

Puslinch 2020 Proposed Housekeeping Amendments

#	Zoning By-Law 23/18 Section	ZBA Section	Existing Provision/Section	Proposed Provision/Section	Recommendation
1	Table of contents		Add 4.7 – Established Building Lines Add 4.8 – Garden Suite		Add to contents.
2	Section 1 Administration and Interpretation	1.1.3 b.	<p>Notwithstanding anything to the contrary, including Subsection 1.1.3 a., By-law 023-2018 shall be deemed not to apply to the lands and By-law 19/85 and all amendments thereto shall continue in full force and effect respecting the following lands:</p> <ol style="list-style-type: none"> 1. CON 2 REAR PT LOT 26 – frontage on Sideroad 25 N and Concession 7 – no municipal Address; 2. CON 1 REAR LOT 24 - 7115 Concession 2; 3. CON GORE REAR PT LOT 5 - 6615 Concession 1; 4. CON 7 PT LOT 23 PT RD ALLOW RP 61R6244 PART 1 AND RP 61R10513 PART 9 - 92 Brock Road S and CON 8 PT LOT 23 PT RD ALLOW RP 61R20126 PARTS 1 and 2 – no municipal address; 5. CON 7 PT LOT 23 PT RD ALLOW RP 61R6244 PART 1 AND RP 61R10513 PART 9 – 92 Brock Road S and CON 8 PT LOT 23 PT RD ALLOW RP 61R20126 PARTS 1 and 2; 6. CON GORE PT LOT 30 - 7272 Gore Road; 7. CON 7 PT LOT 31, PLAN 135 LOTS 1 TO 17 FISHER ST S LOTS 33 TO 35 48 TO 50 - Portion of 66 Queen Street (DRS Subdivision); and 8. PART OF LOT 31, CONCESSION 7 AND PART OF LOTS 10 & 11(SOUTH SIDE OF QUEEN STREET) AND ALL OF LOTS 49 & 50 AND PART OF LOT 48 (SOUTH SIDE OF VICTORIA STREET) AND PART OF VICTORIA STREET AND 	<p>Notwithstanding anything to the contrary, including Subsection 1.1.3 a., By-law 023-2018 shall be deemed not to apply to the lands and By-law 19/85 and all amendments thereto shall continue in full force and effect respecting the following lands:</p> <ol style="list-style-type: none"> 1. CON 2 REAR PT LOT 26 – frontage on Sideroad 25 N and Concession 7 – no municipal Address; 2. CON 1 REAR LOT 24 - 7115 Concession 2; 3. CON GORE REAR PT LOT 5 - 6615 Concession 1; 4. CON 7 PT LOT 23 PT RD ALLOW RP 61R6244 PART 1 AND RP 61R10513 PART 9 – 92 Brock Road S and CON 8 PT LOT 23 PT RD ALLOW RP 61R20126 PARTS 1 and 2 – no municipal address; 5. CON 7 PT LOT 23 PT RD ALLOW RP 61R6244 PART 1 AND RP 61R10513 PART 9 – 92 Brock Road S and CON 8 PT LOT 23 PT RD ALLOW RP 61R20126 PARTS 1 and 2; 6. 3 CON GORE PT LOT 30 - 7272 Gore Road; 7. 4 CON 7 PT LOT 31, PLAN 135 LOTS 1 TO 17 FISHER ST S LOTS 33 TO 35 48 TO 50 - Portion of 66 Queen Street (DRS Subdivision); and 8. 5 PART OF LOT 31, CONCESSION 7 AND PART OF LOTS 10 & 11(SOUTH SIDE OF QUEEN STREET) AND ALL OF LOTS 49 & 50 AND PART OF LOT 48 (SOUTH SIDE OF VICTORIA STREET) AND PART OF VICTORIA STREET AND PART OF FISHER STREET COLFAS' SURVEY, REGISTERED PLAN 135, TOWNSHIP OF PUSLINCH, COUNTY OF WELLINGTON, PART 1 on 61R21266. 	Remove properties that no longer apply since the passing of the By-law

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			PART OF FISHER STREET COLFAS' SURVEY, REGISTERED PLAN 135, TOWNSHIP OF PUSLINCH, COUNTY OF WELLINGTON, PART 1 on 61R21266.		
3	Section 3 Definitions	3.0	New Definitions CARPORT , means a covered structure used for the storage of vehicles. The roof of the said structure shall be supported by piers or columns so that more than 40 percent of its wall area adjacent to the lot line is unenclosed.		Add new definition as Carport is referenced in other parts of the By-law.
4	Section 3 Definitions	3.0	COVERAGE, LOT , 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 (3) metres in building height and not covered by a support roof structure. For the purpose of calculating lot coverage in accordance with the zone provisions of this By-law, the lot coverage of all accessory buildings and structures on the subject lot shall be included.	COVERAGE, LOT , 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, un enclosed swimming pools , patios, and porches not exceeding three (3) metres in building height and not covered by a support roof structure. For the purpose of calculating lot coverage in accordance with the zone provisions of this By-law, the lot coverage of all accessory buildings and structures on the subject lot shall be included.	Clarify unenclosed swimming pools are not included in calculation of lot coverage
5	Section 3 Definition	3.0	YARD, FRONT , a yard extending across the full width of the lot between the front lot line and the nearest exteriors of the principal building or structure on the lot.	YARD, FRONT , A yard extending across the full width of the lot between the front lot line and the nearest exteriors of the principal building or structure on the lot; the front yard may be considered a rear yard when the property abuts a lake or watercourse	Add additional wording to clarify interpretation adjacent to a lake or watercourse
6	Section 3 Definition	3.0	HEIGHT , The vertical distance between the elevation of the grade adjoining the base of the exterior walls or supports of such building or structure, exclusive of any artificial embankment, at the centre of the front of the building, and the highest point of the roof surface or parapet wall. In the case of a structure not having a roof	HEIGHT, when used in reference to a building or structure, means the vertical distance between the elevation of the grade adjoining the base of the exterior walls or supports of such building or structure, exclusive of any artificial embankment, at the centre of the front of the building and: (i) In the case of a flat roof,	Revert to previous by law calculation of building height which is standard practice in the Township.

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			height shall be measure to the top part of such structure.	<p>the highest point of the roof structure or parapet wall;</p> <p>(ii) In the case of a mansard roof, the deck line;</p> <p>(iii) In the case of a gabled, hip, gambrel or one slope roof having a slope of less than 20 degrees from the horizontal shall be considered a flat roof for the purposes of this by law;</p> <p>(iv) In the case of a structure not having a roof, the top of the structure; or,</p> <p>(v) Where a combustible exterior wall extends above the top of the roof of a building the topmost part of such exterior wall</p>	
7	Section 3 Definition	3.0	HOME INDUSTRY , a small-scale use providing a service that is accessory to a dwelling unit or agricultural operation. A home industry may be conducted in whole or in part in an accessory building and may include a carpentry shop, a metal working shop, a welding shop, or minor equipment repair shop, etc., but does not include any activity relating to the operation or maintenance of a vehicle or any activity requiring the use of toxic chemicals.	HOME INDUSTRY , a small-scale use providing a service that is accessory to a dwelling unit or agricultural operation. A home industry may be conducted in whole or in part in an accessory building by the resident or residents of the dwelling unit , and may include a carpentry shop, a metal working shop, a welding shop, or minor equipment repair shop, etc., but does not include any outdoor storage areas or any activity relating to the operation or maintenance of a vehicle or any activity requiring the use of toxic chemicals.	Add additional wording to clarify the users and outdoor storage limits of a home industry
8	Section 3 Definition	3.0	INDUSTRIAL USE, DRY any premises used for manufacturing, processing, fabrication and assembly of raw materials or repair, servicing, distribution and storage of materials, where: a. No water requirements are	INDUSTRIAL USE, DRY any premises used for manufacturing, processing, fabrication and assembly of raw materials or repair, servicing, distribution and storage of materials, where: a. No significant water requirements are necessary as part	Clarify the requirements of water and septic requirements within the industrial zone. Significant water use includes the

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			necessary as part of the assembly, manufacture, fabrication, repair, packaging and storage activities; and; b. No sewage disposal requirements are necessary as part of the assembly, manufacture, fabrication, repair, packaging and storage activities; and, c. Water supply and sewage disposal requirements are limited to those necessary to serve onsite employees only.	of the assembly, manufacture, fabrication, repair, packaging and storage activities; and; b. No significant sewage disposal requirements are necessary as part of the assembly, manufacture, fabrication, repair, packaging and storage activities; and, c. Water supply and sewage disposal requirements are limited to those necessary to serve onsite employees only.	need for a property to require a Permit to Take Water and significant sewage disposal includes the need for a property to obtain approval or a permit from the Ministry of Environment.
9	Section 3 Definition	3.0	RECREATIONAL VEHICLE , a motor vehicle that is primarily designed to provide temporary living quarters for recreational camping, travel or seasonal use, whether it has its own motor power or is mounted on or towed by another vehicle, and includes travel trailers, fifth wheel travel trailers, tent trailers and campers whether the camper is or is not attached to a motor vehicle and does not include a mobile home or a manufactured home.	RECREATIONAL VEHICLE , a motor vehicle that is primarily designed to provide temporary living quarters for recreational camping, travel or seasonal use, whether it has its own motor power or is mounted on or towed by another vehicle, and includes travel trailers, fifth wheel travel trailers, tent trailers and campers whether the camper is or is not attached to a motor vehicle and does not include a mobile home or a manufactured home. Seasonal recreational occupancy, for the purposes of this definition, does not include the winter season and more specifically, means the use is prohibited during the time period of November 1st to April 1st inclusive.	Clarify the use of seasonal vehicles in areas that have been specifically indicated in the Township
10	Section 3 Definition	3.2	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	Sample: YARD , means the land within the boundary lines of a property not occupied by a principal building, if any, and includes grounds or vacant property .	Revise wording to better align with the Township property standards definition
11	Section 4 General Provisions	4.2. b)	a. Where permitted by this By-law, a maximum of one accessory apartment shall be permitted per single detached, semi-detached, or townhouse dwelling, provided that: i. the maximum floor area	a. Where permitted by this By-law, a maximum of one accessory apartment shall be permitted per single detached, semi-detached, or townhouse dwelling, provided that: i. the maximum floor area shall not exceed be the lessor of 40	Clarify the type of accessory apartment that is permitted within the Agricultural Zone

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			<p>shall not exceed the lessor of 40 percent of the floor area of the principal dwelling unit or 130 m²; and</p> <p>ii. individual on-site sewage and water services are approved for the lot and have adequate capacity for the accessory apartment and any other uses on the lot.</p> <p>b. An accessory apartment shall only be permitted above a detached building in the Agricultural (A) Zone, subject to the following provisions:</p> <p>i. the building is located within 15 metres of the single detached dwelling on the lot;</p> <p>ii. the building does not exceed eight (8) metres in height;</p> <p>iii. the building complies with the minimum interior side, exterior side, and rear yard requirements for a single detached dwelling in the Agricultural (A) Zone; and</p> <p>v. a maximum of one accessory apartment is provided on the lot.</p>	<p>percent of the floor area of the principal dwelling unit or 130 m²; and</p> <p>ii. individual on-site sewage and water services are approved for the lot and have adequate capacity for the accessory apartment and any other uses on the lot.</p> <p>b. In the Agricultural Zone, an accessory apartment shall only may be permitted in a detached dwelling or above within a detached building in the Agricultural (A) Zone, subject to the following provisions:</p> <p>i. the building is located within 15 metres of the single detached dwelling on the lot;</p> <p>ii. the building does not exceed eight (8) metres in height;</p> <p>iii. the building complies with the minimum interior side, exterior side, and rear yard requirements for a single detached dwelling in the Agricultural (A) Zone; and</p> <p>iv. a maximum of one accessory apartment is provided on the lot.</p> <p>iv. the maximum floor area shall not exceed the lessor of 40 percent of the floor area of the principal dwelling unit or 130 m²; and</p> <p>v. individual on-site sewage and water services are approved for the lot and have adequate capacity for the accessory apartment and any other uses on the lot.</p>	
12	Section 6 Residential Zone	6.3 (1)	Remove 6.3 (1), The minimum lot area may be reduced where site-specific hydrogeological studies have been completed by the owner and approved by the Township, which demonstrates	The minimum lot area may be reduced where site-specific hydrogeological studies have been completed by the owner and approved by the Township, which demonstrates that the proposed	Remove reference to Hydrogeological studies as other requirements and considerations are given to reduced

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			that the proposed lot(s) will meet the minimum lot area recommendations of the study.	lot(s) will meet the minimum lot area recommendations of the study.	lot sizes.
13	Section 7 Mixed-Use Zone	7.3 (1)	Remove 7.3 (1), The minimum lot area may be reduced where site-specific hydrogeological studies have been completed by the owner and approved by the Township, which demonstrates that the proposed lot(s) will meet the minimum lot area recommendations of the study.	The minimum lot area may be reduced where site-specific hydrogeological studies have been completed by the owner and approved by the Township, which demonstrates that the proposed lot(s) will meet the minimum lot area recommendations of the study.	Remove reference to Hydrogeological studies as other requirements and considerations are given to reduced lot sizes.
14	Section 8 Commercial Zone	8.3 (1)	Remove 8.3 (1), The minimum lot area may be reduced where site-specific hydrogeological studies have been completed by the owner and approved by the Township, which demonstrates that the proposed lot(s) will meet the minimum lot area recommendations of the study.	The minimum lot area may be reduced where site-specific hydrogeological studies have been completed by the owner and approved by the Township, which demonstrates that the proposed lot(s) will meet the minimum lot area recommendations of the study.	Remove reference to Hydrogeological studies as other requirements and considerations are given to reduced lot sizes.
15	Section 9 Industrial Zone	Table 9.1	Recycling facility permitted in Industrial and Disposal Zone	Propose remove recycling facility from industrial to only permit in DI Zone	Remove checkmark in IND column for Recycling Facility
16	Section 9 Industrial Zone	9.2 (1)	Use-Specific Special provisions:	a) Notwithstanding subsection 9.2(1) above, where a use legally permitted under zoning By-law 19/85 existing on the date of passing this by-law, has an on-site private water system approved and/or certified by the Province of Ontario or other appropriate authority, such use shall be permitted in accordance with all other requirements of this by-law.	Amend Use-Specific Special Provisions to clarify water taking
17	Section 13 Zone Overlays	13.2 a	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:	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.	Remove requirements for building permits to require environmental studies and peer review, instead make requirement for planning processes
18	Section 14	Table	Vacant lot adjacent to 4151	The lands were created in 2018 and	Update mapping

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	Site Specific Special Provisions	14.1 (1)	Concession 11 CON 11 PT LOT 34 PART 1 currently has a Site Specific Zone that permits a Kennel, the lot is a result of a vacant lot severance in the Secondary Ag area.	does not meet the requirements for a kennel.	of Schedule 'A' to reflect new lot
19	Section 14 Site Specific Special Provisions	Table 14.1 (31)	Heritage Lake Lot area (min.): 2,023 m ² Lot frontage (min.): 27.5m Lot frontage (min.) – Units 7, 8, 29, 30, 53, 54: 24 m Front yard depth (min.): 7.5 m Front yard depth (min.) – Units 7, 8, 9, 23, 24, 25, 26, 28, 29, 30, 31, 53, 54: 10 m Interior side yard (min.): 5 m Interior side yard width (min.) – Units 8, 22, 24, 25, 28, 29, 30, 53, 54: 3 m Exterior side yard (min.): 7.5 m Rear yard depth (min.): 7.5 m Landscaped open space (min.): 30% Lot coverage (max.): 20% No additional setback will be required from the boundary of any NE zone	Heritage Lake Lot area (min.): 2,023 m ² Lot frontage (min.): 27.5m Lot frontage (min.) – Units 7, 8, 29, 30, 53, 54: 24 m Front yard depth (min.): 7.5 m Front yard depth (min.) – Units 7, 8, 9, 23, 24, 25, 26, 28, 29, 30, 31, 53, 54: 10 m Interior side yard (min.): 5 m Interior side yard width (min.) – Units 8, 22, 24, 25, 28, 29, 30, 53, 54: 3 m Exterior side yard (min.): 7.5 m Rear yard depth (min.): 7.5 m Landscaped open space (min.): 30% Lot coverage (max.): 20% Lot coverage (max.) WVLC 172 Units - 52; 53; 55; 56; 57; 58; 59; 60; 61; 62; 63; 64; 65; 67; 69; 71; 73; and 74: 25% No additional setback will be required from the boundary of any NE zone	Site Specific Provisions should be amended to include lot coverage requirements on undeveloped lots
20	Section 14 Site Specific Special Provisions	Table 14.1 (57)	Former St Mary's Cement Property, intersection of Brock Rd and Mclean Rd: The extraction of aggregate resources shall not occur below a point which is 1 m above the high water table.	Include the following special provisions: a bakery; a bank; a building or construction contractor's yard; a building supply establishment; a business office, professional office, or administrative office; a clinic; a dry cleaner's distribution station; an equipment rental establishment; a factory outlet; an indoor storage or warehouse facility; an industrial use; a personal service shop; a public use; a restaurant; a service trade; a transport terminal; a veterinarian's clinic; uses, buildings, and structures (including ancillary	Update mapping and Site Specific zone to consistently reflect the amending By-law ZBL No. 049-2017 that was previously passed.

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				<p>retail or showroom space) accessory to an above-listed permitted use.</p> <p>(a) LOT AREA (MINIMUM): 12 hectares</p> <p>(b) LOT FRONTAGE (MINIMUM): 100 metres</p> <p>(c) LOT COVERAGE (MAXIMUM): 40%</p> <p>(d) LANDSCAPE OPEN SPACE (MINIMUM): 30%</p> <p>(e) Open (outdoor) storage shall be screened and fenced, and not be visible from a public road or adjacent property. Open storage areas shall be in accordance with regulations of Section 3 (General Provisions).</p> <p>Remove NE zone from property.</p> <p>Align IND zone with property lines as was intended under the previously approved By-law.</p>	
21	Section 14 Site Specific Provisions	Table 14.1 (89)	No. 89 Missing from By-law, propose addition of previously approved wording	<p>Uses Permitted:</p> <p>An art gallery;</p> <p>Conference or meeting facility;</p> <p>A personal service shop;</p> <p>Professional office;</p> <p>A public office;</p> <p>Garden centres or nurseries;</p> <p>Log cabin/model home display;</p> <p>A restaurant;</p> <p>Miniature golf;</p> <p>A refreshment room;</p> <p>A retail store engaged in the sale of gifts, antiques, tourist shop, furniture, home and garden or landscaping improvement supplies, farm produce, or domestic arts and crafts;</p> <p>Model railway;</p> <p>A specialty food store;</p> <p>A variety store;</p> <p>Outdoor activity area;</p> <p>A recreational or entertainment facility</p>	Add specific provisions that were omitted in final version of By-law

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22	Section 14 Site Specific Special Provisions	Table 14.1 (XX)	6926 Gore Road, site specific was omitted in final By-law preparation	(i) Expiration of Garden Suite Use This garden suite is a temporary use, established by By-law No. 18/2013 and shall be in effect for a maximum of twenty (20) years from the date of passage of this By-law to February 6, 2033. Upon the expiry of this time period, unless extended by further amendment(s) to this By-law, the subject land shall revert to the original Agricultural (A) Zone whereby a garden suite is not a permitted use.	Include previously approved site specific provision (A-53)
23	Section 14 Site Specific Special Provisions	Table 14.1 (XX)	4028 Highway 6, include provision that recognizes current use of the property	(i) Addition permitted uses include any motor vehicle use except as specifically prohibited by this By-law but does not include a transport terminal as defined.	Lands were rezoned to Commercial under new By-law but omitted the current use of the property in error
24	Zoning By-Law Amendments	Table 14.1 (XX)	Zoning By-law amendments to the previous By-law that were passed from the Date of Appeal to the effective date of By-law 023/18 as well as By-laws to be consolidated from the same time period.	The following zoning By-law amendments would be added as site specific provisions as they were amending By-law 19/85 but should also apply to 23/18: a) 033/2018 (Freure) b) 044/2018 (Leachman) c) 058/2018 (Cox) d) 060/2018 (O'Dell) e) 061/2018 (Mini Lakes Lot 18) f) 062/2018 (Mini Lakes Lot 157) g) 063/2018 (Mini Lakes Lot 226) h) 069/2018 (Mini Lakes Lot 9) i) 070/2018 (Doughty) j) 071/2018 (Pier Property) k) 072/2018 (O'Dell) l) 026/2019 (Dufferin Aggregates)	Add Zoning Amendments that have been approved under the previous By-law
25	Section 1 Administration and Interpretation	1.3.2	Minor Variances that have been approved since the appeal of By-law 23/18 until the date the By-law came in to effect. 38 variances in total	Proposed Wording to the By-law: All minor variances applied for prior to the enactment of this By-law and finally approved pursuant to Section 45 of the Planning Act, R.S.O. 1990, c. P13 and all minor variances similarly approved while this By-law was under appeal before the LPAT continue to apply	Minor variances that were applied for to By-law 19/85 continue to apply to the new By-law 23/18

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				and remain in force as if they are variances to this By-law.	
26	Schedule A	Map	Update Zoning Boundary Lines for Lot Line Adjustment that occurred in 2017	Applies to the following properties: 14 & 18 Elisabeth Place	Update map to reflect latest lot line adjustment