

Puslinch **ZONING** **Bylaw**

Township of Puslinch
Comprehensive Zoning By-law
(EXCLUDES MAPPING)

DRAFT | June, 2017

**FOR REVIEW
AND DISCUSSION
PURPOSES ONLY**



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BY-LAW No. XX-XX

OF THE

CORPORATION OF THE TOWNSHIP OF PUSLINCH

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

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

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1.0 Administration and Interpretation

1.1 GENERAL

1.1.1 Short Title

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

1.1.2 Application

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

1.1.3 Repeal of Former By-law

The provisions of the Township of Puslinch Zoning By-law 19/85, and all amendments thereto, are hereby repealed insofar as they affect the lands covered by this By-law.

1.1.4 Compliance

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

1.1.5 Existing Uses Continued

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

1.1.6 Enforcement

The Township shall assign By-law officers for the purpose of the enforcement of this By-law. A By-law officer, or any person acting under his or her instructions, shall have all of the power and inspection as provided under Section 49 of the Planning Act.

1.1.7 Violations and Penalties

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

1.1.8 Severability

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

1.2 INTERPRETATION

1.2.1 Definitions

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

1.2.2 Diagrams

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

1.2.3 Legislation

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

1.2.4 Conflict

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

1.2.5 Zone Boundaries

- a. The zones and zone boundaries are shown on Schedules **X** to **X** of this By-law. When determining the boundary of any zone, the following provisions apply:
 - i. a boundary indicated as following a highway, street, lane, unopened road allowance, railway right-of-way, utility corridor or watercourse is the edge of such highway, street, lane, unopened road allowance, railway right-of-way, utility corridor or watercourse;
 - ii. a boundary indicated as substantially following lot lines follows such lot lines;
 - iii. where a boundary is indicated as following the regulatory flood line, the boundary shall be the floodline as determined by the applicable Conservation Authority;
 - iv. where a boundary is indicated as running substantially parallel to the boundary of a highway and the distance from the highway is not indicated, the boundary is deemed

to be parallel to such a highway and the distance from the highway is to be determined according to the scale shown on the Schedule(s);

- v. a boundary indicated as following a shoreline follows such shoreline and in the event of a natural change in the shoreline, the boundary will move with the actual shoreline;
 - vi. where a lot falls into two or more zones, each portion of the lot is to be used in accordance with the provisions of this By-law for the applicable zone; and,
 - vii. where none of the above provisions apply, the zone boundary is to be scaled from the Schedule(s).
- b. In no case is a zone boundary dividing a lot into two or more zone categories intended to function as a property boundary for the purposes of calculating yards and setbacks. In all cases, the property line must be used for the purposes of calculating setbacks, unless otherwise specified by this By-law.
- c. The Natural Environment (NE) Zone and Environmental Protection (EP) Overlay boundaries identified on the schedules to this By-law are intended to generally identify the location of potentially hazardous environmental features, or natural environment features that must be protected from development. During review of development applications and building permit applications, if necessary, the boundaries of the NE Zone or EP Overlay shall be more precisely determined in consultation with the applicable Conservation Authority or other agencies having jurisdiction in the area.
- d. Where detailed resource mapping and/or site inspection results in a re-interpretation of the limits of the NE Zone or EP Overlay boundary, a zoning amendment will not be required, and all requirements of this by-law shall be reviewed relative to the revised interpretation of the NE Zone boundary, including any applicable setbacks. The uses and regulations of the adjacent zone on the same lot shall apply. Where a permit has been issued by a Conservation Authority, any provisions as set out in the permit shall also apply and shall supercede the zoning provisions where more restrictive.

1.3 TRANSITION

1.3.1 Building Permit Applications

Nothing in this By-law shall prevent the erection of a building or structure for which an application for a building permit was filed on or prior to the effective date of this By-law provided the building permit application satisfies the following requirements:

- a. The building permit application complies with the provisions of Zoning By-law 19/85, as amended, as it read on the effective date of this By-law;
- b. All information is provided to allow for a zoning review to be undertaken; and,
- c. All planning approvals have been obtained.

1.3.2 Recently Approved Planning Applications

- a. The requirements of this By-law do not apply on a lot where a minor variance to Zoning By-law 19/85, as amended, was authorized by the Committee of Adjustment of the Township or the Ontario Municipal Board on or after **DATE** and on or before the effective date of this By-law and a building permit for the applicable project has not yet been issued.
- b. The requirements of this By-law do not apply to a lot where a conditional or final Site Plan Approval has been granted by the Township on or after **DATE** and on or before the effective date of this By-law and a building permit for the applicable project has not yet been issued.
- c. The requirements of this By-law do not apply to a lot where a provisional consent has been given by the Committee of Adjustment of the Township or the Ontario Municipal Board on or after **DATE** and on or before the effective date of this By-law and a building permit for the applicable project has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title
- d. For clarity, where a minor variance to Zoning By-law 19/85, as amended, was authorized by the Committee of Adjustment of the Township or the Ontario Municipal Board on or after **DATE** and on or before the effective date of this By-law as a requisite condition for a Site Plan Approval, Section 1.2.2(b) shall apply to give effect to the applicable Site Plan Approval.

1.4 REVISIONS

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

- a. Correction of grammar, punctuation, or typographical errors or revisions to format in a manner that does not change the intent of the provisions;
- b. Adding or revising technical information on maps or schedules that does not affect the zoning of lands; and
- c. Changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, diagrams, historical or reference information, page numbering, footers and headers, which do not form a part of this by-law and are editorially inserted for convenience of reference only.

2.0 Classification of Zones

2.1 ZONES

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

Table 2.1 Zones Established by the Zoning By-law

ZONES AND ZONE SYMBOLS		DESCRIPTION
a. Residential		
Urban Residential	UR	Provides for and regulates all forms of housing (including single-detached, semi-detached, duplex, and townhouse dwellings) in the Urban Centres of Aberfoyle and Morriston where adequate services can be provided and at densities appropriate to the nature of the community.
Hamlet Residential	HR	Provides for and regulates low density single detached units in the Hamlet of Arkell, as well as some small-scale multiple-unit development (including semi-detached and duplex dwellings) where adequate services can be provided.
Rural Residential	RUR	Provides for and regulates residential lots on individual services in rural areas, typically on lands designated Secondary Agricultural in the Official Plan.
Resort Residential	RR	Provides for and regulates seasonal or recreational residential uses on individual services in rural areas, typically on lands designated Recreational around Puslinch Lake and Secondary Agricultural in the Official Plan.
b. Mixed-use		
Core Mixed-Use	CMU	Provides for and regulates a wide range of commercial, service, office, residential, and mixed-uses in the Central Business Districts of Aberfoyle and Morriston where adequate services can be provided and at densities appropriate to the nature of the community.
c. Commercial		
Hamlet Commercial	C1	Provides for and regulates local commercial uses in the in the Hamlet of Arkell where adequate services can be provided.
Highway Commercial	C2	Provides for and regulates commercial uses serving the travelling public or uses not considered compatible within the Central Business Districts of the Urban Centre.
Agricultural Commercial	C3	Provides for and regulates small-scale commercial, industrial and institutional uses in the Secondary Agricultural Area.

ZONES AND ZONE SYMBOLS		DESCRIPTION
Resort Commercial	C4	Provides for and regulates existing commercial recreational uses, typically on lands designated Recreational in the Official Plan.
d. Industrial		
Industrial	IND	Provides for and regulates "dry" industrial and limited commercial uses with private water and sewage systems, typically on lands designated Rural Employment in the Official Plan.
Extractive	EX	Provides for and regulates existing licensed mineral aggregate operations within the Township.
Disposal	DI	Provides for and regulates waste disposal facilities within the Township.
e. Institutional		
Institutional	I	Provides for and regulates institutional uses in the in the Township where adequate services can be provided.
f. Agricultural		
Agricultural	A	Provides for and regulates agricultural uses, normal farm practices, secondary agricultural, and on-farm diversified uses on lands designated Agricultural and Secondary Agricultural in the Official Plan.
g. Other		
Future Development Zone	FD	Provides for and regulates the orderly future development of the unbuilt areas of the Urban Centres of Aberfoyle and Morriston.
Open Space Zone	OS	Provides for and regulates publicly-accessible built and natural settings for recreation, parks, and conservation areas.
Natural Environment Zone	NE	Provides for and regulates flood prone areas, hazardous lands, and natural heritage features, within the Township that have sensitivity or significance and require protection. These areas are designated "Core" Greenlands in the Official Plan.
Overlay		
Environmental Protection	(EP)	The Environmental Protection (EP) Overlay corresponds to the Greenlands designation in the County Official Plan, as well as Conservation Authority regulated area limits (where mapping is available). EP is not a separate zone but an overlay that will indicate to property owners and zoning administrators that a physical feature is present that may require further review or permissions prior to development approvals or the issuance of a building permit.
Source Protection Vulnerable Areas	(SP)	Provides special provisions (in addition to those of the underlying zone) that apply to vulnerable areas for each municipal water supply source, as established by relevant Source Protection Plans.
Floodplain	(F)	Provides special provisions (in addition to those of the underlying zone) that apply to the limits of the Regulatory Floodline and recognize and permit limited development for lawfully established buildings and structures.

2.2 SPECIAL ZONE SYMBOLS

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

2.2.1 Exceptions

Where a number within a set of brackets follows a zone symbol on the attached Schedules to this By-law, the number refers to a site-specific exception that applies to the lands noted. Site-specific exceptions are listed in Section X of this By-law. Unless specifically amended by the zone exception, all other provisions of this By-law apply.

2.2.2 Holding Provisions

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

2.2.3 Temporary Use Permissions

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

2.3 LAND OWNERSHIP

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

3.0 Definitions

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

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

Accessory apartment: a dwelling unit, which is located within and subordinate to a detached, a semi-detached, or townhouse dwelling.

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

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

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

Adult entertainment establishment: any premises in which:

- a. goods, entertainment or services designed to appeal to erotic or sexual appetites or inclinations are provided including live entertainment, which includes the display of nudity; or
- b. body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any of a person's body, are performed, offered or solicited, excluding where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons licensed or registered to do so under the laws of the Province of Ontario; and
- c. adult live nudity establishments, Body Rub Establishments, Video Stores – Adult Only and adult novelty stores.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Antique store: any premises used for the sale of any old or authentic objects of personal property which have a unique appeal mainly because of its age.

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

Artisan studio: a building, place or area used the design or creation of artistic articles such as pottery, glass, wood, leather, weaving, painting, clothing, metal, or gems, and which may also include the exhibition and/or retail sale of art or objects designed, created or produced on site.

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

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

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

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

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

Balcony: a horizontal platform that is attached to a building above the first storey and intended for use as an outdoor private amenity space.

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

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

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

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

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

Building: a structure occupying an area greater than 10 square metres consisting of a wall, roof and floor or any of them, or a structural system serving the function thereof, including all plumbing, works, fixtures and services system appurtenant thereto.

Building supply store: any premises where building supply products such as millwork, cement, siding, roofing, plumbing or electrical supplies, heating, cooling or ventilating construction supplies, fireplaces, windows, paints, wall coverings, and floor coverings are stored for the purpose of wholesale or retail trade.

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

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

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

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

Centre-line:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

County: the Corporation of the County of Wellington.

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

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

Deck: an uncovered horizontal structure that rests upon the ground or is supported by posts or blocks that extend from the ground, which is intended for use as an outdoor amenity area, and includes landings and stairs but does not include a balcony or porch.

Drive-through service facility: any premises, including stacking lanes, that is used to provide or dispense products or services, either wholly or in part, through an attendant at a window or an automated machine, to customers remaining in motorized vehicles. A drive-through facility does not include a motor vehicle washing establishment or a gas bar.

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

Dry cleaning plant: any premises used for the purpose of dry-cleaning, cleaning, dyeing, pressing or other similar treatment of articles or apparel and may include a depot for receiving and distributing said articles.

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

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

Dwelling, apartment: a dwelling unit in a building containing four or more dwelling units that share a common access to the outdoors through a common vestibule and a common corridor system. A dwelling in any other type of building is not an apartment dwelling.

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

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

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

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

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

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

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

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

Essential emergency service: services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

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

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

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

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

Farm business: any premises that is limited in area and located on a farm, and depend directly on the farm in order for the business to operate. Examples include: agri-tourism businesses, farm produce sales outlets, cottage wineries, value-added processing or packaging, and pick-your-own operations.

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

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

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

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

Firewall: a type of fire separation of noncombustible construction that subdivides a building or separates adjoining buildings to resist the spread of fire and that has a fire-resistance rating and the structural stability to remain intact under fire conditions for the required fire-rated time.

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

Floor area: means the aggregate area of a building contained within the exterior walls, but does not include attic or basement space unless otherwise specified by this By-law.

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

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

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

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

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

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

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

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

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

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

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

Height: with reference to a building, is the vertical distance measured from the established grade of such building to the mean level between eaves and the highest point, peak, or ridge.

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

Home industry: a small-scale business or industrial use carried out on a rural or farm property, which is an accessory use to an agricultural operation or a single detached dwelling.

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

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

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

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

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

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

Infrastructure: physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Kennel: any premises primarily for the boarding and/or breeding and/or training of dogs for hire or gain.

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

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

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

Long term care facility: A residence which provides care to meet the physical, emotional, social, spiritual and personal needs of persons. Long Term Care Facilities include Homes for the Aged established under the Homes for the Aged and Rest Homes Act, as amended, Nursing Homes licensed under the Nursing Home Act, as amended, and Chronic Care facilities.

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

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

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

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

Lot frontage: the horizontal distance between two interior side lot lines or between an interior side and exterior side lot line or between two exterior side lot lines with such distance being

measured perpendicularly to the line joining the mid-point of the front lot line with the mid-point of the rear lot line at a point on that line 6.0 metres from the front lot line.

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

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

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

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

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

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

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

Main wall: the exterior front, side and/or rear wall of a building and all structural components essential to the support of a fully enclosed space.

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

Medical marihuana production facility: any premises used for growing, producing, testing, destroying, storing or distribution of medical marihuana or cannabis under the federal Minister of Health, pursuant to Section 25 of the Marihuana for Medical Purposes Regulations, SOR/2013-119, under the Controlled Drugs and Substances Act, SC 1996, c 19, as amended or its successor.

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

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

Mineral aggregate operation:

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

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

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

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

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

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

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

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

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

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

Motor vehicle service establishment: any premises where services performed or executed on motor vehicles and may include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use.

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

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

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

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

Outdoor commercial patio: an unenclosed outdoor space, whether or not covered, used for the accommodation of patrons of an associated *restaurant*.

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

Outdoor storage: an area of land used for the outdoor storage of goods and materials in the open air or in portable objects such as shipping containers in conjunction with a business located within a building or structure on the same lot and does not include an outdoor display and sales area, and does not include any permanent storage facilities or accessory equipment that is in conjunction with an industrial use.

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

Park, private: an open space or recreational area other than a public park, operated on a commercial and/or private member basis, and which includes one or more recreational uses.

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

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

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

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

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

Personal service establishment: any premises providing services related to:

- a. the grooming of persons (such as a barber or salon or the maintenance, or repair of personal articles and accessories),

- b. small appliance or electronics repair, or
- c. the maintenance of a residence or business (such as private mail box, photocopying, or custodial services).

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

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

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

Postal or courier outlet: any premises for the provision of postal and courier pick-up and drop-off services for letters and small parcels, but does not include a postal or courier distribution or terminal facility.

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

Portable asphalt plant: a building or structure:

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

Portable concrete plant: a building or structure:

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

Premises: the area of a building occupied or used by an individual business or organization.

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

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

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

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

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

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

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

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

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

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

Salvage yard: an area outside of an enclosed building where scrap metal and motor vehicles are disassembled and dismantled, or where motor vehicles in an inoperable condition or used motor vehicle parts are stored and/or re-sold.

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

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

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

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

Shopping centre: a commercial development, containing at least three individual business establishments, designed as a single, comprehensively planned development project with relationships between the shopping centre's buildings, activities, open spaces, parking areas, loading areas, driveways, other shared facilities, public areas and adjoining streets.

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

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

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

Storey: the portion of a building:

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

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

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

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

enclosures, waste receptacles, school bus shelters, composters, planters, and barbeques are not considered structures for the determination of setbacks.

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

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

Through lot: a lot that is not a corner lot but has frontage on more than one street.

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

Utility trailer: any portable unit so constructed as to be suitable for attachment of a motor vehicle and capable of being used for the transportation of goods and/or equipment.

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

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

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

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

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

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

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

Yard, required: the minimum distance of a yard required from a lot line. No part of a required yard for a building or structure is to be included as part of a required yard for another building or

structure. In calculating required yards, the minimum horizontal distance from the respective lot lines is to be used.

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

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

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4.0 General Provisions

4.1 ACCESS REGULATIONS

Unless otherwise specified by this By-law, no lot, or building or structure on said lot, may be used unless the lot:

- a. abuts or fronts on a public street which is assumed by by-law by a public authority, or a 0.3 metre reserve abutting said public street; or,
- b. is being constructed pursuant to a subdivision agreement with the Township; or,
- c. fronts on a year round maintained public street that was not established as a consequence of registering a plan of subdivision; or,
- d. Is a private street within a plan of condominium that either provides direct access to a street or which connects with other private streets within a plan of condominium or other plans of condominium to access a public street.

4.2 ACCESSORY APARTMENTS

Where permitted in a single detached, semi-detached or townhouse dwelling, a maximum of one accessory apartment is permitted per dwelling provided that:

- a. the maximum floor area used for an accessory apartment on a lot is 130 square metres and shall not exceed 40 percent of the floor area of the building in which it is located; and
- b. the accessory apartment must connect to the existing well and septic which services the principal dwelling.

An accessory apartment may be permitted above a detached private garage in the Agricultural (A) Zone provided there is no accessory apartment in the single detached dwelling on the lot, and that the building:

- a. is located within 15 metres of the single detached dwelling on the lot;
- b. does not exceed 7 metres in height; and,
- c. complies with the minimum interior side, exterior side and rear yard requirements for a single detached dwelling in the Agricultural (A) Zone.

4.3 ACCESSORY FARM EMPLOYEE ACCOMMODATION

One accessory farm employee accommodation is permitted accessory to and on the same lot as an agricultural use subject to the following provisions:

- a. Minimum Lot Area - 35 hectares;
- b. Minimum Floor Area - 100 m²

- c. Access to the accessory farm employee accommodation shall be provided by way of the same driveway and entrance way as the principal dwelling.
- d. The accessory farm employee accommodation shall be located within 100 metres of the principal dwelling.

4.4 ACCESSORY USES, BUILDING AND STRUCTURES

4.4.1 Accessory Uses Permitted in All Zones

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

4.4.2 Accessory Buildings and Structures

- a. No accessory building or structure shall be erected on a lot prior to the erection of the principal building on the lot.
- b. No accessory building or structure can be used for human habitation or as a home business, unless expressly permitted by this By-law.
- c. No accessory building or structure or part thereof can be located within:
 - (i) an easement that is in favour of a public authority;
 - (ii) a sight triangle;
 - (iii) 1.0 metre from the principal building on the lot.
- d. Nothing in this By-Law shall apply to prevent the erection of a:
 - (i) gatehouse, anywhere in a front yard or exterior side yard in an Industrial Zone;
 - (ii) boat house or boat dock at the edge of a watercourse; or,
 - (iii) a partially enclosed shelter for use by children while waiting for a school bus, anywhere in a front yard or exterior side yard in an Agricultural (A) Zone.
- e. No more than three accessory buildings or structures are permitted on a lot in any Residential Zone, unless otherwise permitted by this By-law.
- f. Awnings, air conditioning units, canopies, cornices, coves, belt courses, eaves, gutters, pilasters, sills, or weather-shielding structures are permitted to extend into any minimum required yard required for a detached accessory building and structure by no more than 0.6 metres.
- g. Regulations in Table 4.1 also apply to accessory buildings and structures.

Table 4.1 Additional Regulations – Accessory Buildings and Structures

STANDARD	
Maximum Lot Coverage – Residential Zones	10%
Maximum Lot Coverage – All Other Zones	
Lot area less than 1 ha	5%
Lot area between 1 and 4 ha	3%
Lot area greater than 4 ha	1%
Maximum Total Floor Area of All Accessory Buildings and Structures on a Lot	Equal to 50% of the ground floor area of principal building on the lot
Maximum Height	
Agricultural (A) Zone – lot area area greater than 1 ha	7 m
All Other Lot Sizes and Zones	5 m
Minimum Front Yard	Equal to the minimum front yard requirement for the principal building
Minimum Interior Side Yard	2 m
Minimum Exterior Side Yard	Equal to the minimum exterior side yard requirement for the principal building
Minimum Rear Yard	2 m

4.5 BED AND BREAKFAST ESTABLISHMENTS

Where a bed and breakfast establishment is permitted, such use shall be in accordance with the provisions for the zone in which it is located and shall also comply with the following regulations:

- No more than 5 guest rooms shall be permitted in a bed and breakfast establishment.
- A bed and breakfast establishment shall be operated by the person or persons whose principal residence is the dwelling in which the bed and breakfast establishment is located.
- A bed and breakfast establishment is only permitted in a single detached dwelling.
- Any exterior stairways required for a bed and breakfast establishment shall be located in a side or rear yard.

4.6 DWELLING UNITS

4.6.1 Location within Non-Residential Buildings

Where a dwelling unit is located within or attached to a non-residential building, such building and dwelling unit shall:

- a. not be located in a basement or cellar; and,
- b. not be located on a first storey, unless located behind the principal non-residential use.

4.6.2 Maximum Number of Dwelling Units Per Lot

A maximum of one dwelling unit is permitted per lot, except:

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

4.7 GARDEN SUITES

A maximum of one garden suite may be permitted as a temporary use on a lot zoned Agricultural (A) or Residential as an accessory use to an existing single-detached dwelling subject to the following regulations:

- a. Driveway access to both the principal dwelling and the garden suite shall be limited to one.
- b. The siting of a garden suite shall be in accordance with the provisions for accessory uses of subsection 2.4 of this By-law.
- c. The maximum height of a garden suite shall be 5.0 metres and no more than one storey.
- d. No garden suite shall be located closer than 3.0 metres to the principal residence on the lot or any building on an abutting property.
- e. The gross floor area of any garden suite shall not exceed 100 m².
- f. All garden suites shall be provided with adequate water and sewage disposal systems.
- g. All garden suites shall be established pursuant to Section 39 of the Planning Act, as amended, which authorizes Council to pass a Temporary Use By-law for a maximum duration of twenty years.

4.8 GROUP HOMES

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

4.9 HEIGHT RESTRICTIONS

Unless otherwise restricted in this By-law, no building or structure shall exceed ten metres in height, except that neither this provision nor any other provision of this By-Law shall apply to restrict the height of any of the following structures:

- a. antenna;
- b. barn;
- c. belfry;
- d. chimney;
- e. clock tower;
- f. crushing, washing, screening, processing or asphalt plant;
- g. elevator or stairway penthouse;
- h. flag pole;
- i. grain elevator and storage;
- j. grain dryer;
- k. hydro-electric transmission tower;
- l. ornamental structure;
- m. radio antenna;
- n. silo;
- o. spire;
- p. steeple;
- q. structure containing heating, cooling or other mechanized equipment pertaining to a building;
- r. tower;
- s. water storage tank or tower; or,
- t. windmill.

4.10 HOME BUSINESSES

Where permitted, home businesses shall be permitted in accordance with the following provisions:

- a. At no time shall any home business employ more than one person on-site, who does not reside in the dwelling to which such home business is accessory;
- b. A maximum of two home businesses may be permitted in a dwelling unit provided each home business can meet the requirements of this By-law.
- c. A home business may occur within an accessory structure in the Agricultural (A) Zone.
- d. The maximum total gross floor area dedicated to all home businesses on a lot shall not exceed the lesser of 25 percent of the gross floor area of the dwelling on the lot or 50 square metres. The maximum total gross floor area dedicated to home businesses includes any home business operated in an accessory structure in accordance with subsection (c).
- e. The home business shall be clearly incidental and secondary to the principal residential use to which it is accessory and shall not change the residential character of the dwelling.
- f. No home business shall create or become a public nuisance, particularly with regard to noise, traffic, emissions, parking or radio or television interference.
- g. The following uses are specifically prohibited as home businesses except where such uses are specifically permitted herein:
 - (i) adult entertainment use;
 - (ii) animal clinic;
 - (iii) any use involving the storage, repair, maintenance and/or towing of motor vehicles, recreational vehicles or engines;
 - (iv) bed and breakfast establishment;
 - (v) contractor's yard;
 - (vi) hospital;
 - (vii) industrial use;
 - (viii) kennel;
 - (ix) restaurant;
 - (x) retail store;
 - (xi) salvage yard;
 - (xii) truck terminal; or

- (xiii) funeral establishment.

4.11 HOME INDUSTRIES

The following regulations apply to a home industry where permitted by this By-law:

- a. The home industry shall clearly be secondary to the principal use of the property and shall not change the character of the property.
- b. A home industry shall not be permitted to operate or locate in any part of a dwelling on a lot.
- c. The total number of home industries permitted shall be limited to one per lot.
- d. There shall be no emission of noise, odour or dust that is not normally attributable to the use of the land for other uses permitted in the Zone.
- e. Only two employees in addition to the permanent residents of the dwelling unit may be employed by the home industry;
- f. The home industry shall meet the same yard provisions as required for the principal use on the property for the Zone in which it is located.
- g. The maximum total gross floor area dedicated to a home industry on a lot shall not exceed 100 square metres.
- h. The following uses are specifically prohibited as home industry except where such uses are specifically permitted herein:
 - (i) a restaurant;
 - (ii) animal clinic;
 - (iii) warehouse; or,
 - (iv) the repairing, sale or storage of motor vehicles, mobile homes, trailers or any heavy machinery.

4.12 KENNELS

Kennels are prohibited uses unless specifically permitted by an amendment to this By-law. Where specifically permitted by an amendment to this By-law, no land, building or structure shall be used for a kennel, unless the land, building and structure is in compliance with the following regulations and any other applicable provisions of this By-law:

- a. Kennels lawfully existing as of **DATE** shall henceforth be deemed to be legal non-complying.
- b. A secure, chain link fence enclosure shall be installed and maintained around any outdoor run or outdoor common play area.
- c. Any pen area for the housing of dogs must be constructed with solid walls and roofing.
- d. Dog activity is not permitted in any outdoor run or outdoor common play area between the hours of 8 p.m. and 7 a.m.

e. Regulations in Table 4.2 below also apply to kennels.

Table 4.2 Additional Regulations – Kennels

STANDARD	
Minimum Lot Area	6 ha
Minimum Front Yard	30 m
Minimum Interior Side Yard	50 m
Minimum Exterior Side Yard	30 m
Minimum Rear Yard	50 m
Minimum Separation from any Residential Dwelling, or Commercial or Institutional Building on any Other Lot	200 m
Maximum Total Floor Area on a lot for Pen Buildings and Structures for Housing of Dogs	150 m ²
Maximum Height of any Building Associated with a Kennel	Equal to the maximum height requirement for accessory buildings and structures of the Zone that applies to the lot (1)
Total Maximum Outdoor Common Play Area	400 m ²

Notes:

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

4.13 LANDSCAPED OPEN SPACE AND PLANTING STRIPS

4.13.1 Landscaped Open Space

Landscaped open space shall be provided in accordance with any zone provisions and the following regulations:

- a. Any part of a lot which is not occupied by buildings, structures, parking areas, loading spaces, driveways, excavations or permitted outdoor storage areas shall be maintained as landscaped open space, except that this provision shall not apply to any agricultural use.
- b. Where landscaped open space of any kind, including a planting strip, is required adjacent to any lot line or elsewhere on a lot, nothing in this By-Law shall apply to prevent such landscaped open space from being traversed by pedestrian walkways or permitted driveways, provided that the minimum angle of intersection between a driveway and a required planting strip shall be 60 degrees.

- c. No part of any driveway, parking area, loading space, stoop, roof-top, balcony, swimming pool or space enclosed within a building shall be considered landscaped open space.

4.13.2 Planting Strips

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

4.14 LIGHTING

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

4.15 MINIMUM DISTANCE SEPARATION – MDS I AND II

4.15.1 MDS I – New Non-Farm Uses

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted within the Agricultural (A) Zone or any other zone in which agricultural uses are permitted, shall be erected or altered unless it complies with the Minimum Distance Separation I (MDS I) setback from a livestock facility, calculated using the Formulas published by the Province of Ontario, as may be amended from time to time. The above provisions shall not apply to lots existing as of the date of passing of this By-law, which are less than 4 hectares in area.

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

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility or manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation II (MDS II) setback, calculated using the Formulas published by the Province of Ontario, as may be amended from time to time. Notwithstanding the above, an existing manure storage system which does not meet MDS II requirements, may be replaced by a more compatible system which results in a reduction in the separation distance required, provided the livestock housing capacity is not increased.

4.16 LEGAL NON-CONFORMITY AND LEGAL NON-COMPLIANCE

4.16.1 Buildings and Structures

A non-complying building or structure that does not comply with this By-law, but which was legally erected/altered in accordance with a by-law that was in effect in accordance with Section 34 of the Planning Act as amended at the time of construction and/or alteration may be enlarged, repaired or renovated provided that the enlargement, repair or renovation does not further reduce the existing yard(s), and all other provisions of this By-law are met.

Nothing in this By-law shall apply to prevent the restoration, repair or renovation, or the replacement of any lawfully constructed building or structure existing prior to the passing of this By-law, provided that such restoration, repair or renovation, or replacement will not increase the height, size, volume or change the use of such building or structure unless in compliance with this By-law.

4.16.2 Lots

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

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

Notwithstanding any other provision in this By-law, where, as a result of an acquisition of land by the Township, County, the Province of Ontario, the Government of Canada or any department, board, commission or agency thereof, and where such acquisition results in a contravention of this By-law, the following applies:

- a. if the acquisition results in a contravention of this By-law with respect to minimum lot frontage and lot area requirements, the remaining lot frontage and/or lot area shall be deemed to be legal non-complying;
- b. if the acquisition results in a contravention of this By-law with respect to parking, loading, planting strip, front yard, interior side yard, exterior side yard, rear yard, lot coverage, landscaped open space or amenity area requirements, the lands so affected are deemed

to comply with this By-law to the extent it complied with this By-law on the day before the acquisition was finalized; and

- c. notwithstanding subsection (b), no new building, structure or addition to an existing building or structure shall be erected or located except in accordance with all the provisions of this By-law, excluding subsection (a).

4.16.4 Non-Conforming Uses

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

4.17 ONE PRINCIPAL BUILDING PER LOT

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

4.18 MULTIPLE USES AND ZONES PER LOT

4.18.1 More than One Use

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

4.18.2 More than One Zone

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

4.19 OUTDOOR COMMERCIAL PATIOS

Where an outdoor patio is located on a lot in conjunction with a restaurant on the same lot, the following provisions apply:

- a. The outdoor patio must be set back a minimum of 12 metres from a Residential Zone boundary.
- b. The outdoor patio must be located outside of any required parking spaces, loading spaces and required planting strips.
- c. The patio shall be located within 3.0 metres of the restaurant use.

- d. The patio must be located outside of any required sight triangle.

No patio shall provide for more than 50 percent of the restaurant seating permitted under the Liquor License Act within which the outdoor commercial patio is associated.

4.20 OUTDOOR DISPLAY AND SALES AREAS

Where an outdoor display and sales area is located on a lot, the following provisions apply:

- a. Outdoor display and sales areas are prohibited in any minimum required yard setback of the zone in which it is located.
- b. The outdoor display and sales area must be set back a minimum of 12 metres from any Residential Zone boundary.
- c. The maximum height of any outdoor display and sales area is 3 metres.
- d. The outdoor display and sales area must be located outside of any required parking spaces, loading spaces, sight triangles and required planting strips.
- e. Notwithstanding subsection (d), if the outdoor sales and display area is temporary, it may occupy up to 10 percent of the parking spaces required by this By-law.

For the purposes of this Section, temporary shall mean a period of time not to exceed 60 days in a calendar year.

4.21 OUTDOOR STORAGE

Where outdoor storage is permitted by this By-law, the following provisions shall apply:

- a. Outdoor storage is permitted only in a rear or interior side yard and must not be located any closer than 20 metres to any lot line abutting a street.
- b. No outdoor storage shall be located closer than two metres to any lot line.
- c. The area used for outdoor storage shall not exceed the lesser of 25 percent of the total lot area or the total ground floor area of the principal building on the lot.
- d. Outdoor storage shall be screened by opaque fencing or masonry wall with a minimum height of 1.8 metres.
- e. No materials (other than machinery and equipment) in an outdoor storage area shall exceed 6.0 metres in height.
- f. The outdoor storage of derelict or scrap motor vehicles or machinery and used appliances or equipment shall be prohibited.
- g. Outdoor storage is not permitted within any yard abutting a Residential Zone boundary.

- h. Any outdoor storage area shall be maintained as landscaped open space or provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and drained, except that this provision shall not apply to any outdoor storage area located on a lot whereon the principal use is an agricultural use.
- i. Notwithstanding subsection (f), no outdoor storage area shall be considered part of any landscaped open space required herein.

Nothing in subsection shall apply to prevent or otherwise restrict the use as an outdoor storage area of any part of a lot containing a dwelling, for a special temporary sale, by auction or garage sale, of personal possessions belonging to the occupants thereof.

4.22 SETBACKS

4.22.1 Required Setbacks

No person shall erect or establish any building, structure, excavation or outdoor storage closer than 27 metres to the centreline of a highway under the jurisdiction of the Township of Puslinch, the County of Wellington or the City of Guelph, except as otherwise provided for in Subsection 4.22.2 or unless otherwise provided in the applicable zone, whichever is greater.

4.22.2 Exemption in Built-up Areas

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

4.22.3 Setback Dimension Considered A Required Yard

Any part of a lot situated closer to a street than the required setback shall be considered a required yard for the purposes of this By-Law.

4.22.4 Street Closings

Notwithstanding anything herein to the contrary, no setback shall be required where a street shown on Schedule 'A' hereto is closed and conveyed to the owners of adjacent properties hereafter.

4.22.5 Reduction or Other Yard Requirements

Nothing in this Subsection shall apply to reduce or mitigate any other yard requirements of this By-Law or any greater setback requirements that might legally be established from time to time by the Province of Ontario, the County, or the Township.

4.23 SHIPPING CONTAINERS

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

4.23.1 Residential Zones

- a. Shipping containers are not permitted in a Residential Zone except on a temporary basis for moving purposes for a period not to exceed 14 days in which case the shipping container must be located on the driveway.
- b. A shipping container is also permitted in a Residential Zone for the storage of materials during construction, for a period not to exceed 6 months and must be removed from the property upon the completion of construction which will be deemed to be the date of the issuance of an occupancy permit.
- c. A shipping container used for temporary storage in a Residential Zone shall not exceed a maximum height of 3 metres and a maximum length of 6 metres.

4.23.2 Agricultural and Industrial Zones

- a. Shipping containers shall only be permitted in a rear yard and shall not be permitted in a required parking area.
- b. Shipping containers are only permitted in an Industrial Zone where outdoor storage is also permitted.
- c. Shipping containers in an Industrial Zone shall be screened from the road frontage and buildings on abutting lots.
- d. Shipping containers are not permitted any closer than 50 metres to properties containing residential uses or zoned for residential use.
- e. Shipping containers shall not be used for human habitation.
- f. Minimum lot area - 0.4 hectares
- g. A maximum of one shipping container is permitted per 0.4 hectares of lot area to a maximum of four containers on any one lot.
- h. Maximum Shipping Container Area - 51 m²

4.24 SHORT TERM ACCOMMODATION

Short term accommodation is a prohibited use unless specifically permitted by an amendment to this By-law. Where specifically permitted by an amendment to this By-law, no land, building or structure shall be used for short term accommodation, unless the land, building and structure is in compliance with the following regulations and any other applicable provisions of this By-law:

- a. Maximum occupant load – 8.
- b. Minimum distance from any other short term accommodation or bed and breakfast establishment - 120 metres.
- c. Short term accommodation shall not occur on the same lot as a home business, in an accessory apartment or accessory building or structure,

4.25 SIGHT TRIANGLES

4.25.1 Prohibition of Obstructions

Notwithstanding any other provision hereof to the contrary, within any area defined herein as a sight triangle, no building or structure shall be erected, no vehicle shall be parked, no land shall be graded and no landscaping materials shall be permitted to grow, in such a manner as to impede or obstruct the vision of persons driving vehicles on an abutting street above a height of 0.6 metres above the elevation of the centreline of the said street.

The following are prohibited on that portion of a lot defined as a sight triangle:

- a. a building or structure; and,
- b. a fence, tree, hedge, bush or other vegetation, the top of which exceeds 0.6 metres in height above the elevation of the centreline of the adjacent street.

4.25.2 Extent of Sight Triangles

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

Table 4.3 Requirements for Sight Triangles

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

4.26 SWIMMING POOLS

4.26.1 Unenclosed Swimming Pools

The following provisions apply to any swimming pool not enclosed or otherwise located within a building:

- a. Swimming pools are permitted in the interior, rear and exterior side yards, provided they are set back a minimum of 1.5 metres from the interior side and rear lot lines and 3.5 metres from the exterior side lot line, with the setback measured from the water's edge of the swimming pool.
- b. Outdoor swimming pool pumps, filters and heaters, or any accessory building or structure containing such equipment, are permitted in the interior, rear and exterior side yards, provided they are set back a minimum of 3.0 metres from any lot line.

4.26.2 Lot Coverage Exemption

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

4.27 USES PERMITTED IN ALL ZONES

4.27.1 Public Uses

- a. Public uses are permitted in all zones.
- b. Where a public use is permitted, the following provisions apply:
 - (i) Such public use must comply with all applicable zone standards, and parking and loading requirements of the zone in which it is located.
 - (ii) No outdoor storage or outdoor storage use is permitted unless specifically permitted in the Zone in which the public use is located.
 - (iii) Any accessory use to a public use must be clearly incidental and accessory to the principal use.

4.27.2 Other Uses

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

(iii) municipal parking areas

4.27.3 Construction Uses

Nothing in this By-Law shall prevent the use of any part, other than a sight triangle, of any lot in any zone for the erection of a legal sign not greater than 3 m² in area, the excavation of soil or earth or the erection or use of any temporary building or structure where such sign, excavation, building or structure is directly incidental to, and necessary for, construction work on the same lot or work relating to a public utility or a street including, but not so as to limit the generality of the foregoing, a construction camp, a work camp, a tool shed, a wayside pit or a scaffold, but only for so long as such building or structure is necessary for the work in progress and until the work is completed or abandoned, and only while a valid building permit for the said construction remains in force, where applicable.

4.28 USES PROHIBITED IN ALL ZONES

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

- a. an adult entertainment establishment;
- b. the boiling of blood, tripe, bones or soaps for commercial purposes;
- c. the tanning or storage of uncured hides or skins;
- d. the manufacturing of glue or fertilizers from dead animals or from human or animal waste;
- e. an abattoir, stockyard, livestock exchange, or dead stock depot;
- f. the extracting of oil from fish;
- g. a track or course for the racing of motor vehicles, motorcycles, dirt bikes, snowmobiles or any other motorized vehicles;
- h. a salvage yard;
- i. a disposal site for wastes;
- j. the refining, storage or use in manufacturing of coal oil, rock oil, fuel oil, natural gas, propane, burning fluids, naphtha, benzol, benzine, gasoline, dynamite, dualin, nitroglycerine, gun powder, petroleum or any other combustible, inflammable, volatile or otherwise dangerous liquids, gasses or solid materials except where specifically permitted hereby or in conjunction with a permitted industrial use and unless such substances are protected by adequate firefighting and fire prevention equipment and by such safety devices as are generally employed in the handling of such substances and provided that such substances are kept removed from adjacent uses to a distance which is compatible with the potential danger involved, except that this provision shall not apply to prevent the above ground storage of such substances by a farmer, where such storage is incidental and accessory to

an agricultural use, or the use of natural gas, propane or fuel oil for domestic purposes, such as heating and cooking, in conjunction with a residential use;

- k. the use of any tent, trailer or motor vehicle for human habitation, except where such tent, trailer or motor vehicle is located in a campground, in a trailer park or in a mobile home park;
- l. the use of any accessory building or structure for human habitation or for gain or profit;
- m. the use of a truck, bus, coach body or rail car for human habitation or for storage purposes;
- n. the storage of disused rail cars, streetcars, buses, truck bodies or trailers without wheels;
- o. the parking or storage of trailers or commercial motor vehicles on a vacant lot;
- p. the parking or storage of trailers or commercial motor vehicles on a lot for the purposes of advertising;
- q. the outdoor storage of partially dismantled motor vehicles or trailers or motor vehicle or trailer parts unless otherwise specifically permitted by this By-law; and,
- r. any use which causes the emission of corrosive gasses, toxic gasses or radioactive gasses or, into any zone other than an Industrial Zone, or electromagnetic fields, heat, glare, nonagricultural odours, noise, vibrations, dust, dirt, fly ash or smoke which does not comply with emission regulations as may be established from time to time by the Province of Ontario, the Government of Canada, or any agencies thereof;
- s. large scale outdoor storage of salt and/or sand/salt mixtures; and,
- t. the use of land for war games, organized assassination games, music festivals and/or concerts.

4.29 YARD ENCROACHMENTS AND OBSTRUCTIONS

4.29.1 Projection into Required Yards

No part of any required yard shall be obstructed by any building or structure or part thereof except one or more of the following:

- a. accessory buildings or structures specifically permitted in a required yard elsewhere in this By-Law;
- b. awnings, canopies, cornices, coves, belt courses, eaves, gutters, parapets, pilasters, sills, or weather-shielding structures are permitted to encroach into any required yard by no more than 0.6 metres;
- c. non-walk in bay, box out and bow windows, without foundations, with a maximum width of 3.0 metres and a maximum height of one storey are permitted to encroach into any required yard by no more than 0.5 metres;

- d. chimneys and gas fireplace projections and chases with a maximum width of 1.8 metres are permitted to encroach into any required yard by no more than 0.5 metres;
- e. roofless functional and ornamental structures including, but not necessarily restricted to, drop awnings, clothes poles, ornamental fountains, statues, monuments, picnic tables, benches, cenotaphs, memorials, planters, garden trellises, fences, boundary and retaining walls, hedgerows and legal signs;
- f. stoops, sun decks, porches, patios, verandahs, balconies on top of porches or verandahs, uncovered terraces and exterior steps providing access between finished grade and either the basement or the first storey of a building, where such structures project no more than 1.5 metres into a required front yard, a required rear yard or a required exterior side yard;
- g. fire escapes are permitted to encroach into any required yard by no more than 1.5 metres;
- h. stairs that access any part of the principal building at or above grade and which are not associated with a deck or porch, may encroach into the required rear yard by no more than 1.5 metres and into the required front and exterior side yards provided that no part of the stairs or landing are closer than 0.6 metres from the front and exterior side lot lines. Stairs that access the principal building below grade are not permitted in the front yard, are not permitted in the required interior and exterior side yards and are permitted to encroach into the required rear yard by no more than 1.5 metres;
- i. balconies projecting not more than 1.5 metres into any required yard and which do not project into any sight triangle;
- j. air conditioners and heat pumps are permitted in the required interior side and rear yards, provided they are no closer than 0.6 metres from the interior side and rear lot lines and no closer than 1.5 metres from the exterior side lot line; and,
- k. underground service structures such as sewage systems and firefighting tank reservoirs which do not project more than 2.0 metres into a required interior side yard or rear yard, and which do not project more than 3.0 m into a required front yard or exterior side yard.

4.29.2 Projection Beyond Lot Lines

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

4.30 SETBACKS FROM THE NATURAL ENVIRONMENT ZONE

- a. No buildings or structures, including a private sewage treatment system and associated tile weeping bed, shall be constructed closer than 30 metres from the limit of a Natural Environment (NE) Zone.
- b. Notwithstanding the required setback in subsection (a) above or any other provision in this By-law to the contrary:

- (i) Accessory buildings or structures to existing residential dwellings, enlargements of existing buildings or structures, or reconstruction of existing buildings or structures including improvements to manure storage systems associated with an existing livestock facility, are permitted on land adjacent to the NE Zone provided that a minimum setback of three metres 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, provided that:
 - there is no other suitable location on the lot outside of the 30 metre minimum setback, and
 - a setback of at least three metres from the NE Zone boundary is maintained.
- c. Notwithstanding the above, the setback from the Natural Environment (NE) Zone may be reduced to a distance that is supported by the Conservation Authority having jurisdiction pursuant to its authority provided under the Conservation Authorities Act, R.S.O. 1990. Where the Conservation Authority provides written approval for a reduced setback from the NE Zone an amendment to this By-law shall not be required.

4.31 SETBACKS FROM WATERCOURSES

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

4.32 TEMPORARY RESIDENCE DURING CONSTRUCTION

- a. Where a new single detached dwelling is being constructed on a vacant lot in an Agricultural (A) Zone, a mobile home may be located and used as a temporary residence on the same lot during the construction of a new dwelling for a period of time not to exceed 12 months after the building permit for the new dwelling is issued, provided all requirements of the Chief Building Official are satisfied, including the provision of adequate sewage disposal and water supply, and the posting of sufficient securities to ensure the removal of the temporary dwelling.
- b. Where a new single detached dwelling is being constructed to replace an existing single detached dwelling on the same lot in an Agricultural (A) Zone, the existing dwelling may continue to be used as a temporary residence during the construction of the new residence for a period of time not to exceed 12 months after the building permit for the new dwelling is issued, provided all requirements of the Chief Building Official are satisfied, including the provision of adequate sewage disposal and water supply, and the posting of sufficient securities to ensure the removal of the temporary dwelling.

5.0 Parking and Loading Regulations

5.1 LOADING AND UNLOADING SPACE REGULATIONS

5.1.1 Loading Spaces Required

The owner or occupant of any lot, building or structure used or erected for any purpose involving the receiving, shipping, loading or unloading of goods, wares, merchandise or raw materials, other than an agricultural use, shall provide and maintain, on the same lot, facilities comprising one or more loading spaces in accordance with the provisions of this Section.

5.1.2 Loading Space Requirements

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

Table 5.1 Number of Loading Spaces Required

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

5.1.3 Dimensions of Loading Spaces

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

5.1.4 Location of Loading Spaces

Required loading spaces shall:

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

5.1.5 Yards Where Permitted

Loading spaces are not permitted:

- a. closer than 3.0 metres to any lot line;
- b. in any front yard;
- c. in any minimum required yard;
- d. between the main wall closest to the exterior lot line and the exterior lot line; and,
- e. closer than 7.5 metres to any Residential Zone boundary, except if it is located entirely within a structure or located in a Residential Zone.

5.1.6 Access to Loading Spaces

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

5.1.7 Addition to Existing Use

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

5.1.8 Exemption for C1 and CMU Zone

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

5.2 PARKING REGULATIONS

5.2.1 General Parking Provisions

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

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

5.2.2 Parking Spaces Required

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

Table 5.2 Residential Parking Space Requirements

Use	Minimum Parking Space Requirements
Accessory apartment	1 per dwelling unit, in addition to the requirement for the principle dwelling unit
Bed and breakfast	1 per guest room, in addition to the requirement for the principle dwelling unit
Boarding, lodging, or rooming house dwelling	1 per guest room, in addition to the requirement for the principle dwelling unit
Dwelling, duplex	2 per dwelling unit
Dwelling, multiple	1.5 spaces per dwelling unit and 0.25 per unit for visitor parking spaces
Dwelling, semi-detached	2 per dwelling unit
Dwelling, Single detached	2 per dwelling unit
Dwelling, townhouse	2 per dwelling unit
Dwelling unit in mixed-use building	1 per dwelling unit
Garden suite	1 per dwelling unit
Group home	2 per dwelling unit
Home business	1 for any employee that is not a resident in the dwelling unit in addition to the required parking for the dwelling unit
Long term care facility	0.5 spaces per bed
Private home daycare	The minimum parking space requirement for the principle dwelling unit

Table 5.3 Non-residential Parking Space Requirements

Use	Minimum Parking Space Requirement (net floor area unless otherwise noted)
Adult entertainment establishment	1 per 4 persons seating capacity or 1 per 10 m ² , whichever is greater
Agricultural use	No requirement
Agricultural related use	1 per 40 m ²

Use	Minimum Parking Space Requirement (net floor area unless otherwise noted)
Agri-tourism use	1 per 40 m ²
Animal clinic	1 per 20 m ²
Antique store	1 per 20 m ²
Art gallery	1 per 30 m ²
Artisan studio	1 per 30 m ²
Asphalt plant	1 per 30 m ² for office component
Assembly hall	1 per 5 persons seating capacity or 1 per 10 m ² GFA where there are no seats
Auction sales establishment	1 per 15 m ²
Motor vehicle body shop	3 per service bay
Motor vehicle sales and rental establishment	1 per 30 m ² for office component
Motor vehicle service establishment	3 per service bay or 1 per 100 m ² or whichever is greater
Motor vehicle washing establishment	1 plus 6 waiting spaces per wash bay
Building supply store	1 per 100 m ²
Business or professional office	1 per 40 m ²
Caterer's establishment	1 per 40 m ²
Commercial greenhouse	1 per 35 m ²
Commercial school or studio	1 per 30 m ²
Commercial self-storage facility	1 per 100 m ²
Community garden	1 parking space per 100 square metres of area used for community garden purposes
Contractor's yard	1 per 50 m ²
Concrete batching plant	1 per 30 m ² for office component
Convenience store	1 per 20 m ²
Day care centre	1 per 40 m ²
Dry cleaning plant	1 per 40 m ²
Dry cleaning depot	1 per employee and 2 additional spaces for pickup / loading.
Factory outlet	1 per 20 m ²
Farm Business	1 per 40 m ²

Use	Minimum Parking Space Requirement (net floor area unless otherwise noted)
Farm Implement Sales and Service Establishment	1 per 40 m ²
Farm greenhouse	No requirement
Financial institution	1 per 20 m ² or 1 per 30 m ² if the financial institution has a drive-through service facility
Funeral establishment	1 per 20 m ²
Gas bar	1 per gas bar pump
Garden centre	1 per 35 m ²
Golf course	5 per hole
Golf driving range	1.5 per tee
Hospital	4 per bed
Hotel or motel	1 per guest room plus 1 per 20 m ² of net floor area of each refreshment room or dining room
Industrial use	1/100 m ² for the first 10,000 m ² of floor area and 1/200 m ² for any floor area after the first 10,000 m ²
Kennel	1 per 30 m ² for office component
Laundromat	1 per 30 m ²
Long term care facility	1 per 4 beds and 1 per 2 employees
Marina	0.5 per boat slip and 1/18.6 m ² of total retail floor area
Medical office	1 per 25 m ²
Miniature golf course	1.5 per tee
Museum	1 per 30 m ²
Personal service establishment	1 per 20 m ²
Place of entertainment	1 per 20 m ²
Place of worship	1 per 4 persons seating capacity or 1 per 10 m ² , whichever is greater
Postal or courier outlet	1 per 30 m ²
Private club	1 per 4 persons seating capacity or 1 per 10 m ² , whichever is greater
Private school	1.5 per classroom for elementary schools 5.0 per classroom for secondary schools
Public buildings	1 per 30 m ²
Public school	1.5 per classroom for elementary schools 5.0 per classroom for secondary schools

Use	Minimum Parking Space Requirement (net floor area unless otherwise noted)
Recreational vehicle sales or rental establishment	1 per 30 m ² for office component
Equipment rental establishment	1 per 50 m ²
Restaurant	1 per 10 m ² including outdoor patio area
Retail store	1 per 20 m ²
Salvage yard	1 per 20 m ²
Service or repair establishment	1 per 50 m ²
Shopping centre	1 per 20 m ²
Short term accommodation	0.5 parking spaces per occupant or 1.0 parking space per guest room used for sleeping, whichever is the greater
Trade service establishment	1 per 50 m ²
Transport terminal	1 per 100 m ²
Warehouse	1 per 200 m ²
Any outdoor storage involving the display and sale of goods and materials, including vehicles	1 parking space per 100 square metres of net floor area and outdoor storage area
Any other use permitted by this by-law other than those listed above	1 parking space per 20 square metres of net floor area
Any other place of assembly permitted by this by-law other than those listed above	1 space per permitted Fire Code Capacity

5.2.3 Dimensions of Parking Spaces

A parking space required hereby shall have minimum rectangular dimensions of 3 by 6 metres, except that:

- (i) the minimum width of a parking space accessory to a single detached, semi-detached or townhouse dwelling shall be 2.5 metres; and,
- (ii) where the principal access to a parking space is provided on the longest dimension of such parking space, the minimum dimensions of the said parking space shall be 3 by 6.7 metres.

5.2.4 Parking - Shared

Where more than one of the uses listed in Table 5.3 are located on the same lot, parking spaces may be shared between the uses, and the cumulative total of parking spaces required for all the uses on the lot may be reduced from that required in Table 5.4.

To calculate the required parking using Table 5.4, follow the following five steps:

Step 1: Determine the parking requirement for each use

Step 2: Calculate the parking requirement for each use

Step 3: Multiply the required parking by the percentage of peak period for each time period

Step 4: Calculate the total required parking for all uses in each time period, for both weekdays and Saturdays

Step 5: The time period with the highest total parking requirement is the required parking for the lot

Table 5.4 Percentage of Required Parking Permitted to be Shared

Use	Percentage of Peak Period							
	Weekday				Saturday			
	Morning	Noon	Afternoon	Evening	Morning	Noon	Afternoon	Evening
Business or professional office	100	80	100	10	10	10	10	5
Financial institution	100	100	100	15	20	20	20	5
Hotel or motel	70	70	70	100	70	70	70	100
Place of entertainment or theatre	10	10	25	80	40	70	80	100
Restaurant	20	90	30	100	30	90	50	100
Retail store or shopping centre	75	80	90	90	80	100	100	50

5.2.5 Location of Parking Areas

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

5.2.6 Parking in Residential Zones

- a. The maximum width of a driveway leading to a private garage or carport in the front or exterior side yards is:

- (i) 6.0 metres for a lot having a lot frontage of 12.0 metres or less;
 - (ii) Equal to 50% of the lot frontage on a lot having greater than 12.0 metres and less than 18.0 metres of lot frontage; or,
 - (iii) 9.0 metres for a lot having a lot frontage equal to or greater than 18.0 metres.
- b. The width of the lot specified in subsection (a) above is the horizontal distance between the interior side and/or exterior side lot lines, with such distance being measured perpendicularly to the line joining the mid-point of the front lot line with the mid-point of the rear lot line at a point on that line 6.0 metres from the front lot line.
 - c. The width of the private garage specified in subsection (a) above is the width of interior wall(s). In the case of a carport, the width is measured from the wall of the principal building to the outside of the post supporting the roof of the carport.
 - d. Where a private garage is detached from the principal building and is accessed by a driveway crossing the front lot line, the driveway must be located no closer to the interior side lot line than the minimum setback required for accessory buildings or structures.
 - e. Where a private garage is detached from the principal building and is accessed by a driveway crossing the exterior side lot line, the driveway must be located no closer to the rear lot line than the minimum setback required for accessory buildings or structures.
 - f. Notwithstanding subsections (b) and (c) above, the setback for the driveway may be less to match the setback of a private garage that existed on the effective date of this By-law.

5.2.7 Yards where Permitted

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

5.2.8 Parking Structures

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

5.2.9 Access to Parking Areas and Structures

- a. Access to parking areas shall be provided from an public street by means of one or more unobstructed driveways not exceeding 6 metres in width for a driveway accessory to a single dwelling and 10 metres in width for any other driveway, measured parallel to the said street, at any point on the lot closer to the said street than the street setback required therefrom,

provided that no lot shall have more than two driveways for the first 30 metres of street line thereof plus one driveway for each additional 30 metres of street line.

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

5.2.10 Treatment of Parking Areas and Driveways

All parking areas and driveways shall be provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles.

5.2.11 Addition to Existing Use

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

5.2.12 Parking of Commercial Motor Vehicles in Residential Zones

The following provisions apply to the parking of commercial motor vehicles in Residential Zones:

- a. The commercial motor vehicle must be parked in a private garage or on a driveway.
- b. Commercial motor vehicles are not permitted on any lot unless a principal building has been constructed on that same lot.
- c. The commercial motor vehicle must be no more than 7.5 metres in length (exclusive of hitch/tongue).
- d. The commercial motor vehicle must be no more than 3.2 metres in height, measured from the ground to the highest point of the vehicle.

5.2.13 Parking of Recreational Vehicles and Boats

The following provisions apply to the outdoor parking or storage of any recreational vehicle or boat in a Residential Zone:

- a. The recreational vehicle or boat must not be used for human habitation purposes while parked on the lot.
- b. A total of one recreational vehicle and one boat is permitted on a lot.

- c. The recreational vehicle or boat must be parked in the interior or rear yards only, and/or on a driveway extending from a private garage or carport.
- d. A recreational vehicle and a boat must not be parked on the same driveway.
- e. A recreational vehicle or boat must not occupy required parking spaces.
- f. A recreational vehicle or boat, if located on the driveway, must be located no closer than 0.5 metres from the edge of the property line.

5.2.14 Barrier Free Parking

Barrier free parking spaces with a minimum width of 3.6 metres and minimum depth of 5.7 metres are required for all non-residential uses and for any apartment dwelling in accordance with Table 5.5 below.

Table 5.5 Barrier Free Parking Space Requirements

Total Number of Parking Spaces Required on the Lot	Minimum Number of Required Parking Spaces Dedicated as Barrier Free
3-25	1
26-100	1 + 3% of total number of parking spaces on lot
101-200	4 + 2% of total number of parking spaces on lot
201 or greater	8 + 2% of total number of parking spaces on lot

5.2.15 Bicycle Parking

Bicycle parking spaces that are a minimum of 60 centimetres wide and 1.8 metres long are required for the uses listed in Table 5.6 below in addition to any required parking spaces for motor vehicles.

Table 5.6 Barrier Free Parking Space Requirements

Use	Required Parking Standards (per net floor area)
Retail, personal, institutional	The greater of 2 spaces or 1 space /1000 m ²
Industrial	2 /1000 m ²
Public and private school	1 /10 students of design capacity & 1 space/35 employees
Dwellings or mixed-use buildings with more than 6 dwelling units	2 spaces for the first 6 dwelling units plus 2 spaces for each additional 6 dwelling units or fraction thereof

6.0 Residential Zones

6.1 LIST OF APPLICABLE ZONES

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

6.2 PERMITTED USES

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

Table 6.1 Residential Zone Permitted Uses

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

Special Provisions:

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

6.3 ZONE STANDARDS

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

Table 6.2 Residential Zone Standards

STANDARD	UR	HR	RUR	RR
Minimum Required Lot Area for Single-detached dwelling	UNDER REVIEW			
Minimum Required Lot Area for Other uses				
Minimum Lot Frontage	18 m	20 m	30 m	20 m
Minimum Required Front Yard (1)	3 m	3 m	6 m	6 m (2)
Minimum Required Interior Side Yard	2 m	2 m	3 m	3 m
Minimum Required Exterior Side Yard	3 m	3 m	6 m	6 m
Minimum Required Rear Yard	6 m	6 m	6 m	6 m
Maximum Lot Coverage	45%	40%	40%	40%
Maximum building height	11 m	11 m	11 m	11 m
Minimum Required Landscaped Open Space	15%	15%	30%	30%

Special Provisions:

- (1)** The wall of the principal building or porch must be located no more than 1.0 metres farther from the front lot line than the wall of the attached private garage facing the front lot line.
- (2)** Where a property abuts a lake or watercourse, the front yard shall be considered the rear yard.

(3) Separation from adjacent barns:

Within the RUR zone, no single detached dwelling shall be located closer to 180 metres to the barns of an intensive agricultural use on an adjacent property.

7.0 Mixed-Use Zones

7.1 LIST OF APPLICABLE ZONES

Core Mixed-use **CMU**

7.2 PERMITTED USES

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

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

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

Special Provisions:

- (1) No portion of the first storey at street level or any storey below this level of a mixed-use building shall be used for residential purposes except for entrances and passageways to dwelling units.
- (2) Permitted only where the use legally existed on the effective date of this By-law.
- (3) Permitted only in a single detached dwelling that legally existed on the effective date of this By-law.
- (4) Permitted only as an accessory use to a dwelling unit in accordance with the home business regulations of this By-law.

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

USE	CMU
Antique store	✓
Artisan studio	✓
Art gallery	✓
Assembly hall	✓
Community garden	✓
Business or professional office	✓
Commercial school or studio	✓
Community use	✓
Day care centre	✓
Farmer's market	✓
Financial institution	✓
Funeral establishment	✓
Hotel	✓
Medical office	✓
Micro brewery	✓
Mixed-use building	✓
Personal service establishment	✓
Place of entertainment	✓
Place of worship	✓
Private club	✓
Private school	✓
Public school	✓
Public park	✓
Restaurant	✓
Retail store	✓
Service or repair establishment	✓
Theatre	✓

7.3 ZONE STANDARDS

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

Table 7.3 Core Mixed-use Zone Standards

STANDARD	CMU
Minimum Required Lot Area	UNDER REVIEW
Minimum Lot Frontage	20 m
Minimum Required Front Yard	0 m
Maximum Permitted Front Yard	3 m
Minimum Required Interior Side Yard	0 m
Minimum Required Interior Side Yard if adjacent to any Residential Zone boundary	3 m
Minimum Required Exterior Side Yard	0 m
Minimum Required Rear Yard	3 m
Minimum Required Rear Yard if adjacent to any Residential Zone boundary	7.5 m
Maximum building height	3 storeys and not more than 11 m
Minimum building height	2 storeys and not less than 6.6 m
Buffer Requirement if adjacent to any Residential Zone boundary	A planting strip 1.5 metres wide shall be provided and maintained adjacent to every portion of any lot line that abuts any Residential Zone not separated by a public road.

8.0 Commercial Zones

8.1 LIST OF APPLICABLE ZONES

Hamlet Commercial	C1
Highway Commercial	C2
Agricultural Commercial	C3
Resort Commercial	C4

8.2 PERMITTED USES

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

Table 8.1 Commercial Zone Permitted Uses

USE	C1	C2	C3	C4
Agricultural use			✓ (1)	
Agriculture-related Uses			✓	
Agri-tourism use			✓	
Animal clinic	✓	✓	✓	
Antique store	✓	✓		
Art gallery	✓			
Artisan studio	✓			
Assembly hall		✓		
Auction sales establishment			✓	
Motor vehicle body shop		✓		
Motor vehicle sales and rental establishment		✓		
Motor vehicle sales and service establishment		✓		
Motor vehicle service establishment		✓		
Motor vehicle washing establishment		✓		
Building supply store		✓		
Business or professional office	✓	✓		
Caterer's establishment	✓	✓		
Commercial fitness establishment	✓	✓		
Commercial greenhouse			✓	
Commercial recreation use				✓
Commercial school or studio	✓			

USE	C1	C2	C3	C4
Commercial self-storage facility		✓		
Community garden	✓		✓	✓
Community use	✓	✓		✓
Contractor's yard		✓		
Day care centre	✓			
Drive-through service facility		✓		
Dwelling unit in mixed-use building	✓	✓		
Farm implement sales and service establishment		✓	✓	
Farm produce outlet		✓	✓	
Feed or flour mill			✓	
Financial institution	✓	✓		
Funeral establishment		✓		
Gas Bar		✓		
Garden centre		✓	✓	
Golf course				✓
Golf driving range				✓
Grading station for farm produce			✓	
Grain elevator or farm produce storage facility			✓	
Home business accessory to a permitted existing dwelling	✓	✓		
Hotel	✓			
Laundromat		✓		
Medical office	✓			
Miniature golf course		✓		✓
Mixed-use building	✓	✓		
Micro brewery	✓	✓		
Motel	✓	✓		
Nursery		✓	✓	
Outdoor display and sales area	✓	✓	✓	✓
Personal service establishment	✓	✓	✓ (3)	
Place of entertainment		✓		✓
Place of worship	✓	✓		
Postal or courier outlet	✓	✓		
Private club		✓		
Public park	✓			✓
Private school	✓			
Recreational vehicle sales or rental establishment		✓		
Equipment rental establishment	✓	✓		
Restaurant	✓	✓		✓ (2)

USE	C1	C2	C3	C4
Retail store	✓	✓	✓ (3)	✓ (2)
Service or repair establishment		✓		
Shopping centre	✓	✓		
Theatre		✓		
Trade service establishment		✓	✓ (3)	
Transport terminal		✓	✓	
Travel trailer park				✓
Warehouse			✓	

Special Provisions:

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

8.3 ZONE STANDARDS

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

Table 8.2 Commercial Zone Standards

STANDARD	C1	C2	C3	C4
Minimum Required Lot Area	UNDER REVIEW			
Minimum Lot Frontage	20 m	20 m	60 m	30 m
Minimum Required Front Yard	0 m	3 m	15 m	10 m
Minimum Required Interior Side Yard	0 m	3 m	3 m	3 m
Minimum Required Interior Side Yard if adjacent to a Residential Zone Boundary	3 m	7.5 m	15 m	7.5 m
Minimum Required Exterior Side Yard	0 m	7.5 m	15 m	3 m
Minimum Required Rear Yard	3 m	3 m	3 m	3 m
Minimum Required Rear Yard if adjacent to any Residential Zone boundary	7.5 m	7.5 m	7.5 m	7.5 m

STANDARD	C1	C2	C3	C4
Maximum Required Lot Coverage	40%	45%	35%	35%
Minimum Required Landscaped Open Space	25%	25%	25%	25%
Buffer Requirement if adjacent to any Residential Zone boundary	A planting strip 1.5 metres wide shall be provided and maintained adjacent to every portion of any lot line that abuts any Residential Zone not separated by a public road.			

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9.0 Industrial Zones

9.1 LIST OF APPLICABLE ZONES

Industrial Zone	IND
Extractive Zone	EX1
Disposal Industrial Zone	D1

9.2 PERMITTED USES

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

Table 9.1 Industrial Zone Permitted Uses

USE	IND	EX1	D1
Accessory outdoor storage and/or processing	✓		
Aggregate storage area		✓	
Agricultural Use		✓ (4)	
Asphalt plant		✓	
Motor vehicle body shop	✓		
Building supply store	✓		
Business or professional office	✓	✓ (2)	✓ (2)
Caterer's establishment	✓		
Commercial fitness establishment	✓		
Commercial self-storage facility	✓		
Composting yard			✓
Concrete batching plant		✓	
Contractor's yard	✓		
Crushing, washing, screening, and processing plant		✓	
Dry cleaning plant	✓		
Factory outlet	✓ (2)		
Farm Implement Sales and Service Establishment	✓		
Feed or flour mill	✓		
Fuel Depot	✓		
Grain storing, weighing and drying operation	✓		
Gravel Pit		✓	

USE	IND	EX1	DI
Industrial Use (1)	✓		
Industrial equipment rental establishment	✓		
Outdoor storage use	✓		
Postal or courier outlet	✓		
Quarry		✓	
Recycling plant	✓		✓
Equipment rental establishment	✓		
Restaurant	✓ (2)		
Salvage Yard			✓
Sawmill	✓		
Service or repair establishment	✓		
Trade service establishment	✓		
Transport Terminal	✓		
Warehouse	✓	✓ (2)	
Waste disposal area			✓
Waste processing plant			✓
Waste transfer station			✓

Special Provisions:

- (1) If a municipal water supply is not available, an industrial use shall not be permitted unless it is a dry industry.
- (2) Permitted only as an accessory use. All accessory uses shall occupy a combined maximum of 30% of the GFA of the principle use.
- (3) The maximum gross floor area permitted shall be 300 m².
- (4) The Agricultural Zone Standards in Section 10 shall apply.

9.3 ZONE STANDARDS

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

Table 9.2 Industrial Zone Standards

STANDARD	IND	EX1	DI
Minimum Lot Area	UNDER REVIEW	No minimum	No minimum
Minimum Lot Frontage	30 m	No minimum	No minimum
Minimum Required Front Yard	6 m	(1) (2)	30 m
Minimum Required Interior Side Yard	5 m		10 m
Minimum Required Interior Yard if adjacent to any Residential Zone boundary	15 m		30 m
Minimum Required Exterior Side Yard	15 m		20 m
Minimum Required Rear Yard	7.5 m		10 m
Minimum Required Rear Yard if adjacent to any Residential Zone boundary	15 m		30 m
Maximum Lot Coverage	No maximum	No maximum	No maximum
Minimum Required Landscaped Open Space	15%	No minimum	No minimum
Maximum Height of Building	25 m	25 m	25 m
Buffer Requirement if adjacent to any Residential Zone boundary	A planting strip 1.5 metres wide shall be provided and maintained adjacent to every portion of any lot line that abuts any Residential Zone not separated by a public road.		

Special Provisions:

(1) Setbacks for Excavation

No excavation shall occur:

- within 15 m of any lot line;
- within 30 m from any part of the boundary of the site that abuts: a public road or highway, or land Zoned or used for residential purposes; or
- within 30 m from any body of water that is not the result of excavation below the water table.

(2) Setbacks for Buildings, Structures and Stockpiles

No person shall pile aggregate, topsoil, subsoil or overburden, locate any processing plant or place, build or extend any building or structure:

- within 30 m of any lot line; or

- b. within 90 m from any part of the boundary of the site that abuts land Zoned or used for residential purposes.

9.4 SPECIAL PROVISIONS FOR SALVAGE YARDS

The following additional provisions apply to salvage yards:

- a. That portion of the premises in which any chattels, lumber, automotive vehicle or part thereof is or are kept, stored, dismantled or wrecked in connection with the salvage yard shall be fenced with a closed wooden and/or metal fence, extending at least two metres in height from the ground and constructed of new material.
- b. No part of any such fenced area shall be within any required side, front or rear yard.
- c. The outside perimeter of the fences shall be planted with evergreen trees and such trees shall not be less than 1.5 metres in height and shall be so spaced as to completely obscure the fence; and the trees shall be maintained in a healthy condition and any diseased or dead trees shall be replaced as soon as possible.
- d. No part of any fence or any required side, front or rear yard shall be illuminated by electricity or other artificial means.
- e. All fences except those constructed of aluminum shall be painted and kept painted from time to time so as to maintain the wood or metal, as the case may be, in good condition. No display or advertising by means of painting names, objects or pictures upon any fence shall be permitted.
- f. All buildings constructed within the storage yard area shall be of masonry construction and no existing building not constructed of masonry (within the fenced area) shall be used in conjunction with any operation incidental to the wrecking of motor vehicles.
- g. Maximum lot coverage for all buildings shall be 60 per cent of the lot area.

10.0 Institutional Zones

10.1 LIST OF APPLICABLE ZONES

Institutional Zone **I**

10.2 PERMITTED USES

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

Table 10.1 Institutional Zone Permitted Uses

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

10.3 ZONE STANDARDS

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

Table 10.2 Institutional Zone Standards

STANDARD	I
Minimum Required Lot Area	
Public School	8,000 m ²
Other Private Use	1,390 m ²
Minimum Required Lot Frontage	
Public School	60 m
Other Private Uses	20 m
Minimum Required Front Yard	3 m
Minimum Required Interior Side Yard	3 m
Minimum Required Interior Yard if adjacent to any Residential Zone boundary	7.5 m
Minimum Required Exterior Side Yard	7.5 m
Minimum Required Rear Yard	3 m
Minimum Required Rear Yard if adjacent to any Residential Zone boundary	7.5 m
Maximum Required Lot Coverage	40%
Minimum Required Landscaped Open Space	25%

11.0 Agricultural Zone

11.1 LIST OF APPLICABLE ZONES

Agricultural Zone

A

11.2 PERMITTED USES

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

Table 11.1 Agricultural Zone Permitted Uses

USE	A
Accessory apartment	✓
Agricultural Use	✓
Agriculture-related Uses	✓
Agri-tourism use	✓
Bed and breakfast	✓
Community garden	✓
Conservation use	✓
Dwelling, single detached	✓
Group home	✓
Farm business	✓
Farm greenhouse	✓
Farm produce sales outlet	✓
Farmer's market	✓
Home business	✓
Home industry	✓
Institutional use (1)	✓

Special Provisions:

- (1) Permitted only where the use legally existed on the effective date of this By-law.

11.3 ZONE REQUIREMENTS

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

Table 11.2 Agricultural Zone Standards

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

11.4 REDUCED AGRICULTURAL LOT REQUIREMENTS

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

- Such lot is contained within a plan of subdivision which was registered after the 27th day of March, 1946; or
- The lot is a parcel of land created by a consent pursuant to the provisions of the Planning Act.

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

Table 11.3 Reduced Lot Agricultural Zone Standards

STANDARD	REDUCED LOTS IN THE A ZONE
Minimum Required Lot Area	0.4 ha
Minimum Required Lot Frontage	25 m
Minimum Required Front Yard	7.5 m
Minimum Required Interior Side Yard	3 m
Minimum Required Exterior Side Yard	7.5 m

STANDARD	REDUCED LOTS IN THE A ZONE
Minimum Required Rear Yard	7.5 m
Maximum Require Lot Coverage	30%

11.5 FARM BUSINESS SPECIAL PROVISIONS

The following regulations apply to farm businesses:

- a. An farm business shall be located on a lot having a minimum lot area of 4.0 hectares and containing a permitted agricultural use and associated single detached dwelling, where the specific type of on-farm diversified use is permitted by the applicable zone.
- b. A maximum of three (3) farm businesses shall be permitted on a lot.
- c. Farm businesses shall not exceed the following size limits:
 - i. The area of the lot permanently, temporarily or seasonally devoted to farm businesses shall not exceed the lesser of 1% of the lot area or 0.5 hectare, including the area of existing and new buildings and structures, required parking and loading areas, outside display and sales areas, outside storage areas, and any other areas of the lot used for the on-farm diversified use, excluding existing driveways shared with a permitted principal use on the lot and areas that produce a harvestable crop; and,
 - ii. The total gross floor area that is permanently, temporarily or seasonally devoted to farm businesses shall not exceed 500 square metres including the gross floor areas used within all principal buildings or structures and accessory buildings or structures on the lot; and,
 - iii. For the purposes of determining the maximum gross floor area permitted in accordance with Subclause (v), the gross floor area that is used for farm businesses within existing principal buildings on the lot shall be discounted by 50%; and,
 - iv. Accessory buildings or structures that are used for farm businesses shall comply with the requirements of Section 3.1; and,
 - v. Principal buildings or structures that are used for farm businesses shall comply with the regulations of the applicable zone; and,
 - vi. The total lot coverage of all principal buildings or structures and accessory buildings or structures shall not exceed the maximum lot coverage of the applicable zone.
- d. Farm businesses shall be accessory and directly related to the existing permitted agriculture use(s) on the lot.
- e. Farm businesses that involve value-added packaging, processing, sale and/or storage of products shall be limited to products produced by, or derived from, the principal agricultural use(s) on the lot as the primary source of the majority of the product, and may include product sourced from agricultural uses on surrounding lots in the area as a secondary source of product.
- f. Retail sales that form part of farm businesses shall be subject to the following regulations:

- i. The gross floor area devoted to retail sales shall not exceed 50% of the gross floor area of all buildings and structures used in conjunction with the on-farm diversified uses, to a maximum of 200 square metres of gross floor area for retail use; and,
 - ii. The gross floor area devoted to retail sale of products that are not produced on, or derived from, agricultural products produced on the lot, shall not exceed 25% of the gross floor area of all buildings and structures used in conjunction with the on-farm diversified uses, and,
 - iii. A maximum of one (1) retail outlet shall be permitted on a lot; and,
 - iv. The maximum area of the lot permitted to be used for outside display and sales areas shall be 25 square metres and such outdoor area shall not be counted as part of the maximum gross floor area permitted for retail use; and,
 - v. Outside display and sales areas shall be setback a minimum of 3 metres to all lot lines; and,
 - vi. Outside display and sales areas and any related structures shall not exceed a maximum height of 3 metres.
- g. Outside storage for purposes other than outside display and sales areas on the lot shall be located in a rear yard or side yard and screened from view from public streets and adjacent lots by planting strips in accordance with Subsection 3.9.2, and shall comply with the regulations of the applicable zone.
- h. Farm businesses shall be operated by the person or persons whose principal residence is the dwelling on the lot, and a maximum of two (2) persons other than the residents of the dwelling on the lot are permitted to be employed in the business of the on-farm diversified uses.
- i. Farm businesses that include overnight accommodations shall be limited to a permitted bed and breakfast establishment.

12.0 Other Zones

12.1 LIST OF APPLICABLE ZONES

Natural Environment Zone	N
Open Space Zone	OS
Future Development Zone	FD

12.2 PERMITTED USES

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

Table 12.1: Permitted Uses Other Zones

USE	NE	OS	FD
Agricultural use	✓(1)	✓	✓
Boat house, boat dock	✓		
Cemetery		✓	
Community use		✓	
Community garden		✓	
Conservation use		✓	
Private Park		✓	
Public Park		✓	

Special Provisions:

- (1) Permitted only where the use legally existed on the effective date of this By-law.

12.3 ZONE REQUIREMENTS

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

Table 12.2: Other Zone Standards

STANDARD	NE	OS	FD
Minimum Lot Area	Refer to Section 12.4 for NE Standards	No minimum	No minimum
Minimum Lot Frontage		No minimum	No minimum
Minimum Required Front Yard		15 m	N/A
Minimum Required Interior Side Yard		15 m	N/A
Minimum Required Exterior Side Yard		15 m	N/A
Minimum Required Rear Yard		15 m	N/A
Maximum Required Lot Coverage		10%	N/A
Minimum Required Landscaped Open Space		60%	N/A

12.4 NE ZONE REQUIREMENTS

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

- No alteration or disturbance to watercourses or to municipal drains associated with open watercourses shall be permitted without the approval of the municipality in consultation with the Conservation Authority having jurisdiction in the area.
- 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.
- 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.
- 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.
- 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.

Required setbacks from the Natural Environment zone are contained within Section 3 - General Provisions of this By-law.

12.5 FD ZONE REQUIREMENTS

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

- a) A comprehensive review of the need and impacts of developing this land on the surrounding area shall be undertaken.

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13.0 Overlays

13.1 LIST OF APPLICABLE ZONES

Environmental Protection	(EP)
Source Protection Vulnerable Areas	(SP)
Floodplain	(F)

13.2 ENVIRONMENTAL PROTECTION OVERLAY

Any use, building, structure, activity or site alteration on lands identified within the Environmental Protection Overlay identified on Schedule X shall be in accordance with the following special provisions.

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

Table 13.1: Environmental Protection Special Provisions

FEATURE	SPECIAL PROVISION
part of a fish, wildlife or plant habitat...	Development will not be allowed in significant wildlife or plant habitat unless it has been demonstrated to the satisfaction of the Township that there will be no negative impacts on the habitat or its ecological functions and, in the case of fish habitat, in accordance with provincial and federal requirements.
part of an Area of Natural and Scientific Interest (ANSI)...	Development will not be allowed in the ANSI unless it has been demonstrated to the satisfaction of the Township that there will be no negative impact on the feature, its ecological function, or its nature or earth science values.
part of a stream or valleyland...	Development will not be allowed in the streams and valleylands unless it has been demonstrated to the satisfaction of the Township that there will be no negative impact on the stream or valleyland or their ecological functions.
part of a significant woodland...	Development will not be allowed in the significant woodlands unless it has been demonstrated to the satisfaction of the Township that there will be no negative impact on the woodland or its ecological functions.
part of an Environmentally Sensitive Area (ESA)...	Development will not be allowed in the ESA unless it has been demonstrated to the satisfaction of the Township that there will be no

FEATURE	SPECIAL PROVISION
	negative impact on the ESA or its ecological functions.
a pond, lake or reservoir...	Development will not be allowed unless it has been demonstrated to the satisfaction of the Township that there will be no negative impact on the feature or its ecological functions.
a regulated area according to a Conservation Authority....	The erection of a building or structure will not be allowed unless the written approval of the applicable Conservation Authority is obtained.

13.3 SOURCE PROTECTION VULNERABLE AREAS OVERLAY

Any use, building, structure, activity or site alteration on lands identified within the Source Water Protection Area Overlay identified on Schedule X shall be in accordance with the following provisions.

- a. A Notice under Section 59(2) of the Clean Water Act is required with any Planning Act or building permit application for development on lands within the Source Water Protection Overlay as identified on Schedule X, where applicable in accordance with the relevant Source Protection Plan.
- b. Existing land uses and/or an expansion of existing land uses which pose a significant drinking water threat activity shall be managed pursuant to the Grand River Source Protection Plan and Halton Region-Hamilton Region Source Protection Plan, as applicable, and may be subject to a Risk Management Plan.
- c. Notwithstanding the permitted uses and zone provisions of any underlying zones, the following land use activities shall be prohibited in the Source Water Protection Overlay where they would constitute a future significant drinking water threat, unless otherwise stated in the Grand River Source Protection Plan and/or Halton Region-Hamilton Region Source Protection Plan, as applicable:
TBD
- d. Significant drinking water threats are prohibited 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 where applicable in accordance with the relevant Source Protection Plan.

13.4 ABERFOYLE FLOOD PLAIN OVERLAY

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

- a. The conversion of an existing residence to a commercial use, if permitted by the applicable zone, shall require flood proofing measures approved by the municipality in consultation with the Grand River Conservation Authority.
- b. The conversion of existing commercial buildings to residential uses is prohibited.
- c. The creation of new dwelling units is prohibited.
- d. The following additional uses shall be prohibited:
 - i. Accessory apartment dwelling units;
 - ii. An institutional use including a hospital, nursing home, day nursery, public school and private school;
 - iii. An essential emergency service such as that provided by fire, police, and ambulance stations and electrical substations;
 - iv. Uses associated with the disposal, manufacture, treatment, or storage of hazardous substances.
- e. Additions or enlargements to structures existing on the date of passage of this By-law will be permitted up to a maximum of fifty (50) percent of the existing ground floor area with flood proofing measures approved by the municipality in consultation with the Grand River Conservation Authority.
- f. Prior to any conversions, additions or enlargements, placement or removal of fill, or change in use approvals, a "Fill, Construction and Alteration to Waterways" permit shall be obtained from the Grand River Conservation Authority.