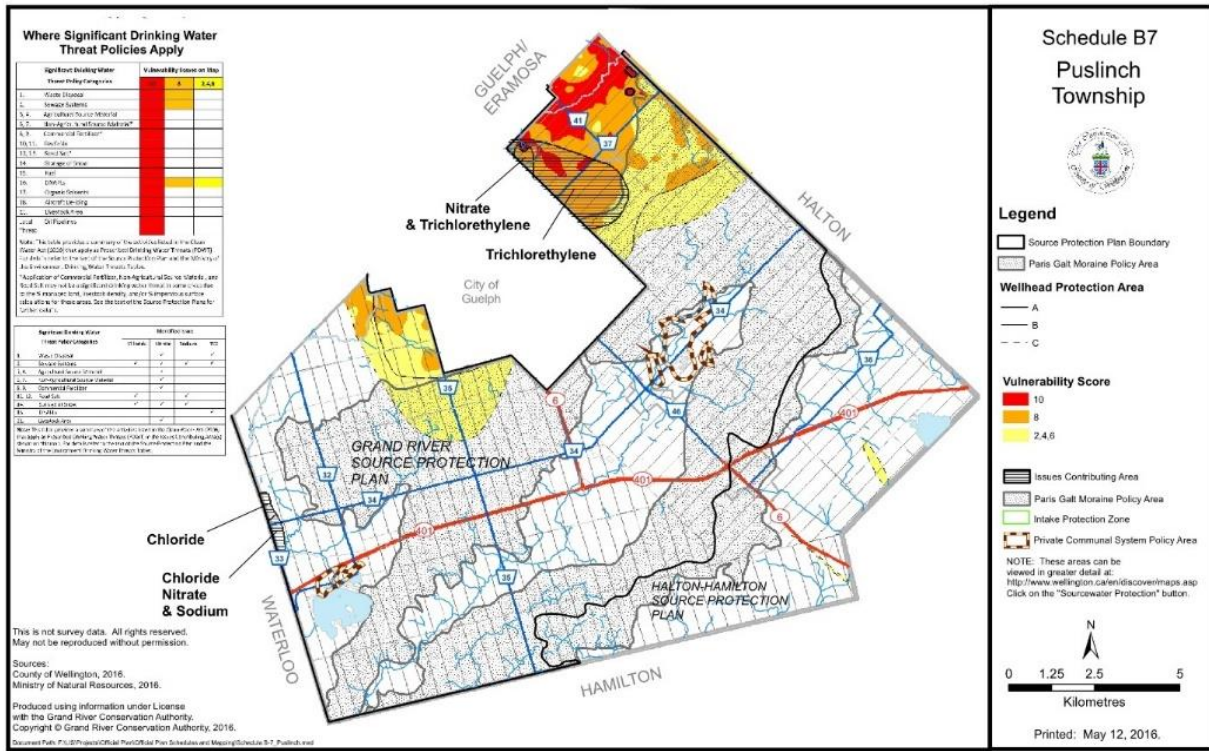
6.9.2 Official Plan Policies

In May 2016, Wellington County Council adopted Official Plan Amendment No. 98 to implement source water protection policies and mapping for the County. Schedule B-7 of the County Official Plan (as shown in Figure 6.1 below) identifies vulnerable areas in the County: Wellhead Protection Areas (WHPA) A, B and C, Intake Protection Zones (IPZ) and Issues Contributing Areas. Vulnerability scores for each vulnerable area are also identified on Schedule B-7, along with Private Communal System Policy Areas that were identified in the County's 2006 Groundwater Study.

Section 4.9.5.3(b) of the Official Plan states that "an application for development, redevelopment, or site alteration within a Wellhead Protection Area, Intake Protection Zone, or Issue Contributing Area where a drinking water threat could be significant shall only be deemed complete under the Planning Act if submitted with a Section 59 Notice issued by the Risk Management Official...".

The County's Risk Management Official is responsible for providing advice and guidance to local municipalities, and determining if a new land use or activity is or involves a significant drinking water threat and if the use or activity is prohibited or regulated through a Risk Management Plan.

Figure 6.1: Schedule B-7 – County Official Plan



6.9.3 Best Practices Review

A best practices review has revealed that several municipalities in the Province have adopted the approach to implementing source water protection policies and requirements by establishing a single overlay in the zoning by-law along with provisions that prohibit uses identified in the applicable Source Protection Plan.

TOWNSHIP OF ASPHODEL-NORWOOD

In April of 2016, the Township of Asphodel-Norwood passed Zoning By-law No. 2016-29 to implement the source water protection policies of the County of Peterborough's Official Plan. The Township added a Source Water Protection Overlay to the schedules of the Zoning By-law and general provisions which:

- Require a Notice under Section 59(2) of the Clean Water Act with a Planning Act or building permit applications for development on lands within the Source Water Protection Overlay;
- State that existing land uses and/or an expansion of existing land uses which pose a significant drinking water threat activity should be managed pursuant to the Trent Source Protection Plan, and may be subject to a Risk Management Plan;

- Prohibit certain land use activities in the Source Water Protection Overlay (notwithstanding uses permitted in the underlying zone) where they would constitute a future significant drinking water threat unless otherwise stated in the Source Protection Plan;
- State that a prohibited use may be permitted where the Province or other approval authority has issued or approved a Prescribed Instrument, or the Township's Risk Management Official issues a Notice pursuant to Section 59 of the Clean Water Act; and
- Define 'significant drinking water threat', 'significant drinking water threat, existing' and 'significant drinking water threat, future'.

TOWNSHIP OF SELWYN

The Township of Selwyn is also located in Peterborough County and passed By-law 2016-21. The approach taken in Selwyn is like Asphodel-Norwood's approach with the following differences:

- Definitions for 'intake protection zone' and 'significant drinking water threat, expansion' were also added;
- References to the new general provisions were added to each applicable zone section; and
- Does not include a provision stating that a prohibited use may be permitted where the Province or other approval authority has issued or approved a Prescribed Instrument, or the Township's Risk Management Official issues a Notice pursuant to Section 59 of the Clean Water Act.

6.9.4 Summary of Issues and Options

Based on the review of Official Plan policies, existing provisions, best practices, and comments received by the public, Township staff, members of Council, and the Advisory Committee, the following issues have been identified and discussed with respect to source water protection regulations:

ISSUE 1:

There is the need to implement Source Protection policies in the new Zoning By-law.

OPTION A:



The Township could consider implementing the following to ensure that residents and businesses are aware of Source Protection Plans as they relate to development:

- A Source Water Protection or Vulnerable Areas Overlay on the schedules to the new Zoning By-law, based on Schedule B-7 of the Official Plan;**
- Applicable definitions;**
- A new General Provisions Section that:**

- Requires a Notice under Section 59(2) of the Clean Water Act prior to a Planning Act approval or building permit issuance for development proposed within the Source Water Protection Overlay area
- Prohibits significant drinking water threats unless the Province or other approval body has issued or approved a Prescribed Instrument, or the Risk Management Official issues a Notice under Section 59 of the Clean Water Act

OPTION B:



In addition to the above (Option A), the Township could consider implementing more detailed information from Source Protection Plans, such as: identify uses or activities that are, or would be, a significant drinking water threat in the By-law or via appendices; and include land use policies identified in Source Protection Plans.

6.9.5 Recommendation

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that:

1. Given that Source Protection Plans have legal effect under the Clean Water Act, land use policies in those plans do not require implementation under the Planning Act. Therefore, it is recommended that OPTION A be implemented as part of the new CZBL.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #1: Implement upper-tier plans and policies.	✓
Goal #2: Implement local strategies and planning documents.	
Goal #3: Maintain existing zoning regulations that already work.	
Goal #4: Address local issues and opportunities.	
Goal #5: Implement innovative and flexible zoning techniques.	✓
Goal #6: Eliminate duplication, redundancy, and contradictions.	
Goal #7: Improve formatting, organization, accessibility, and interpretation.	

CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #8: Identify issues that could be addressed through another process.	✓

DRAFT

7.0 Analysis of Zoning in the Urban Centres

7.1 Overview and Official Plan Context

Within Wellington County there are several designated Urban Centres which are part of the Urban System and, per Section 8.1.2 of the County's Official Plan, "the primary focus for housing, commerce, services, job creation, recreation, and community facilities". Within the Township of Puslinch, there are two Urban Centres:

- **Aberfoyle:** The Urban Centre of Aberfoyle, which is located north of Highway 401, 3 kilometres south of the City of Guelph, at the headwaters of Mill Creek, and along Brock Road, formerly Highway 6; and
- **Morrison:** The Urban Centre of Morrison, which is located south of Highway 401 along Highway 6.

As the two Urban Centres of the Township, Aberfoyle and Morrison play a key role as the focus of growth for Puslinch.

The Wellington County Official Plan has set out a Vision Statement for County's Urban Centres (in Section 8.1.3), including Aberfoyle and Morrison, which include the following characteristics:

- a. That traditional community values will be maintained and the small town character will be enhanced;
- b. That the single-detached home will continue to be the dominant form of housing but a greater variety of housing types will also be available;
- c. That the central business district will remain the primary focus of commercial, cultural and civic functions for the municipality;
- d. That well planned industrial areas will continue to provide new job opportunities and municipal tax revenues;
- e. That the quality of life for the residents will be enhanced by the protection of natural and cultural environment, the enhancement of new recreational opportunities, and the preservation of heritage resources;
- f. That infrastructure such as roads, water, utilities, fire protection and administration will be improved and, where feasible, expanded to meet the needs of a growing community;
- g. That the greenland system and rivers will remain dominant natural features in urban centres providing aesthetic and recreational opportunities for both residents and visitors alike;
- h. That the elements of the natural environment including rivers, hills, wetland, groundwater and forest resources will be protected, enhanced and well managed.

Within the Urban Centres of Aberfoyle and Morrison, there are several land use designations that apply, which are summarized in Table 7.1 below:

Table 7.1: Official Plan Designations in the Urban Centres of Aberfoyle and Morriston

OFFICIAL PLAN DESIGNATION	OBJECTIVES (EXAMPLES FROM THE OFFICIAL PLAN)	APPLIES IN ABERFOYLE	APPLIES IN MORRISTON
Residential	<ul style="list-style-type: none"> • To provide for a variety of dwelling types • To ensure that affordable housing is available • To manage growth and development to maintain and enhance small town character • To meet the housing needs of persons requiring specialized care • To encourage intensification provided the stability and character of existing neighbourhoods is maintained 	✓	✓
Central Business District	<ul style="list-style-type: none"> • To be the primary focus for retail, office, service, administrative, and cultural activities • To provide adequate commercial facilities to serve the needs of the local community and surrounding population • To maintain and promote a compact and people-oriented downtown which encourages movement by foot and bicycle • To protect heritage buildings • To improve the economic viability of the downtown area such as the development of residential uses above commercial uses 	✓	✓
Highway Commercial	<ul style="list-style-type: none"> • To provide commercial services for the travelling public • To provide sites for commercial uses which require large lots for buildings, storage, and parking • To provide, on a limited basis, convenience facilities to serve the need of the residents 	✓	
Industrial	<ul style="list-style-type: none"> • To provide adequate industrial lands to meet the urban centre's long term land use requirements • To ensure the nature of industrial development is appropriate to the servicing available • To ensure that users of the industrial land are clean industries • To encourage attractive industrial areas 	✓	

OFFICIAL PLAN DESIGNATION	OBJECTIVES (EXAMPLES FROM THE OFFICIAL PLAN)	APPLIES IN ABERFOYLE	APPLIES IN MORRISTON
Recreational	<ul style="list-style-type: none"> To provide a wide variety of recreational opportunities for the residents of the community To recognize and maintain the natural areas and rivers as unique natural features and important community resources 	✓	
Core Greenlands	<ul style="list-style-type: none"> To provide protection to those aspects of the natural environment which can be harmed by urban development To protect the community from aspects of the natural environment, which can pose a threat to public health and safety 	✓	✓
Future Development	<ul style="list-style-type: none"> To provide for the orderly future development of the unbuilt areas of the Urban Centre To limit development of such lands until a proper site plan or concept plan for future uses has been submitted and approved To prohibit any major development of these lands until the necessary municipal services can be made available 	✓	
Special Policy Area PA7-7	<ul style="list-style-type: none"> To recognize and permit limited development for lawfully established buildings and structures within the Aberfoyle Flood Plain 	✓	

7.2 Existing Zones within the Central Business District

To understand how the existing Zone Structure in the Township of Puslinch applies to the Urban Centres of Aberfoyle and Morriston, some mapping analysis has been completed to compare how lands within the Urban Centres are zoned, relative to the applicable underlying Official Plan designation. The following figures have been prepared, which identify Official Plan designations in various colours (as explained in the legend) and zone codes are shown as letters (as also explained in a legend).

Figure 7.1: Comparison of Zones within the Urban Centre of Aberfoyle and the Underlying Official Plan Designations

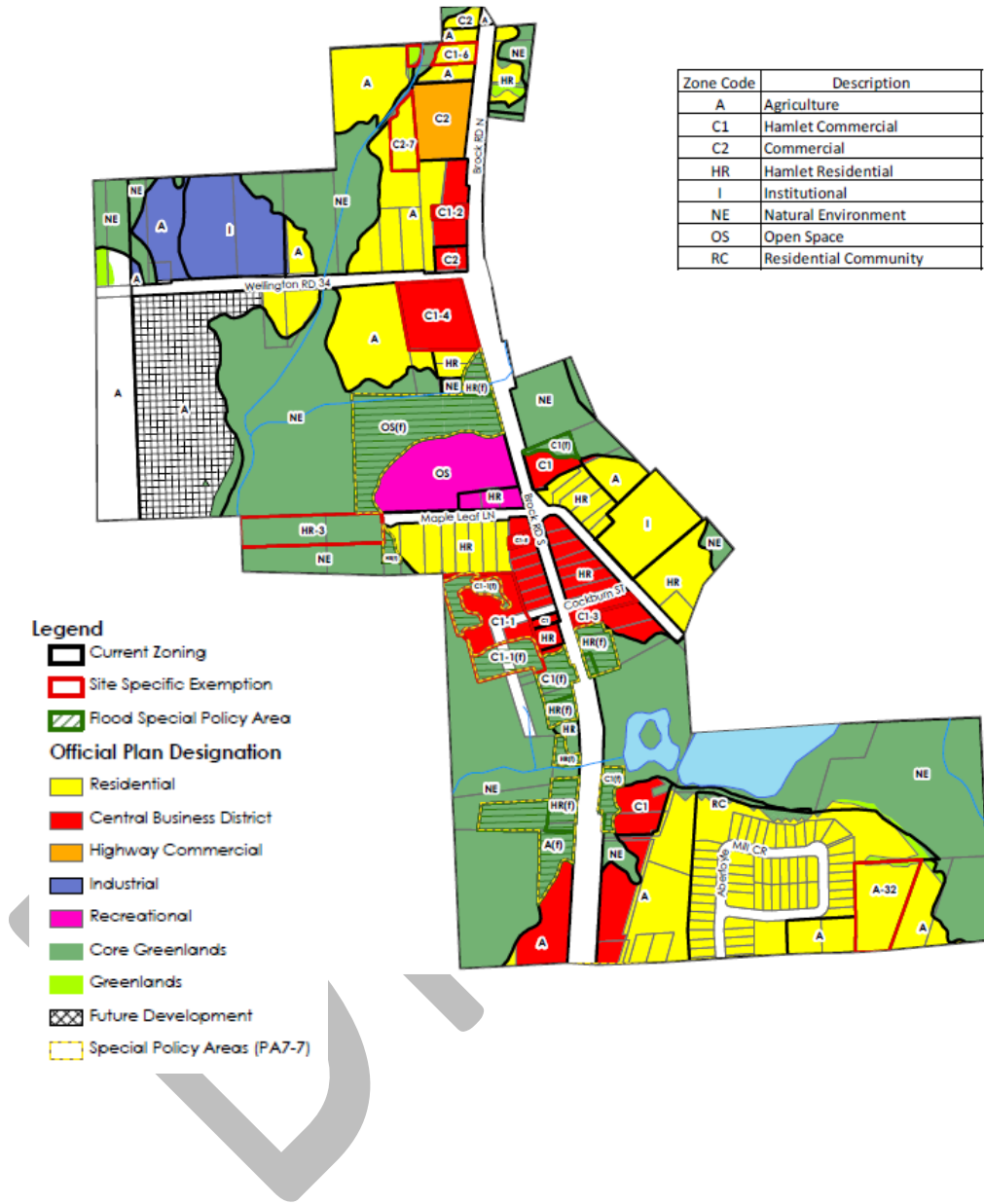
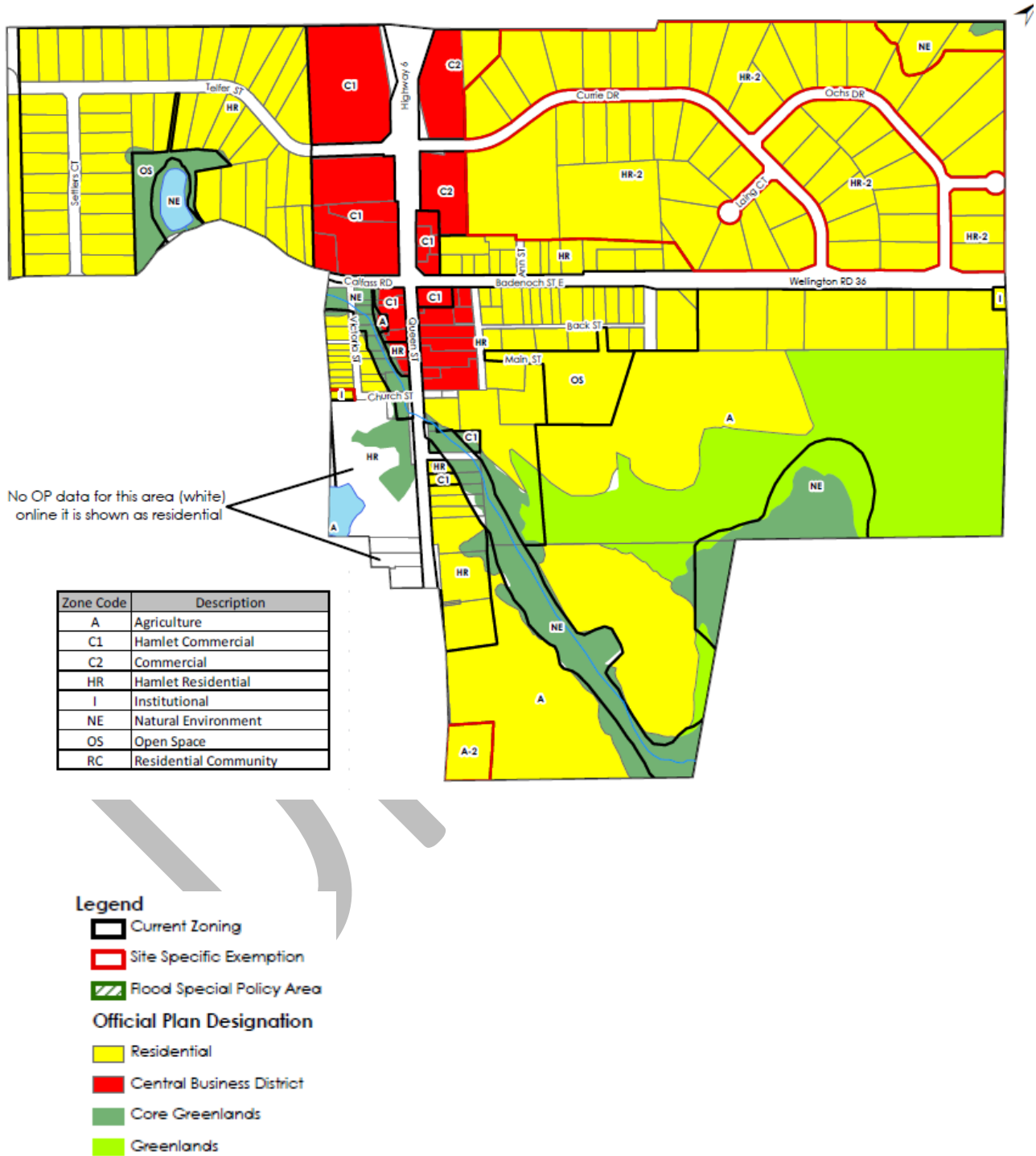


Figure 7.2: Comparison of Zones within the Urban Centre of Morriston and the Underlying Official Plan Designations



The findings of the mapping analysis are also summarized in the following table.

Table 7.2: Official Plan Designations and Zones within the Urban Centres of Aberfoyle and Morriston

OFFICIAL PLAN DESIGNATION	ZONES LOCATED WITHIN THE DESIGNATION (ABERFOYLE)	ZONES LOCATED WITHIN THE DESIGNATION (MORRISTON)
Residential	Hamlet Residential (HR) Residential Community (RC) Hamlet Commercial (C1-6) Highway Commercial (C2) Institutional (I) Agricultural (A)	Hamlet Residential (HR) Hamlet Commercial (C1) Institutional (I) Natural Environment (NE) Agricultural (A) Open Space (OS)
Central Business District	Hamlet Residential (HR) Hamlet Commercial (C1) Highway Commercial (C2) Agricultural (A)	Hamlet Residential (HR) Hamlet Commercial (C1) Highway Commercial (C2) Agricultural (A)
Highway Commercial	Highway Commercial (C2)	N/A
Future Development	Agricultural (A)	N/A
Industrial	Institutional (I) Agricultural (A)	N/A
Recreational	Open Space (OS) Hamlet Residential (HR)	N/A
Core Greenlands	Natural Environment (NE) Open Space (OS)	Natural Environment (NE) Open Space (OS) Agricultural (A) Hamlet Residential (HR) Hamlet Commercial (C1)
Special Policy Area PA7-7	Agricultural(f) A(f) Hamlet Commercial(f) C1 (f) Open Space (f) OS(f)	N/A

7.3 Official Plan Conformity

Based on the mapping analysis, an Official Plan conformity exercise has also been completed for Aberfoyle and Morriston to further compare the permitted uses established by the Official Plan and the permitted uses of the applicable zone category. The purpose of this analysis is to identify where there are existing conflicts or gaps with respect to how current zoning conforms to the direction of the Official Plan for the Urban Centres.

The discussion focuses on the following key designations, which make up most of Aberfoyle and Morriston, or only occur within the Township's Urban Centres:

- Residential;
- Central Business District;
- Highway Commercial; and
- Future Development.

A discussion of the remaining areas of Aberfoyle and Morriston (i.e., lands designated industrial, recreational, core greenlands, and the Special Policy Area PA7-7) is provided in other sections of this Discussion Paper as part of the analysis of various zone categories.

7.3.1 Analysis of the Residential Designation of Aberfoyle and Morriston

The following tables compare the permitted uses in the Residential designation to those uses permitted in the applicable zones. Potential conflicts and gaps are also identified. Following the tables are a summary of issues and the identification of potential options to address them.

Table 7.3: Analysis of Residential Designation and Applicable Zones in Aberfoyle

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS AND GAPS
Residential	<ul style="list-style-type: none"> • A variety of housing types (single-detached and semi-detached) • Townhouses and apartments, 	Hamlet Residential (HR)	<ul style="list-style-type: none"> • Single Detached Dwelling • Semi-detached or duplex dwelling • Rooming or boarding house • Home occupation • Public Use 	<p>The HR zone permits fewer uses than what is envisioned for the Urban Centre Residential designation.</p> <p>Zoning could permit wider range of housing types</p>

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS AND GAPS
	bed and breakfasts, group homes, and nursing homes, subject to the Zoning By-law			(towns and apartments)
	<ul style="list-style-type: none"> Non-residential uses, such as schools, churches, clinics, local convenience stores, parks, public facilities 	Residential Community (RC)	<ul style="list-style-type: none"> Max. of 55 single detached dwellings Community Entrance features Private parks, trails, and accessory structures Private ROW Private Communal water services 	<p>None</p> <p>A site specific zoning was applied to permit a specific development proposal</p>
		Hamlet Commercial (C1-6)	<ul style="list-style-type: none"> Special Exception to permit a clinic or professional office 	<p>None</p> <p>A site specific zoning was applied to permit a specific development proposal</p>
		Highway Commercial (C2) and (C2-7)	<ul style="list-style-type: none"> A range of Highway Commercial uses, including: automotive use, contractor's yard, motel, personal service shop, garden centre, supply yard, variety store, etc. C2-7 is a special exception to permit Ren's Pets Depot (Expansion) 	<p>Permitted uses of the C2 Zone are not in keeping with the objectives or permitted uses of the Official Plan</p> <p>There are no issues with the C2-7 special exception since it was applied to permit a specific development proposal</p>
		Institutional (I)	<ul style="list-style-type: none"> Accessory dwelling unit Auditorium Cemetery Church 	<p>None</p> <p>These types of non-residential</p>

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS AND GAPS
			<ul style="list-style-type: none"> • Day nursery • Nursing Home • Public or private school • Public use 	<p>uses are permitted by the Official Plan</p>
		<p>Agricultural (A)</p>	<ul style="list-style-type: none"> • Agricultural and intensive agricultural uses • Single detached dwelling • Home occupation • Retail farm sales outlet • Existing churches, schools, community halls, nursing homes • Wayside pit • Forestry and woodlots • Open space and conservation areas • Fish and Wildlife Management 	<p>The permitted uses of the A Zone are not in keeping with the objectives or permitted uses of the Official Plan</p>

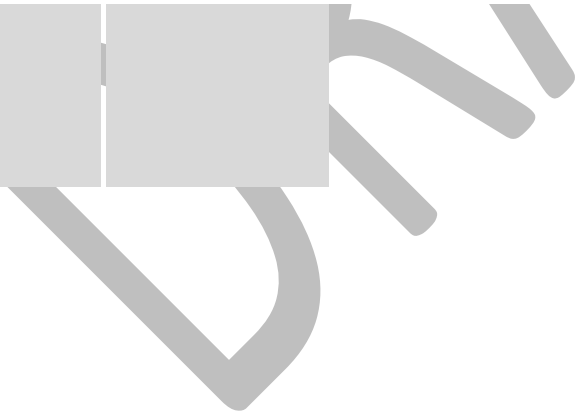


Table 7.4: Analysis of Residential Designation and Applicable Zones in Morriston

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS AND GAPS
Residential	<ul style="list-style-type: none"> A variety of housing types (single-detached and semi-detached) Townhouses apartments, bed & breakfasts, group homes, nursing homes, subject to the Zoning By-law Non-residential uses, such as schools, churches, clinics, convenience stores, parks, public facilities 	Hamlet Residential (HR)	<ul style="list-style-type: none"> Single Detached Dwelling Semi-detached or duplex dwelling Rooming or boarding house Home occupation Public Use 	<p>The HR zone permits fewer uses than what is envisioned for the Residential designation.</p> <p>Zoning could permit wider range of housing types (towns and apartments)</p>
		Hamlet Commercial (C1)	<ul style="list-style-type: none"> Accessory dwelling unit Bank Business or professional office Clinic Home occupation Parking lot Personal service shop Public use Restaurant Retail store Service trade 	<p>Some of the permitted uses of the C1 Zone are not in keeping with the objectives or permitted uses of the Official Plan</p>
		Institutional (I)	<ul style="list-style-type: none"> Accessory dwelling unit Auditorium Cemetery Church Day nursery Nursing Home Public or private school Public use 	<p>None</p> <p>These types of non-residential uses are permitted by the Official Plan</p>
		Natural Environment (NE)	<ul style="list-style-type: none"> Agricultural uses, excluding new buildings and structures 	<p>None</p>


OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS AND GAPS
			<ul style="list-style-type: none"> • Conservation uses including: forest management, fish and wildlife management, flood control, erosion control • Passive Recreation • Boat house or boat dock • Uses, buildings and structures, which were lawfully established 	<p>Designation permits existing uses</p>
		<p>Agricultural (A)</p>	<ul style="list-style-type: none"> • Agricultural & intensive agricultural uses • Single detached dwelling • Home occupation • Retail farm sales outlet • Existing churches, schools, community halls, nursing homes • Wayside pit • Forestry and woodlots • Open space and conservation areas • Fish and Wildlife Management 	<p>The permitted uses of the A Zone are not in keeping with the objectives or permitted uses of the Official Plan</p>
		<p>Open Space (OS)</p>	<ul style="list-style-type: none"> • An existing agricultural use • A cemetery • A public or private park • Any public use 	<p>None Public parks are permitted by Official Plan</p>

7.3.1.1 Identification of Issues and Options

Based on the above analysis of the Residential designation of the Urban Centres of Aberfoyle and Morriston, the following issues have been identified. Several options are also identified for consideration by the Township, with respect to how the issues could be addressed in the CZBL.


ISSUE 1:

The Hamlet Residential (HR) Zone applies to most lands designated 'Residential' in the Urban Centres of Aberfoyle and Morriston. However, the HR zone permits fewer uses than what is envisioned for the Residential designation.


 **OPTION A:** The Township could consider creating an 'Urban Residential' (UR) Zone, which would permit the full range of residential uses permitted by the Hamlet Residential Zone, as well as non-residential uses as set out in the Official Plan.

In addition, the new 'Urban Residential' (UR) Zone could provide for more compact residential lots in the Urban Centres. This would be done by:

- Reducing minimum lot size requirements (taking into consideration the need to accommodate septic systems); and/or
- Reducing minimum frontage requirements; and/or
- Increasing maximum lot coverage requirements; and/or
- Reducing minimum front and interior side yard requirements.

 **OPTION B:** The Township could create two new Urban Residential (UR) zones. The first (UR1) would permit the same uses as the existing HR Zone and would provide for more compact residential lots (as suggested in Option A).

The second (UR2) would permit higher density residential uses (townhouses and apartments) as permitted by the Official Plan. This zone would only be applied if and when municipal services are made available.

 **OPTION C:** The Township could maintain the Hamlet Residential zone as it currently applies to lands designated Residential in the Urban Centres.

ISSUE 2:

There are lands in the Residential designation that are currently zoned Agricultural (A); however, the permitted uses of the A zone are not in keeping with the policy framework of the Official Plan.

➔ **OPTION A:** If the Township chooses to create a new Urban Residential Zone (UR as per option 1A above or UR1 as per option 1B), this new zone could be applied to lands designated A to bring the zoning into conformity with the Official Plan and prezone for the development of residential uses. This option could also involve the use of a Holding symbol to ensure that certain criteria (i.e., servicing) are met prior to development proceeding.

➔ **OPTION B:** The Township could maintain the existing Agricultural zone, which would require a rezoning application to be submitted to permit the future development of residential uses.

ISSUE 3:

There are also lands in the Residential designation (Aberfoyle) that are currently zoned Highway Commercial (HC), and in the Residential designation (Morrison) that are currently zoned Hamlet Commercial (C1); however, the permitted uses of the HC zone and some of the permitted uses of the C1 zone are not in keeping with the objectives or permitted uses of the Official Plan designation.

➔ It is recommended that additional discussions with Township staff be held with respect to the HC and C1 lands identified above since there may be a desire to maintain zoning rights on properties with unique uses.

7.3.1.2 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, the following is recommended:

ISSUE 1:

It is recommended that **OPTION B** be explored further, which would involve the creation of 2 new Urban Residential zones (UR1 and UR2) in the new CZBL. However, it is noted that additional discussion with respect to the potential feasibility, cost, and timing of municipal services in the Township of Puslinch is required.

ISSUE 2:

It is recommended that **OPTION A** be implemented, which would involve the pre-zoning of existing agriculturally zone lands in the Urban Centres.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 7.5: Summary of Project Goals Met

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

7.3.2 Analysis of the Central Business District Designation of Aberfoyle and Morriston

The following table looks at the Central Business District Designation for Aberfoyle and Morriston as part of the Official Plan conformity analysis.

Table 7.6: Analysis of Central Business District Designation and Applicable Zones in Aberfoyle and Morriston

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS/ GAPS
Central Business District	<ul style="list-style-type: none"> A wide variety of retail, office, service, administrative, religious, cultural, and entertainment uses. Services uses include restaurants, personal service establishments, and financial institutions. Residential development may be permitted provided that retail office or service commercial uses are located at street level. Highway commercial uses are not permitted. 	Hamlet Residential (HR)	<ul style="list-style-type: none"> Single Detached Dwelling Semi-detached or duplex dwelling Rooming or boarding house Home occupation Public Use 	<p>Residential uses are not permitted by the Official Plan unless they are located above street level (with commercial or office at grade)</p> <p>The HR zone is not in keeping with the objectives and permitted uses of the CBD</p> <p>Zoning could permit a wider range of uses</p>
		Hamlet Commercial (C1)	<ul style="list-style-type: none"> Accessory dwelling unit Bank Business or professional office Clinic Home occupation Parking lot Personal service shop Public use Restaurant Retail store Service trade 	<p>Zoning could permit wider range of retail, office, service, administrative, religious, cultural, and entertainment uses as per the objectives and permitted uses of the CBD</p>
		Highway Commercial (C2)	<ul style="list-style-type: none"> A range of Highway Commercial uses, including: automotive use, contractor's yard, motel, personal service shop, garden centre, supply yard, variety store, etc. 	<p>Permitted uses of the C2 Zone are not in keeping with the objectives or permitted uses of the Official Plan</p>

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS/ GAPS
		Agricultural (A)	<ul style="list-style-type: none"> • Agricultural and intensive agricultural uses • Single detached dwelling • Home occupation • Retail farm sales outlet • Existing churches, schools, community halls, nursing homes • Wayside pit • Forestry and woodlots • Open space and conservation areas • Fish and Wildlife Management 	Permitted uses of the A Zone are not in keeping with the objectives or permitted uses of the Official Plan

7.3.2.1 Identification of Issues and Options

Based on the above analysis of the Central Business District designation of Aberfoyle and Morriston, the following issues have been identified. Options are also identified for consideration by the Township, with respect to how the issues could be addressed in the CZBL.

ISSUE 1:

None of the zones that currently apply to the Central Business District in the Urban Centres of Aberfoyle and Morriston are in keeping with the objectives and permitted uses of the Official Plan designation. Zoning could permit a wider range of uses that are in line with the County and Township Vision for its Central Business Districts. In addition, many of the existing zones permit uses that are not permitted by the Official Plan.



OPTION A: The Township could consider creating a 'Mixed-Use' (MU) Zone, which would permit the full range of uses permitted by the Official Plan (including retail, office, service, administrative, religious, cultural, and entertainment), as well as residential uses (provided retail, office, or service commercial uses are located at street level) as set out in the Official Plan. This MU Zone could be applied to all lands within the CBD. The use of a holding symbol could also be considered, which would state that such uses would not be permitted until certain criteria are met (i.e. services).

In addition, the new 'Mixed-Use' MU Zone could provide for more compact lots in the Urban Centres. This would be done by:

- Reducing minimum lot size requirements (taking into consideration the need to accommodate septic systems); and/or
- Reducing minimum frontage requirements; and/or
- Increasing maximum lot coverage requirements; and/or
- Reducing minimum front and interior side yard requirements.



OPTION B: The Township could maintain the existing C1 zoning on lands designated Central Business District. The HR and A zones could also be maintained, which would require a rezoning application to be submitted to permit the future development of commercial uses. Additional discussion with Township staff could be held with respect to the HC lands since there may be a desire to maintain zoning rights on properties.

7.3.2.2 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that **OPTION A** be implemented and that a new Mixed-Use Zone be established as part of the development of the new CZBL. In doing so, a number of project goals will be met, as shown below.

Table 7.7: Summary of Project Goals Met

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

7.3.3 Analysis of the Highway Commercial Designation of the Urban Centres of Aberfoyle and Morriston

The following table looks at the Highway Commercial Designation for Aberfoyle and Morriston as part of the Official Plan conformity analysis.

Table 7.8: Analysis of Highway Commercial Designation and Applicable Zones in Aberfoyle and Morriston

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS/ GAPS
Highway Commercial	<ul style="list-style-type: none"> Uses catering to the travelling public such as motels, automotive sales and service, general convenience commercial uses, recreational uses, restaurants and banquet halls. Uses such as building supply outlets, wholesale outlets, churches, funeral homes, garden centres, furniture stores, home furnishing centres, liquor, beer and wine stores may also be permitted subject to the provisions of 	Highway Commercial (C2)	<ul style="list-style-type: none"> Accessory dwelling unit Any automotive use Agricultural and industrial equipment sales and service Boat, recreation vehicle and trailer sales and service A building or construction contractor's yard An existing business or professional office Any existing dwelling or dwelling unit A home occupation accessory to a permitted existing single dwelling A motel An existing personal service shop An existing shopping centre including retail stores A public use Garden centres or nurseries 	<p>There are several Highway Commercial Uses permitted by the Zoning By-law, which are not permitted by the corresponding Official Plan designation, including:</p> <ul style="list-style-type: none"> Agricultural and industrial equipment sales and service Boat, recreation vehicle and trailer sales and service An existing business or professional office Any existing dwelling or dwelling unit A home occupation accessory to a permitted existing single dwelling

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS/ GAPS
	<p>the Zoning By-law.</p> <ul style="list-style-type: none"> Residential uses may be permitted within mixed use developments (commercial uses at street level) Residential dwellings accessory to a commercial use may also be permitted, subject to the provisions of the Zoning By-law. 		<ul style="list-style-type: none"> A retail lumber and building supply yard A restaurant, including drive-in; fast food; take-out A refreshment room A retail store engaged in the sale of antiques, gifts, tourist shop, furniture, automotive supplies, farm produce, landscaping and garden supplies or domestic arts and crafts Any existing retail store A service trade A variety store A veterinarian's clinic A recreational or entertainment facility 	<ul style="list-style-type: none"> An existing personal service shop An existing shopping centre including retail stores A public use A service trade A veterinarian's clinic

7.3.3.1 Identification of Issues and Options

Based on the above analysis of the Highway Commercial designation in the Urban Centres of Aberfoyle and Morriston, the following issues and options have been identified:

ISSUE 1:

There are several uses permitted by the existing by-law in the Highway Commercial Zone, which are not permitted by the policy framework of the Official Plan.



It is recommended that additional discussions with Township staff be held with respect to the uses permitted by the C2 zone, as well as the location and nature of existing uses. Once such a review has been completed, options would then be identified for consideration.

7.3.4 Analysis of the Future Development Designation of the Urban Centre of Aberfoyle

The following table looks at the Future Development Designation in Aberfoyle.

Table 7.9: Analysis of Future Designation and Applicable Zones in Aberfoyle

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS/ GAPS
Future Development	<ul style="list-style-type: none"> Existing uses and the growing of crops including nursery and horticultural crops but does not include greenhouses. 	Agricultural (A)	<ul style="list-style-type: none"> Agricultural and intensive agricultural uses Single detached dwelling Home occupation Retail farm sales outlet Existing churches, schools, community halls, nursing homes Wayside pit Forestry and woodlots Open space and conservation areas Fish and Wildlife Management 	There is a wider range of uses permitted by the Agricultural Zone that what is envisioned by the Future Development designation

7.3.4.1 Identification of Issues and Options

Based on the above analysis the following issues and options have been identified:

ISSUE 1:

The Agricultural zone that currently applies to the Future Development designation in Aberfoyle is not in keeping with the objectives and permitted uses of the Future Development designation. There is a wider range of uses permitted by the Agricultural Zone.



OPTION A: The Township could consider creating a new 'Future Development' Zone, which would implement the County's 'Future Development' designation and to ensure that an efficient and logical pattern of future urban development is not compromised. Appropriate zone standards and permissions should be established for this new zone.



OPTION B: The Township could maintain the existing Agricultural Zoning.

7.3.4.2 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that **OPTION A** be implemented in the development of the new CZBL, which would result in the creation of a new 'Future Development' Zone.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 7.10: Summary of Project Goals Met

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

8.0 Analysis of Zoning in Arkell

Within Wellington County there are also several designated Hamlets, which are part of the County's Urban System. Per Section 7.3 of the Official Plan, Hamlets are "smaller urban places in Wellington which do not have central sewer and water systems" and "are expected to eventually build out on existing designated lands, while growth beyond their current boundaries will be limited".

Within the Township of Puslinch, there is one Hamlet:

- **Arkell:** The Hamlet of Arkell, which is in the northeast corner of the Township. Agricultural lands and countryside surround it, and is known for its numerous hiking trails.

8.1 Existing Zones within the Arkell Hamlet Designation

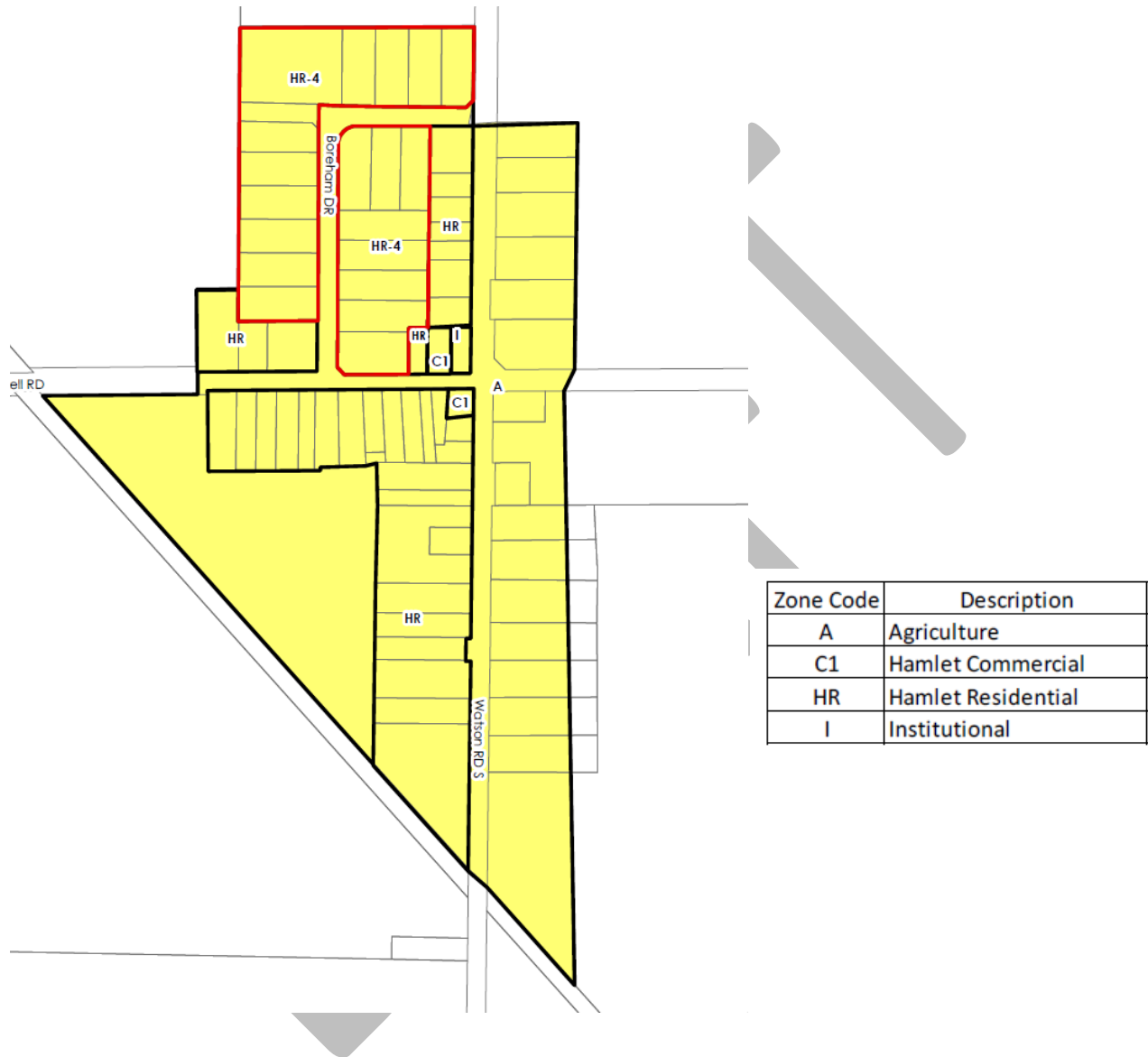
A mapping analysis has been completed to compare how lands within Arkell are zoned in relation to the underlying Official Plan Hamlet designation. The figure on the following has been prepared, which identifies the Hamlet designation in yellow and zone codes are shown as letters (as shown in the legend).

The findings of the mapping analysis are also summarized in the following table.

Table 8.1: Official Plan Designations and Zones within the Hamlet of Arkell

OFFICIAL PLAN DESIGNATION	ZONES LOCATED WITHIN THE HAMLET DESIGNATION
Hamlet	Hamlet Residential (HR) Hamlet Commercial (C1) Institutional (I) Agricultural (A)

Figure 8.1: Comparison of Zones within the Arkell and the Underlying Hamlet Designations



8.2 Official Plan Conformity

Based on the mapping analysis, an Official Plan conformity exercise has also been completed, which further compares the permitted uses established by the Official Plan and the permitted uses of the applicable zone category. The purpose of this analysis is to identify where there are

existing conflicts or gaps with respect to how current zoning conforms to the direction of the Official Plan for Arkell. Findings are summarized below.

Table 8.1: Analysis of Hamlet Designation and Applicable Zones in Arkell

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS/ GAPS
Hamlet	<ul style="list-style-type: none"> • Single detached residential • Small scale multiple unit residential • Local commercial • Small scale industrial • Institutional • Parks and open space 	Hamlet Residential (HR)	<ul style="list-style-type: none"> • Single Detached Dwelling • Semi-detached or duplex dwelling • Rooming or boarding house • Home occupation • Public Use 	Public uses could be dealt with through general provisions (Uses Permitted in all Zones)
		Hamlet Commercial (C1)	<ul style="list-style-type: none"> • Accessory dwelling unit • Bank • Business or professional office • Clinic • Home occupation • Parking lot • Personal service shop • Public use • Restaurant • Retail store • Service trade 	None Permitted uses in the C1 Zone are in keeping with the permitted uses of the Official Plan
		Institutional (I)	<ul style="list-style-type: none"> • Accessory dwelling unit • Auditorium • Cemetery • Church • Day nursery • Nursing Home • Public or private school • Public use 	None The Official plan designation permits institutional uses
		Agricultural (A)	<ul style="list-style-type: none"> • Agricultural and intensive agricultural uses • Single detached dwelling • Home occupation 	Permitted uses of the A Zone are not in keeping with the objectives or permitted

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS/ GAPS
			<ul style="list-style-type: none"> • Retail farm sales outlet • Existing churches, schools, community halls, nursing homes • Wayside pit • Forestry and woodlots • Open space and conservation areas • Fish and Wildlife Management 	uses of the Official Plan

8.2.1 Identification of Issues and Options

Based on the above analysis the following issues and options have been identified:

ISSUE 1:

The majority of residential lots in Arkell are zoned Hamlet Residential (HR). However, as shown in Figure 8.1, above, existing lots fronting along the east side of Watson Road South are zoned Agriculture (A). The A Zone also permits single detached dwellings and home occupation uses, but also permits a wide range of uses not envisioned in Hamlets per the Official Plan including agricultural and intensive agricultural uses, and wayside pits.

➔ **OPTION A:** Apply the Hamlet Residential Zone to existing residential lots along the east side of Watson Road South in Arkell to implement the Official Plan land use policies for Hamlets.

➔ **OPTION B:** The Township could maintain the current Agricultural zoning for existing residential lots along the east side of Watson Road South in Arkell.

8.2.2 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that **OPTION A** be implemented in the development of the new CZBL.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 8.2: Summary of Project Goals Met

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

8.3 Analysis of Zone Provisions

Based on the analysis and recommendations above, the Hamlet Residential (HR) and Hamlet Commercial (C1) will be maintained and will continue to apply to most lands within the Hamlet of Arkell. Therefore, current zone provisions in the existing By-law have also been reviewed to determine if any changes are required. Best practices from other jurisdictions have also been reviewed for comparison.

The following tables shows the existing zone provisions for the HR and C1 zones, with some preliminary comments on how they might be updated in the new CZBL, and why.

Table 8.3: Preliminary Review of Zone Provisions in HR Zone

PROVISIONS	EXISTING HR ZONE	COMMENTS
Min. Lot Area	Single detached – 1,390 m ² Other uses – 1,860 m ²	None
Min. Lot Frontage	25 m	Could be reduced to allow for more efficient use of residential lots.

PROVISIONS	EXISTING HR ZONE	COMMENTS
Min. Front Yard Depth	10 m	Could be reduced to allow for more efficient use of residential lots.
Min. Interior Side Yard Width	3 m on one side, and 1 m on the other	Could be reduced to allow for more efficient use of residential lots.
Min. Exterior Side Yard Width	3.5 m	None
Min. Rear Yard Depth	7.5 m	None
Max. Lot Coverage	30%	Could be increased to allow for more efficient use of residential lots and avoid the need for some minor variances.
Landscaped Open Space	30%	None

Table 8.4: Preliminary Review of Zone Provisions in C1 Zone

PROVISIONS	EXISTING C1 ZONE	COMMENTS
Min. Lot Area	1,000 m ²	None
Min. Lot Frontage	20 m	Could be reduced to allow for more efficient use of residential lots.
Min. Rear Yard Depth	7 m	None
Max. Lot Coverage	35%	Could be increased to allow for more efficient use of residential lots and avoid the need for some minor variances.
Adjacent to a Residential Zone	Privacy fence or 1.5 m wide planting area shall be provided where a lot line abuts a residential zone	None
Exemption from Loading Space	No loading space required	This could be addressed in the same section as other parking and loading requirements.
Landscaped Open Space	25%	None

8.3.1 Identification of Issues and Options

Based on the above preliminary review of existing zone provisions, the following issues and options have been identified:

ISSUE 1:

In both the HR and C1 zones, there are some zone requirements which could be updated to promote the more efficient use of residential and commercial lots, and to reduce the need for minor variances.

- ➔ **OPTION A:** In the HR zone, the Township could consider reducing the minimum lot frontage requirements, as well as the minimum front yard depth and interior side yard width.
- ➔ **OPTION B:** In the C1 zone, the Township could consider reducing the minimum lot frontage requirement.
- ➔ **OPTION C:** In both the HR and C1 zone, the Township could increase the maximum lot coverage requirement.
- ➔ **OPTION D:** The Township could maintain the current zone requirements for the HR and C1 zone.

8.3.2 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that **OPTIONS A, B, and C** be implemented in the development of the new CZBL.

In doing so, several project goals (as identified in Section 1.3 of this Discussion Paper) will be met, as shown below.

Table 8.5: Summary of Project Goals Met

CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #1: Implement upper-tier plans and policies.	✓
Goal #2: Implement local strategies and planning documents.	

CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #3: Maintain existing zoning regulations that already work.	
Goal #4: Address local issues and opportunities.	✓
Goal #5: Implement innovative and flexible zoning techniques.	✓
Goal #6: Eliminate duplication, redundancy, and contradictions.	
Goal #7: Improve formatting, organization, accessibility, and interpretation.	
Goal #8: Identify issues that could be addressed through another process.	

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9.0 Analysis of Zoning in Residential Areas

9.1 Overview of Residential Zones and Where They Apply

Sections 7.0 and 8.0 of this paper have provided a review of existing zones that occur in the Township's Urban Centres and the Hamlet of Arkell. The findings show that the Hamlet Residential (HR) Zone is the most frequently used Residential Zone within these areas, and within the Township, in general. Therefore, a detailed analysis of the HR zone (permitted uses and existing zone provisions) was completed as part of Sections 7.0 and 8.0. However, in addition to the HR Zone, there are seven other Residential Zones within the existing By-law that apply to certain areas of the Township. They include:

- RC Zone - Residential Community Zone
- RR Zone - Resort Residential Zone
- MR Zone - Millcreek Residential Area Zone
- ML Zone - Mini Lakes Zone
- ER1 Zone - Estate Residential Type 1 Zone
- ER2 Zone - Estate Residential Type 2 Zone
- RUR Zone - Rural Residential Zone

These zones occur throughout the Township, within several different Official Plan Designations, as shown in Table 9.1 below.

Table 9.1: Residential Zones within the Township and Where they Occur

RESIDENTIAL ZONE	RESIDENTIAL USES PERMITTED (ZONING BY-LAW)	WHERE THE ZONE OCCURS	APPLICABLE OFFICIAL PLAN DESIGNATION
RC Zone	<ul style="list-style-type: none"> • Max. of 55 single detached dwellings 	<ul style="list-style-type: none"> • Applies to an existing Residential Community located within Aberfoyle (Aberfoyle Mill Cres.) 	<ul style="list-style-type: none"> • Residential • Core Greenlands
RR Zone	<ul style="list-style-type: none"> • Single detached dwelling 	<ul style="list-style-type: none"> • Applies to existing residential properties around Puslinch Lake 	<ul style="list-style-type: none"> • Secondary Agricultural • Recreational
MR Zone	<ul style="list-style-type: none"> • Maximum of 72 Mobile Homes or Manufactured Dwellings • Accessory single detached dwelling unit for manager 	<ul style="list-style-type: none"> • Applies to an existing Residential Community (Millcreek Residential Policy Area) 	<ul style="list-style-type: none"> • Policy Area PA7-2 • Greenlands

RESIDENTIAL ZONE	RESIDENTIAL USES PERMITTED (ZONING BY-LAW)	WHERE THE ZONE OCCURS	APPLICABLE OFFICIAL PLAN DESIGNATION
ML Zone	<ul style="list-style-type: none"> One dwelling unit per site Accessory single detached dwelling unit for manager 	<ul style="list-style-type: none"> Applies to an existing Residential Community (Mini Lakes Policy Area) 	<ul style="list-style-type: none"> Policy Area PA-7 Greenlands
ER1 Zone	<ul style="list-style-type: none"> Single Detached Dwelling 	<ul style="list-style-type: none"> Does not appear to apply to any lands within the Township 	<ul style="list-style-type: none"> N/A
ER2 Zone	<ul style="list-style-type: none"> Single Detached Dwelling 	<ul style="list-style-type: none"> Applies to the existing residential communities of Aberfoyle Creek and Fox Run Estates 	<ul style="list-style-type: none"> Country Residential
RUR Zone	<ul style="list-style-type: none"> Single Detached Dwelling 	<ul style="list-style-type: none"> Applies to a few properties near Townline Road and Roszell Road 	<ul style="list-style-type: none"> Secondary Agricultural

Although not shown in the table, or discussed in Section 7.0 or 8.0, it is also noted that there are some existing properties zoned HR outside of the Hamlet and Urban Centre designations, including:

- Three properties in the southern portion of the Township, along Highway 6; and
- Four properties in Crieff.

Each of these properties are designated Secondary Agriculture in the Official Plan.

9.1.1 Identification of Issues and Options

Based on the above preliminary review of existing residential zones, their purpose, and range of permitted uses, the following issues and options have been identified:

ISSUE 1:

As shown by Table 9.1 above, several existing Residential Zones in the Township's By-law have been created in the past to permit a specific residential development with very specific use permissions and zone requirements:

- **The RC Zone was created to permit 55 single detached dwellings within the Urban Centre of Aberfoyle;**
- **The MR Zone was created to permit 72 mobile homes or manufactured dwellings in the Millcreek Policy Area; and**
- **The ML Zone was created to one permit dwelling per site in the Mini Lakes Policy Area.**

These existing Residential Zones basically serve as exceptions that were implemented by creating a new Zone in the By-law. Because the use permissions and zone requirements are so specific, it is very unlikely any of these zones will ever be applied again.



OPTION A: The Township could consider eliminating the RC, MR, and ML zones from the new CZBL. In this case, existing zone permissions and provisions would be maintained by carrying them forward as exceptions to another Zone.



OPTION B: The Township could maintain the existing RC, MR, and ML Zones by carrying them forward to the new CZBL.

ISSUE 2:

The existing ER1 Zone does not apply to any properties within the Township.



It is recommended that this zone be eliminated.

9.1.2 Recommendations

In addition to the recommendation provided for issue 2, based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that **OPTION 1 A** be implemented in the development of the new CZBL.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 9.2: Summary of Project Goals Met

CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #1: Implement upper-tier plans and policies.	
Goal #2: Implement local strategies and planning documents.	
Goal #3: Maintain existing zoning regulations that already work.	✓
Goal #4: Address local issues and opportunities.	
Goal #5: Implement innovative and flexible zoning techniques.	

CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #6: Eliminate duplication, redundancy, and contradictions.	✓
Goal #7: Improve formatting, organization, accessibility, and interpretation.	✓
Goal #8: Identify issues that could be addressed through another process.	

9.2 Analysis of Zone Provisions

Based on the recommendations identified above, the following two existing residential zones would be carried forward in the new CZBL:

- ER2 Zone; and
- RUR Zone.

As discussed, the remaining zones would either be eliminated or carried forward as exceptions to other residential zones.

The following is a summary of the existing zone provisions for the ER2 and RUR zones:

Table 9.3: Existing Zone Provisions for ER2 and RUR Zones

PROVISIONS	ER2 ZONE	RUR ZONE	COMMENTS
Minimum Lot Area	0.4 ha	0.2 ha	This minimum lot area and minimum lot frontage requirements for the ER2 and RUR zones vary slightly.
Minimum Lot Frontage	50 m	30 m	
Minimum Front Yard Depth	15 m	15 m	These provisions are identical between the ER2 and RUR zones. It is noted that several exceptions to the min. interior side yard for the ER2 zone have been approved to date.
Minimum Exterior Side Yard Width	10 m	10 m	
Minimum Interior Side Yard Width	10 m	10 m	
Minimum Rear Yard Depth	10 m	10 m	

PROVISIONS	ER2 ZONE	RUR ZONE	COMMENTS
Maximum Lot Coverage	30 %	30 %	
Landscaped Open Space	30 %	30 %	
Separation Distance from Adjacent Barns	-	180 m	This provision is unique to the RUR Zone.

9.2.1 Identification of Issues and Options

Based on the above preliminary review of existing zone provisions, the following issues and options have been identified:

ISSUE 1:

Given that many of the provisions for both the ER2 and RUR zones are identical, as well as the uses permitted in each zone, it may not be necessary to carry both Zones forward in the new CZBL.

OPTION A: The Township could consider eliminating the ER2 zone from the new CZBL, particularly since it is located within the Country Residential designation, and the County Official Plan states that new Country Residential uses are not permitted. Therefore, it is not anticipated that this Zone would be used in the future. Existing zone permissions and provisions would be maintained by carrying them forward as exceptions to another Zone (i.e., RUR).

OPTION B: The Township could maintain the existing ER2 and RUR Zones by carrying them forward to the new CZBL.

9.2.2 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that **OPTION A** be implemented in the development of the new CZBL.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 9.4: Summary of Project Goals Met

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

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10.0 Analysis of Zoning in Commercial Areas

10.1 Overview of Commercial Zones and Where they Apply

Sections 7.0 and 8.0 of this paper have provided a review of existing zones that occur in the Township's Urban Centres and the Hamlet of Arkell. The findings show that:

- The Hamlet Commercial (C1) Zone is the most frequently used Commercial Zone within these areas, and within the Township, in general, and a detailed analysis of the C1 zone (permitted uses and existing zone provisions) was therefore completed as part of earlier zone analyses.
- The Highway Commercial (C2) Zone occurs most frequently in the Urban Centres of Aberfoyle and Morriston, but only once on a property designated 'Highway Commercial' by the Official Plan. In all other instances where the C2 zone applies, the permitted uses are not consistent with those permitted by the underlying Official Plan designation. A recommendation to discuss the use of the C2 zone with Township staff has been identified.

It is also noted that The C2 Zone has been applied to several properties designated Rural Employment Area on both sides of Brock Road South and three properties designated Secondary Agriculture. Again, in these cases, it is recommended that additional discussions with Township staff be held with respect to the uses permitted by the Highway Commercial zone, as well as the location and nature of existing uses. Once such a review has been completed, options would then be identified for consideration.

In addition to the C1 and C2 Zones, there are two other Commercial Zones within the existing By-law that apply to certain areas of the Township. They include:

- C3 Zone - Agricultural Commercial
- C4 Zone - Resort Commercial

These zones occur throughout the Township, within several different Official Plan Designations, as shown in the table below.

Table 10.1: Commercial Zones within the Township and Where they Occur

COMMERCIAL ZONE	WHERE THE ZONE OCCURS	APPLICABLE OFFICIAL PLAN DESIGNATION
C3 Zone	<ul style="list-style-type: none"> • The C3 zone applies to a limited number of properties in the Township's Rural System. 	<ul style="list-style-type: none"> • Secondary Agriculture • Prime Agriculture • Core Greenlands

COMMERCIAL ZONE	WHERE THE ZONE OCCURS	APPLICABLE OFFICIAL PLAN DESIGNATION
C4 Zone	<ul style="list-style-type: none"> The majority of properties zoned Resort Commercial (C4) apply to properties designated 'Recreational' in the Official Plan 	<ul style="list-style-type: none"> Recreational Greenlands Core Greenlands

It is noted that since the C3 Zone occurs primarily in the Agricultural designations of the County's Official Plan, a discussion and recommendations with respect to this Zone is provided as part of the analysis of zoning in Agricultural Areas (Section 15 of this Paper).

10.2 Official Plan Conformity

An Official Plan conformity exercise has also been completed for the C4 Zone to compare the permitted uses established by the existing Zoning By-law and the permitted uses of the applicable Official Plan designation. The purpose of this analysis is to identify where there are existing conflicts or gaps with respect to how current zoning conforms to the direction of the Official Plan. The following table provides a summary of the analysis. Potential conflicts and gaps are also identified. Following the tables are a summary of issues and the identification of potential options to address them.

Table 10.2: Analysis of Resort Commercial Zone Permitted Uses

ZONE	PERMITTED USES (ZONING BY-LAW)	OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	CONFLICTS AND GAPS
Resort Commercial (C4)	<ul style="list-style-type: none"> A place of entertainment; A drive-in theatre; A restaurant including take-out, fast-food or drive-in; A private park; A golf course; Travel trailer park; Amusement park; A public use. 	<ul style="list-style-type: none"> Recreational 	<ul style="list-style-type: none"> Seasonal recreational uses Active and passive recreational activities including golf courses Commercial activities related to and serving recreational activities 	<p>Some of the permitted uses of the C4 Zone are not in keeping with the permitted uses of the Recreational designation of the Official Plan</p>

ZONE	PERMITTED USES (ZONING BY-LAW)	OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	CONFLICTS AND GAPS
			<ul style="list-style-type: none"> Publicly-accessible built and natural settings for recreation, including parklands, open space areas, trails and, where practical and appropriate, water-based resources. 	
		<ul style="list-style-type: none"> Greenlands 	<ul style="list-style-type: none"> Agriculture Existing uses Conservation Forestry Aggregate extraction Open space Passive recreation 	<p>None.</p> <p>Existing uses permitted by the C4 Zone are permitted by the OP</p>
		<ul style="list-style-type: none"> Core Greenlands 		

10.2.1 Identification of Issues and Options

Based on the above preliminary review of existing zone provisions, the following issues and options have been identified:

ISSUE 1:

The existing C4 Zone applies to lands designated Recreational; however, there are permitted uses in the C4 Zone that are not permitted by the OP.

The Township could consider modifying the C4 zone to eliminate the following permitted uses:



- A) Place of Entertainment;
- B) Drive-in Theatre; AND
- C) Amusement Park.

10.2.2 Recommendations

It is recommended that the above option be implemented in the new CZBL. In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below.

Table 10.2: Summary of Project Goals Met

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



11.0 Analysis of Zoning in Industrial Areas

11.1 Official Plan Context

The Wellington County Official Plan has two Industrial designations, which (per Section 4.2.1) are intended to ensure that sufficient land is designated and available to accommodate an appropriate range and mix of employment opportunities (including industrial, commercial, and institutional uses). The following Table 11.1 provides a summary of the County's Industrial designations.

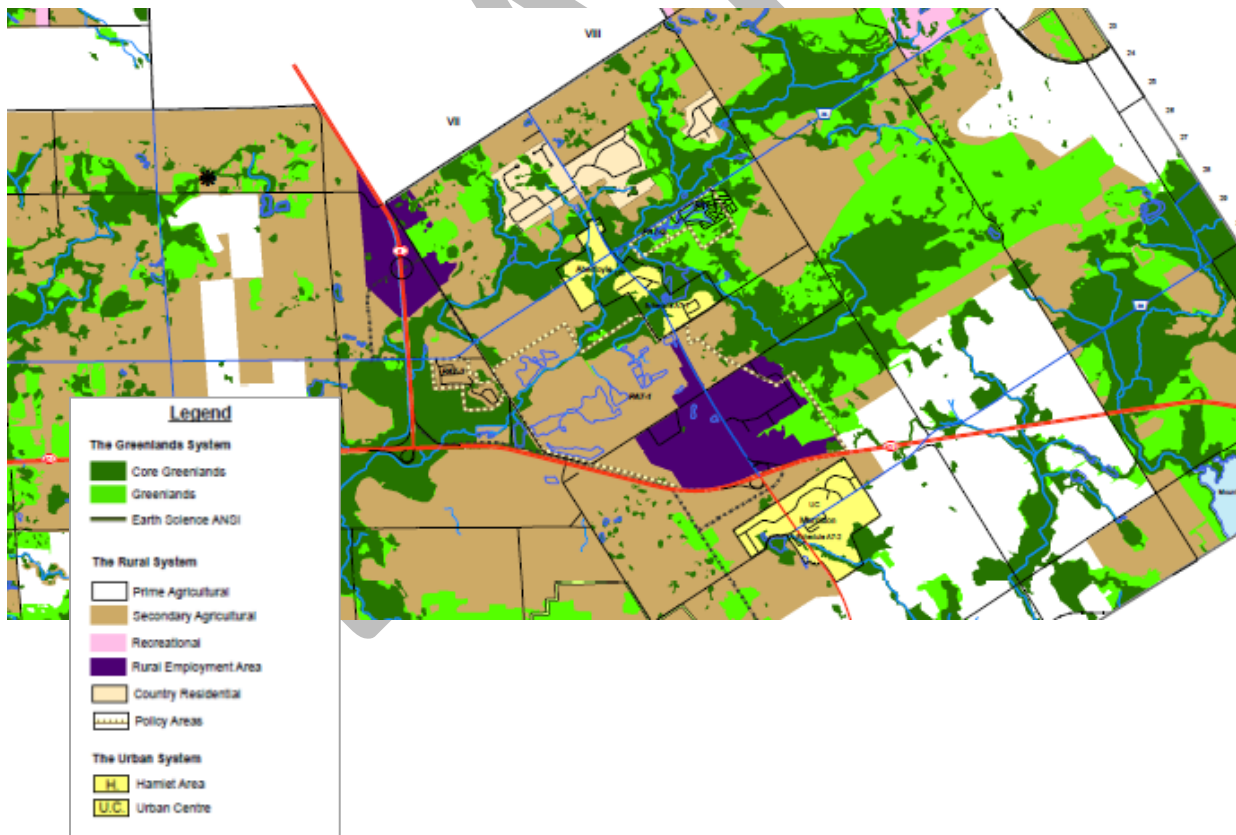
Table 11.1 Industrial Designations in the Wellington County Official Plan

OFFICIAL PLAN DESIGNATION	PURPOSE/OBJECTIVES OF THE DESIGNATION	SUMMARY OF PERMITTED USES AND KEY POLICIES
<p>Rural Employment</p>	<p>Rural Employment Areas are lands set aside for industrial and limited commercial uses which would benefit from a rural location due to:</p> <ul style="list-style-type: none"> • the need for a relatively large site; or • the need for access to major transportation routes; or • the need to be close to rural resources 	<ul style="list-style-type: none"> • In all cases, rural employment areas will be used by “dry” industrial and limited commercial uses which do not use significant amounts of water in their operation and which do not produce significant amounts of effluent, consistent with rural servicing levels which rely on private water and sewage systems (Section 6.8.1) • In establishing zones and considering rezoning applications, Councils shall ensure that existing and proposed uses are compatible, and that sensitive uses are adequately separated from industrial uses. The Zoning By-law may also limit the location and size of commercial uses (Section 6.8.3).
<p>Industrial</p>	<ol style="list-style-type: none"> a) to diversify the local tax base by increasing industrial assessment; b) to provide adequate industrial lands to meet the urban centre's long term land use requirements; c) to ensure that fully serviced industrial lots are available, or where full municipal water or sewer services are not available to ensure that the nature of industrial development is appropriate to the servicing available; 	<ul style="list-style-type: none"> • Urban Centres are intended to be the focus for industrial development in Wellington County. The design and servicing of high quality industrial areas is essential to the future prosperity of the County (Section 8.7.1) • The Zoning By-law may contain a variety of industrial zones and shall include provisions for light industrial uses and setbacks from adjacent parks or other sensitive uses (Section 8.7.4)

OFFICIAL PLAN DESIGNATION	PURPOSE/OBJECTIVES OF THE DESIGNATION	SUMMARY OF PERMITTED USES AND KEY POLICIES
	<p>d) to ensure that users of the industrial land are “clean” industries which do not have a detrimental effect on the urban centres and that any potential adverse impacts of industrial development on the natural environment and surrounding land uses are minimized;</p> <p>e) to encourage attractive industrial areas through appropriate design standards.</p>	<ul style="list-style-type: none"> The Zoning By-law shall regulate lot coverage, building height, yard requirements and other matters so that the scale of industrial development will be compatible with adjacent uses of land (Section 8.7.5)

As shown in Figure 11.1 below, all the industrial lands in the Township of Puslinch (outside of the Urban Centres) are designated 'Rural Employment'.

Figure 11.1 Rural Employment Lands in Puslinch



There are two 'Rural Employment' areas in Puslinch, including:

- Lands located along Brock Road, north of the 401, between Aberfoyle and Morriston; and
- Lands located along the Hanlon Expressway (Highway 6), just south of the City of Guelph.

Per the Wellington County Economic Development Strategy (2012), the following is a summary of the status of these industrial lands:

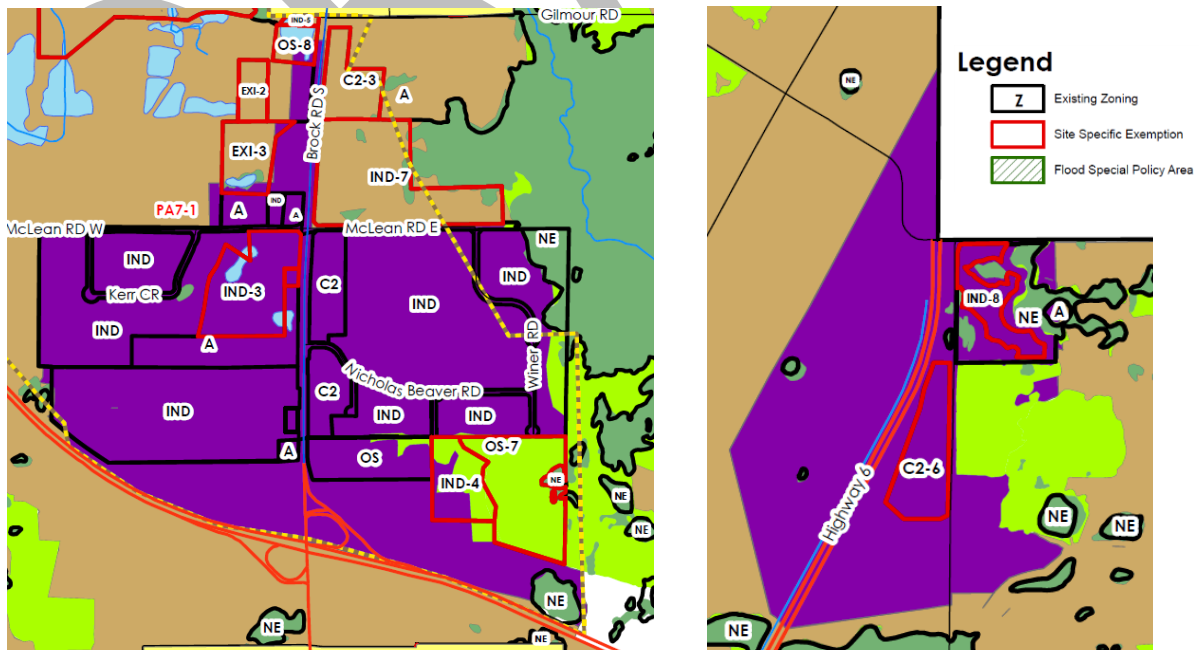
- There are 876 acres of Rural Employment lands in Puslinch;
- 245 acres (approximately 28%) of these lands are vacant;
- Most vacant industrial lands are located along the Hanlon Expressway; and
- None of the vacant industrial lands are serviced.

11.2 Overview of Industrial Zones and Where They Apply

11.2.1 Industrial Zones within the Rural Employment Areas

To understand how the existing Zone Structure in the Township of Puslinch applies to its industrial areas, some mapping analysis has been completed to compare how lands are zoned relative to the applicable underlying Rural Employment designation. The following figures have been prepared, with zone codes shown as letters (as also explained in a legend).

Figures 11.2 and 11.3 Zones within the Rural Employment Areas of Puslinch



As shown in Figures 11.2 and 11.3 above, the following zones apply to the Township's Rural Employment Areas:

- IND Zone – Industrial
- A Zone – Agricultural
- C2 Zone – Highway Commercial
- OS Zone – Open Space

There are also multiple properties zoned IND (Industrial) with a special exception.

11.2.2 Other Industrial Zones

In addition to lands zoned Industrial in the Rural Employment Areas, the following additional Industrial Zones occur within the Township:

- EX1 Zone - Extractive
- DI Zone - Disposal Industrial

It is also noted that the IND zone occurs in other areas of the Township, and it is not limited to the Rural Employment Areas. This is summarized in Table 11.2 below.

Table 11.2 Other Industrial Zone and Where they Apply

Industrial Zone	Where the Zone Occurs	Applicable Official Plan Designation
IND Zone	<ul style="list-style-type: none"> • In addition to the Township's Rural Employment Areas, the IND Zone also occurs throughout the Rural System. 	<ul style="list-style-type: none"> • Secondary Agriculture • Core Greenlands • Greenlands
EX1 Zone	<ul style="list-style-type: none"> • Applies to existing licensed aggregate operations as identified in Appendix 2 of the Official Plan. 	<ul style="list-style-type: none"> • Prime Agriculture • Secondary Agriculture • Greenlands • Core Greenlands
DI Zone	<ul style="list-style-type: none"> • There is only one instance of DI zone in the Township. 	<ul style="list-style-type: none"> • Secondary Agriculture • Core Greenlands

11.3 Official Plan Conformity

Based on the mapping analysis, an Official Plan conformity exercise has also been completed for lands zoned industrial to further compare the permitted uses established by the Official Plan and the permitted uses of the applicable zone category. The purpose of this analysis is to identify where there are existing conflicts or gaps with respect to how current zoning conforms to the direction of the Official Plan.

11.3.1 Analysis of the Rural Employment Designation and Applicable Zones

The following tables compare the permitted uses in the Rural Employment designation to those uses permitted in the applicable zones. Potential conflicts and gaps are also identified. Following the tables are a summary of issues and the identification of potential options to address them.

Table 11.3: Analysis of Rural Employment Designation and Applicable Zones

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS AND GAPS
Rural Employment	<ul style="list-style-type: none"> Dry industrial and commercial uses requiring large lots, major road access or proximity to rural resources. Such uses may include manufacturing, processing, fabrication and assembly of raw materials or repair, servicing, distribution, and storage of materials. Accessory uses including the retail sale of 	Industrial (IND)	<ul style="list-style-type: none"> A body shop; A building or construction contractor's yard; A business office; A concrete plant; A factory outlet; A feed mill; A grain storing, weighing and drying operation; A fuel depot; A home occupation accessory to a permitted existing single dwelling; An industrial use; A public use, including a Municipal Airport and related activities; A retail lumber and building supply yard; A restaurant; A sawmill; A service trade; A transport terminal A warehouse 	Zoning could permit wider range of industrial commercial uses in accordance with those permitted by the Official Plan

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS AND GAPS
	<p>products produced on-site may be allowed.</p> <ul style="list-style-type: none"> Such commercial uses will be service focused with limited accessory retail and may include business or professional offices, farm machinery sales, farm supplies, farm produce sales, small scale motels or inns, small scale restaurants and automobile sales and services. Retail commercial uses and service commercial uses normally found in urban centres are not allowed. 	<p>Agricultural (A)</p> <p>Highway Commercial (C2)</p>	<ul style="list-style-type: none"> Agricultural and intensive agricultural uses Single detached dwelling Home occupation Retail farm sales outlet Existing churches, schools, community halls, nursing homes Wayside pit Forestry and woodlots Open space and conservation areas Fish and Wildlife Management <ul style="list-style-type: none"> Accessory dwelling unit Any automotive use Agricultural and industrial equipment sales and service Boat, recreation vehicle and trailer sales and service A building or construction contractor's yard An existing business or professional office Any existing dwelling or dwelling unit A home occupation accessory to a permitted existing single dwelling A motel 	<p>The permitted uses of the A Zone are not in keeping with the objectives or permitted uses of the Official Plan</p> <p>Some of the permitted uses of the HC Zone are not in keeping with the objectives or permitted uses of the Official Plan</p> <p>Several site-specific zones have also been applied to permit a specific development proposal</p>

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS AND GAPS
			<ul style="list-style-type: none"> • An existing personal service shop • An existing shopping centre including retail stores • A public use • Garden centres or nurseries • A retail lumber and building supply yard • A restaurant, including drive-in; fast food; take-out • A refreshment room • A retail store engaged in the sale of antiques, gifts, tourist shop, furniture, automotive supplies, farm produce, landscaping and garden supplies or domestic arts and crafts • Any existing retail store • A service trade • A variety store • A veterinarian's clinic • A recreational or entertainment facility 	

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS AND GAPS
		Open Space (OS)	<ul style="list-style-type: none"> An existing agricultural use, in accordance with the Zone Requirements for the A Zone set out in Section 5(3) hereof A cemetery A public or private park Any public use 	<p>None.</p> <p>Applies to an existing cemetery</p>

11.3.1.1 Identification of Issues and Options

Based on the above official plan conformity analysis, the following issues and options have been identified:

ISSUE 1:

The Rural Employment Area designation permits a wide range of industrial and commercial uses. Based on a comparison of uses permitted in the IND zone,

➔ **OPTION A:** The Township could consider expanding the list of industrial and commercial uses permitted in the IND zone based on a best practices review of Industrial Zones in other municipalities. For example, some additional permitted uses could include motels, trade and convention centres, waste transfer stations, banquet halls, fitness centres, and places of worship.

➔ **OPTION B:** The Township could maintain the existing list of uses permitted in the IND zone.

ISSUE 2:

There are lands zoned Agricultural that apply to the Brock Road Industrial Corridor and the Rural Employment Area located east and west of the Hanlon Expressway. The permitted uses of the Agricultural Zone are not in keeping with the objectives of the Official Plan Rural Employment designation.



OPTION A: The Township could consider applying the IND zone to lands that are currently zoned Agricultural to bring the zoning into conformity with the Official Plan (Rural Employment designation) and prezone for the development of industrial uses. This option could also involve the use of a Holding symbol to ensure that certain criteria (i.e., servicing) are met prior to development proceeding.



OPTION B: The Township could maintain the existing Agricultural zone, which would require a rezoning application to be submitted to permit the future development of industrial uses.

11.3.1.2 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that **OPTION 1A and 2A** be implemented in the development of the new CZBL.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below:

Table 11.4: Summary of Project Goals Met

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

11.3.2 Analysis of Other Industrial Zones

The permitted uses of the remaining Industrial zones have also been compared to those uses permitted in the underlying Official Plan designation. This is summarized in Table 11.5 below, with comments regarding potential conflicts and gaps.

Table 11.5: Analysis of Other Zones and the Underlying Official Plan Designation

INDUSTRIAL ZONE	APPLICABLE OFFICIAL PLAN DESIGNATION	POTENTIAL CONFLICTS/GAPS
IND Zone	<ul style="list-style-type: none"> Secondary Agriculture 	None. Secondary Agricultural designation permits small scale industrial uses.
	<ul style="list-style-type: none"> Core Greenlands 	None. Existing uses permitted by the IND Zone are permitted by the OP.
	<ul style="list-style-type: none"> Greenlands 	
EX1 Zone	<ul style="list-style-type: none"> Prime Agriculture 	None. Extraction and associated activities are permitted.
	<ul style="list-style-type: none"> Secondary Agriculture 	None. Extraction and associated activities are permitted.
	<ul style="list-style-type: none"> Core Greenlands 	None. OP Designation permits Aggregate extraction.
	<ul style="list-style-type: none"> Greenlands 	
DI Zone	<ul style="list-style-type: none"> Secondary Agriculture 	<p>Some uses permitted by the DI zone may not be permitted by the Official Plan designation.</p> <p>➔ Since this zone only occurs on one property within the Township, it is recommended that additional discussions with Township staff be held to understand the nature of existing uses.</p>
	<ul style="list-style-type: none"> Core Greenlands 	

11.4 Analysis of Zone Provisions

Current zone provisions in the existing By-law have also been reviewed focusing on the IND zone. The following tables shows the existing zone provisions for the IND zone, and compares them to the standards for other General Industrial zones from other municipalities in proximity to the Township of Puslinch. Some preliminary comments on how they might be updated in the new CZBL, and why, are also provided.

Table 11.6: Preliminary Review of Zone Provisions in IND Zone

PROVISIONS	PUSLINCH EXISTING IND ZONE	CENTRE WELLINGTON M2 (GENERAL INDUSTRIAL) ZONE	MILTON M2 (GENERAL INDUSTRIAL) ZONE	COMMENTS
Minimum Lot Area	0.14 ha	None	0.8 ha	Could be reduced or eliminated all together to allow for more compact development.
Minimum Lot Frontage	30 m	30 m	40 m	Could be reduced or eliminated all together to allow for more compact development.
Minimum Front Yard Depth	15 m	6 m	9 m	Could be reduced to allow for more efficient use of lots.
Minimum Interior Side Yard Depth	15 m	3 m	3 m (9m when abutting a Residential Zone)	Could be reduced to allow for more efficient use of lots.
Minimum Exterior Side Yard Depth	15 m	6 m	9 m	Could be reduced to allow for more efficient use of lots.
Minimum Rear Yard Depth	7 m	7.5 m	12 m	None.
Maximum Lot Coverage	45%	None	35% for unserviced lands	Could be increased or eliminated to allow for more efficient use of lots.
Adjacent to a Residential Zone	Privacy fence or 1.5 m wide planting area shall be provided where a lot line abuts a residential zone	A buffer strip in accordance with Section 4.7 is required along any interior side lot line and rear lot line which abuts land zoned for residential, institutional or open space purposes.	6 m landscaped buffer is required	Could apply buffer strip requirement.

PROVISIONS	PUSLINCH EXISTING IND ZONE	CENTRE WELLINGTON M2 (GENERAL INDUSTRIAL) ZONE	MILTON M2 (GENERAL INDUSTRIAL) ZONE	COMMENTS
Dry Industrial Use	Notwithstanding the list of uses permitted in Section 13(2) hereof, if a municipal water supply is not available, no industrial use shall be permitted unless it is a dry industry.	N/A	N/A	Recognizes lack of municipal services in Puslinch. The M2 zone in Centre Wellington and Milton applies to serviced lands.
Landscaped Open Space	25%	20%	5%	Could reduce or eliminate requirement for landscaping on industrial lots.
Other Provisions	None	Additional provisions set out for outdoor storage and outdoor display areas, which are not permitted within 15 m of land zoned for residential, institutional or open space purposes.	Landscape buffers are required when lot abuts street line, James Snow Parkway, and Provincial Highways	Could establish new provisions addressing outdoor storage and landscape buffers along Brock Road or Highway 6.

It is also noted that the Township's existing Urban Design Guidelines also identify several standards that apply specifically to the Brock Road Industrial Corridor as well as the Highway 6 North Industrial Corridor. These guidelines focus on industrial properties that have highway/County Road frontage/visibility, and address:

- Outdoor storage on sites with highway visibility;
- Screening;
- Landscaping and fencing from County Roads;

- Building orientation; and
- Enhanced building design.

Currently, these guidelines are not implemented through the Zoning By-law or the Site Plan Review process.

11.4.1 Summary of Issues and Options

ISSUE 1:

The Township could update existing zone standards by encouraging a more efficient and compact form of industrial development in the IND Zone, and avoid the need for some minor variances.



OPTION A: The Township could consider implementing some of the modifications to the exiting IND zone, as per the comments in Table 11.6, as appropriate taking into consideration servicing constraints and the lot size requirements to accommodate private services.



OPTION B: The Township could maintain the existing IND Zone standards.

ISSUE 2:

There is an opportunity to incorporate standards from the Township's Urban Design Guidelines in order to require enhanced building and site design in certain areas of the Township.



OPTION A: The Township could identify certain areas of the Township where enhanced building and site design would be appropriate based on high visibility/frontage along key corridors. An overlay zone could be applied which could introduce additional provisions related to screening, outdoor storage, building orientation, etc.



OPTION B: The Township could implement its urban design guidelines in industrial areas through another planning process (i.e., site plan control).

11.4.1.1 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that **OPTION 1A and 2A** be implemented in the development of the new CZBL.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below:

Table 11.4: Summary of Project Goals Met

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

12.0 Analysis of Zoning for Institutional Uses

12.1 Overview of Institutional Zone and Where They Apply

The Wellington County Official Plan defines Institutional uses as “those uses, associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, the physically challenged or the young during an emergency because of flooding, failure of floodproofing measures or protection works, or erosion.”

There is one Institutional (I) zone in the Township of Puslinch. This zone occurs on several properties throughout the Township, within several different Official Plan Designations, and in both the Urban and Rural Systems.

The permitted uses of institutional zone have also been compared to those uses permitted in the underlying Official Plan designations. This is summarized in Table 12.1 below, with comments regarding potential conflicts and gaps.

Table 12.1: Institutional Zone within the Township and Where it Occurs

ZONE	USES PERMITTED (ZONING BY-LAW)	APPLICABLE OFFICIAL PLAN DESIGNATION	POTENTIAL GAPS/CONFLICTS
Institutional (I) Zone	<ul style="list-style-type: none"> • An accessory dwelling unit • An auditorium or place of assembly • A cemetery • A church • A day nursery • A nursing home • A public or private school • Any public use 	<ul style="list-style-type: none"> • Urban Centres of Aberfoyle and Morriston (Residential Designation) 	<p>None.</p> <p>Non-residential uses such as churches, schools, and public facilities are permitted by the OP.</p>
		<ul style="list-style-type: none"> • Urban Centres of Aberfoyle and (Industrial Designation) 	<p>This is a single industrial property, which is occupied by the Township office</p> <p>The Industrial designation permits public service facilities.</p> <p>The Township may wish to consider its longer term vision for these lands.</p>

ZONE	USES PERMITTED (ZONING BY-LAW)	APPLICABLE OFFICIAL PLAN DESIGNATION	POTENTIAL GAPS/CONFLICTS
		<ul style="list-style-type: none"> Hamlet Designation (Arkell) 	<p>None.</p> <p>Small scale institutional uses are permitted by the OP.</p>
		<ul style="list-style-type: none"> Prime Agricultural 	<p>None.</p> <p>Institutional uses are permitted via exceptions.</p>
		<ul style="list-style-type: none"> Core Greenlands 	<p>None.</p> <p>Institutional uses are permitted via exceptions.</p>

12.2 Summary of Issues and Options

There are no significant issues or recommendations with respect to the Institutional Zone in the existing By-law.

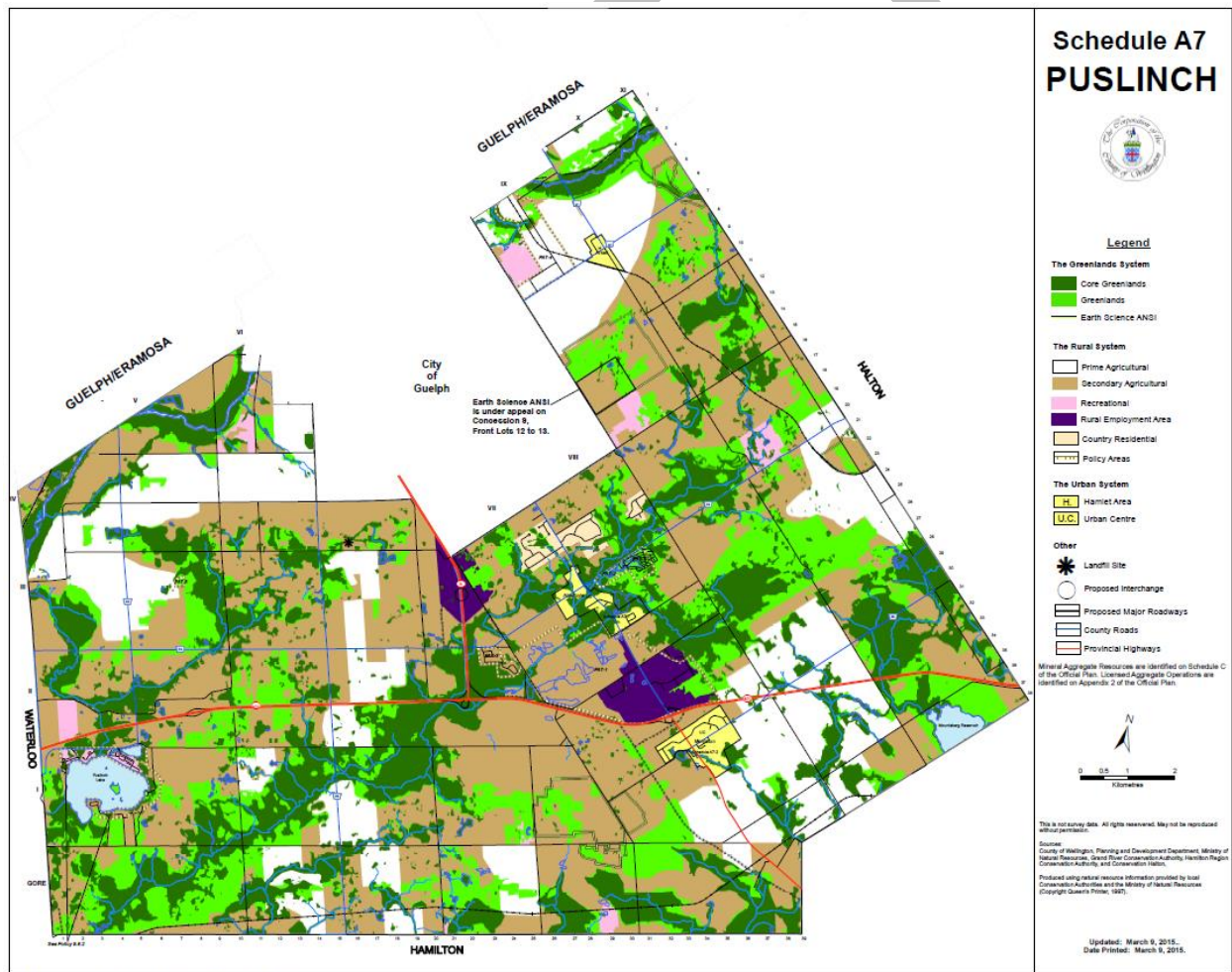
13.0 Analysis of Zoning in Agricultural and Greenbelt Areas

13.1 Official Plan Context

13.1.1 Prime Agricultural and Secondary Agricultural Areas

The Rural System identified in the Official Plan (Figure 13.1 below) consists of lands designated Prime Agricultural Areas, Secondary Agricultural Areas, Mineral Aggregate Areas, Seasonal and Recreational Use Areas, Rural Employment Areas, Waste Management Sites and Special Use Areas. Most the Rural Area in Puslinch is designated Secondary Agricultural, with large pockets of land designated Prime Agricultural throughout the Township.

Figure 13.1: Land Use Schedule A7 for the Township of Puslinch

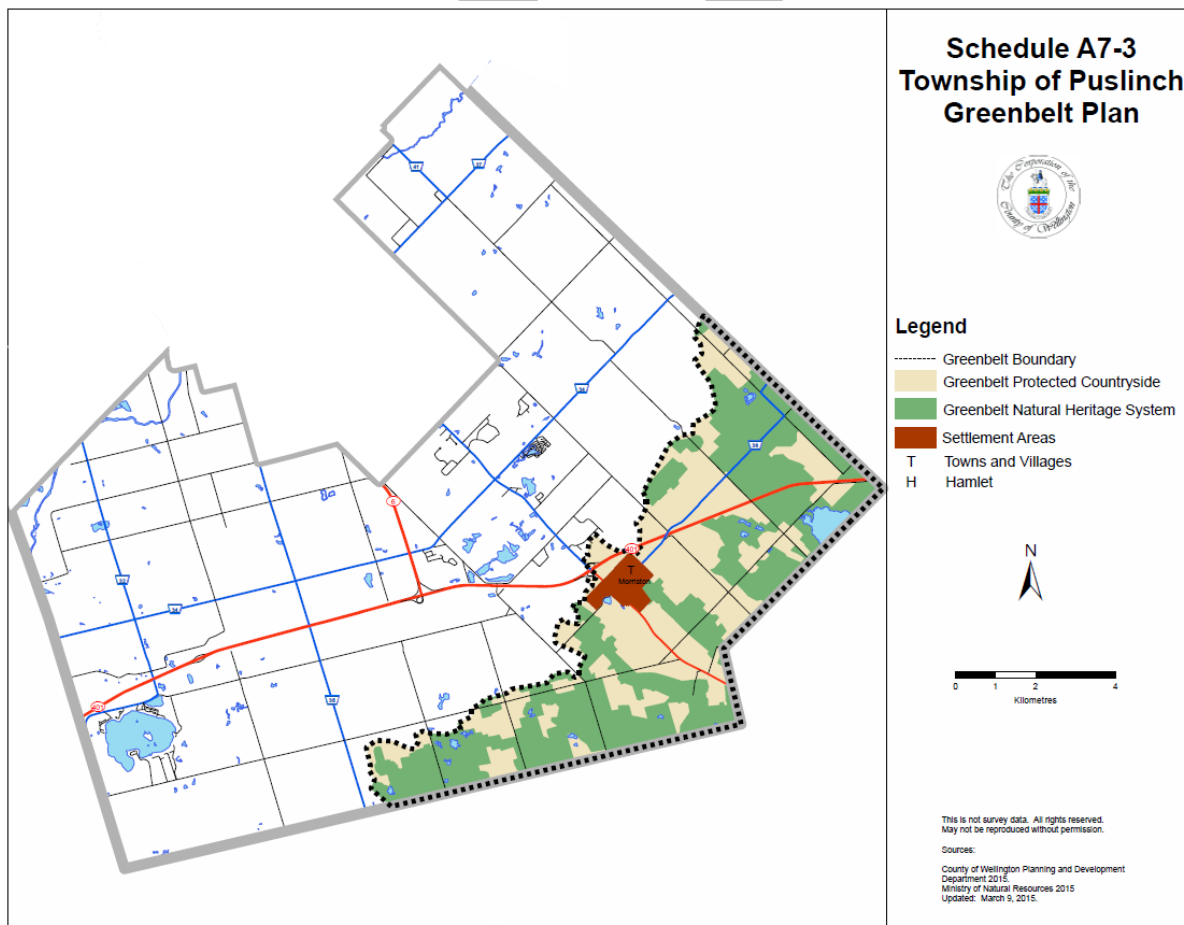


Lands designated Prime Agricultural Area consist of "Class 1, 2 and 3 agricultural soils, associated Class 4 to 7 soils and additional areas where there is a local concentration of farms which exhibit the characteristics of ongoing agriculture, and specialty crop land will be designated as prime agricultural areas. These areas will be protected for agriculture". Secondary Agricultural Areas are non-prime agricultural areas but can sustain certain agricultural activities.

13.1.2 Greenbelt Plan Policies

The Provincial Greenbelt covers portions of the southern and eastern parts of the Township as shown on Schedule A7-3 of the Official Plan. The portion of the Greenbelt located in Puslinch consists of the Protected Countryside, Natural Heritage System, and the Morriston Settlement Area which is classified as Towns and Villages. The Greenbelt policies in the Official Plan "are in addition to, and to be read in conjunction with, all other relevant policies of this Plan. In the event of conflict, the more restrictive policy shall prevail, except that this Plan may not be more restrictive than the Greenbelt Plan in regard to agricultural and mineral aggregate resource policies".

Figure 13.2: Land Use Schedule A7-3 for the Township



For lands designated Prime Agricultural that fall within the Greenbelt Protected Countryside, permitted uses shall be in accordance with uses permitted in the Prime Agricultural designation (Section 6.4 of the Official Plan). For lands designated Secondary Agricultural that fall within the Greenbelt Protected Countryside, permitted uses shall be in accordance with uses permitted in the Secondary Agricultural designation (Section 6.5 of the Official Plan).

Lands designated Secondary Agricultural in the Protected Countryside "are intended to continue to accommodate a range of commercial, industrial and institutional uses serving the rural resource and agricultural sectors. They are also intended to support a range of recreation and tourism uses such as trails, parks, golf courses, bed and breakfasts and other tourism based accommodation, serviced playing fields and campgrounds, ski hills and resorts" (Section 9.9.8). However, non-agricultural uses are not permitted in prime agricultural areas (Section 9.9.9).

13.1.3 Official Plan Conformity

Based on a mapping analysis, an Official Plan conformity exercise has been completed for the Agricultural and Greenbelt Areas in Puslinch. The analysis, summarized in Table 13.1 below, compares the permitted uses established by the Official Plan and the permitted uses of the applicable zone category.

The purpose of this analysis is to identify where there are existing conflicts or gaps with respect to how current zoning conforms to the direction of the Official Plan. Findings are summarized below.

Table 13.1: Analysis of Prime Agricultural Area and Secondary Agricultural Area Designations and Applicable Zones

OFFICIAL PLAN DESIGNATIONS	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS/ GAPS
Prime Agricultural Area and Secondary Agricultural Area	<ul style="list-style-type: none"> • Agricultural uses • Secondary uses including home businesses and farm businesses • Agriculture-related uses • Existing uses • Single detached homes 	Agricultural (A)	<ul style="list-style-type: none"> • Agricultural and intensive agricultural uses • Single detached dwelling • Accessory apartment in a single detached dwelling • Accessory bed and breakfast establishment • Secondary dwelling accessory to a farm • Home occupation • Retail farm sales outlet 	<p>No distinction between agricultural and intensive agricultural uses in Official Plan.</p> <p>Agriculture-related uses and farm businesses not defined or listed as permitted in A Zone.</p>

OFFICIAL PLAN DESIGNATIONS	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS/ GAPS
	<ul style="list-style-type: none"> • Accessory residential uses • Forestry uses • Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts • Licensed aggregate operations • Community service facilities • Group homes on existing lots of record • Kennels on existing lots of record • Small scale commercial, industrial and institutional uses (only permitted in Secondary Agricultural Area) • Public service facilities (only permitted in Secondary Agricultural Area) 		<ul style="list-style-type: none"> • Existing churches, schools, community halls, nursing homes • Wayside pit • Forestry and woodlots • Open space and conservation areas • Fish and Wildlife Management 	<p>Official Plan permits existing uses – could replace existing churches, schools, community halls and nursing homes with lawfully existing uses.</p> <p>Small scale commercial, industrial and institutional uses and public services facilities not permitted as-of-right in A Zone.</p>
		<p>Hamlet Residential (HR) (only found in Secondary Agricultural Area)</p>	<ul style="list-style-type: none"> • Single detached dwelling • Semi-detached or duplex dwelling • Rooming or boarding house • Home occupation • Public use 	<p>With the exception of single detached dwelling and home occupation, permitted uses of the HR Zone are not in keeping with the permitted uses of the Secondary Agricultural Area.</p>
		<p>Rural Residential (RUR) and Resort Residential (RR) (only</p>	<ul style="list-style-type: none"> • Single detached dwelling • Home occupation • Public use 	<p>With the exception of single detached dwelling and home</p>

OFFICIAL PLAN DESIGNATIONS	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS/ GAPS
		found in Secondary Agricultural Area)		occupation, permitted uses of the RUR and RR Zones are not in keeping with the permitted uses of the Secondary Agricultural Area.
		Estate Residential Type 2 (ER2) (only found in Secondary Agricultural Area)	<ul style="list-style-type: none"> • Single detached dwelling • Home occupation • Public use • Accessory apartment 	With the exception of single detached dwelling, home occupation and accessory apartment, permitted uses of the ER2 Zone are not in keeping with the permitted uses of the Secondary Agricultural Area.
		Hamlet Commercial (C1) (only found in Secondary Agricultural Area)	<ul style="list-style-type: none"> • Accessory dwelling unit • Bank • Business or professional office • Clinic • Home occupation • Parking lot • Personal service shop • Public use • Restaurant • Retail store • Service trade 	Permitted uses in the C1 Zone are not in keeping with the permitted uses of the Official Plan.
		Highway Commercial	<ul style="list-style-type: none"> • A range of commercial uses are 	None

OFFICIAL PLAN DESIGNATIONS	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS/ GAPS
		<p>Special Provisions (C2-1, C2-2 & C2-3) (only found in Secondary Agricultural Area)</p>	<p>permitted with each of the special provisions.</p>	<p>A site specific zoning was applied to permit a specific development</p>
		<p>Agricultural Commercial Special Provisions (C3-1, C3-7 & C3-9)</p>	<ul style="list-style-type: none"> A wide range of commercial uses are permitted with each of the special provisions. 	<p>None A site specific zoning was applied to permit a specific development</p>
		<p>Industrial (I) Special Provisions (IND-5, IND-6 & IND-7) (only found in Secondary Agricultural Area)</p>	<ul style="list-style-type: none"> A wide range of industrial uses are permitted with each of the special provisions. 	<p>None A site specific zoning was applied to permit a specific development</p>
		<p>Extractive (EXI)</p>	<ul style="list-style-type: none"> Single dwelling unit, if occupied by the owner, caretaker, watchman or other similar person employed on the lot on which such dwelling unit is located, and his family agricultural use or intensive agricultural use aggregate storage area crushing, washing, screening and processing plant 	<p>Permitted uses of the EXI Zone are generally in keeping with the permitted uses of the Official Plan</p>

OFFICIAL PLAN DESIGNATIONS	PERMITTED USES (OFFICIAL PLAN)	APPLICABLE ZONES	PERMITTED USES (ZONING BY-LAW)	CONFLICTS/ GAPS
			<ul style="list-style-type: none"> • gravel pit • quarry • public use • retail outlet, a wholesale outlet or a business office accessory to a permitted use 	

13.1.4 Identification of Issues and Options

Based on the above analysis the following issues and options have been identified:

ISSUE 1:

There is no distinction between agricultural and intensive agricultural uses in the Official Plan; however, the current Zoning By-law does make a distinction between these uses. It may not be necessary to do so, given Minimum Distance Separation requirements, set out by the Province.



OPTION A: The Township could not include 'intensive agricultural use' in the new By-law and rely upon the 'agricultural use' definition and Minimum Distance Separation requirements.



OPTION B: The Township could maintain the existing approach defining and regulating agricultural and intensive agricultural uses.

ISSUE 2:

Agriculture-related uses are permitted on lands designated Prime Agricultural Areas and Secondary Agricultural Area in the Official Plan but is not defined or listed as a permitted use in the Agricultural (A) Zone of the current Zoning By-law.



It is recommended that the Township define 'agriculture-related uses' to include uses such as livestock assembly, grain drying, cold storage, custom spraying and animal husbandry (in accordance with the Official Plan) and permit agriculture-related uses in the A Zone.

ISSUE 3:

There are several uses permitted by the existing by-law in the Agricultural Zone, which are not permitted by the policy framework of the Official Plan. In most cases, it would appear as though this is a result of applying existing zones to new residential lots created by consent in accordance with the existing by-law, which is further discussed in Section 13.3. Where this is not the case, it is recommended that additional discussions be held with Township staff with respect to the nature of existing issues.

13.1.5 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that:

1. **Option 1A** be implemented through the preparation of a new CZBL for Puslinch, in addition to the recommendations for **Issues 2 and Issue 3**.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below:

Table 13.2: Summary of Project Goals Met

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

13.2 Secondary Uses

Secondary uses are defined in the Official Plan as “uses secondary to the principal use of the property, including home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property”.

13.2.1 Home Businesses and Home Industries

Section 6.4.4 of the Official Plan provides policy direction with respect to home businesses or home occupations (as defined by the Zoning By-law), which are permitted in the existing Agricultural (A) Zone. An analysis of the existing regulations for these uses is discussed in Section 6.3 of this Report. Recommendations are also made in this Section with respect to regulations for home industries, which are also permitted.

13.2.2 Farm Businesses

Section 6.4.4 of the Official Plan also provides policy direction with respect to farm businesses as follows:

“Farm businesses are small scale businesses that provide value-added products from the farm and may be allowed subject to zoning provisions – examples include:

- Farm vacation enterprises;
- Cottage wineries;
- Value-added processing or packing;
- Sales outlets for agricultural products produced on the farm;
- Seed cleaning; and
- Pick-your-own, catch-your-own operations.”

Currently, there are no definitions for such uses in the existing Zoning By-law and they are not permitted as of right. The new Zoning By-law could contain definitions for a variety of farm business uses and the Township could also determine whether to permit farm business uses as-of-right in the Agricultural (A) Zone, or permit certain farm businesses and require a site-specific Amendment to the Zoning By-law for others. In making this determination, it is important to identify any uses that have the potential to create land use impacts, traffic issues, impacts on farming activities, etc., and should therefore be considered through the site-specific By-law Amendment process. The following table identifies some characteristics of various farm business uses and begins to discuss the potential for land use or other impacts, to assist in the Township's decision making process.

Table 13.3: Summary of Farm Business Characteristics and Potential for Issues to be Considered

FARM BUSINESS USE	CHARACTERISTICS OF USE	POTENTIAL FOR ISSUES
Farm Vacation Enterprise or Home	<ul style="list-style-type: none"> Provides sleeping accommodation and meals in a single detached dwelling (like a bed and breakfast) Provides guests with opportunities to participate in farm activities 	<ul style="list-style-type: none"> The Township permits bed and breakfasts as-of-right in the Agricultural (A) Zone but subject to certain restrictions Like bed and breakfasts in scale and potential for land use or traffic impacts Guests will be active outdoors however; they will be participating in normal farm activities/practices
Cottage or Farm Winery	<ul style="list-style-type: none"> Farm where land, buildings and structures are used for growing fruit for making wine Wines can be processed and bottled on site Retail sales of wine produced on site is also permitted 	<ul style="list-style-type: none"> Low potential for impacts/concerns from growing, processing and bottling of wines Potential for retail sales to create impacts, such as customer traffic issues If permitted as-of-right, regulations to control scale should be included such as maximum floor area of retail space
Value Added Processing or Packing	<ul style="list-style-type: none"> Activities that transform raw commodities into new forms such as the milling of grains or processing and bottling apples 	<ul style="list-style-type: none"> Low potential for impacts/concerns If permitted as-of-right, regulations to control scale should be considered
Seed Cleaning	<ul style="list-style-type: none"> Building used to separate seed lots are pure for farm use. 	<ul style="list-style-type: none"> Low potential for impacts/concerns
Pick Your Own / Catch Your Own Operations	<ul style="list-style-type: none"> Day visitors pick, gather or catch their own produce or fish (e.g. strawberry picking or fishing ponds) 	<ul style="list-style-type: none"> Potential for land use and traffic impacts depending on scale of operation and if other related uses are not controlled

13.2.3 Identification of Issues and Options

Based on the above analysis the following issues and options have been identified:

ISSUE 1:

Farm businesses are not defined in the current Zoning By-law or listed as permitted uses in the A Zone.

OPTION A: The Township could include definitions for a range of farm business types and permit uses such as farm vacation homes, cottage or farm wineries, value added processing and packing, and seed cleaning as-of-right in the A Zone, subject to restrictions to control the scale of these uses. The Township could also require Amendments to the Zoning By-law to permit uses that have the potential to generate significant traffic, such as pick your own / catch your own operations.

OPTION B: The Township could include definitions for a range of farm business types and permit uses such as farm vacation homes, cottage or farm wineries, value added processing and packing, seed cleaning and pick your own / catch our own operations as-of-right in the A Zone, subject to restrictions to control the scale of these uses.

ISSUE 2:

Small scale commercial, industrial, and institutional uses are permitted on lands designated Secondary Agricultural Area in the Official Plan but are not defined or permitted in the A Zone in the current Zoning By-law.

It is recommended that the Township define 'small scale commercial, industrial and institutional uses' but continue to require Amendments to the By-law to permit such uses on a site-specific basis (on lands designated Secondary Agricultural Area only).

13.2.4 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that:

2. **Option 1A** be implemented through the preparation of a new CZBL for Puslinch, in addition to the recommendations for **Issue 2**.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below:

Table 13.3: Summary of Project Goals Met

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

13.3 Analysis of Zone Provisions

13.3.1 Standard Provisions

The following table shows the existing zone provisions for the A Zone, with some preliminary comments on how they might be updated in the new CZBL, and why.

Table 13.4: Preliminary Review of Zone Provisions in A Zone

PROVISIONS	EXISTING A ZONE	COMMENTS
Minimum Lot Area	4.0 ha	None
Minimum Lot Frontage	121.9 m	Could be reduced. A review of minor variances approved over recent years reveals a number of variances granted to allow for reductions to this minimum requirement.

PROVISIONS	EXISTING A ZONE	COMMENTS
Minimum Front Yard	No provision	Minimum front yard requirement should be added, such as 12 or 15 m.
Minimum Interior Side Yard	Residences - 3 m All other uses – equal to ½ the building height but not less than 4.5 m	Could simplify this provision by requiring 3 m for all uses.
Minimum Exterior Side Yard	No provision	Minimum exterior side yard requirement should be added, such as 12 or 15 m.
Minimum Rear Yard	7.6 m	None
Maximum Lot Coverage	No provision	Based on best practices, options include: continuing with no requirement or including a maximum lot coverage requirement such as 30%.

13.3.2 Provisions for Lots Created by Consent

Table 13.5 provides a summary of the provisions that are currently set out in the existing by-law that apply to lots created by consent in the A Zone.

Table 13.5: Preliminary Review of Zone Provisions in A Zone for Lots Created Via Consent

PROVISIONS	EXISTING A ZONE	COMMENTS
Minimum Lot Area	0.4 ha	None
Minimum Lot Frontage	24.3 m	None
Minimum Front Yard	No provision	Minimum front yard requirement should be added, such as 7.5 m.

PROVISIONS	EXISTING A ZONE	COMMENTS
Minimum Interior Side Yard	Residences 1 storey – 1.8 m > 1 storey – 2.4 m >2 storeys – equal to ½ the building height but not less than 3 m 3 m if a garage is not provided either attached to or forming an integral part of the main building All other uses – equal to ½ the building height but not less than 3 m	Could simplify this provision by requiring 2.4 or 3 m for all uses.
Minimum Exterior Side Yard	No provision	Minimum exterior side yard requirement should be added, such as 7.5 m
Minimum Rear Yard	7.6 m	None
Maximum Lot Coverage	No provision	Could include maximum lot coverage requirement such as 30%

13.3.3 Identification of Issues and Options

Based on the above preliminary review of existing zone provisions, the following issues and options have been identified:

ISSUE 1:

The Agricultural (A) Zone provisions should be updated to reflect best practices and to provide regulations where there are none.

OPTIONS:

The Township could consider:

- a. Reducing minimum lot frontage requirements;
- b. Adding minimum front yard, exterior side yard, and maximum lot coverage requirements; and
- c. Simplifying the minimum interior side yard requirement by applying only one in a consistent manner.

ISSUE 2:

As discussed in Section 13.1.4 (Issue 3) a range of Zones have been applied to rural residential lots in the current Zoning By-law including the Hamlet Residential (HR), Rural Residential (RUR) and Agricultural (A) Zones. There is the need to consider applying a single Zone to rural residential lots in the new Zoning By-law.



OPTION A: The Township could update the existing A Zone to clearly state that the reduced lot requirements apply to rural residential lots and apply the A Zone accordingly on the map schedules of the new By-law.



OPTION B: The Township could remove the reduced lot requirements of the A Zone and use a modified version of the existing RUR Zone to apply to rural residential lots. However, it is noted that this has the potential to increase the number of rezoning applications in the Township required for the creation of smaller lots in the agricultural area.

13.4 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that:

3. **All the options** with respect to updating agricultural zone provisions should be implemented through the preparation of a new CZBL for Puslinch; and
4. **OPTION 2A** should be implemented in the new CZBL.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below:

Table 13.6: Summary of Project Goals Met

CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #1: Implement upper-tier plans and policies.	✓
Goal #2: Implement local strategies and planning documents.	✓
Goal #3: Maintain existing zoning regulations that already work.	✓
Goal #4: Address local issues and opportunities.	✓
Goal #5: Implement innovative and flexible zoning techniques.	✓

CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #6: Eliminate duplication, redundancy, and contradictions.	✓
Goal #7: Improve formatting, organization, accessibility, and interpretation.	✓
Goal #8: Identify issues that could be addressed through another process.	

DRAFT

14.0 Analysis of Open Space and Natural Environment Zones and Zoning in the Greenbelt

14.1 Open Space Zone

Uses permitted in the current Open Space (OS) Zone are as follows:

- a) An existing agricultural use, in accordance with the Zone Requirements for the A Zone set out in Section 5(3);
- b) A cemetery;
- c) A public or private park;
- d) Any public use.

14.1.1 Where the Open Space Zone has been applied

The purpose of this analysis is to identify where there are existing conflicts or gaps with respect to how the OS Zone has been applied relative to various land use designations in the Official Plan. Findings are summarized below.

Table 14.1: Land Use Designations where the OS Zone has been applied

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	CONFLICTS/GAPS
Recreational	<ul style="list-style-type: none"> • Seasonal recreational uses • Active and passive recreational activities including golf courses • Commercial activities related to and serving recreational activities • Publicly-accessible built and natural settings for recreation, including parklands, open space areas, trails and, where practical and appropriate, water-based resources. 	<p>None.</p> <p>The OS Zone has been used to partially implement the Recreational designation along with the Resort Commercial (C4) Zone.</p>
Residential	<ul style="list-style-type: none"> • Single detached and semi-detached dwellings • Townhouses, apartments, bed and breakfast establishments, group homes and nursing homes may be permitted • Non-residential uses such as schools, churches, clinics, local convenience stores, home occupations, 	<p>None.</p> <p>The OS Zone has been used to partially implement non-residential uses permitted in the Residential designation.</p>

OFFICIAL PLAN DESIGNATION	PERMITTED USES (OFFICIAL PLAN)	CONFLICTS/GAPS
	neighbourhood parks and other public facilities may also be permitted	
Country Residential	<ul style="list-style-type: none"> Single detached dwellings 	<p>None.</p> <p>The OS Zone has been applied to parkland in subdivisions.</p>

14.1.2 Analysis of Zone Provisions

The following table shows the existing zone provisions for the OS Zone, with some preliminary comments on how they might be updated in the new CZBL, and why.

Table 14.2: Preliminary Review of Zone Provisions in OS Zone

PROVISIONS	EXISTING A ZONE	COMMENTS
Minimum Lot Area	Nil	None
Minimum Lot Frontage	Nil	None
Minimum Front Yard	15 m	Could be reduced to allow for more efficient use of lands (e.g. 7.5 m)
Minimum Interior Side Yard		
Minimum Exterior Side Yard		
Minimum Rear Yard		
Maximum Lot Coverage	10%	Could be increased to allow for more efficient use of lands (e.g. 40%)
Minimum Landscaped Open Space	60% except that any area left in a natural state shall be considered to be part of the landscaped open space in a park.	None

14.1.3 Identification of Issues and Options and Recommendations

Based on the above preliminary review of existing zone provisions, the following issues and options have been identified:

ISSUE 1:

The Open Space Zone should be modified to reflect best practices.



It is recommended that the Township add 'conservation use' and 'accessory parking area' as permitted uses and update the provisions in the Open Space Zone.

In doing so, a number of project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below:

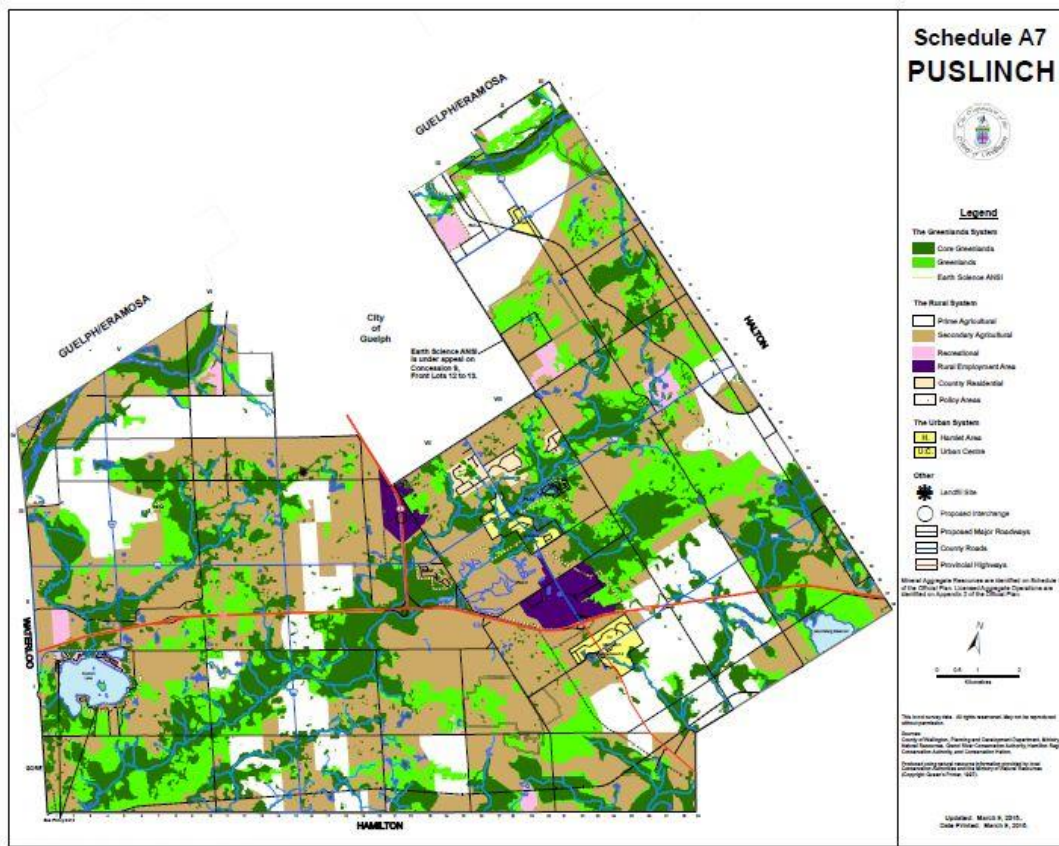
CZBL PROJECT GOALS	ADDRESSED BY RECOMMENDED APPROACH
Goal #1: Implement upper-tier plans and policies.	
Goal #2: Implement local strategies and planning documents.	
Goal #3: Maintain existing zoning regulations that already work.	✓
Goal #4: Address local issues and opportunities.	
Goal #5: Implement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

14.2 Natural Environment Zone

14.2.1 Official Plan Context – Core Greenlands and Greenlands

The Greenlands system in the Official Plan is divided into two broad categories: Core Greenlands and Greenlands, as shown in Schedule A7 (Figure 14.1) below.

Figure 14.1: Land Use Schedule A7 for the Township



14.2.1.1 Core Greenlands

Core Greenlands consist of Provincially Significant Wetlands, all other wetlands, habitat of endangered or threatened species, fish habitat and hazardous lands.

Provincially Significant Wetlands (PSWs) - development and site alteration is not permitted. PSWs are identified on Appendix 3 of the Official Plan.

All other wetlands – development that would seriously impair the future ecological functions of other wetlands are not be permitted.

Significant habitat of endangered or threatened species - development and site alteration is not permitted except in accordance with provincial and federal requirements. Development or site alteration on adjacent lands is also not permitted unless it is demonstrated that there will be no negative impact.

Fish habitat - development and site alteration is not permitted except in accordance with provincial and federal requirements.

Hazardous lands – include areas subject to flooding hazards and erosion hazards. Development shall generally “be directed away from areas in which conditions exist which would pose risks to public health and safety or property caused by natural hazards”. In addition, “development shall not be permitted to locate in hazardous lands where the use is:

- An institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools where there is a threat to safe evacuation during an emergency as a result of flooding, failure of floodproofing measures and/or protection works, or erosion;
- An essential emergency service such as that provided by fire, police, and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, failure of floodproofing measures and/or protection works, or erosion;
- Associated with the disposal, manufacture, treatment or storage of hazardous substances.

14.2.1.2 Greenlands

Greenlands consist of other significant natural heritage features (not located within Core Greenlands) including habitat, areas of natural and scientific interest, streams and valleylands, woodlands, environmentally sensitive areas, ponds, lakes and reservoirs and natural links.

Significant wildlife habitat - development and site alteration is not permitted unless it has been demonstrated that there will be no negative impacts on the habitat or its ecological functions.

Fish habitat - development and site alteration is not permitted except in accordance with provincial and federal requirements.

Provincially and regionally significant Areas of Life Science or Earth Science Natural and Scientific Interest, and streams and valleylands - are to be protected from development or site alteration which would have a negative impact on the natural feature or its ecological function.

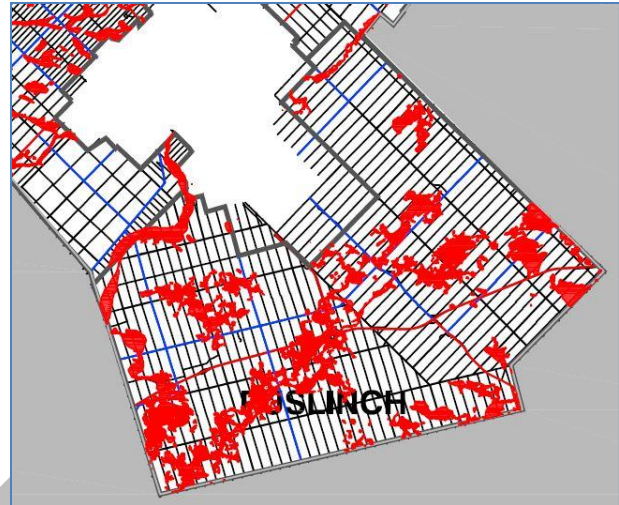


Figure 14.2: PSWs in Puslinch (shown in red)

Woodlands - over 4 hectares and plantations over 10 hectares are considered significant and are to be protected from development or site alterations which would negatively impact the woodlands or their ecological functions.

Environmentally sensitive areas, ponds, lakes, and reservoirs - to be protected from development or site alterations which would negatively impact them or their ecological functions.

14.2.2 Official Plan Context – Greenbelt Plan

The Greenbelt Plan Natural Heritage System includes areas with the highest concentration of the most sensitive and/or significant natural features and functions. Per Section 9.9.3 of the Official Plan, the Natural Heritage System “is not a designation in and of itself with a list of permitted uses. Rather, it functions as an overlay on top of the designations on Schedules A2 and A7, to subject to constraints of the Natural System policies”.

“The Natural Heritage System contains a substantial portion of the Core Greenlands and Greenlands designations, as well as areas that are adjacent to, or located between, Core Greenlands and Greenlands that are designated Prime Agricultural, Secondary Agricultural, Country Residential and Recreational on Schedules A2 and A7” (Section 9.9.5). A full range of existing and new agricultural, agriculture-related, and secondary uses are permitted and are not subject to the Natural Heritage System policies but are subject to the policies on key natural heritage features and key hydrologic features policies of Section 9.9.6.

Section 9.9.6 identifies the key natural heritage features and key hydrologic features, as summarized in Table 14.1 below.

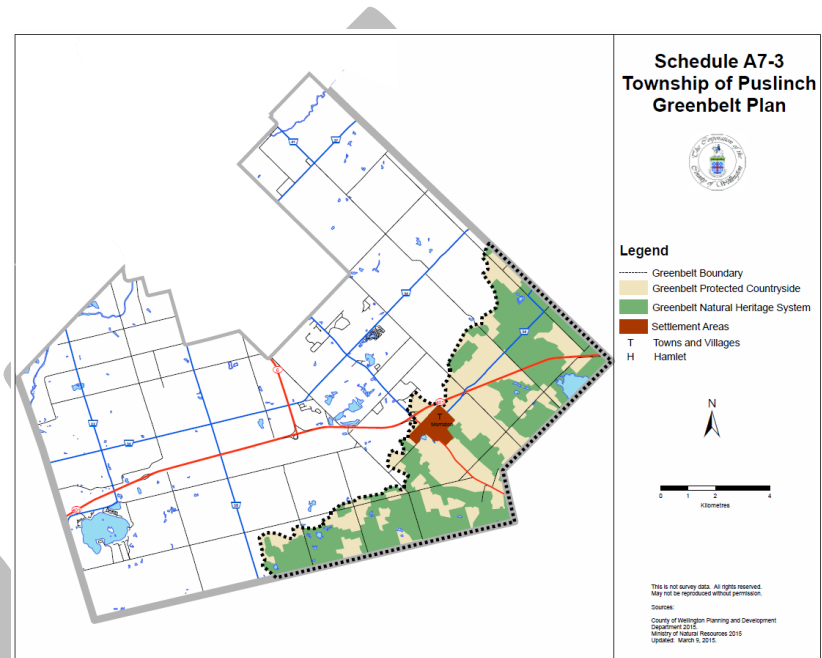


Figure 14.3: Lands Affected by the Greenbelt Plan in Puslinch

Table 14.1 Summary of Key Natural Heritage and Hydrologic Features

Key Natural Heritage Features	Key Hydrologic Features
<ul style="list-style-type: none"> • Significant habitat of endangered species, threatened species and special concern species; • Fish habitat; • Wetlands; • Life Science Areas of Natural and Scientific Interest (ANSIs); • Significant valleylands; • Significant woodlands; and • Significant wildlife habitat. 	<ul style="list-style-type: none"> • Permanent and intermittent streams; • Lakes (and their littoral zones); • Seepage areas and springs; and • Wetlands.

Development or site alteration is not permitted on lands within a key natural heritage feature or key hydrologic feature, including any associated vegetation protection zone, with the exception of the following uses: forest, fish and wildlife management; conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered; and, infrastructure, aggregate, recreational, shoreline and existing uses, as described by and subject to the general policies of Section 9.9.8 through 9.9.11. Other applicable policies are as follows:

- In the case of wetlands, seepage areas and springs, fish habitat, permanent and intermittent streams, lakes, and significant woodlands, the minimum vegetation protection zone shall be a minimum of 30 metres wide measured from the outside boundary of the key natural heritage feature or key hydrologic feature.
- A proposal for new development or site alteration within 120 metres of a key natural heritage feature within the Natural Heritage System or a key hydrologic feature anywhere within the Protected Countryside requires a natural heritage evaluation and hydrological evaluation, which identify a vegetation protection zone which is:
 - Of sufficient width to protect the key natural heritage feature or key hydrologic feature and its function from the impacts of the proposed change and associated activities that may occur before, during, and after, construction, and where possible, restore or enhance the feature and/or its function; and
 - Established to achieve, and be maintained as natural self-sustaining vegetation.
- Expansions to existing agricultural buildings and structures and farm and non-farm dwellings, together with accessory uses, are permitted in key natural heritage features, subject to the existing use policies of section 9.9.11.

- Notwithstanding the natural features policies of this section, new buildings and structures for agricultural uses will be required to provide a 30 metre vegetation protection zone from a key natural heritage feature or key hydrologic feature, but may be exempted from the requirement of establishing a condition of natural self-sustaining vegetation if the land is, and will continue to be, used for agricultural purposes. Despite this exemption, agricultural uses should pursue best management practices to protect and/or restore key hydrologic features and functions.

14.2.3 Existing Zone Structure

14.2.3.1 Natural Environment (NE) Zone

Section 5.6.4 of the Official Plan states that "Core Greenland areas shall be placed in a restrictive zone which prohibits buildings, structures and site alterations except as may be necessary for the management or maintenance of the natural environment". Section 5.6.1 identifies uses that may be permitted, which are summarized in Table 14.2 below.

The existing Zoning By-law currently implements Section 5.6.4 of the Official Plan by including a Natural Environment (NE) Zone. This zone permit uses that are in accordance with the Core Greenlands designation of the Official Plan, as shown in Table 14.2 below.

Table 14.2 Comparison of Permitted Uses

USES PERMITTED BY THE OFFICIAL PLAN (CORE GREENLANDS/GREENLANDS DESIGNATION)	USES PERMITTED BY THE ZONING BY-LAW (NATURAL ENVIRONMENT ZONE)
<ul style="list-style-type: none"> • Agriculture • Existing uses • Conservation • Forestry • Aggregate extraction within Mineral Aggregate Areas subject to appropriate rezoning, licensing and the policies of this Plan • Open space • Passive recreation 	<ul style="list-style-type: none"> • Agricultural uses, excluding new buildings and structures • Conservation uses including: <ul style="list-style-type: none"> ○ Forest management ○ Fish and wildlife management ○ Flood control ○ Erosion control • Passive Recreation • Boat house or boat dock • Uses, buildings and structures, which were lawfully established on the day of the passing of this By-law, so long as it continues to be used for that purpose

It is also noted that a preliminary analysis of the boundaries of the Natural Environment (NE) Zone in the current Zoning By-law versus the boundaries of the Core Greenlands designation in the Official Plan. While there are some discrepancies that will be reviewed and rectified in the preparation of the new By-law schedules, the boundaries of the implementing zone are for the most part consistent with the boundaries of the Official Plan designation.

14.2.3.2 Zoning for Greenlands/Regulated Areas

Section 5.6.4 of the Official Plan states that municipalities may also apply a restrictive zoning to lands that are designated 'Greenlands' by the Official Plan. Section 5.6.2 states that the uses identified in Table 14.2 above may be permitted in the applicable zone if:

- There are no negative impacts on significant features and functions and no significant negative impacts on other greenland features and functions;
- The hazardous lands policies of Section 5.4.3 are met; and,
- The development conforms to policies of the applicable adjacent or underlying designation.

It is noted that a zone has not been established in the existing Township By-law to implement Greenlands identified in the Official Plan.

In addition, as part of discussions with representatives from the Grand River Conservation Authority, Conservation Halton and the Hamilton Conservation Authority, there was interest expressed in the identification of Regulated Areas in the new Zoning By-law to provide additional information to users of the By-law and to ensure that land owners are aware of the need to consult with the applicable conservation authority.

The Township of Centre Wellington Zoning By-law has an Environmental Protection Overlay that is "not a separate zone, but an overlay that represents natural heritage features included in the Greenlands designation of the County or Township Official Plans". The Township's Environmental Protection Overlay also includes lands to which the Grand River Conservation Authority Regulation applies. According to Section 9.2.3.2 of the Centre Wellington By-law, the Environmental Protection Overlay provides special provisions (as shown to the right) in addition to permitted uses and regulations of the underlying Zone.

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

In addition, it should also be noted that identifying regulated areas in the By-law could potentially provide confusion since boundaries do change over time. Therefore, to avoid confusion because of boundaries changing over time, the Centre Wellington By-law also includes the following provision: "where the EP overlay results from a GRCA regulation limit, and the limits of the regulated area are amended by the GRCA, then the limits of the EP overlay shall be deemed to be amended, without the need for an amendment to this by-law".

14.2.3.3 Zoning for Provincially Significant Wetlands

It is noted that the existing Township By-law currently does not identify a zone for PSWs. Since the locations/boundaries of PSWs are readily available from the Province some municipalities also use restrictive zoning to further protect these lands. Permitted uses in such zones are limited to conservation and existing agricultural uses. To accommodate possible changes to the limits of PSWs in the future, provisions are usually also included which allow modifications (without an amendment to the By-law) where the Ministry of Natural Resources approves boundary corrections.

14.2.3.4 Implementing the Greenbelt Plan

The Township's Greenbelt Plan Natural Heritage System is currently not reflected in the existing Zoning By-law, nor are there Official Plan policies that require it to be. As discussed above, the Official Plan states that this System "is not a designation in and of itself with a list of permitted uses. Rather, it functions as an overlay on top of the designations on Schedules A2 and A7, to subject to constraints of the Natural System policies". There are examples of other municipalities in Ontario that have recognized the overlay function of the Greenbelt Plan Natural Heritage System using an Overlay Zone that refers readers to the relevant Natural System policies.

14.2.4 Identification of Issues and Options

Based on the above analysis the following issues and options have been identified:

ISSUE 1:

The Township may wish to consider applying a restrictive zoning to lands that are designated 'Greenlands' by the Official Plan.



OPTION A: The Township could create a new Environmental Protection Overlay based on the Greenlands designation in the Official Plan, with regulations to provide direction with respect to proposed development in natural heritage features.



OPTION B: The Township could continue to not identify Greenland natural heritage features and rely upon the Official Plan for direction with respect to development in these areas.

ISSUE 2:

The Township may also consider identifying Regulated Areas in the Zoning By-law.



OPTION A: The Township could include Regulated Areas in the new Environmental Protection Overlay.



OPTION B: The Township could use an 'R' suffix on By-law Schedules or Appendices to identify Regulated Areas.



OPTION C: The Township could not identify Regulated Areas in the new Zoning By-law.

ISSUE 3:

The Township may wish to implement the policies of the Official Plan and available mapping related to Provincially Significant Wetlands.



OPTION A: The Township could create a new Natural Environment (NE2) Zone to specifically identify and protect Provincially Significant Wetlands.



OPTION B: The Township could continue to identify and protect Provincially Significant Wetlands using the existing Natural Environment (NE) Zone.

ISSUE 4:

There is the need to consider options with respect to implementation of Greenbelt Plan policies.



OPTION A: The Township could create a Greenbelt Plan Overlay based on the Greenbelt Plan Natural Heritage System. This overlay zone would limit permitted uses to: forest, fish and wildlife management; and conservation and flood or erosion control projects unless it could be demonstrated there would be no negative effects.



OPTION B: Since it is recognized that a Review of the Ontario Greenbelt Plan is currently underway, and that the Province anticipates that an amended Greenbelt Plan will be released in 2017, the Township could defer implementation of the Greenbelt Plan through its CZBL until that time to ensure that the most up-to-date polices are implemented.

14.2.5 Recommendations

Based on input received from members of the public, Township staff, members of Council, and the CZBL project Advisory Committee, it is recommended that **Options 1A, 2B, 3B, and 4B** be implemented in the development of the new CZBL.

In doing so, several project goals (as identified in Section 1.4 of this Discussion Paper) will be met, as shown below:

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

14.3 Analysis of Zone Provisions

Zone requirements for the existing Natural Environment (NE) Zone are as follows:

- a) 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.
- b) New driveways or the reconstruction of existing driveways within the Natural Environment Zone shall require the approval of the municipality in consultation with the Conservation Authority having jurisdiction in the area.

- c) For the purposes of this By-law, a boat house is an accessory building subject to the provisions of Section 3(1) and shall not include human habitation.
- d) Non-habitable buildings and structures accessory to a conservation or passive recreation use shall meet the required yard and lot coverage provisions of the Open Space Zone.
- e) No person shall remove or place fill, whether originating on the site or elsewhere, within the Natural Environment Zone without the approval of the municipality in consultation with the Conservation Authority having jurisdiction in the area.

Section 5.6.4 of the Official Plan allows municipalities to establish setbacks from Core Greenland areas in which no buildings or structures shall be permitted. Sections 3(25) and (26) of the current By-law provide setback requirements from the Natural Environment Zone and watercourses.

(25) 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 30.0 m (98.4 ft) 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, are permitted on land adjacent to the NE Zone if a minimum setback of 3.0 m (9.8 ft) is maintained from the adjacent NE Zone boundary.
 - 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, if:
 - There is no other suitable location on the lot outside of the 30.0 m (98.4 ft) setback, and
 - A setback of at least 3.0 m (9.8 ft) 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."
- d) Interpretation of the limits of the NE zone boundaries is governed by regulations contained in Section 1.4 (b)(iii) of this By-law.

(26) SETBACKS FROM WATERCOURSES

- a) No buildings or structures shall be constructed closer than 30 m (98.4 ft.) from a cold water watercourse or 15 m (49.2 ft) from a warm water watercourse that is not within the Natural Environment (NE) Zone as illustrated on Schedule 'A' of this By-law.

14.3.1.1 Identification of Issues and Options

Based on comments so far from the Township, the County, the Conservation Authorities, and the community that the existing provisions effectively implement the policies of the Official Plan, no changes are recommended to the zone provisions and general provisions.

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PART THREE:

SUMMARY OF RECOMMENDATIONS

Purpose: To provide a complete summary of the recommendations identified in Part Two of this Discussion Paper, which will serve as the basis of a new CZBL in the Township of Puslinch.

15.0 Summary of Recommendations

The following is a summary of recommendations identified throughout Part Two of this Discussion Paper, which will form the basis of the preparation of a new Comprehensive Zoning By-law in the next Phases of the project. To assist the reader, recommendations are organized by topic and in the order that they are discussed in Part Two. Readers are also directed to the section of this report in which the full analysis and discussion of the recommendation so that additional background and information can be reviewed.

15.1 Terminology and Definitions

As discussed in Section 5.0, it is recommended that the following changes be made to update and improve the terminology and definition used in the existing Zoning By-law:

- 1. Terminology and definitions from Provincial Legislation or Plans, and the Wellington County Official Plan should be implemented in the new Zoning By-law, where appropriate in the Township context.**
- 2. Where outdated legislation is referenced, it should be updated or removed as appropriate.**
- 3. Where existing terminology is outdated, it should be removed, where appropriate or updated based on contemporary best practices.**
- 4. All uses referenced in the By-law should be associated with a clear definition. Further, if any new uses are added to the By-law to address Official Plan conformity or other matters, a new definition for each new use should be added.**
- 5. Definitions should be updated and clarified as required based on contemporary best practices.**
- 6. For clarity, terminology should be defined only once in the Zoning By-law. Further, all defined terms should be reviewed to identify opportunities to consolidate similar terms that may be included under a broader defined term. This may assist in introducing some greater flexibility into the Zoning By-law, while simplifying the number of permitted uses.**
- 7. For clarity, cross referencing of defined terms should be eliminated to the extent possible.**
- 8. For clarity, the identification of corresponding meanings should be eliminated.**
- 9. The Township should eliminate the existing numbering system in the new Zoning By-law, which would avoid the need in the future to re-number all definitions when a new definition is added with future amendments. Definitions should simply be listed alphabetically.**
- 10. The Township should relocate its definitions section to the end of the Zoning By-law, which would be more user friendly and intuitive. An index of defined terms could also be included to assist users in finding a definition.**

11. The Township should use italics or bold font to highlight the use of defined terms, which would also be more user friendly and intuitive. It is noted that the Wellington County Accessible Communications Guidelines recommend the use of bold font instead of italics wherever possible.

15.2 General Provisions

15.2.1 Accessory Buildings and Structures – Lot Coverage

As discussed in Section 6.2, it is recommended that the following changes be made to general provisions dealing with accessory buildings and structures in the existing Zoning By-law:

- 1. The Township should establish more restrictive lot coverage provisions for accessory buildings and structures, particularly for larger sized lots, by:**
 - a. Carrying forward the existing 5 percent maximum lot coverage requirement for industrial, commercial, institutional, open space and mixed uses zones (if applicable in the new By-law);**
 - b. Introducing a more restrictive maximum lot coverage requirement(s) for zones where larger lots are likely to occur; and**
 - c. Establishing a maximum permitted floor area for all accessory buildings and structures on a lot, which would apply in addition to the existing 5 percent maximum lot coverage requirement for all zones.**

15.2.2 Home Occupation

As discussed in Section 6.3, it is recommended that the following changes be made to general provisions dealing with home occupations in the existing Zoning By-law:

- 1. The Township should be more restrictive about the types and scale of home occupations permitted within in the applicable zones by:**
 - a. Refining the list of zones in which home occupations are permitted;**
 - b. Expanding the list of prohibited home occupations;**
 - c. Providing greater clarity with respect to the types of service trades that are not permitted as home occupations;**
 - d. Adding a maximum floor area cap for home occupations to ensure that they remain small in scale;**
 - e. Allowing a maximum of 2 home occupations per dwelling unit (subject to the size restrictions discussed);**

- f. Including signage restrictions; and
 - g. Prohibiting outdoor storage in residential neighbourhoods.
2. To implement the policies of the Official Plan, which permit home industries in the Rural System and Agricultural Area, there is a need to implement a definition of home industry (which is currently not defined in the existing by-law) and establish a set of regulations dealing with:
- a. Setbacks;
 - b. Parking provisions;
 - c. Screening of outdoor storage; and
 - d. Landscaping requirements.

15.2.3 Kennels

As discussed in Section 6.4, it is recommended that the following changes be made to general provisions dealing with kennels in the existing Zoning By-law to regulate the establishment of kennels more consistently:

1. The Township should continue with the current approach of requiring a site-specific amendment to the Zoning By-law for the establishment of any new kennel or the expansion of an existing kennel.
2. The Township should also add a new set of general provisions related to the use of land for a kennel to clearly and consistently set out minimum requirements.

15.2.4 Parking

As discussed in Section 6.5, it is recommended that the following changes be made to general provisions dealing with parking for residential uses to reflect contemporary standards and best practices:

1. The Township should increase the number of required parking spaces for single detached residential dwellings, in accordance with the findings of a more detailed best practices review.
2. The Township should introduce new parking space requirements for semi-detached or townhouse dwelling units, in accordance with the findings of a more detailed best practices review.

As also discussed in Section 6.5, it is recommended that the following changes be made to general provisions dealing with parking for non-residential uses to reflect contemporary standards and best practices:

1. **The Township should carry forward existing parking space requirements for non-residential uses that are effective.**
2. **The Township should also standardize the way non-residential parking space requirements are calculated, based on a common and easily measurable standard, such as spaces per 100 m² of floor area.**

Finally, it is recommended that the following approaches to parking be implemented in the new CZBL to promote more efficient use of land, local economic development, and active transportation:

1. **The Township should implement a 'shared' parking formula in areas where a mix of uses are present with different peak parking periods, or for mixed-use developments.**
2. **The Township should include minimum bicycle parking requirements for industrial uses, certain commercial uses, and community facilities, including schools.**

15.2.5 Second Units/Accessory Dwelling Units and Garden Suites

As discussed in Section 6.6, it is recommended that the following changes be made to general provisions dealing with second units/accessory dwelling units and garden suites in the existing Zoning By-law:

1. **The new CZBL should permit accessory apartments as-of-right in single detached, semi-detached and townhouse dwellings to be in accordance with the Strong Communities Through Affordable Housing Act.**
2. **The Township should also consider additional provisions to further regulate the establishment of accessory apartment units and garden suites:**
 - a. **Prohibiting an accessory apartment unit where a garden suite exists;**
 - b. **Adding new regulations for accessory units in the Aberfoyle Floodplain;**
 - c. **Adding parking and servicing requirements for accessory units.**
3. **The Township should also consider establishing provisions to regulate the size of garden suites to ensure that the garden suite is clearly secondary to the main residence, such as:**
 - a. **Maximum site coverage; and/or**
 - b. **Maximum floor area as a percentage of the main residence.**

15.2.6 Shipping Containers

As discussed in Section 6.7, it is recommended that the following provisions be introduced in the new Zoning By-law to regulate the use of shipping containers:

1. **The Township should:**
 - a. **Including a definition of shipping container;**
 - b. **Limiting the use to certain zones (e.g. certain industrial and/or commercial zones) and/or permitting the temporary use of containers on residential lots as part of a move;**
 - c. **Prohibiting the use of shipping containers for human habitation;**
 - d. **Prohibiting shipping containers from locating in required parking spaces, landscape and buffer areas, and daylight triangles; and**
 - e. **Requiring that shipping containers are only permitted as accessory temporary storage to a main use and building on a property, and comply with the accessory structure requirements of the By-law.**

15.2.7 Short Term Rentals

As discussed in Section 6.8, it is recommended that new provisions dealing with short term rentals be introduced in the Township's new Zoning By-law, as follows:

1. **The Township should establish a definition for 'short term accommodation' and update or remove the definition of 'tourist establishment' in the existing Zoning By-law to provide a clear distinction between different types of residential and tourist accommodation uses.**
2. **The Township should prohibit the establishment of 'short term accommodation' uses as of right by not identifying it as a permitted use in any zone. Effectively, an amendment to the Zoning By-law would be required for the establishment of 'short term accommodation' anywhere in the Township.**

15.2.8 Source Water Protection

As discussed in Section 6.9, it is recommended that new provisions dealing with source water protection be introduced in the Township's new Zoning By-law, as follows:

1. **The Township should implement the following to ensure that residents and businesses are aware of Source Protection Plans as they relate to development:**
 - a. **A Source Water Protection or Vulnerable Areas Overlay on the schedules to the new Zoning By-law, based on Schedule B-7 of the Official Plan;**
 - b. **Applicable definitions;**

c. A new General Provisions Section that:

- **Requires a Notice under Section 59(2) of the Clean Water Act prior to a Planning Act approval or building permit issuance for development proposed within the Source Water Protection Overlay area; and**
- **Prohibits significant drinking water threats unless the Province or other approval body has issued or approved a Prescribed Instrument, or the Risk Management Official issues a Notice under Section 59 of the Clean Water Act.**

15.3 Zoning in the Urban Centres

15.3.1 Residential Lands

As discussed in Section 7.3.1 of this Report, the Hamlet Residential (HR) Zone applies to most lands designated 'Residential' in the Urban Centres of Aberfoyle and Morriston. However, the HR zone permits fewer uses than what is envisioned for the Residential designation. Therefore, the following is recommended at this time:

- 1. The Township should create a new Urban Residential (UR1) zone, which would permit the same uses as the existing HR Zone, in addition to non-residential uses permitted by the Official Plan, and would provide for more compact residential lots; and**
- 2. The potential for a second new Urban Residential (UR2) zone should be explored further, which would permit higher density residential uses (semi-detached and apartments) as permitted by the Official Plan; however, this zone would only be applied if and when municipal services are made available. Additional discussions with respect to the potential feasibility, cost, and timing of municipal services in Puslinch are required.**

There are also lands in the Residential designation that are currently zoned Agricultural (A); however, the permitted uses of the A zone are not in keeping with the policy framework of the Official Plan. Therefore, the following is recommended:

- 1. The new UR1 zone should be applied to lands designated A to bring the zoning into conformity with the Official Plan and prezone for the development of residential uses. This option could also involve the use of a Holding symbol to ensure that certain criteria (i.e., servicing) are met prior to development proceeding.**

15.3.2 Lands in the Central Business District Designation

As discussed in Section 7.3.2 of this Report, none of the zones that currently apply to the Central Business District in the Urban Centres of Aberfoyle and Morriston are in keeping with the objectives and permitted uses of the Official Plan designation. Therefore, the following is recommended:

- 1. The Township should create a 'Mixed-Use' (MU) Zone, which would permit the full range of uses permitted by the Official Plan (including retail, office, service, administrative, religious,**

cultural, and entertainment), as well as residential uses (provided retail, office, or service commercial uses are located at street level) as set out in the Official Plan. This MU Zone could be applied to all lands within the CBD. The use of a holding symbol could also be considered, which would state that such uses would not be permitted until certain criteria are met (i.e. services).

2. In addition, the new 'Mixed-Use' MU Zone should provide for more compact lots in the Urban Centres by:
 - a) Reducing minimum lot size requirements (taking into consideration the need to accommodate septic systems); and/or
 - b) Reducing minimum frontage requirements; and/or
 - c) Increasing maximum lot coverage requirements; and/or
 - d) Reducing minimum front and interior side yard requirements

15.3.3 Lands Designated Highway Commercial

As discussed in Section 7.3.3 of this Report, there are several uses permitted by the existing by-law in the Highway Commercial Zone, which are not permitted by the policy framework of the Official Plan. Therefore, the following is recommended:

1. **Additional discussions with Township staff should be held with respect to the uses permitted by the C2 zone, as well as the location and nature of existing uses. Once such a review has been completed, options would then be identified for consideration.**

15.3.4 Lands Designated Future Development

As discussed in Section 7.3.4 of this Report, the Agricultural zone that currently applies to the Future Development designation in Aberfoyle is not in keeping with the objectives and permitted uses of the Future Development designation. There is a wider range of uses permitted by the Agricultural Zone. Therefore, the following is recommended:

1. **The Township should create a new 'Future Development' Zone, which would implement the County's 'Future Development' designation and to ensure that an efficient and logical pattern of future urban development is not compromised. Appropriate zone standards and permissions should be established for this new zone.**

15.4 Zoning in Arkell

As discussed in Section 8.0 of this Report, existing lots in Arkell that are fronting along the east side of Watson Road South are zoned Agriculture (A). The A Zone permits a wide range of uses not envisioned in Hamlets per the Official Plan. Therefore, the following is recommended:

1. **The Township should apply the Hamlet Residential Zone to existing residential lots along the east side of Watson Road South in Arkell to implement the Official Plan land use policies for Hamlets.**
2. **In both the Hamlet Residential (HR) and Hamlet Commercial (C1) zones, the Township should update the following zone provisions to promote the more efficient use of residential and commercial lots, and to reduce the need for minor variances:**
 - a) **In the HR zone, reduce the minimum lot frontage requirements, as well as the minimum front yard depth and interior side yard width.**
 - b) **In the C1 zone, reduce the minimum lot frontage requirement.**
 - c) **In both the HR and C1 zone, increase the maximum lot coverage requirement.**

15.5 Zoning in Residential Areas

As discussed in Section 9.0, several the existing Residential Zones in the Township's existing By-law have been created in the past to permit a specific residential development with very specific use permissions and zone requirements, and will likely never be used again. Therefore, the following is recommended:

1. **The Township should eliminate the RC, MR, and ML zones from the new CZBL. In this case, existing zone permissions and provisions would be maintained by carrying them forward as exceptions to another Zone.**
2. **The Township should also eliminate the ER1 zone, which does not apply to any properties within the Township.**
3. **The Township should eliminate the ER2 zone from the new CZBL, particularly since it is located within the Country Residential designation, and the County Official Plan states that new Country Residential uses are not permitted. Existing zone permissions and provisions would be maintained by carrying them forward as exceptions to another Zone (i.e., RUR).**

15.6 Zoning in Commercial Areas

As discussed in Section 10, the existing C4 Zone applies to lands designated Recreational; however, there are permitted uses in the C4 Zone that are not permitted by the OP. Therefore, the following is recommended:

1. **The Township should modify the C4 zone to eliminate the following permitted uses:**
 - a) **Place of Entertainment;**
 - b) **Drive-in Theatre; and**
 - c) **Amusement Park.**

15.7 Zoning in Industrial Areas

As discussed in Section 11, The Rural Employment Area designation permits a wide range of industrial and commercial uses. However, the following is recommended:

1. **The Township should expand the list of industrial and commercial uses permitted in the IND zone based on a best practices review of unserviced Industrial Zones in other municipalities. For example, some additional permitted uses could include motels, trade and convention centres, waste transfer stations, banquet halls, fitness centres, and places of worship.**

There are lands zoned Agricultural that apply to Rural Employment Areas. However, since the permitted uses of the Agricultural Zone are not in keeping with the objectives of the Official Plan Rural Employment designation, the following is recommended:

2. **The Township should apply the IND zone to lands that are currently zoned Agricultural to bring the zoning into conformity with the Official Plan and prezone for the development of industrial uses. This option could also involve the use of a Holding symbol to ensure that certain criteria (i.e., servicing) are met prior to development proceeding.**

In addition:

3. **The Township should update existing zone standards by encouraging a more efficient and compact form of industrial development in the IND Zone (on lots that can accommodate private services), and avoid the need for some minor variances; and**
4. **There is an opportunity to incorporate standards from the Township's Urban Design Guidelines to require enhanced building and site design in certain areas of the Township. The Township should identify certain areas of the Township where enhanced building and site design would be appropriate based on high visibility/frontage along key corridors. An overlay zone could be applied which could introduce additional provisions related to screening, outdoor storage, building orientation, etc.**

15.8 Zoning for Institutional Uses

As discussed in Section 12, there are no significant issues or recommendations with respect to the Institutional Zone in the existing By-law.

15.9 Zoning in Agricultural Areas

As discussed in Section 13, based on the analysis of the existing Agricultural (A) zone, the following is recommended:

1. **Since there is no distinction between agricultural and intensive agricultural uses in the Official Plan, the Township should remove 'intensive agricultural use' in the new By-law and rely upon the 'agricultural use' definition and Minimum Distance Separation requirements.**

2. The Township should define 'agriculture-related uses' to include uses such as livestock assembly, grain drying, cold storage, custom spraying and animal husbandry (in accordance with the Official Plan) and permit agriculture-related uses in the A Zone.
3. The Township should include definitions for a range of farm business types and permit uses such as farm vacation homes, cottage or farm wineries, value added processing and packing, and seed cleaning as-of-right in the A Zone, subject to restrictions to control the scale of these uses. The Township should also require Amendments to the Zoning By-law to permit uses that have the potential to generate significant traffic, such as pick your own / catch your own operations.
4. The Township should define 'small scale commercial, industrial and institutional uses' but continue to require Amendments to the By-law to permit such uses on a site-specific basis (on lands designated Secondary Agricultural Area only).
5. The Agricultural (A) Zone provisions should be updated by:
 - a. Reducing minimum lot frontage requirements;
 - b. Adding minimum front yard, exterior side yard, and maximum lot coverage requirements; and
 - c. Simplifying the minimum interior side yard requirement by applying only one in a consistent manner.

15.10 Open Space and Natural Environment Zones

As discussed in Section 14, based on the analysis of the existing Natural Environment (NE) zone, the following is recommended:

1. The Township should create a new Environmental Protection (EP) Overlay based on the Greenlands designation in the Official Plan, with regulations to provide direction with respect to proposed development in natural heritage features.
2. The Township create a new 'R' suffix on By-law Schedules or Appendices to identify Regulated Areas.
3. The Township should continue to identify and protect Provincially Significant Wetlands using the existing Natural Environment (NE) Zone.
4. The Township should defer implementation of the Provincial Greenbelt Plan until following the release of a new Plan and policies by the Province in 2017.