



**TOWNSHIP OF
GUELPH/ERAMOSIA**

ZONING BY-LAW 40/2016

(AUGUST 8, 2016)

8348 Wellington Road 124,
P.O. Box 700

SECTION 1 – TITLE & INTERPRETATION.....	11
1.1 Introductory Statement.....	11
1.1.1 Purpose of a Zoning By-Law.....	11
1.1.2 Summary of Each Section.....	11
1.2 Title.....	13
1.3 Application.....	13
1.4 Interpretation of Words.....	14
1.5 Application for Building Permit.....	14
1.6 Provincial Highways.....	14
1.7 Reference to Statutes & Agencies.....	14
1.8 Schedules to the By-Law.....	14
1.9 Definitions.....	15
SECTION 2 – ADMINISTRATION & ZONES.....	16
2.1 Conformity Requirements.....	16
2.2 Compliance with Other By-Laws.....	16
2.3 Person Designated To Administer By-Law.....	16
2.4 Penalties.....	16
2.5 If By-Law Provisions Held Invalid.....	17
2.6 Public Acquisition.....	17
2.7 Remedies.....	17
2.8 Lands Zoned By By-Law 34-95.....	17
2.9 Zones and Zoning Maps.....	18
2.10 Interpretation of Zone Boundaries.....	18
2.11 Special Provisions.....	19
2.12 Holding Zones.....	19
SECTION 3 – DEFINITIONS.....	20
SECTION 4 – GENERAL PROVISIONS.....	43
4.1 Non-Conforming Uses, Buildings, Structures and Lots.....	43
4.1.1 Strengthening of Non-Conforming Buildings.....	43
4.1.2 Replacement of Non-Conforming Buildings or Structures.....	43
4.1.3 Lots Having Less Lot Area and/or Lot Frontage.....	44
4.1.4 Deemed To Comply: Non-Conforming Setbacks.....	44
4.1.5 Deemed To Comply: Site Plan or Development Agreement Approvals.....	44

4.2	Accessory Uses	45
4.2.1	Use of Accessory Buildings	45
4.2.2	Establishment of an Accessory Building or Use.....	45
4.2.3	Location of Accessory Buildings	45
4.2.4	Permitted Floor Area for Accessory Buildings.....	45
4.3	Shipping Container Regulations	46
4.4	Accessory Second Unit Regulations	47
4.4.1	Accessory Second Unit in Agricultural or Residential Zone Regulations ...	47
4.4.2	Accessory Second Unit in Commercial Zone Regulations	48
4.5	Garden Suites Regulations	48
4.6	Sight Line Triangle	49
4.7	Street Frontage Required	49
4.8	Through Lots	49
4.9	Yard Encroachments	49
4.10	Height Restrictions and Exceptions	51
4.11	Buffer Strips	51
4.11.1	Buffer Strip Requirements.....	51
4.11.2	Buffer Strip Regulations	51
4.12	Home Occupation Regulations	52
4.13	Farm Home Industry Regulations	53
4.14	Public Uses	53
4.15	Temporary Uses	54
4.16	Uses Permitted In All Zones	54
4.17	Uses Restricted In All Zones	54
4.18	Well Head Protection Areas	55
4.18.1	Prohibited and Restricted Uses.....	55
4.18.1.1	Requirements	56
4.18.2	Existing Uses in Well Head Protection Areas.....	56
4.19	Greater Restrictions	56
4.20	Setbacks from Roads not under the Authority of the Corporation	56
4.21	Maintaining Existing Road Setback.....	57
4.22	Railway Setbacks	57
4.23	Watercourse Setbacks	57
4.24	Minimum Distance Separation – MDS I AND II	57
4.24.1	MDS I – New Non-Farm Uses.....	57

4.24.2	MDS II – New or Expanding Livestock Facilities	58
4.25	Setbacks from Environmental Protection Zone	58
4.26	Number of Dwelling Units per Lot.....	59
4.27	Outdoor Display.....	59
4.28	Outdoor Storage	60
4.29	Amenity Areas for Multiple-Unit Buildings.....	60
4.30	Lots with More than One Zone	61
SECTION 5 – PARKING, STACKING & LOADING AREA REGULATIONS		62
5.1	Parking Requirements	62
5.1.2	Parking for More Than One Use in a Building.....	64
5.1.3	Calculation of Off-street Parking Spaces	64
5.1.4	Location of Required Off-street Parking Spaces	64
5.1.5	Parking Space Size.....	65
5.1.6	Parking Aisle Requirements.....	65
5.1.7	Parking Surfaces and Drainage	65
5.1.8	Additions to Existing Use	65
5.1.8.1	Additions to Existing Use – Rockwood C1 Zone	66
5.1.9	Use of Parking Areas and Spaces	66
5.1.10	Residential Use Parking Regulations.....	66
5.1.10.1	Parking Space Size for Residential Parking Requirements	66
5.1.10.2	Parking Area Location for a Residential Use	67
5.1.10.3	Ingress and Egress to Parking Areas for Residential Uses	67
5.1.10.4	Visitor Parking	68
5.1.10.5	Parking of Commercial Motor Vehicles, Tractor Trailers and Buses in Residential Zones.....	68
5.1.10.6	Parking of Recreational Vehicles in Residential Zones	68
5.1.11	Commercial Use Parking Regulations	69
5.1.11.1	Commercial Plaza Complex Parking	69
5.1.11.2	Parking Area Location for a Commercial Use.....	69
5.1.11.3	Ingress and Egress to Parking Areas for Commercial Uses.....	69
5.1.12	Agricultural & Industrial Zone Parking Regulations	70
5.1.12.1	Industrial Plaza Complex Parking.....	70
5.1.12.2	Parking Area Location for a Agricultural or Industrial Use	70
5.1.12.3	Ingress and Egress to Parking Areas for Agricultural & Industrial Uses ..	70
5.1.12.4	Parking of Commercial Motor Vehicles, Tractor Trailers and Buses in the Agricultural Zone	71
5.1.13	Accessible Parking.....	71
5.2	Stacking Requirements.....	72
5.2.1	Stacking Space Size	72

5.2.2	Stacking Lane Marking	72
5.3	Loading Space Requirements	72
5.3.1	Loading Space Size	73
5.3.2	Loading Space Access	73
5.3.3	Loading Space Surface.....	73
5.3.4	Loading Space Location	73
5.3.5	Additions to Existing Use	74
SECTION 6 – AGRICULTURAL (A) ZONE	75	
6.1	Permitted Uses	75
6.2	Regulations.....	75
6.2.1	Minimum Lot Area	75
6.2.2	Minimum Lot Frontage	75
6.2.3	Minimum Front Yard.....	75
6.2.4	Minimum Rear Yard	75
6.2.5	Minimum Interior Side Yard.....	75
6.2.6	Minimum Exterior Side Yard.....	76
6.2.7	Livestock Facilities	76
6.2.8	Regulations for Residential Uses.....	76
6.2.8.1	Minimum Lot Area.....	76
6.2.8.2	Minimum Frontage.....	76
6.2.8.3	Minimum Front Yard	76
6.2.8.4	Minimum Rear Yard.....	76
6.2.8.5	Minimum Interior Side Yard	76
6.2.8.6	Minimum Exterior Side Yard	76
6.2.8.7	Maximum Lot Coverage.....	76
6.2.8.8	Maximum Building Height	76
6.2.9	Limits in Area for Non-Agricultural Uses	76
6.2.10	Kennels.....	76
SECTION 7 – RURAL RESIDENTIAL (RR) ZONE.....	78	
7.1	Permitted Uses	78
7.2	Regulations.....	78
7.2.1	Minimum Lot Area	78
7.2.2	Minimum Lot Frontage	78
7.2.3	Minimum Front Yard.....	78
7.2.4	Minimum Rear Yard	78
7.2.5	Minimum Interior Side Yard.....	78
7.2.6	Minimum Exterior Side Yard.....	78
7.2.7	Maximum Lot Coverage	78
7.2.8	Maximum Building Height	78

SECTION 8 – VILLAGE RESIDENTIAL LOW DENSITY (R1) ZONE.....	79
8.1 Permitted Uses	79
8.2 Regulations.....	79
8.2.1 Regulations for Detached & Duplex Dwellings:	79
8.2.1.1 Minimum Lot Area.....	79
8.2.1.2 Minimum Lot Frontage	79
8.2.1.3 Minimum Front Yard	79
8.2.1.4 Minimum Rear Yard.....	79
8.2.1.5 Minimum Interior Side Yard	79
8.2.1.6 Minimum Exterior Side Yard	80
8.2.1.7 Maximum Lot Coverage.....	80
8.2.1.8 Maximum Building Height	80
8.2.2 Regulations for Semi-Detached Dwellings (Each Unit):	80
8.2.2.1 Minimum Lot Area.....	80
8.2.2.2 Minimum Lot Frontage	80
8.2.2.3 Minimum Front Yard	80
8.2.2.4 Minimum Rear Yard.....	80
8.2.2.5 Minimum Interior Side Yard	80
8.2.2.6 Minimum Exterior Side Yard	80
8.2.2.7 Maximum Lot Coverage.....	80
8.2.2.8 Maximum Building Height	80
SECTION 9 – VILLAGE RESIDENTIAL MEDIUM DENSITY (R2) ZONE	81
9.1 Permitted Uses	81
9.2 Regulations.....	81
9.2.1 Regulations for Detached & Duplex Dwellings.....	82
9.2.1.1 Minimum Lot Area.....	82
9.2.1.2 Minimum Lot Frontage	82
9.2.1.3 Minimum Front Yard	82
9.2.1.4 Minimum Rear Yard.....	82
9.2.1.5 Minimum Interior Side Yard	82
9.2.1.6 Minimum Exterior Side Yard	82
9.2.1.7 Maximum Lot Coverage.....	82
9.2.1.8 Maximum Building Height	82
9.2.2 Regulations for Semi-Detached Dwellings (Each Unit):	82
9.2.2.1 Minimum Lot Area.....	82
9.2.2.2 Minimum Lot Frontage	82
9.2.2.3 Minimum Front Yard	82
9.2.2.4 Minimum Rear Yard.....	82
9.2.2.5 Minimum Interior Side Yard	82
9.2.2.6 Minimum Exterior Side Yard	82
9.2.2.7 Maximum Lot Coverage.....	82

9.2.2.8	Maximum Building Height	82
9.2.3	Regulations for Apartment Dwellings	83
9.2.3.1	Minimum Lot Area	83
9.2.3.2	Minimum Lot Frontage	83
9.2.3.3	Minimum Front Yard	83
9.2.3.4	Minimum Rear Yard	83
9.2.3.5	Minimum Interior Side Yard	83
9.2.3.6	Minimum Exterior Side Yard	83
9.2.3.7	Maximum Lot Coverage	83
9.2.3.8	Maximum Building Height	83
9.2.4	Regulations for Cluster Townhouse Dwellings:.....	83
9.2.4.1	Minimum Lot Area.....	83
9.2.4.2	Minimum Lot Frontage	83
9.2.4.3	Minimum Front Yard	83
9.2.4.4	Minimum Rear Yard.....	83
9.2.4.5	Minimum Interior Side Yard	83
9.2.4.6	Minimum Exterior Side Yard	83
9.2.4.7	Maximum Lot Coverage.....	83
9.2.4.8	Maximum Building Height	83
9.2.5	Regulations for Street Fronting Townhouse Dwellings (Per Unit):	84
9.2.5.1	Minimum Lot Area.....	84
9.2.5.2	Minimum Lot Frontage	84
9.2.5.3	Minimum Front Yard	84
9.2.5.4	Minimum Rear Yard.....	84
9.2.5.5	Minimum Interior Side Yard	84
9.2.5.6	Minimum Exterior Side Yard	84
9.2.5.7	Maximum Lot Coverage.....	84
9.2.5.8	Maximum Building Height	84
SECTION 10 – VILLAGE COMMERCIAL (C1) ZONE.....		85
10.1 Permitted Uses		85
10.2 Regulations.....		85
10.2.1	Minimum Lot Area	86
10.2.2	Minimum Lot Frontage	86
10.2.3	Minimum Front Yard.....	86
10.2.4	Minimum Rear Yard	86
10.2.5	Minimum Interior Side Yard.....	86
10.2.6	Minimum Exterior Side Yard.....	86
10.2.7	Maximum Lot Coverage	86
10.2.8	Maximum Building Height	86
10.2.9	Regulations for Apartment Dwellings	86
10.3 Flood Plain Area - (f)		86

SECTION 11 – VILLAGE SERVICE COMMERCIAL (C2) ZONE	88
11.1 Permitted Uses	88
11.2 Regulations.....	89
11.2.1 Minimum Lot Area	89
11.2.2 Minimum Lot Frontage	89
11.2.3 Minimum Front Yard.....	89
11.2.4 Minimum Rear Yard	89
11.2.5 Minimum Interior Side Yard.....	89
11.2.6 Minimum Exterior Side Yard.....	89
11.2.7 Maximum Lot Coverage	89
11.2.8 Maximum Building Height	89
11.2.9 Regulations for Apartment Dwellings and Retirement Homes	89
11.2.9.1 Minimum Lot Area.....	89
11.2.9.2 Minimum Lot Frontage	89
11.2.9.3 Minimum Front Yard	89
11.2.9.4 Minimum Rear Yard	89
11.2.9.5 Minimum Interior Side Yard	89
11.2.9.6 Minimum Exterior Side Yard	89
11.2.9.7 Maximum Lot Coverage.....	89
11.2.9.8 Maximum Building Height	89
11.2.10 Regulations for Cluster Townhouse Dwellings:	90
11.2.10.1 Minimum Lot Area.....	90
11.2.10.2 Minimum Lot Frontage	90
11.2.10.3 Minimum Front Yard	90
11.2.10.4 Minimum Rear Yard	90
11.2.10.5 Minimum Interior Side Yard	90
11.2.10.6 Minimum Exterior Side Yard	90
11.2.10.7 Maximum Lot Coverage.....	90
11.2.10.8 Maximum Building Height	90
11.2.12 Regulations for Street Fronting Townhouse Dwellings (Per Unit):.....	90
11.2.12.1 Minimum Lot Area.....	90
11.2.12.2 Minimum Lot Frontage	90
11.2.12.3 Minimum Front Yard	90
11.2.12.4 Minimum Rear Yard.....	90
11.2.12.5 Minimum Interior Side Yard	90
11.2.12.6 Minimum Exterior Side Yard	90
11.2.12.7 Maximum Lot Coverage.....	90
11.2.12.8 Maximum Building Height	90
SECTION 12 – HAMLET MIXED USE (C3) ZONE	91
12.1 Permitted Uses	91
12.2 Regulations.....	91

12.2.1	Minimum Lot Area	91
12.2.2	Minimum Lot Frontage	91
12.2.3	Minimum Front Yard.....	91
12.2.4	Minimum Rear Yard	91
12.2.5	Minimum Interior Side Yard.....	92
12.2.6	Minimum Exterior Side Yard.....	92
12.2.7	Maximum Lot Coverage	92
12.2.8	Maximum Building Height	92
12.2.9	Flood Plain Area – (f)	92
SECTION 13 – HIGHWAY COMMERCIAL (C4) ZONE.....		94
13.1	Permitted Uses	94
13.2	Regulations.....	95
13.2.1	Minimum Lot Area	95
13.2.2	Minimum Lot Frontage	95
13.2.3	Minimum Front Yard.....	95
13.2.4	Minimum Rear Yard	95
13.2.5	Minimum Interior Side Yard.....	95
13.2.6	Minimum Exterior Side Yard.....	95
13.2.7	Maximum Lot Coverage	95
13.2.8	Maximum Building Height	95
13.2.9	Minimum Landscaped Area.....	95
SECTION 14 – RURAL INDUSTRIAL (M1) ZONE		96
14.1	Permitted Uses	96
14.2	Regulations.....	96
14.2.1	Minimum Lot Area	97
14.2.2	Minimum Lot Frontage	97
14.2.3	Minimum Front Yard.....	97
14.2.4	Minimum Rear Yard	97
14.2.5	Minimum Interior Side Yard.....	97
14.2.6	Minimum Exterior Side Yard.....	97
14.2.7	Maximum Lot Coverage	97
14.2.8	Maximum Building Height	97
14.2.9	Restrictions on Gross Floor Area for Accessory Uses	97
SECTION 15 – EXTRACTIVE INDUSTRIAL (M3) ZONE		98
15.1	Permitted Uses	98
15.2	Regulations.....	98
15.2.1	Setbacks for Excavation	98
15.2.2	Setbacks for Buildings, Structures and Stockpiles	99
15.2.3	Maximum Building Height	99
15.2.4	Restrictions on Lot Area for Accessory Uses.....	99

SECTION 16 – DISPOSAL INDUSTRIAL (M4) ZONE	100
16.1 Permitted Uses	100
16.2 Regulations.....	100
16.2.1 Minimum Front Yard.....	100
16.2.2 Minimum Rear Yard	100
16.2.3 Minimum Interior Side Yard.....	100
16.2.4 Minimum Exterior Side Yard.....	100
16.2.5 Maximum Building Height	100
SECTION 17 – INSTITUTIONAL (I) ZONE	101
17.1 Permitted Uses	101
17.2 Regulations.....	101
17.2.1 Minimum Lot Area	101
17.2.2 Minimum Frontage	101
17.2.3 Minimum Front Yard.....	101
17.2.4 Minimum Rear Yard	101
17.2.5 Minimum Interior Side Yard.....	101
17.2.6 Minimum Exterior Side Yard.....	101
17.2.7 Maximum Lot Coverage	101
17.2.8 Maximum Building Height	101
17.2.9 Minimum Landscaped Area.....	102
SECTION 18 – OPEN SPACE (OS1) ZONE.....	103
18.1 Permitted Uses	103
18.2 Regulations	103
18.2.1 Minimum Lot Area	103
18.2.2 Minimum Lot Frontage	103
18.2.3 Minimum Front Yard.....	103
18.2.4 Minimum Rear Yard	103
18.2.5 Minimum Interior Side Yard.....	103
18.2.6 Minimum Exterior Side Yard.....	103
18.2.7 Maximum Lot Coverage	104
18.2.8 Maximum Building Height	104
18.2.9 Restrictions for Agricultural Uses.....	104
18.2.10 Restrictions for Residential Use.....	104
SECTION 19 – OPEN SPACE RESTRICTED (OS2) ZONE.....	105
19.1 Permitted Uses	105
19.2 Regulations	105
19.2.1 New Detached Dwellings within the Village of Rockwood.....	105
19.2.2 Restrictions for Agricultural Uses.....	105

SECTION 20 – ENVIRONMENTAL PROTECTION (EP) ZONE 106
20.1 Permitted Uses 106
20.2 Regulations..... 106
 20.2.1 Restrictions on Agricultural Uses 106
SECTION 21 – SPECIAL PROVISIONS..... 107

SCHEDULE A: ZONING MAPS 0 - 60

SCHEDULE B: ROCKWOOD MAPS 1 – 2

SCHEDULE C: WELLHEAD PROTECTION AREAS

APPENDIX A: MINIMUM DISTANCE SEPARATION 1 (MDS 1)

APPENDIX B: MINIMUM DISTANCE SEPARATION 2 (MDS 2)

APPENDIX C: ROCKWOOD SOUTH VILLAGE SUBDIVISION, BY-LAW 34-95

APPENDIX D: ILLUSTRATION OF BY-LAW DEFINITIONS

SECTION 1 – TITLE & INTERPRETATION

1.1 Introductory Statement

This document is the Township of Guelph/Eramosa Comprehensive Zoning By-law 40/2016, as amended. The By-law replaces all previous Zoning By-laws in the jurisdiction, as amended.

1.1.1 Purpose of a Zoning By-Law

A Comprehensive Zoning By-law is a precise document used by the Township of Guelph/Eramosa (the Township) to regulate the **use** of land. It states which land **uses** are currently permitted in the Township and provides other detailed information.

The Township's Zoning By-law implements the objectives and policies of the Wellington County Official Plan. The Zoning By-law acts as a legal tool under Ontario's Planning Act for managing the **use** of land and future development in the Township. Zoning By-laws also protect property owners from the development of conflicting land **uses**. Any **use** of land or the **construction** or **use** of any **building** or **structure** not specifically authorized by this By-law is prohibited.

1.1.2 Summary of Each Section

Section	Title	Summary
1	Title & Interpretation	Explains the title given to the entire document, and the purpose of such document.
2	Administration	Provides guidelines on the interpretation and administration of the Zoning By-law.
3	Definitions	Defines many of the words and terms used in the By-law
4	General Provisions	Describes and explains the general regulations which apply to more than one of the Zones in the By-law. The general regulations cover matters such as: accessory buildings or structures , home occupations , outdoor storage, accessory second units , etc.
5	Parking, Stacking, & Loading	Describes and explains the parking, stacking and loading regulations which apply to more than one of the Zones in the By-law.

6	Agricultural (A)	Sets out the regulations for this Zone. The objective of the Agricultural Zone is to conserve agricultural land and to allow for agricultural uses, uses that support agriculture, and uses that add value to agriculture, while prohibiting uses that are not compatible with or hinder agriculture.
7	Rural Residential (RR)	Sets out the rules for this Zone. The objective of the Rural Residential Zone is to limit uses to rural living in detached dwellings on larger lots , primarily within designated Hamlet Settlement areas.
8	Village Residential Low Density (R1)	Sets out the rules for this Zone. The objective of the Village Residential Low Density Zone is to allow low density residential uses including detached dwellings, semi-detached dwellings, duplex dwellings, and accessory second units , within areas with full municipal services.
9	Village Residential Medium Density (R2)	Sets out the regulations for this Zone. The objective of the Village Residential Medium Density Zone is to allow medium density residential uses within the Urban Centre, including small lot detached dwellings, semi-detached dwellings, and multi-unit residential dwellings on full municipal services.
10	Village Commercial (C1)	Sets out the regulations for this Zone. The objective of the Village Commercial Zone is to implement the Central Business District policies of the Official Plan by permitting a range of retail, administrative, and cultural uses . The objective is also to allow for intensification and development at a scale appropriate for Rockwood.
11	Village Service Commercial (C2)	Sets out the regulations for this Zone. The objective of the Village Service Commercial Zone is to provide for a range of commercial, service, and administrative uses that provides a transition from the Central Business District/Village Commercial Zone to adjacent residential areas.
12	Hamlet Mixed Use (C3)	Sets out the regulations for this Zone. The objective of the Hamlet Mixed Use Zone is to permit a limited range of commercial and service uses at a scale appropriate to Eden Mills.
13	Highway Commercial (C4)	Sets out the regulations for this Zone. The objective of the Highway Commercial Zone is to allow for a range of commercial uses to support the viability of Hamlet Areas and rural industry.
14	Institutional (I)	Sets out the regulations for this Zone. The objective of the Institutional Zone is to permit institutional uses in appropriate locations, such that the uses support creating a complete community.

15	Rural Industrial (M1)	Sets out the regulations for this Zone. The objective of the Rural Industrial Zone is to permit a range of dry industrial uses and limited service commercial uses which require large lots , proximity to transportation routes, and/or need to be close to rural resources.
16	Extractive Industrial (M3)	Sets out the regulations for this Zone. The objective of the Extractive Industrial Zone is to permit uses that support and will not hinder aggregate extraction, in accordance with related policy. In addition the Zone permits uses that are appropriate as rehabilitation, such as agricultural uses and conservation .
17	Disposal Industrial (M4)	Sets out the regulations for this Zone. The objective of the Disposal Industrial Zone is to permit waste disposal, processing and transfer, composting, and recycling facilities, consistent with the Official Plan designation.
18	Open Space (OS1)	Sets out the regulations for this Zone. The objective of the Open Space Zone is to limit the permitted uses to active and passive recreational uses , and other associated and supportive uses .
19	Open Space Restricted (OS2)	Sets out the regulations for this Zone. The objective of the Open Space Restricted Zone is to limit the permitted uses to passive recreational uses , and the protection of natural areas.
20	Environmental Protection (EP)	Sets out the regulations for this Zone. The objective of the Environmental Protection Zone is to limit uses to protect natural features and human life by prohibiting development in hazardous areas, such as floodplains, in consistency with the policies of the Grand River Conservation Authority.
21	Special Provisions	Includes site specific uses and regulations.

1.2 Title

This By-law shall be known as the "ZONING BY-LAW" of the **Corporation** of the Township of Guelph/Eramosa.

1.3 Application

The provisions of this By-law shall apply to all lands lying within the Township of Guelph/Eramosa.

1.4 Interpretation of Words

In this By-law:

1. The word “shall” is mandatory
2. Words used in the present tense include the future tense, and the converse.
3. Words used in the plural number include the singular number, and the converse.
4. Unless the text requires otherwise:
 - i. The word “**used**” shall include “designed to be **used**”, “arranged to be **used**” and “intended to be **used**”.
 - ii. The word “occupied” shall include “designed to be occupied”, “arranged to be occupied” and “intended to be occupied”.

1.5 Application for Building Permit

Simply meeting the regulations of this By-law is not sufficient to be granted a Building permit. Please refer to the ***Corporation’s Building By-law*** for specific requirements.

1.6 Provincial Highways

In addition to meeting the regulations of this By-law, all proposed development located in proximity of a ***provincial highway***, and within the MTO permit control area, will be subject to the approval of the Ministry of Transportation. In addition, owners should be aware that MTO permits must be obtained prior to any construction being undertaken.

1.7 Reference to Statutes & Agencies

Any reference to any statute within the body of this By-law shall be deemed to refer to the statutes contained in the Revised Statutes of Ontario, 1990, as amended from time to time and shall be deemed to include any successor Statute thereof. Any reference to an agency by name shall be deemed to include any successor thereof.

1.8 Schedules to the By-Law

The following schedules, together with the notations and references thereon, are included in and form part of this By-law:

- Schedule “A”, Maps 0-60;

- Schedule “B”, Maps 1-2;
- Schedule “C”.

1.9 Definitions

For the purposes of this By-law, the definitions and interpretations given herein shall govern. Any word not defined, shall assume the common understanding of the word. The presence of definitions of various **uses** contained in this By-law does not necessarily mean the **use** is permitted within the **Corporation** unless specifically listed as a permitted **use** in a Zone or Zones.

SECTION 2 – ADMINISTRATION & ZONES

2.1 Conformity Requirements

No **person** shall **use** any land or **construct, alter** or **use** any **building** or **structure**, or part thereof, except in conformity with the provisions of this By-law. Further, no **person** shall sever any lands from any **existing lot** if the effect of such action is to cause the original, adjoining, remaining or new **building, structure** or **lot** to be in contravention of this By-law.

2.2 Compliance with Other By-Laws

Nothing in this By-law shall relieve any **person** from the obligation to comply with the requirements of any other By-law of the Municipality or the obligation to obtain any other license, permit, authority or approval lawfully required by a government authority having jurisdiction to make such restrictions.

In the event of conflict between this By-law and any other By-law, this By-law shall prevail.

2.3 Person Designated To Administer By-Law

This By-law is passed pursuant to Section 34 of the Planning Act, R.S.O., 1990, as amended and shall be administered and enforced by such **person** or **persons** as shall be appointed from time to time by By-law of the **Corporation** as the '**By-law Enforcement Officer** or Municipal Law Enforcement Officer'.

2.4 Penalties

Any **person** or corporation convicted of a breach of any provision of this By-law shall be subjected to such penalties or orders provided for in Section 67 of the Planning Act, R.S.O., 1990, as amended. Such penalties shall include:

1. on a first conviction to a fine of not more than \$25,000; and

2. on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the *person* was first convicted.

Where a corporation is convicted, the maximum penalty that may be imposed is,

1. on a first conviction a fine of not more than \$50,000; and
2. on a subsequent conviction a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted

2.5 If By-Law Provisions Held Invalid

If any provision of this By-law, including any part of the Zoning as shown on the Zone maps, is for any reason held to be invalid, it is hereby declared to be the intention, that all the remaining provisions shall remain in full force and effect until repealed.

2.6 Public Acquisition

No *person* shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any *lot* has or have been conveyed to or are required by any public authority.

2.7 Remedies

Where any matter or thing is required to be done by a *person* under the provisions of this By-law, *Council* may direct that in default of its being done by that *person*, such matter or thing shall be done at the expense of the *person* in default and may recover the expenses thereof with interest permitted in accordance with the Municipal Act.

2.8 Lands Zoned By By-Law 34-95

Zoning By-law 34-95 shall apply to the lands identified on Schedule "A" and Schedule "B", and is hereby included as Appendix B of this By-law.

2.9 Zones and Zoning Maps

For the purpose of this By-law, the maps attached hereto as Schedule "A" shall be referred to as the Zoning Maps for the Municipality and are hereby declared to form part of this By-law. The following Zones are hereby established as illustrated on the maps attached hereto as Schedule "A", Maps 0-60, and Schedule "B", Maps 1-2, and such Zones may be referred to by the appropriate symbol:

ZONES	SYMBOLS
Agricultural	A
Rural Residential	RR
Village Residential Low Density	R1
Village Residential Medium Density	R2
Village Commercial	C1
Village Service Commercial	C2
Hamlet Mixed Use	C3
Highway Commercial	C4
Institutional	I
Rural Industrial	M1
Extractive Industrial	M3
Disposal Industrial	M4
Open Space	OS1
Open Space Restricted	OS2
Environmental Protection	EP

2.10 Interpretation of Zone Boundaries

Where any uncertainty exists as to the location of the boundary of any of the said Zones, as shown on the Zoning Maps, the following rules shall apply:

1. Where any Zone boundary is indicated as following a highway, a **street, lane**, watercourse or railway right-of-way, such Zone boundary shall be construed to follow the **centre line** of the **street, lane**, watercourse, or railway right-of-way.
2. Where Zoning boundaries are indicated as approximately following **lot lines**, such **lot lines** shall be deemed to be the said boundary.

3. Where Zoning boundaries are indicated as approximately parallel to the line of any **street** and the distance from such **street** is not indicated, such Zoning boundaries shall be construed as being parallel to such **street** and the distance therefrom shall be determined by the use of the scale shown on the Zoning maps.
4. Where Zoning boundaries follow the corporate limits of the Municipality, the corporate limits are the boundary.
5. Where Zoning boundaries follow a shoreline, the boundary is the shoreline.

Where any Zone boundary is left uncertain after application of the provisions of noted above, then the boundary line shall be determined and measured according to the scale on the Zoning Maps, unless a By-law schedule provides greater accuracy.

2.11 Special Provisions

Where the Zone symbol applying to certain lands as shown on Schedule "A" is followed by reference to Section 21 of this By-law, then special provisions apply to such lands and such special provisions shall be found by reference to that Section of the By-law specified. Lands denoted in this manner shall be subject to all the restrictions of the Zone except as otherwise provided for by the special provisions.

2.12 Holding Zones

Where the Zone symbol applying to certain lands as shown on Schedule "A" is followed by the letter "H" in parentheses (ie. RR (H)) the lands have been placed in a "Holding Zone" pursuant to Section 36 of the Planning Act, as amended. The Holding Symbol "H" shall be removed at such time in the future when plans to develop the lands have been submitted and approved by the **Corporation** or such other conditions as deemed appropriate by the **Corporation** have been met. When the Holding Symbol has been removed, the lands shall be developed according to the requirements of the Zone used in conjunction with the Holding Symbol.

Notwithstanding the above, non-structural **agricultural uses**, **existing uses**, open space **uses**, a **detached dwelling**, and **accessory uses** thereof, shall be permitted as interim **uses** on lands in a "Holding Zone", until the Holding Symbol "H" is removed.

SECTION 3 – DEFINITIONS

Illustrations depicting definitions are provided for clarification and convenience only, and can be found in Appendix C.

A

“**Abattoir**”, means a **building** or **structure**, designed and **used**, or part thereof, for the slaughtering of animals.

“**Accessory**”, means a **use**, **building** or **structure** located on the same **lot**, attached or detached from the **main building**, which is subordinate and incidental to the **main use** and is not **used** for human habitation unless specifically permitted in this By-law. Such **uses** shall include, but are not limited to, a private **garage**, a greenhouse, a pool, a **satellite dish**, or a storage **building**.

“**Adult Entertainment Establishment**”, means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods and/or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

“**Aggregate**”, means 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**”, means 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 Use**”, means a **use** of land, **buildings** or **structures** for the growing of crops, including nursery, greenhouse, mushroom, and horticultural crops; raising of livestock and other animals for food, fur or fiber; aquaculture; apiaries; agro-forestry; maple syrup production; research and/or breeding station; riding/training stables, and associated on-farm **buildings** and **structures** (including for packing, treating and storing farm products, a **farm related tourism business**, and a **farm product sales outlet**), but does not include an **abattoir**, a **kennel**, or a rendering plant.

“**Agricultural Service Establishment**”, means the buying or selling of commodities and services that support **agricultural uses** and shall include the sales and service of welding and machinery repair, farm drainage and excavation, well drilling, custom spraying, tillage, planting, harvesting and grading services.

“Agricultural-Related Business”, means the supply of goods, materials or services that support *agricultural uses* including, but not limited to, the sale, storage, mixing, distribution or cleaning of seed, feed, fertilizer and chemical products, grain drying, custom spraying, large-animal *veterinary clinic*, and the rental, sales, repair or service of agricultural equipment or implements.

“Alter”, when used in reference to a *building* or part thereof, shall mean to change any one or more of the internal or external dimensions of such *building* or to change the type of construction of the exterior walls or roof thereof. When *used* in reference to a *lot*, the word *“alter”* means to change the width, depth or area thereof or to decrease the width, depth or area of any required *yard*, setback, landscaped open space or *parking area*, or to change the location of any boundary of such *lot* with respect to a public highway or *laneway*, whether such alteration is made by conveyance or alienation of any portion of said *lot*, or otherwise. The words *“altered”* and *“alteration”* shall have corresponding meanings.

“Amenity Area”, means an area within a residential development provided for *recreational uses* or enjoyment of the residents, and excludes any portion of a *parking area* or ingress/egress to a *parking area*.

“Animal Crematorium”, means a licensed facility limited to the cremation of domestic animals. Domestic animals include such animals as cats, dogs and horses.

“Asphalt Plant”, means a facility:

- 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;
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

“Assembly Hall”, means a *building* or part of a *building* in which facilities are provided for athletic, charitable, civic, cultural, educational, political, religious or social purposes, and shall include a *banquet hall*, *private club*, fraternal organization, arena, curling rink, a cinema, a stadium, union hall, or *community centre*.

“Auction House”, means a *building* or *structure* or portion thereof where goods, wares, merchandise, effects or the like are offered for sale to the highest bidder, but does not include a livestock auction.

“Automobile Body/Repair Shop” means a *building* or other *structure* where motor vehicle(s) may be subject to major repairs, parts or systems replacement, body work or painting. An *automobile body/repair shop* does not include an *automobile sales*

establishment, an **automobile service/gas station**, an **automobile washing establishment**, or a **salvage yard**.

“**Automobile Sales Establishment**”, means a **building** and/or **lot used** for the display and sale/lease of new and **used** motor vehicles, motorized recreational vehicles, motorcycles, light construction and lawn care equipment, and may include the servicing, repair, cleaning, polishing, and lubrication of motor vehicles, the sale of automotive accessories and related products, and the leasing or renting of passenger motor vehicles.

“**Automobile Service/Gas Station**” means a **building** or place where service, maintenance or minor mechanical repair essential to the operation of a motor vehicle is provided and/or gasoline pumps for the sale of gasoline are provided. These primary uses may include the sale of motor vehicle products or convenience products, together with the necessary pump islands, light standards, kiosk, concrete aprons, canopy, storage tanks, **automobile washing establishment**, and related facilities required for the dispensing of gasoline. An **automobile service/gas station** does not include an **automobile body/repair shop**.

“**Automobile Washing Establishment**” means a **building** or place for the washing, cleaning or drying of motor vehicles by automatic, manual or self-serve washing equipment.

B

“**Banquet Hall**”, means a service commercial establishment **used** for the purposes of catering to banquets, weddings, receptions or similar functions for which food and beverages are prepared and served on the premises, but does not include a caterer's establishment.

“**Basement**”, shall mean that portion of a **building** which is partly below grade level and which has at least one-half of its **height** from floor to ceiling above grade.

“**Bed and Breakfast Establishment**”, shall mean a dwelling in which the proprietor resides and supplies up to four furnished rooms to overnight guests on a temporary basis for monetary gain. It does not include a **restaurant**, or **hotel**, or **motel**, or **group home** as defined by this By-law.

“**Body Rub Parlour**”, shall mean thereof where a **body rub** is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the treatments performed are for the purpose of medical or therapeutic treatment and are performed or offered by **person** otherwise duly

qualified, licensed or registered so to do under the laws of the Province of Ontario. This **use** does not include any other **use** defined in this Bylaw.

“**Body Rub**”, includes the kneading, manipulating, rubbing, massaging, touching or stimulation, by any means, of a **person’s** body or part thereof, but does not include medical or therapeutic treatment given by a **person** otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario. This does not include any other **use** defined in this By-law.

“**Brewing-on-Premise Establishment**”, means a commercial establishment where individuals produce beer, wine and/or cider, for personal **use** and consumption off the premises, and where beer, wine and/or cider ingredients and materials are purchased and stored.

“**Building**”, means any **structure used** or intended to be **used** for shelter, accommodation or enclosure of **persons**, animals or chattels but does not include a fence, sign, travel trailer or vehicle.

“**Building By-Law**”, means a by-law passed pursuant to the Ontario Building Code Act as amended.

“**Building Supply Outlet**”, means a **building** or **structure** in which building or construction and home improvement materials are offered or kept for sale and may include the fabrication of certain materials related to home improvement.

“**Buffer Strip**”, means an area **used** to visibly separate one **use** from another **use** to shield or block noise, lights, or other nuisances.

“**By-Law Enforcement Officer**”, shall mean a **person**, appointed by the **Council** of the **Corporation** who shall enforce this By-law.

C

“**Campground**”, means a public or privately operated facility catering to short-term guests, but not year-round residents, whose accommodation is a tent, cabin, cottage, lodge, or other **recreational trailer**, and such a facility may include an **office**, variety store catering to guests, picnic shelters, laundry room, games room, swimming area, and other outdoor recreational facilities.

“**Category A Uses**” includes **uses** that generate and handle large volumes of potentially hazardous liquid or soluble chemicals and shall include outdoor bulk storage of road salt; bulk storage of chemicals or hazardous substances; bulk storage of tires; lagoons

for sewage treatment; sanitary landfill sites; and manufacturing of large volumes of chemicals, resins, paints, varnish, printing inks, adhesives, plastics and reinforced fiberglass plastic.

“**Category B Uses**”, includes **uses** that generate and handle moderate volumes of potentially hazardous liquid or soluble chemicals and/or have effective engineering measures to manage chemical usage (or retroactively engineer systems) and/or can effectively implement Environmental Protection prevention measures and/or may reasonably be relocated and shall include manufacturing and dyeing of textiles; manufacturing of agricultural, commercial and industrial machinery; asphalt batching, paving and roofing establishment; and facilities that use chemicals, resin, paints, varnish printing inks, adhesives, plastics and reinforced fiberglass plastic, snow dumping (i.e. collection and storage of off-site snow).

“**Category C Uses**”, includes **uses** that handle small volumes (if any) of potentially hazardous liquid or soluble chemicals and/or have effective engineering measures to manage chemical usage (or retroactively engineer systems) and/or can effectively implement Environmental Protection prevention measures and/or can reasonably be relocated and/or may provide a potential increase to aquifer vulnerability because of the removal by excavation and/or drilling surficial materials and shall include automated manufacturing of soft drinks, distilleries, breweries; automated production of baked goods, dairy, canned goods, frozen foods, processed food and meat; glass and glass products manufacturing; and machinery equipment rental outlets

“**Cellar**”, shall mean that portion of a **building** which is partially or completely underground and which has more than one-half of its **height** from floor to finished ceiling below **finished grade**.

“**Cemetery**”, means a cemetery or crematorium within the meaning of the Cemeteries Act, as amended.

“**Centre Line**”, means that line which bisects the original road allowance of a public **street** or highway.

“**Child Care Centre**”, means a facility licensed under Provincial legislation which accommodates a minimum of five children, for the purpose of providing temporary care for a continuous period of time not exceeding twenty-four hours.

“**Commercial School**”, means a building 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 Motor Vehicle**”, means any motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, tow trucks, dump trucks, motor buses and farm tractors, but excludes **trailers, recreational trailers, and tractor trailers** as defined herein.

“**Community Centre**”, means a **building** or part of a **building used** for community activities and/or community facilities such as a community **museum**, recreational facility and **banquet hall**, the control of which is vested in the **Corporation**.

“**Composting Yard**”, means a **lot** or part thereof, **used** for the composting of food waste and organic materials.

“**Conservation**”, shall mean **uses** complementary to and compatible with the wise management and preservation of the natural environment, along with any of its significant biophysical features and ecological functions. **Conservation** may include **uses** such as reforestation, forest management, fish and wildlife management, erosion control, flood control and **passive recreation**.

“**Contractor or Tradesperson Establishment**”, means a **building** or part of a **building** from which a service, trade or guild operates or is based from in which manual or mechanical skills are used to install, manufacture, maintain, or repair articles, goods, materials, equipment or real property. The establishment shall include the **buildings, structures** and area wherein vehicles, equipment and supplies are parked, stored and maintained for **use** in the trades, and **accessory office** activities. The establishment does not include the retail or wholesale sale of construction or home improvement materials or supplies.

“**Corporation**”, means the **Corporation** of the Township of Guelph/Eramosa.

“**Council**”, means the **Council** of the **Corporation** of the Township of Guelph/Eramosa.

“**County**”, means the Corporation of the **County** of Wellington.

“**County Road**”, means a **street** under the jurisdiction of the Corporation of the **County** of Wellington.

“**Courier Service**”, means a **building** or **structure used** for courier pick-up or drop-off services.

D

“**Display Parking Space**”, means a **parking space** provided on-site for the purposes of outdoor display and storage of a motor vehicle, **accessory** to an **automobile sales establishment**. **Display parking spaces** are provided in addition to the minimum

parking requirement of a permitted **use** as established in the parking regulations of this By-law.

“Drive-Thru Establishment” means a place, with or without an intercom order station, where a product or service is available at a service window for delivery to a vehicle as a component of the **main use**, and shall include an automated bank machine and automatic carwash.

“Dry Cleaning and Laundering Establishment”, shall mean a **building used** for the purpose of receiving articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing or cleaning elsewhere and for the pressing and/or distribution of any such articles or goods which have been subjected to any such process.

“Dwelling, Accessory Second Unit”, means a residential **dwelling unit**, as defined herein, which is located within and subordinate to a **detached dwelling** or a **semi-detached dwelling**, or **accessory** to a commercial **use**. An **accessory second unit** shall contain a kitchen and a bathroom.”

“Dwelling, Apartment”, means a residential dwelling containing three or more **dwelling units** each having independent access either directly from the outside or through a common vestibule.

“Dwelling, Cluster Townhouse”, means a **townhouse** situated on a **lot** in such a way that at least one **dwelling unit** does not have legal **frontage** on a public **street**.

“Dwelling, Detached”, means a single dwelling house containing one **dwelling unit** and does not include a **mobile home** or a **recreational trailer**.

“Dwelling, Duplex”, means a residential dwelling divided horizontally to contain two independent residential **dwelling units** and which have independent entrances either directly from the outside or through a common vestibule. A dwelling that includes an **accessory second unit** is not a **duplex dwelling**.

“Dwelling, Farm Help”, means a dwelling that is **used** for the housing of on-site farm labour where the workers assist on the subject farm on a full-time, seasonal basis, where the size and nature of the operation requires additional employment.

“Dwelling, Garden Suite”, means a one-unit detached residential **structure** containing bathroom and kitchen facilities that is **accessory** to an **existing detached dwelling**. A **garden suite** is a portable, non-seasonal residential **dwelling unit**. A **mobile home** as defined herein may be **used** as a **garden suite** in Agricultural Zones.

“**Dwelling, Group Home**”, means a staff-supported residence operated by a service agency and licensed or funded under a federal or provincial statute, in which three or more **persons** reside under supervision and receive services and supports from the agency as a single housekeeping unit.

“**Dwelling, Retirement Home**”, means a **building** containing independent **dwelling units** providing accommodation primarily for retired **persons**, and where **accessory** support and health services may be provided, and which may contain **accessory** personal service and **recreational uses** for the residents, but does not include a **long term care facility**.

“**Dwelling, Semi-Detached**” shall mean one of a pair of two attached **dwelling units**, divided by whole or in part by a common vertical wall, each of which has an independent entrance directly from the outside or through a common vestibule.

“**Dwelling, Stacked Townhouse**” means a **building** containing two **townhouse dwelling units** divided horizontally, one atop the other, both with independent access to the **street** or courtyard. A **stacked townhouse** can be either a **street fronting townhouse** or a **cluster townhouse**.

“**Dwelling, Street Fronting Townhouse**”, means **townhouse** located on a **lot** so that each **dwelling unit** has **frontage** on a public **street**.

“**Dwelling, Townhouse**”, means a residential **building** divided vertically to provide three or more **dwelling units**, each unit having independent entrances to a **front** and **rear yard** immediately abutting the front and rear walls of each **dwelling unit**.

“**Dwelling Unit**”, means a room or group of rooms designed, occupied or intended to be occupied as an independent and separate housekeeping unit, for one or more **persons**, providing kitchen and sanitary facilities and sleeping accommodations for the exclusive use of the occupants, and having a private entrance from outside the **building** or from a common hallway or stairway inside the **building**.

E

“**Entertainment/Recreation Establishment**”, means development **used** for indoor and outdoor commercial cultural, athletic, amusement, or **recreational uses** but does not include gambling or **uses** otherwise defined or classified herein.

“**Erect or Construct**”, means to build, reconstruct, place, or relocate and, without limiting the generality of the word, also includes:

- a) any preliminary operation such as excavating, filling or draining;

- b) alteration to any **existing building** or **structure** by an addition enlargement, extension or other structural change; and
- c) any work which requires a building permit.

Constructed and construction shall have corresponding meanings.

“**Existing**”, shall mean legally existing on October 19, 1999, unless otherwise noted.

F

“**Farm Business**”, means those businesses that are limited in area and located on a farm, and depend directly on the farm in order for the business to operate. Examples include: **farm-related tourism business, farm product sales outlet**, cottage wineries, value-added processing or packaging, and pick-your-own operations.

“**Farm Home Industry**”, means an occupation which is carried out on a farm as an **accessory use**, in accordance with the provisions of this By-law.

“**Farm Product Sales Outlet**”, means 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.

“**Farm-Related Tourism Business**” means those agriculturally-related tourism **uses** that promote enjoyment, education, or activities related to the agricultural operation. The **main** activity on the property must be an **agricultural use**. As such, **uses** must:

- a. Be dependent on the existence of the agricultural operation,
- b. Use products that are produced on the property or related to agriculture,
- c. Enhance the agricultural nature of the property, and
- d. Not present any limitation to future agricultural activities.

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

“**Farmer’s Market**”, means an establishment or premises where the farm products of the local farming community are sold from covered or open air areas designated for individual retailers.

“**Financial Institution**”, means the premises of a bank, credit union, trust company, loan or mortgage company, investment firm, or financial consultants.

“**Flood Control Project**”, means land **use** practices or **structures** deemed necessary by the Grand River Conservation Authority for the reduction or prevention of flooding.

“**Floor Area, Gross**”, means the sum total of the horizontal areas of each floor whether any such floor is above or below grade measured between the exterior faces of the exterior walls of the **building** or **structure** of the level of each floor, but excluding

- a) a **cellar**
- b) any part of the **building** or **structure** which is **used** for mechanical or heating equipment, the storage or parking of motor vehicles, locker storage and laundry facilities, unenclosed verandas, internal/external stairs, sunrooms or porches or an attic;
- c) enclosed malls, courts or atriums for non-residential **uses** between individual **uses**.

“**Floor Area, Ground**”, means the maximum area of a **building** or **structure** at **finished grade** measured between the exterior faces of the exterior walls.

“**Food Processing Plant**”, means a **building** or part thereof, other than a **restaurant** or catering service, in which agricultural products are prepared, processed, preserved, graded or stored for eventual human consumption, and includes licensed medical marijuana facilities, but does not include an abattoir or any premises **used** for the slaughtering of animals. A **food processing plant** shall be “dry” **uses** which do not use significant amounts of water in their operation and which do not produce significant amounts of effluent.

“**Fuel Storage Establishment**”, means an establishment 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 Home**”, shall mean a **building** or part of a **building** established or maintained for the purpose of providing funeral services or funeral supplies limited to the disposition of human remains.

G

“**Garage**”, means an **accessory building** or that part of a **main building used** for the storage of a motor vehicle(s) of the owner, tenant or occupant of the **lot** upon which such **garage** is located and includes a carport.

“**Garden Centre**”, shall mean a **building** or part of a **building** and/or adjacent land **used** for the purpose of growing of plants, shrubs, trees and similar vegetation, buying or selling lawn and garden equipment, furnishings, and supplies, and may include a greenhouse.

“Golf Course”, means a public or private area operated for the purpose of playing golf, including associated **accessory recreational uses** such as a club house, driving ranges, miniature courses and similar **uses** operated for commercial purposes.

“Grade, Finished”, means the average level of the finished ground adjoining a **building** or **structure** at all exterior walls.

H

“Habitable Room”, shall mean any room in a residential unit **used** or capable of being **used** by one or more **persons** for living, sleeping, eating, food preparation or sanitation.

“Height”, shall mean the vertical distance between the **finished grade** of the centre of the front of the **building**, and;

- a) in the case of a flat roof, the highest point of the roof surface or parapet wall;
- b) in the case of a mansard roof, the deck;
- c) in the case of a gabled, hip, gambrel or one-slope roof, the average level between eaves and ridge, except that a 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.

In calculating the **height** of a **building**, any construction used as ornament or for the mechanical operation of the **building**, such as a mechanical penthouse or a chimney, tower, cupola, steeple, spire, belfry, water tank, clock tower, farm **building**, windmill, flag pole, ventilator, or antenna, is not to be included.

“Home Occupation”, means any occupation, profession, business, trade or craft conducted for profit or gain as an **accessory use**, conducted entirely within a **dwelling unit** by a **person** who is a resident of such **dwelling unit**.

“Hospital”, means a **hospital** as defined in the Private Hospitals Act, as amended, or the Public Hospitals Act, as amended.

“Hotel or Motel”, means a **building** or a group of connected **buildings used** primarily for the purpose of catering to the needs of the public by furnishing sleeping accommodation and which may supply food but does not include an apartment, a guest house or a dwelling house. **Accessory uses** may include a **restaurant**, a lounge, a convenience store, a gift store, or a recreation facility.

I

“**Industrial Use**”, means the manufacturing, processing, production, fabrication, packaging, assembly, stamping, treating, finishing, testing or warehousing of goods or raw materials. Industrial **uses** shall be “dry” **uses** which do not use significant amounts of water and which do not produce significant amounts of effluent.

“**Institutional Uses**”, means religious, charitable, educational, health or welfare **uses**. Examples include, but are not limited to: **place of worship, medical clinic, social service establishment, long term care facility, school, or child care centre**.

K

“**Kennel**”, means a place where a minimum of three dogs or four cats are housed, boarded, bred, trained, sold or kept and which is licensed by the Township under the provisions of the Municipal Act, but does not include a **Veterinary Clinic** as defined herein. Accessory retail sales and accessory **Pet Grooming** are permitted. Notwithstanding, the definition of **Kennel** does not apply to where dogs are kept as working dogs associated to a **Livestock Facility** as defined. The limit shall be four dogs where the Township is satisfied this criterion has been met.

L

“**Landscaped Area**”, shall mean the open unobstructed space from ground to sky at grade on a **lot** accessible by walking from the **street** on which the **lot** is located and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, any curb, retaining wall, **parking area**, outdoor storage, or any open space beneath or within any **building or structure**, whether surfaced or not.

“**Lane**”, shall mean a public or private thoroughfare or way, which affords only a secondary means of access to abutting property, and includes a **laneway**, but does not include a **street**.

“**Library**”, means a library, branch library, or library distributing station that is approved under the Provincial legislation.

“**Livestock Facility**”, means one or more barns or permanent **structures** intended for keeping or housing of livestock with livestock occupied portions, which are areas of the **structure** where the livestock spend a majority of their time thus allowing substantial amounts of manure to accumulate. A **livestock facility** also includes all manure or material storages and anaerobic digesters. For the purposes of this definition livestock

includes animals identified in the Ontario Ministry of Agriculture, Food and Rural Affairs Minimum Distance Separation Implementation Guidelines.

“**Loading Space**”, means an off-street space on the same **lot** with a **building** or on a **lot** contiguous to a **building** or group of **buildings** for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials pertinent to such permitted **use**.

“**Long Term Care Facility**”, means a **building** where residents who require long term personal support services, restorative care, and/or nursing care dwell with supervision without individual cooking facilities, and on a long-term basis, and the facility is licensed in accordance with the Long-Term Care Homes Act, as amended.

“**Lot**”, means a parcel or tract of land:

- a) which is a whole **lot** as shown on a Registered Plan of Subdivision. A Registered Plan of Subdivision for the purposes of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a by-law passed pursuant to The Planning Act; or
- b) is a separate parcel of land without any abutting lands being owned by the same owner or owners; or
- c) the description of which is the same as in a deed which has been given consent pursuant to the Planning Act; or
- d) is the whole remnant remaining to an owner or owners after a conveyance made with consent pursuant to the Planning Act.

“**Lot Area**”, means the total horizontal area within the **lot lines** of a **lot**.

“**Lot, Corner**”, means a **lot** situated at the intersection of two or more **streets**, provided that the angle of intersection of such **streets** is not more than one hundred and thirty-five degrees.

“**Lot Coverage**”, means the percentage of the **lot area** covered by the **ground floor area**. For the purposes of calculating **lot coverage**, **parking areas**, patios, decks, outdoor swimming pools, steps or balconies shall not be considered.

“**Lot Depth**”, means the horizontal distance between the **front** and **rear lot lines**. If the **front** and **rear lot lines** are not parallel, **lot depth** means the length of a straight line joining the middle of the **front lot line** with the middle of the **rear lot line**. When there is no **rear lot line**, **lot depth** means the length of a straight line joining the middle of the **front lot line** with the apex of the triangle formed by the **side lot lines**.

“**Lot Frontage**”, means the horizontal distance between the **side lot lines**, such distance being measured perpendicularly to the line joining the middle of the **front lot line** with either the middle of the **rear lot line** or the apex of the triangle formed by the **side lot lines** and at a point equal to the setback of the required minimum **front yard depth** from the **front lot line**.

“**Lot, Interior**” means a **lot** abutted by **lots** on directly opposite sides.

“**Lot Line**”, means any boundary of a **lot**.

“**Lot Line, Exterior**”, means a **side lot line** which abuts a **street**.

“**Lot Line, Interior**”, means a **lot line** which does not abut a **street**

“**Lot Line, Front**”, means in the case of an **interior lot**, the line dividing the **lot** from the **street**. In the case of a **corner lot**, the shorter **lot line** abutting a **street** shall be deemed the **front lot line** and the longer **lot line** abutting a **street** shall be deemed an **exterior side lot line**. In the case of a through **lot**, the **lot line** where the principal access to the **lot** is provided shall be deemed to be the **front lot line**. In the case of a **corner lot** where the length of the **lot lines** abutting a **street** are equivalent or there are three abutting **streets** the **front lot line** shall be deemed to be the **lot line** where the face of the **building** intended to be the front is located.

“**Lot Line, Rear**”, shall mean the **lot line** farthest from and opposite to the **front lot line**.

“**Lot Line, Side**”, means a **lot line** other than a **front** or **rear lot line**.

“**Lot, Through**”, means a **lot** bounded on two opposite sides by improved **streets**.

M

“**Machine Shop**”, means a workshop in which work is machined to size and assembled.

“**Main**”, when **used** to describe a **use**, a **building** or a **structure**, means a **use**, **building** or a **structure**, which constitutes or within which a principal **use** of the **lot** is conducted.

“**Medical Clinic**”, means a **building** or part thereof, **used** exclusively by physicians, dentists, drugless practitioners, their staff and patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a clinic

may include administrative offices, waiting and treatment rooms, laboratories and dispensaries directly associated with the clinic, but shall not include accommodations for in-patient care or operating rooms nor include a **veterinary clinic** as defined herein.

“**Mobile Home**”, means a prefabricated dwelling house **constructed** to be towed on its own chassis (notwithstanding that its running gear is or may be removed), designed and equipped for year-round occupancy and containing suitable sanitary facilities including a flush toilet, shower or bathtub within the unit but does not include a motor home or travel trailer as defined herein.

“**Mobile Home Park**”, means a **lot used** exclusively for the siting of two or more **mobile homes**, together with potential **accessory uses** which may include a convenience store, laundry room or other commercial **use** catering to **mobile home park** residents and may also include indoor and outdoor recreational facilities for the **use of mobile home park** residents.

“**Municipal Drain**”, means a watercourse or sewer which carries storm surface water and drainage as defined by the Ontario Drainage Act.

“**Museum**”, means an institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of historical interest.

N

“**Non-Conforming**”, means a **use**, a **building** or a **structure** which legally existed at the date of the passing of this By-law and which does not comply with the permitted **uses** and/or other provisions of this By-law for the Zone(s) in which such **use**, **building** or **structure** is located.

“**Non-habitable Room**”, means any room located within a **dwelling unit** that is not a **habitable room**, including, but not so as to limit the generality of the foregoing, a laundry room, pantry, lobby, corridor, stairway, closet, veranda, porch, balcony, private **garage**, unfinished attic, **cellar**, boiler room and any space **used** for the service and maintenance of such dwelling or for vertical travel between **storeys**.

O

“**Office**”, means a **building** or part of a **building** in which a business is conducted or a profession is practiced including associated clerical, administrative, consulting, advisory or training services, but does not include a **medical clinic**, or **veterinary clinic**.

“**Outdoor Display and Sales Area**”, means a portion of a *lot*, *used* in conjunction with a business located within the *building* or *structure* on the same property, for the exhibiting or selling of seasonal produce, merchandise or the supply of services.

“**Open Storage**”, shall mean the storage of raw materials, equipment, vehicles or other materials which are not enclosed within a *building* or *structure*, but does not include a *parking lot*.

P

“**Passive Recreation**”, shall mean the *use* of land and/or water for the purpose of passive leisure activity such as walking, hiking and cycling where *buildings* and *structures* are limited to those necessary to support the passive leisure activities. *Passive recreation* may also include a woodlot, a wildlife sanctuary, and a *conservation* area.

“**Park**”, means an open area, playground or playfield including therein one or more athletic fields, field houses, *community centres*, bleachers, swimming pools, wading pools, greenhouses, bandstands, skating rinks, tennis courts, bowling greens, curling rinks, skiing, refreshment rooms, arenas or similar *uses*.

“**Parking Aisle**”, means a portion of a *parking area* which abuts *parking spaces* to which it provides access and which is not used for the parking of vehicles.

“**Parking Area**”, means an area provided for the parking of motor vehicles and may include aisles, *parking spaces* and related ingress and egress lanes but shall not include any part of a public *street* and may include a private *garage*.

“**Parking Lot**”, means an open area, other than a *street* or *lane*, where the primary *use* of the *lot* is the temporary paid parking of motor vehicles for clients or customers, and includes associated *parking spaces*, driveways, and *parking aisles*. Temporary parking does not allow the continuous parking of any vehicle for more than one 24 hour period. A *parking lot* does not include areas where vehicles for sale or repair are kept or stored, or where impounded, wrecked or otherwise inoperable vehicles are stored. This does not include *accessory parking areas* or *parking areas* associated with residential *uses*.

“**Parking Space**”, means an area exclusive of any aisles or ingress or egress lanes, for the temporary parking or storage of motor vehicles, and may include a private *garage* or

residential driveway. Required visitor parking may not occur within a residential driveway.

“**Person**”, means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context of this By-law can apply according to law.

“**Pet Grooming**”, means the grooming of a domestic animal, including bathing, cutting of hair, trimming of nails, and other services generally associated with the act of grooming but shall exclude veterinary services, breeding, boarding, and overnight accommodation.

“**Pit**”, means land or land under water where unconsolidated **aggregate** material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, and has not been rehabilitated, but shall not include a **quarry** as defined herein, an excavation incidental to the **erection** of a **building** or **structure** for which a building permit has been granted by the **Corporation**, or an excavation incidental to the **construction** of any public works.

“**Place of Worship**”, shall mean a **building used** by a religious congregation or organization and dedicated exclusively to worship and related religious, social and charitable activities and may include a hall, an auditorium, a convent, an **office** for religious leaders, a children’s activity room, and an attached **dwelling unit** for a religious leader as **accessory uses**.

“**Plaza Complex**”, means a group of commercial or industrial establishments which is planned, developed, managed and operated as a unit with shared on-site parking and containing three or more separated spaces for lease and/or occupancy.

“**Private Club**”, means a **building** or part of a **building used** as a meeting place for members of a chartered organization, not operated for profit, and may include a lodge, service club, fraternal organization.

“**Provincial Highway**”, means a **street** under the jurisdiction of the Ministry of Transportation Ontario.

Q

“**Quarry**”, means land or land under water where consolidated **aggregate** has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, and that has not been rehabilitated, but shall not include a **pit** as defined herein, an excavation incidental to the **erection** of a **building** or

structure for which a building permit has been granted by the **Corporation** or an excavation incidental to the construction of any public works.

R

“**Recreational Trailer**”, means any portable unit so **constructed** as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle; and which is capable of being **used** for the temporary living, sleeping, or eating accommodations, but not occupied continuously or as a principal residence. It may include travel trailers, tent trailers, motor homes, camper pick-ups, or camper vans. It does not include a **mobile home**.

“**Recreational Use**”, means the **use** of land for public or private **parks** and their **accessory** facilities, such as: indoor and outdoor skating rinks, athletic fields, change rooms, picnic areas, swimming pools, outdoor theatres, agricultural fairs and all similar **uses**, excluding a track for the racing of any sort of animals or vehicle.

“**Recycling Plant**”, means a place where materials such as paper, plastic, cardboard, metal and glass are delivered stored, separated, and processed in order to salvage and reuse material, but does not include **uses** otherwise defined or classified herein.

“**Rental Outlet**”, means a **building** or part thereof **used** for the rental of tools, appliances, office machines, recreation equipment, light construction equipment, party supplies or similar items, but does not include the rental of motor or recreational vehicles.

“**Restaurant**”, a **building** or **structure** or part thereof, where food or refreshments are prepared and offered for retail sale to the public for immediate consumption either on or off the premises, take out or drive thru service.

“**Retail Store**”, means a **building** or **structure** or part thereof in which food, goods, wares, merchandise, substances, or articles are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.

S

“**Salvage Yard**”, means an establishment where goods, wares, merchandise, and articles are dismantled or processed for further use and/or where such goods, wares, merchandise and articles are stored and kept for sale wholly or partly in the open and shall include a junk yard, a scrap metal yard, and an automobile wrecking yard.

“**Satellite Dish**”, means an antenna intended for or capable of being used for receiving or collecting communication signals from a satellite.

“**Sawmill**”, means a **building, structure** or area where timber is cut or milled, and temporarily stored either to finished lumber, or as an intermediary step.

“**School**”, means a school under the jurisdiction of a school board as defined by Provincial legislation.

“**Scientific Research Establishment**”, means an establishment where scientific or medical experiments, tests, or investigations are conducted, and where drugs, chemicals, glassware, or other substances or articles pertinent to such experiments, tests, or investigations are manufactured or otherwise prepared for **use** on the premises.

“**Seasonal Equestrian Camp**”, means a facility which operates from May 1 to October 1 and provides equestrian instruction and **accessory** recreation programming in an overnight camp setting catering to short term guests.

“**Self-storage Facility**”, means a **building** or group of **buildings** divided into separate self-contained compartments and leased or rented on an individual basis for temporary storage of individuals’ property.

“**Service Shop**”, means a **building** or part of a **building** in which services are provided including but not be limited to a cosmetic services, photography studio, and service or repair shops. The **accessory** sale of merchandise shall be permitted only as a **accessory use** to the service provided.

“**Setback**”, means the horizontal distance from the **lot line**, measured at right angles, to the nearest part of any **building** or **structure** on the **lot**.

“**Shipping Container**” means an intermodal freight container that is designed for the transportation and storage of goods and materials which are loaded onto trucks, trains or ships for the purpose of moving of goods and materials. For the purpose of this definition a **shipping container** does not have wheels and does not include a truck body, trailer or transport trailer.

“**Sign**”, means a name, identification, description, device, display, or illustration which is affixed to, or represented directly or indirectly upon a **building, structure** or **lot** and which directs attention to an object, product, place, activity, **person**, institution, organization or business.

“**Sight Line Triangle**”, means an area free of **buildings, structures**, or plantings that measure 1 m or higher.

- In the case of a **corner lot**, the area is to be determined by measuring from the point of intersection of **street lines** on a **corner lot**, 7.6 m along each such **street line** and adjoining such points with a straight line.
- In the case of a driveway, the area is to be determined by measuring the point of intersection formed within a **lot** by the intersection of any driveway line and a **lot line**, 4.5 m from their point of intersection, and adjoining such points with a straight line.
- The triangular-shaped land between the intersecting lines and the straight line joining the points is the **sight line triangle**.

"**Social Service Establishment**" means a **building** or **structure** in which clerical, administrative, consulting, counseling, distributive, and recreation functions for a non-profit social service agency are conducted, but does not include facilities in which overnight accommodation is provided.

"**Specialty Store**" means a **retail store** which falls into one of the following categories and is built at a scale not appropriate for the Village Commercial Zones: **auction house**; antique shop; beer, wine or liquor store; convenience store; furniture and appliance establishment; or lumber yard.

"**Stacking Lane**", means the portion of a **parking area** exclusively **used** as an unobstructed internal space for queuing motor vehicles utilizing a **drive-thru establishment**.

"**Storey**", means that portion of a **building** which is situated between the top of any floor and the top of the floor next to it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it. It does not include a **basement**, **cellar** or attic.

"**Street**", shall mean a public thoroughfare, other than a **lane**, which is maintained by a public road authority and which is open and passable during all seasons. For the purposes of applying the **setback** provisions of this By-law to development on an **existing lot** a **street** shall include any adjacent unopened road allowance or private road that serves as the legal main access to the **lot**

"**Street Line**", means the limit of the **street** allowance and is the dividing line between a **lot** and a **street**.

"**Structure**", means anything **constructed** or **erected**, either permanent or temporary, which is fixed to or resting on or below the ground.

T

"**Taxi or Bus Depot**", means a **structure used** for the boarding or disembarkment of buses or taxis by fare-paying passengers.

"**Tractor Trailer**", means a truck consisting of a self propelled cab designed to have temporarily attached thereto, a trailer consisting of one or more axles designed to be pulled by the cab for the purpose of carrying goods or materials. Both the cab and trailer component individually or together are considered a **tractor trailer** for the purposes of apply the provisions of this by-law. This definition shall not include a **commercial motor vehicle** as defined herein.

"**Transport Establishment**", means the **use** of land, **buildings, structures** or parts thereof, where trucks and transports or buses are rented, leased, serviced, repaired, loaded or unloaded, kept for hire, stored or parked for dispatching as common carriers, or where goods are temporarily stored for further shipment.

U

"**Use**", means the purpose for which a **lot** or a **building** or **structure**, or any combination thereof, is designed, arranged, intended, occupied, or maintained and "**uses**" shall have a corresponding meaning. "**Use**" when used as a verb, or "to **use**", shall have a corresponding meaning.

V

"**Veterinary Clinic**", means a **building** or part thereof wherein animals of all kinds are treated or kept for treatment by a registered veterinarian within the meaning of Provincial legislation, and includes facilities where animals can be temporarily boarded while undergoing treatment.

W

"**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, articles or things.

"**Waste Disposal Area**", means a facility operated by or for the **Corporation** or the **County**, or authorized by the Ministry of Environment, where garbage, refuse or domestic or industrial waste is disposed of or dumped, and shall include a sewage treatment plant or sewage lagoon.

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

"**Wayside Pit or Quarry**", shall mean a temporary *pit* or *quarry* opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on a road right-of-way.

"**Wholesale Outlet**", means a *building* or part of a *building* in which goods, wares, merchandise or articles are offered or kept for sale to *persons* for resale purposes and/or to industrial or commercial users.

Y

"**Yard**", means a space appurtenant to a *building, structure* or excavation, located on the same *lot* as the *building, structure* or excavation, and which space is open, uncovered and unoccupied from the ground to the sky except for such *accessory buildings, structures* or *uses* as are specifically permitted elsewhere in this By-law.

"**Yard, Front**", means a *yard* extending from *side lot line* to *side lot line* and from and parallel to the *street line*, to the nearest wall of *building* or *structure* on the *lot*, disregarding open or uncovered terraces or steps or minor architectural projections.

"**Yard, Rear**", means a *yard* extending from *side lot line* to *side lot line* and from *rear lot line* (or apex of the *side lot lines* if there is no *rear line*), to the nearest part of the *main building* or *structure* on the *lot*, disregarding open or uncovered terraces or steps or minor architectural projections.

"**Yard, Side**", means a *yard*, extending from the required *front yard* to the required *rear yard* and from the *side lot line* to the nearest part of the *main building* or *structure* on the *lot*, disregarding open or uncovered terraces or steps or minor architectural projections. In the case of a *lot* with no *rear lot line*, the *side yard* shall extend from the *front yard* to the opposite *side yard*.

"**Yard, Side – Exterior**", means a *side yard* immediately adjoining a public *street*.

"**Yard, Side – Interior**", means a *side yard* other than an *exterior side yard*.

"**Yard, Side Width**", means the least horizontal dimension between the *side lot line* of the *lot* and the nearest part of any *building, structure* or excavation on the *lot*.

“Yard, Required”, means a **yard** with the minimum **front yard depth, rear yard depth,** or **side yard** width as required by this By-law. A required **side yard** shall extend from the required **front yard** to the required **rear yard**.

SECTION 4 – GENERAL PROVISIONS

4.1 Non-Conforming Uses, Buildings, Structures and Lots

Nothing in this By-law shall apply to prevent the **use** of any land, **building** or **structure** for any purpose prohibited by this By-law if such land, **building** or **structure** was lawfully **used** for such purpose as of August 8, 2016, so long as it continues to be **used** for that purpose.

4.1.1 Strengthening of Non-Conforming Buildings

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of a **building** or **structure** which is **used** for a **use** not conforming with this By-law, so long as the strengthening or restoration does not increase or expand the **height**, size, shape or volume of the **building** or **structure** or change its **use** to other than a conforming one.

Where for any reason, a **non-conforming use** has ceased, such **non-conforming use** shall not be permitted to resume and any future **use** of land, **building** or **structure** shall thereafter conform to the permitted **uses** of the Zones relating to the subject land.

4.1.2 Replacement of Non-Conforming Buildings or Structures

Nothing in this By-law shall prevent the replacement of **non-conforming building** or **structure** where such **building** or **structure** is partially or totally destroyed by fire, explosion, collapse, or other accidental cause provided that:

1. the **building** or **structure** is occupied by the same **use** or a permitted **use**;
2. such replacement is located on or within the limits of the foundation walls of the **building** as they existed prior to such destruction;
3. such replacement occurs within a reasonable amount of time; and
4. the **height** and **gross floor area** of such replacement does not exceed the **height** and **gross floor area** of the **building** as it existed prior to such destruction.

4.1.3 Lots Having Less Lot Area and/or Lot Frontage

Where a **lot** having a lesser **lot area** and/or **lot frontage** of not more than 20% less than that required herein, and is held under distinct and separate ownership from abutting **lots** as shown by a registered conveyance in the records of the Registry or Land Titles Office as of October 19, 1999, or where such a **lot** is created as a result of an expropriation, such smaller **lot** may be **used** and a **building** or **structure** may be **erected, altered** or **used** on such smaller **lot**, provided that all other requirements of this By-law are complied with.

Notwithstanding the above, **lots** in the Village Commercial Zone which existed as of October 19, 1999 and which have a **lot frontage** less than required and/or have a **lot area** less than required, shall have a minimum **lot frontage** equivalent to their **lot frontage** and/or shall have a minimum **lot area** equivalent to their **lot area**.

Notwithstanding the above, **lots** in the Agricultural Zone which existed as of October 19, 1999 and which have a **lot frontage** less than 120 m and/or have an area less than 35 ha, shall have a minimum **lot frontage** equivalent to their **lot frontage** and/or shall have a minimum **lot area** equivalent to their **lot area**.

4.1.4 Deemed To Comply: Non-Conforming Setbacks

Where a **building** was legally constructed on or before October 19, 1999, and does not comply with the current regulations of its Zone, the **building** shall have a minimum **front yard setback** equivalent to its **front yard setback**, a minimum **rear yard setback** equivalent to its **rear yard setback**, and/or shall have a minimum **interior** or **exterior side yard setback** equivalent to its **interior** or **exterior side yard setback**. Any **buildings** or additions constructed after October 19, 1999 must comply with the current **setback** regulations of this by-law.

4.1.5 Deemed To Comply: Site Plan or Development Agreement Approvals

Where a Site Plan or Development Agreement has been entered into, signed by Owner and the Township and registered on title between January 1, 2010 and August 8, 2016, but all building permits for the applicable project have not been issued, the provisions in this By-law shall be deemed to be modified to the extent necessary to give effect to the Site Plan or Development Agreement, provided that all building permits are issued prior to December 31, 2021.

4.2 Accessory Uses

4.2.1 Use of Accessory Buildings

Where this By-law provides that a **building** or **structure** may be **constructed, altered** or **used** for a purpose, that purpose may also include any **accessory use, building** or **structure**, but shall not include:

1. Any occupation for gain or profit conducted within a Residential Zone, except as may be permitted by this By-law.
2. Any **building used** for human habitation except as permitted in this By-law.

4.2.2 Establishment of an Accessory Building or Use

No **accessory building** or **accessory use** shall be **constructed** or established on any **lot** or site until the **main building** has commenced construction, except for "Temporary Use" purposes as may be permitted elsewhere in this By-law. In no case shall portables, storage/**shipping containers**, freight cars or steel containers be **constructed** or established as an **accessory building** on any **lot** within a Residential Zone.

4.2.3 Location of Accessory Buildings

Any **accessory building** or **structure** shall be **erected** to the **rear** of the required **front yard** and shall comply with the **yard** and setback requirements of the Zone in which such **buildings** or **structure** is situated, except when otherwise provided for by this By-law.

No **buildings** or **structures** of any kind, including a patio, swimming pool, deck or **accessory building** or **structure**, shall be **erected**, installed or maintained on any portion of a **lot** which is identified as a leaching bed or septic system area.

4.2.4 Permitted Floor Area for Accessory Buildings

The maximum **ground floor area** permitted for all **accessory buildings** or **structures** located on a **lot** as is follows:

1. Ten percent (10%) of the total **lot area** for a **lot** in a Residential Zone, and a **lot** in the Agricultural Zone with a **lot area** less than or equal to 8,000 m² (0.8 ha).
2. Five percent (5%) of the total **lot area** for a **lot** in a Commercial, Industrial, Institutional or Open Space Zone.
3. Five percent (5%) of the total **lot area** for a **lot** in the Agricultural Zone with a **lot area** greater than 8,000 m² (0.8 ha) and less than or equal to 350,000 m² (35 ha).
4. One percent (1%) of the total **lot area** or a maximum of 4,000 m² (0.4 ha), whichever is less, for a **lot** in the Agricultural Zone with a **lot area** greater than 350,000 m² (35 ha).

4.3 Shipping Container Regulations

Notwithstanding the other regulations of this By-law the following provisions shall apply to **shipping containers**:

1. Shall only be permitted in the Agricultural, Rural Industrial, and Highway Commercial Zones;
2. Shall not be permitted as the sole **structure** on any property, except in the case of a **self-storage facility**;
3. Shall only be permitted for the **use** of **accessory** storage to a permitted **use**, and shall not be **used** for human habitation, display, advertising, screening, or fencing;
 - a. Notwithstanding the above, a **shipping container** may be permitted for the transportation of goods and materials within the Rural Industrial Zone;
4. Shall only be located to the side or the rear of the permitted **use** provided that it is:
 - a. Screened from view from the **street** and abutting properties;
 - b. Complies with the **lot coverage** and **setback** requirements of the Zone;
 - c. Not be located in any required **yard**; and
 - d. Not located in any required **parking areas** or landscape buffer.
5. Shall be included in all calculations for the purpose of determining maximum **lot coverage**.
6. Shall be in a condition free from rust, peeling paint and any other form of visible deterioration;
7. Not be permitted on any **lot** less than 4 hectares in the Agricultural Zone, and in no case shall a **shipping container** be permitted on a **lot** having less than 0.4 hectares;
8. Shall not exceed a **height** of 3 m and a length of 12 m, and shall not be stacked one on top of the other;

9. The maximum number of **shipping containers** on any property shall be limited to 2;
 - a. Notwithstanding the above, when **used** for the transportation of goods and materials or as a **self-storage facility** within the Rural Industrial Zone no maximum shall apply.
10. Shall comply with the requirements of the Ontario Building Code; and
11. Notwithstanding the above a **shipping container** may be permitted for temporary storage on construction sites in accordance with Section 4.15.

4.4 Accessory Second Unit Regulations

4.4.1 Accessory Second Unit in Agricultural or Residential Zone Regulations

Wherever an **accessory second unit** is permitted in an Agricultural or Residential Zone by this By-law, such an **accessory second unit** shall only be **constructed** or **used** in accordance with the following:

1. Driveway access to both the **main** dwelling and the **accessory second unit** shall be limited to one access so that no new entrance from the **street** shall be created, except in the case of a **corner lot**, where one entrance from each **street** may exist, subject to Section 4.19 or Section 4.20 as applicable.
2. When exterior alterations to the **main** dwelling are proposed for an attached **accessory second unit**, the siting of an **accessory second unit** shall be to the rear or side of the **main** dwelling, and shall comply with the **yard** and setback requirements of the Zone in which such **buildings** is situated.
3. The maximum **gross floor area** of an **accessory second unit** shall be no more than an amount equal to 45% of the **gross floor area** of the **main** dwelling, to a maximum size of 115 m².
 - a. Notwithstanding the above, if the **accessory second unit** is located in a **basement**, the **accessory second unit** may occupy the whole of the **basement**.
 - b. Where an attached **garage** is converted to create an **accessory second unit** (in whole or in part), the attached **garage** will be included in calculation of the **gross floor area** of the **main** dwelling.
4. A maximum of one **accessory second unit** per **lot** is permitted, and shall be **accessory** to the **main** dwelling.
5. One **parking space** will be provided for the **accessory second unit**, in addition to the required parking for the **main** dwelling.

4.4.2 Accessory Second Unit in Commercial Zone Regulations

Wherever an **accessory second unit** is permitted in a Commercial Zone by this By-law, such an **accessory second unit** shall only be **constructed** or **used** in accordance with the following:

1. Driveway access to both the commercial **use** and the **accessory second unit** shall be limited to one access so that no new entrance from the **street** shall be created, with the exception of a **corner lot**, where one entrance will be permitted from each **street**.
2. The **accessory second unit** shall be located above or behind the **main** commercial **use**.
3. The maximum **gross floor area** of an **accessory second unit** that is located behind a commercial **use** shall be no more than an amount equal to 40% of the **gross floor area** of the commercial **use**, to a maximum size of 115 m².
 - a. Notwithstanding the above, if the **accessory second unit** is located above a commercial **use**, the **accessory second unit** may occupy the whole of the upper level floor.
4. A maximum of one **accessory second unit** per **lot** will exist, and shall be **accessory** to the commercial **use**. Where residential **uses** exist above a commercial **use**, an **accessory second unit** will not be permitted to the **rear** of the commercial **use**.
5. One **parking space** will be provided for the **accessory second unit**, in addition to the required parking for the commercial **use**.

4.5 Garden Suites Regulations

A **garden suite** shall be permitted in the Rural Residential and Agricultural Zones, subject to an approved Temporary Use By-law, in accordance with Section 39 of the Planning Act. A **garden suite** shall be subject to the following regulations:

1. A **garden suite** shall be portable and temporary.
2. Driveway access to both the **main dwelling unit** and the **garden suite** shall be limited to one so that no new entrance from the **street** shall be created, except in the case of a **corner lot**, where one entrance from each **street** shall be permitted.
3. The siting of a **garden suite** shall comply with all **setbacks** of the Zone, and shall be located to the rear or side of the **main dwelling unit**, unless adequate screening/buffering, where deemed necessary, is provided to minimize the visual impact of the **garden suite** to adjacent properties.

4. The maximum floor area shall be 140 m² provided that the floor area of the ***garden suite*** remains less than that of the ***main dwelling unit***.
5. The maximum ***height*** shall be one ***storey***, and shall not exceed 4.5 m.
6. No ***garden suite*** shall be located closer than 3 m to the ***main dwelling unit*** on the ***lot*** or any ***building*** on an abutting property.
7. Only one ***garden suite*** may be established per ***lot***.
8. All ***garden suites*** shall be provided with adequate water and sewage disposal systems, as per the Ontario Building Code.

4.6 Sight Line Triangle

Any ***building***, ***structure***, or object ***erected*** in accordance with this By-law shall comply with the definition of a ***sight line triangle***.

4.7 Street Frontage Required

No ***person*** shall ***erect*** any ***building*** or ***structure*** in any Zone unless the ***lot*** upon which such ***building*** or ***structure*** is to be ***erected*** has ***frontage*** on an improved ***street***.

4.8 Through Lots

Where a ***lot*** which is not a ***corner lot*** has ***frontage*** on more than one ***street***, the setback and ***front yard*** requirements contained herein shall apply on each ***street*** in accordance with the provisions of the Zone or Zones in which such ***lot*** is located.

4.9 Yard Encroachments

Every part of any ***yard*** required to be provided in any Zone shall be open and unobstructed from the ground to the sky, with the following exceptions:

Structure	Relief provided	Yard that must be maintained
A gate house in an Industrial or Open Space Zone	May encroach into a required interior side yard or front yard	None, provided other restrictions of this By-law such as sight line triangles are maintained.
Accessory buildings	May be located within the 30 m setback of a railway right-of-way	The setback of the Zone
Accessory buildings intended for parking of a vehicle	May encroach into a required interior side yard or rear yard	1.5 m yard is required to be maintained
Balconies and steps (covered or uncovered), unenclosed porches, or decks.	2.5 m into a required yard	2.5 m yard is required to be maintained.
Fences, walkways (including inset steps where a slope prohibits walkways), freestanding walls, flagpoles, light standards, hedges, trees, shrubs and similar accessory structures and appurtenances	No yard required	None, provided other restrictions of this By-law such as sight line triangles are maintained.
Fire escapes and exterior staircases	1.5 m into a required side yard or rear yard	Required yard less 1.5 m
Fuel pump islands and fuel pumps	No yard required	4.5 m yard is required to be maintained
Outdoor amenity area	May encroach into a required interior side yard or rear yard	None, provided other restrictions of this By-law such as sight line triangles are maintained.
Satellite dishes	May encroach into a required interior side yard or rear yard	3 m yard is required to be maintained
Signs	No yard required	None, provided other restrictions such as any applicable sign by-law are complied with.
Window sills, chimney breasts, belt courses, cornices, eaves and other architectural features	1 m into required yard	Required yard less 1 m

4.10 Height Restrictions and Exceptions

No **accessory building** or **structure** shall exceed a **height** of 4.7 m except in the Agricultural Zone, or as otherwise provided in this By-law.

The **height** regulations of this By-law shall not apply to any ornamental dome, clock tower, chimney, belfry, storage silos, barn, grain elevator, cupola, steeple, spire, an elevator shaft, water storage tank, elevating device, flagpole, television or radio antenna or tower, ventilator, windmill, air conditioner duct, grain drying equipment, clothesline, skylight, or solar collector.

4.11 Buffer Strips

4.11.1 Buffer Strip Requirements

Notwithstanding the **yard** and setback provisions of this By-law, where a **lot** is **used** for a non-residential **use** other than agriculture and the **interior lot line** or **rear lot line** abuts a residential **use**, then a strip of land adjoining such abutting **lot line**, shall be **used** for no other purpose than a **buffer strip** in accordance with the regulations of Section 4.11.2.

Notwithstanding the **yard** and setback provisions of this By-law, where a **parking lot** is situated on a **lot** along a **lot line** which abuts a residential **use**, a visual barrier shall be provided and maintained along such abutting **lot line** in accordance with the regulations of Section 4.11.2.

Notwithstanding the **yard** and setback provisions of this By-law, where a **lot** is **used** for an extractive **industrial use**, then a strip of land adjoining abutting **lots**, shall be **used** for no other purpose than a **buffer strip** in accordance with the regulations of Section 4.11.2.

4.11.2 Buffer Strip Regulations

1. Minimum width of 1.5 m.
2. A **buffer strip** may consist of:
 - a. a continuous unpierced hedgerow of evergreens or shrubs,
 - b. a solid privacy fence,
 - c. a solid wall,
 - d. an earth berm,
 - e. or combination thereof.

3. The **buffer strip** shall not be less than 1.5 m in **height**, immediately adjacent to the **lot line** or portion thereof along which such **buffer strip** is required. The remainder of the strip may be **used** for shrubs, flowerbeds, grass or a combination thereof.
4. In all cases where the ingress and egress of a driveway and/or walk extend through a **buffer strip**, it shall be permissible to interrupt the **buffer strip** within 1.5 m of the edge of said driveway and/or walk.
5. The planting strip shall be planted and maintained by the owner or owners of the land on which the planting strips are required;
6. The **buffer strip** shall be in accordance with the Township's Landscape Guidelines, as applicable; and
7. A **buffer strip** referred to in this Subsection may form part of any **landscaped area** required by this By-law.

4.12 Home Occupation Regulations

A **home occupation** is permitted within a **dwelling unit** by a resident of said **dwelling unit**, subject to the following regulations:

1. The **home occupation** is clearly secondary to the **main** residential **use** and does not change the residential character of the **dwelling unit** nor create or become a public nuisance in particular in regard to noise, traffic or parking;
2. Only two employees in addition to the permanent residents of the **dwelling unit** may be employed;
3. No external storage, external display of goods or materials, or **accessory buildings** may be **used** in relation to a **home occupation**;
4. No external display or advertising other than a fascia or ground **sign** having a maximum area of 0.2 m² which does not include changeable copy or internal illumination;
5. No mechanical equipment, except that which is customarily **used** in dwellings for domestic or household purposes, or for **use** by a dentist, drugless practitioner, physician, or other professional **persons**;
6. Up to 25% of the **gross floor area** of the **dwelling unit** may be **used** for **home occupation** purposes; and
7. The parking requirements of this By-law shall apply to any **home occupation use**, in addition to the required spaces for the **dwelling unit**.

4.13 Farm Home Industry Regulations

1. A **farm home industry** must be located on a farm, and shall be secondary to the **agricultural use**.
2. A **farm home industry** shall include a carpentry shop, a **contractor or tradesperson establishment**, a welding shop, a **machine shop**, a plumbing shop, an electrical shop, furniture fabrication, assembly and repair, tool and equipment repair shop, small engine repair, farm implement repair; or a **use** of a similar nature to those listed above.
3. The **farm home industry** must employ at least one **person** who dwells on the property and may employ two additional employees.
4. All **buildings, structures, parking areas** and loading areas **used** for the **farm home industry** shall not occupy an area exceeding 2% of the **lot**, to a maximum of 0.4 hectares in area.
5. A **farm home industry** must be appropriate for rural servicing and be compatible with **agricultural uses**.
6. There shall be no **open storage** of materials, supplies, tools, equipment or goods which are **used** for, or result from, the **farm home industry**.
7. A **farm home industry** must comply with all applicable by-laws and regulations such as noise and parking regulations.

4.14 Public Uses

The provisions of this By-law shall not apply to:

- the **use** of any **lot** or to the **erection** or **use** of any **building** or **structure** for purposes of providing public services by the **Corporation** or the **County** as defined by the Municipal Act,
- any telephone or telegraph company,
- any natural gas transmission and distribution system operated by a company and possessing all the necessary powers, rights, licences and franchises,
- any wayside pits and quarries, portable asphalt plants and portable concrete plants used for public authority contracts,
- any Conservation Authority established by the Government of Ontario,
- any Department of the Government of Ontario or Canada, including Hydro One Networks Inc or agent thereof, or
- any **use** permitted under the Railway Act or any other statute of Ontario or Canada governing railway operations, including tracks, spurs and other railway facilities provided that an above ground **use** in a Residential Zone shall be enclosed in a **building** designed and maintained in general harmony with residential **buildings/dwelling units** of the type permitted in that Zone.

4.15 Temporary Uses

Nothing in this By-law shall prevent the **use** of any land, or the **erection** or **use** of any **building**, trailer or **structure** for a construction camp, work camp, temporary accommodation tool shed, scaffold or other **building** or **structure** incidental to and necessary for construction work on the premises, but only for so long as such **use**, **building** or **structure** is necessary for such construction work which has not been finished or abandoned. The temporary **use** will be subject to the retention of a valid building permit.

4.16 Uses Permitted In All Zones

The following **uses** are permitted in all Zones within the **Corporation**:

1. The **use** of any land as a public **park**, playground, **street**, walkway, site for a statue, monument, cenotaph, fountain, or other memorial or ornamental **structure**.
2. The installation or maintenance of a watermain, sanitary sewer main, storm sewer main, pumping station, gas main, pipeline, storm water management facility, lighting fixture, overhead or underground electrical services, cable television, telegraph or telephone line or associated tower or transformer, together with any installations or **structures** appurtenant thereto.
3. The **use** of land for a **street** or a public railway, including any installations, **structures** appurtenant thereto.

4.17 Uses Restricted In All Zones

1. No **use** shall be permitted which due to its nature, or the materials **used** therein, or emissions issuing therefrom, is determined to be a noxious trade, business or manufacturing process.
2. No land, **building**, or **structure** shall be **used** if it is likely to create a public nuisance or danger to health or danger from fire or explosion except in accordance with the provisions and regulations under the Gasoline Handling Act.
3. No **use** shall be permitted where the approval of private water or sanitary treatment and disposal facilities has not been obtained from the Chief Building Official or the Ministry of the Environment, as the case may be.

4. The following **uses** are prohibited throughout the **Corporation**, either alone or in conjunction with other **uses** except as is otherwise specifically provided herein:
- a. a **salvage yard**;
 - b. a **mobile home park**;
 - c. a track or course for the racing and/or testing of motorized vehicles;
 - d. the boiling of blood, tripe, bones or soaps for commercial purposes;
 - e. the tanning or storage of uncured hides or skins;
 - f. the manufacturing of glue or fertilizers from dead animals or from human or animal waste;
 - g. an abattoir, stockyard, livestock exchange, or dead stock depot;
 - h. the extracting of oil from fish or animal matter;
 - i. 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, non-agricultural 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;
 - j. the keeping or raising of livestock or wild animals in any Residential Zone unless otherwise permitted;
 - k. an **adult entertainment establishment**;
 - l. a **body rub parlour**.

4.18 Well Head Protection Areas

4.18.1 Prohibited and Restricted Uses

Notwithstanding any permitted **uses** in this By-law, in addition to the restricted **uses** listed in Section 4.17, no **person** shall, within the Well Head Protection Areas 1, 2 and 3 as shown on Schedule C to this By-law, **use** any land or **construct, alter** or **use** any **building** or **structure** unless in accordance with the following provisions:

Areas:	Category A Uses	Category B Uses	Category C Uses
WHPA 1	Prohibited	Prohibited	Subject to 4.18.1.1
WHPA 2	Prohibited	Subject to 4.18.1.1	Subject to 4.18.1.1
WHPA 3	Prohibited	Subject to 4.18.1.1	Subject to 4.18.1.1

4.18.1.1 Requirements

Where the *use* is permitted in the underlying zoning category such a *use* may be established or expanded provided that prior to the **Corporation** provides written approval to a risk assessment or hydrogeological analysis completed in accordance with the provisions of the County of Wellington Official Plan.

4.18.2 Existing Uses in Well Head Protection Areas

Where an **existing** lawfully established **Category A Use** is located within Well Head Protection Areas 1, 2 and 3 or any **Category B Use** is located within Well Head Protection Area 1, such *use* shall be permitted to continue but shall not be permitted to expand subject to:

1. that prior to the Township provides written approval to a risk assessment or hydrogeological analysis completed in accordance with the provisions of the County of Wellington Official Plan; and
2. the *use* provisions and regulations of the underlying zoning category are complied with; and
3. if required the imposition of performance standards and techniques to reduce overall risk to ground water and surface water resources.

4.19 Greater Restrictions

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a government authority having jurisdiction to make such restrictions.

4.20 Setbacks from Roads not under the Authority of the Corporation

Notwithstanding any other provisions of this By-law, no **building** or **structure** shall be located closer than 22.5 m to **County Roads** with the exception of those **buildings** or **structures** located within the boundaries of an Urban Centre or Hamlet as identified in the Wellington County Official Plan. All **buildings** shall be located to the greater of any setback.

Notwithstanding any other provisions of this By-law, no **building** or **structure** shall be located within the **setback** as set out by the Ministry of Transportation for the specific *use* and location, in proximity to **Provincial Highways**.

This distance shall be measured at a right angle to the **center line** of the **street** abutting such **yard**, commencing from the **center line** in the direction of the applicable **yard** of such **lot** or parcel of land.

4.21 Maintaining Existing Road Setback

Notwithstanding any other provisions of this By-law, subject to the approval of the appropriate road authority, on any **lot** between two **existing buildings** which are not more than 42.7 m apart, a new **building** may be **constructed**, having a setback from the **center line** of the road allowance which is equal to the average setback of the adjacent **buildings** on the same block if the average setback is less than the required **yard**.

4.22 Railway Setbacks

No **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** within 30 m from the right-of-way of a railway, unless supported by the applicable rail authority. See Section 4.9 regarding relief provided for **accessory buildings**.

4.23 Watercourse Setbacks

No **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** within 30 m from the centre of a watercourse or **municipal drain**.

4.24 Minimum Distance Separation – MDS I AND II

4.24.1 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 a Zone, shall be **erected** or **altered** unless it complies with the Minimum Distance Separation (MDS I), as may be amended, calculated using the formulas set out in Appendix “A” to this By-law.

Notwithstanding, the above provisions shall not apply to **lots existing** as of October 19, 1999 which are less than 4,000 m² (4 ha).

4.24.2 MDS II – New or Expanding Livestock Facilities

Notwithstanding any other **yard** or setback provisions of this By-law to the contrary, no **livestock facility** shall be **erected** or expanded unless it complies with the Minimum Distance Separation (MDS II) as may be amended, calculated using the Formulas set out in Appendix “A” to this By-law.

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

Notwithstanding the above, new livestock facilities will not be permitted on **lots** less than 8,000 m² (2 acres) in size.

Notwithstanding Section 4.30, for the purposes of this provision if the **lot** is partially within the Environmental Protection Zone that portion of the **lot** within the Environmental Protection Zone will not be **used** in calculating the **lot area**.

4.25 Setbacks from Environmental Protection Zone

Notwithstanding any other provisions of this By-law, no **building** or **structure** (including a private sewage treatment system) shall be **constructed** within 30 m from the limit of a Environmental Protection Zone.

Notwithstanding the above, the setback may be reduced to that permitted by the applicable approval authority (Grand River Conservation Authority and/or the County of Wellington) through more detailed mapping on individual sites. Where more detailed mapping is available, minor adjustments may be made without an amendment to this By-law, and the permitted land **uses** of the adjacent Zone will be applied as determined by **Council**.

Notwithstanding the above, the setback may be reduced in the following circumstances:

1. Where a **building** or **structure existing** on October 19, 1999 is located within the required **setback** an addition and/or new **accessory buildings** and **structures** shall be permitted provided that a **setback** of 3 m is maintained.

2. Where a vacant **building lot** existed on October 19, 1999, a building permit may be issued for permitted **buildings** or **structures**, excluding new agricultural **buildings** and **structures** provided that:
 - a. there is no other suitable location on the **lot** outside of the 30 m setback, and
 - b. a setback of at least 3 m from the Environmental Protection Zone boundary is maintained.

4.26 Number of Dwelling Units per Lot

With the exception of multiple-unit dwellings as defined in this By-law, and where otherwise specified in this By-law, no more than one **dwelling unit** shall be **erected** on any **lot**.

Notwithstanding the above, in the case where a detached dwelling exists on a **lot**, and a new detached dwelling is proposed to be **constructed** on the same **lot**, with the intention of demolishing the **existing** detached dwelling once construction on the new detached dwelling has completed, two detached dwellings may exist temporarily on the same **lot** in conjunction with the appropriate building permit, and subject to entering into a Development Agreement with the **Corporation**, in accordance with the associated Corporate Policy.

4.27 Outdoor Display

In the Commercial and Industrial Zones, the outdoor display of goods, **accessory** to the **main use**, for sale or hire shall be permitted in accordance with the following provisions:

1. Shall not cover more than 40% of the **lot area**.
2. Shall not be located within a required **yard**, including **sight line triangles**.
3. Shall not obstruct or occupy any required **parking area**.
4. Area to be **constructed** of a stable surface and treated to prevent erosion and the raising of dust and loose particles.
5. Area to be graded and drained so as to prevent the pooling of surface water or the flow of surface water onto adjacent **lots**.

4.28 Outdoor Storage

In the Highway Commercial and Rural Industrial Zones, the outdoor storage of goods, materials, and equipment, **accessory** to the **main use**, shall be permitted in accordance with the following provisions:

1. Located to the rear of the front wall of the **main building**, but not in a required **side yard** nor a required **rear yard**.
2. Not cover more than 40% of the **lot area**.
3. Shall be visually screened from the **street** and any abutting land Zoned or **used** for residential or institutional purposes by a **buffer strip** in accordance with Section 4.11.

4.29 Amenity Areas for Multiple-Unit Buildings

Notwithstanding anything else in this By-law, no **person** shall **use** or **erect** an **apartment building** or **cluster townhouse building** unless an **amenity area** is provided on the same **lot** as the **main residential building** or **buildings**. Any required areas shall:

1. be located indoors, outdoors at grade, or outdoors as a rooftop garden.
2. include some permanent features from each category in each outdoor **amenity area**:
 - a. Benches, tables, play **structures**, equipment, or **structures** for human activity such as resting, eating or **recreational uses**.
 - b. Trees, shrubs, gardens or similar landscaping features providing relief to the built environment.
3. include some of the following permanent features in each indoor **amenity area**:
 - a. Benches, tables, play **structures**, equipment, or **structures** for human activity such as resting, eating or **recreational uses**.
4. be accessible to all residents.
5. not be located within 4.5 m of a wall, if located outdoors at grade.
6. include a minimum of 5 m² of **amenity area** per **dwelling unit**, and shall be aggregated into areas of not less than 50 m². No more than 25% of the total **amenity area** may be an outdoor rooftop garden.
7. be designed and located so that the length does not exceed 4 times the width.

4.30 Lots with More than One Zone

Where a **lot** is divided into two or more Zones, each separately Zoned portion of the **lot** within the separate Zones shall be considered a separate **lot** for zoning purposes and shall be **used** in accordance with the provisions which are applicable to each Zone.

Notwithstanding the above, when the **lot** is partially within the Environmental Protection Zone that portion of the **lot** within the Environmental Protection Zone may be **used** in calculating total **lot area**, **lot frontage**, setbacks and **yards**, provided that the lands outside the Environmental Protection Zone meet the requirements of the Ontario Building Code relative to private sanitary treatment and disposal facilities.

SECTION 5 – PARKING, STACKING & LOADING AREA REGULATIONS

5.1 Parking Requirements

The owner of every **building** or **structure erected** or **used** for any of the purposes hereinafter set forth shall provide and maintain for the sole **use** of the owner, occupant or other **persons** entering upon or making **use** of the said premises from time to time, **parking spaces** and **parking areas** as follows:

Use	Parking Requirement (<i>Gross floor area (GFA) unless otherwise specified</i>)
Any other use not specifically listed below	1 space per 46.5 m ² GFA
Assembly Hall	1 space per 28 m ² GFA, with a minimum of 8 spaces
Automobile Body/Repair Shop	4 spaces per repair bay
Automobile Service/Gas Station	4 spaces per repair bay
Automotive Sales Establishment	1 space per 40 m ² GFA
Financial Institution	1 space per 20 m ² GFA
Bed and Breakfast Establishment	1 space per room used for accommodation purposes; in addition to the required parking for the dwelling unit .
Building Supply Outlet	1 space per 35 m ² GFA
Commercial School	1 space per 28 m ² GFA
Community Centre	1 space per 28 m ² GFA
Contractor's or Tradesman's Establishment	1 space per 50 m ² GFA
Child Care Centre	1 space per 10 m ² GFA
Dwellings including: Apartments	1.5 spaces per dwelling unit , plus an additional space for every 4 units to be devoted exclusively for visitor parking.
Dwellings including: Accessory Second Units & Garden Suites	1 space per dwelling unit

Dwellings include: Retirement Home	1 space per 5 units
Dwellings including: Cluster Townhouses & Stacked Townhouses	2 spaces per dwelling unit , plus an additional space per 4 dwelling units to be devoted exclusively for visitor parking
Dwellings including: Detached, Semi-Detached, Duplex, & Street Fronting Townhouses	2 spaces per dwelling unit
Elementary School	2 spaces per classroom
Entertainment/Recreation Establishment	1 space per 50 m ² GFA, with a minimum of 8 spaces
Funeral Home	1 space per 25 m ² GFA
Garden Centre	1 space per 35 m ² GFA
Golf Course / Miniature Golf Course / Golf Driving Range	2 spaces per tee
Group Home	1 space per every employee (to the maximum number present per shift); in addition to the required parking for the dwelling unit .
Hospital	1 space per bed + 1 space per 2 employees
Hotel or Motel	1 space per guest room
Industrial Use	1 space per 90 m ² GFA
Kennel	1 space per 25 m ² GFA
Long Term Care Facility	1 space per 4 beds + 1 space per 2 employees
Medical Clinic	1 space per 17 m ² GFA
Office	1 space per 28 m ² GFA
Other Commercial Uses Not Devoted To Retail Nor Explicitly Listed In This Section	1 space per 30 m ² GFA
Place of Worship	1 space per 28 m ² GFA, with a minimum of 8 spaces

Plaza Complex (Commercial Uses Greater Than 600 m ² GFA)	1 space per 28 m ² GFA
Plaza Complex (Commercial Uses Less Than or Equal to 600 m ² GFA)	1 space per 23 m ² GFA
Plaza Complex (Industrial Uses)	1 space per 90 m ² GFA
Restaurant	1 space per 15 m ² GFA
Retail Store	1 space per 20 m ² GFA
Secondary School	5 spaces per classroom
Service Shop	1 space per 45 m ² GFA
Transport Establishment	1 space per 100 m ² GFA
Veterinary Clinic	1 space per 17 m ² GFA
Warehouse	1 space per 200 m ² GFA
Wholesale Outlet	1 space per 80 m ² GFA

5.1.2 Parking for More Than One Use in a Building

When a **building** or **structure** accommodates more than one **use**, the **parking space** requirement for the whole **building** shall be the aggregate sum of the requirements for each of the separate parts of the **building** occupied by the separate types of **uses**, unless otherwise provided for in this By-law.

5.1.3 Calculation of Off-street Parking Spaces

Where the calculation of off-street parking requirements results in a fraction, then the number of **parking spaces** to be provided will be rounded to the next highest whole number.

5.1.4 Location of Required Off-street Parking Spaces

Unless otherwise provided in this By-law, required off-street **parking spaces** shall be located on the same **lot** as the principal or **main building** or on a **lot** no more than 90 m from the **main building** and in the same Zone as the **main building**.

5.1.5 Parking Space Size

Every off-street ***parking space*** shall have a minimum stall size of 2.7 m wide by 5.4 m long, unless otherwise stated by this By-law.

5.1.6 Parking Aisle Requirements

Every ***parking aisle*** shall be not less than 6 m in perpendicular width for two-way traffic and 3.5 m in perpendicular width for one-way traffic.

5.1.7 Parking Surfaces and Drainage

All off-street ***parking spaces*** and ***parking areas*** shall be ***constructed*** of a stable surface and treated to prevent erosion and the raising of dust and loose particles.

Surface cover shall consist of asphalt, crushed stone, paving brick, concrete or similar hard-surfaced materials.

All off-street ***parking spaces*** and ***parking areas*** shall be graded and drained so as to prevent the pooling of surface water on them or the flow of surface water onto adjacent ***lots***.

The surface of all ramps, driveways, service areas, off-street parking and loading areas for ***Automobile service/gas stations*** shall be paved.

5.1.8 Additions to Existing Use

The ***parking area*** requirements referred to herein shall not apply to any ***building*** in existence as on August 8, 2016 so long as the ***gross floor area***, as it existed on such date, is not increased, and the ***building*** or ***structure*** is ***used*** for a purpose which does not require more ***parking spaces*** according to Section 5.1 of this By-law than was required by its ***use*** on August 8, 2016.

If an addition or change of ***use*** is made to a ***building*** or ***structure*** as it existed on August 8, 2016, then additional ***parking spaces*** shall be provided to the number required for such addition or change in ***use***.

Notwithstanding the above, accessible **parking spaces** are required as listed in Section 5.1.13.

5.1.8.1 Additions to Existing Use – Rockwood C1 Zone

Notwithstanding Section 5.1.8 if a new **use** is proposed which requires more **parking spaces** than legally **existing** on August 8, 2016, the new **use** shall be permitted without additional **parking spaces** being provided.

Notwithstanding Section 5.1.8, where an addition is proposed to any **building, parking spaces** shall be required only for the addition, and any legal deficiency in **parking spaces** for the **existing building** shall not be required to be made up, unless the proposed addition results in the loss of **existing parking spaces**. No additional **parking spaces** shall be required where the proposed addition does not exceed 10% of the **gross floor area** of the **existing building**.

5.1.9 Use of Parking Areas and Spaces

No **parking area** or **parking space** permitted or required under this By-law shall be **used** for any other purpose than the parking of vehicles **used** in conjunction with the permitted **uses** on the **lot**.

5.1.10 Residential Use Parking Regulations

5.1.10.1 Parking Space Size for Residential Parking Requirements

Every off-street **parking space** for a residential **use** (excluding **cluster townhouses** and **apartments**) shall have a minimum stall size of 3 m wide by 6 m long. When required **parking spaces** occur within an attached or detached **garage**, the minimum interior dimensions of such **garage** will be 3 m wide by 6 m long, and a maximum of two (2) steps may project up to 0.46 m into the required **parking space**.

5.1.10.2 Parking Area Location for a Residential Use

Notwithstanding the **yard** and setback provisions of this By-law to the contrary, uncovered surface **parking areas** shall be permitted in the required **yards** provided that no part of any **parking area**, other than a driveway, is located closer than 1.1 m to any **street line** or 0.6 m to any **lot line**, and as specified below:

1. A **parking area** for a residential **use** containing three or more **dwelling units** shall only be located in the **rear yard**.
2. No part of any driveway or **parking area** shall be located within 2 m of a **building** entrance or any window of a **habitable room**.

5.1.10.3 Ingress and Egress to Parking Areas for Residential Uses

The following provisions shall apply to driveways and driveway widenings:

1. A driveway shall be located so as to lead directly from a **street** or **lane** to a required **parking space**, either within a **garage** or outside, through the **front yard** or **exterior side yard**;
2. Driveway width shall be measured along the **lot line**, and the entrance radii shall be in accordance with Township By-laws.
 - a. Notwithstanding the following regulations of this Section, a driveway shall have a minimum width of 3.5 m;
 - b. A driveway may be a maximum width of 50% of the **lot** width or 7.5 m, whichever is less; and shall be located no closer than 0.6 m to the **side lot line**;
 - c. In the case of a **semi-detached dwelling** with an attached **garage** the driveway may extend beyond the width of the attached **garage** to a maximum width of 5.2 m and shall be located no closer than 0.6 m to the **side lot line** which is not located along the common wall of the same dwelling;
 - d. In the case of a **street fronting townhouse** or **cluster townhouse** each driveway shall be separated by a minimum width of 0.6 m.
3. A maximum of one driveway with one access point shall be permitted for each dwelling, except in the case of:
 - a. a **corner lot** where a maximum of one driveway may be permitted from each **street**;
 - b. on a **lot** having a minimum **lot** width of 30 m, where a maximum of two driveways may be permitted; or
 - c. a **semi-detached dwelling**, where each **semi-detached dwelling** may have one driveway.
4. The minimum distance between a driveway and an intersection of **street lines** measured along the **street line** intersected by such driveway shall be 7.5 m.

5.1.10.4 Visitor Parking

All required visitor parking shall be clearly identified, demarcated and reserved. Visitor parking may be located in front or to the side of the **building**, provided it is outside of the required **front yard** or **exterior side yard**.

5.1.10.5 Parking of Commercial Motor Vehicles, Tractor Trailers and Buses in Residential Zones

No **person** shall **use** any **lot**, **building** or **structure** for the parking or storage of any **tractor trailer**, including either the cab and/or trailer, **commercial motor vehicle** or bus in a Residential Zone except as permitted in the following:

1. Such parking or storage of one **commercial motor vehicle** where he/she is the owner or occupant of such **lot**, **building** or **structures**, and provided the vehicle shall not exceed 2722 kg gross vehicle weight or not exceed a length of 9 m or not exceed a **height** of 2 m.
2. Such parking for a **tractor trailer** or **commercial motor vehicle** which is attending a residential premises on a temporary and short-term basis for the purposes of delivery and service.

5.1.10.6 Parking of Recreational Vehicles in Residential Zones

The storage or parking of a **recreational trailer**, boat, snowmobile, **accessory** trailer, or similar recreational vehicles, shall be permitted in a Residential Zone or on a **lot used** for residential purposes, provided that:

1. The length of such **recreational trailer**, boat or snowmobile or **accessory** trailer does not exceed 9 m;
2. Such **recreational trailer**, boat or snowmobile or **accessory** trailer may be located in the **rear yard** or **interior side yard** provided it is located no closer than 1 m to the **lot line** or within 2 m of a **building** entrance or any window of a **habitable room**;
3. The owner or occupant of any **lot** or **building** shall not store or park more than three of the vehicles listed above;
4. Notwithstanding Section 5.1.10.6.3, the limitations imposed therein shall not restrict the number of vehicles that are fully enclosed within a **garage** or **dwelling unit** provided that such vehicles are owned by the occupant of such **lot**.

5. Notwithstanding any of the above provisions, driveway parking for the purposes of loading recreational vehicles will be permitted.

5.1.11 Commercial Use Parking Regulations

5.1.11.1 Commercial Plaza Complex Parking

The commercial **plaza complex parking space** requirements shall supersede the individual **use** parking requirements, except in the case when a **restaurant, medical clinic, or assembly hall** occupies more than 30% of the **gross floor area** of the **plaza complex**. In this case, the **parking space** requirements for the **restaurant medical clinic, or assembly hall use** will apply to the **gross floor area** of that **use**, while the remainder of the **gross floor area** of the **plaza complex** will apply to the parking requirements of that **use**.

5.1.11.2 Parking Area Location for a Commercial Use

Notwithstanding the **yard** and setback provisions of this By-law to the contrary, uncovered surface **parking areas** shall be permitted in the required **yards** or in the area between the **street line** and the required setback provided that no part of any **parking area**, other than a driveway, is located closer than 1.1 m to any **street line** or 1.5 m to any **lot line**, except where a commercial **use** abuts a residential **use**, the **parking area** shall be set back 3 m from the **lot line** abutting the residential **use**.

5.1.11.3 Ingress and Egress to Parking Areas for Commercial Uses

Ingress and egress, to and from the required **parking spaces** and **parking areas** shall be provided by means of unobstructed driveways or passageways as specified below:

1. Any driveway used for one-way traffic shall have a minimum width of at least 3.5 m but not more than 7.5 m.
2. Any driveway used for two-way traffic shall have a minimum width of at least 6 m but not more than 10 m.
3. Driveway width shall be measured along the **lot line**, and the entrance radii shall be in accordance with Township By-laws. The driveway shall be **setback** 0.3 m from a **side lot line**, not including the **exterior lot line** when it serves as the point of access.

4. The minimum distance between a driveway and an intersection of **street lines** measured along the **street line** intersected by such driveway shall be 7.5 m.
5. The minimum angle of intersection between a driveway and a **street line** shall be 60 degrees.
6. Every **lot** shall be limited to the following number of driveways: one driveway for every 15 m of **frontage** for the first 30 m of **frontage**, and one driveway for each additional 30 m of **frontage**. The location of such driveways will be approved by the relevant road authority.

5.1.12 Agricultural & Industrial Zone Parking Regulations

5.1.11.1 Industrial Plaza Complex Parking

The industrial **plaza complex parking space** requirements shall supersede the individual **use** parking requirements.

5.1.12.2 Parking Area Location for a Agricultural or Industrial Use

Notwithstanding the **yard** and setback provisions of this By-law to the contrary, uncovered surface **parking areas** shall be permitted in the required **yards** or in the area between the **street line** and the required setback provided that no part of any **parking area**, other than a driveway, is located closer than 1.1 m to any **street line** or **lot line**, or as specified below:

1. Where an **industrial use** abuts a residential **use**, the **parking area** shall be set back 3 m from the **lot line** abutting the residential **use**.
2. For extractive industrial/disposal industrial **uses**, parking shall be permitted in the **rear yard** and **interior side yard** and where such **uses** abut a residential, commercial, institutional or **agricultural use**, the **parking area** shall be set back 9 m from the abutting **lot line**.

5.1.12.3 Ingress and Egress to Parking Areas for Agricultural & Industrial Uses

Ingress and egress, to and from the required **parking spaces** and **parking areas** shall be provided by means of unobstructed driveways or passageways as specified below:

1. Any driveway used for one-way traffic shall have a minimum width of at least 3.5 m but not more than 7.5 m.
2. Any driveway used for two-way traffic shall have a minimum width of at least 6 m but not more than 12 m.
3. Driveway width shall be measured along the **lot line**, and the entrance radii shall be in accordance with Township By-laws. The driveway shall be setback 0.3 m from a **side lot line**, not including the **exterior lot line** when it serves as the point of access.
4. The minimum distance between a driveway and an intersection of **street lines** measured along the **street line** intersected by such driveway shall be 7.5 m.
5. The minimum angle of intersection between a driveway and a **street line** shall be 60 degrees.
6. Every **lot** shall be limited to the following number of driveways: one driveway for every 15 m of **frontage** for the first 30 m of **frontage**, and one driveway for each additional 30 m of **frontage**. The location of such driveways will be approved by the relevant road authority.

5.1.12.4 Parking of Commercial Motor Vehicles, Tractor Trailers and Buses in the Agricultural Zone

No **person** shall **use** any **lot**, **building** or **structure** for the parking or storage of any **tractor trailer**, including either a cab and/or trailer, **commercial motor vehicle** or bus in any Agricultural Zone except as permitted in the following:

1. The vehicles are operable and currently licensed to the owner, occupant or operator of such a **lot**, **building** or **structures**;
2. Where the **lot** has a **lot area** of greater than 8,000 m² (0.8 ha) such parking or storage is limited to a maximum total of three such vehicles including a maximum of one such vehicle not related to a permitted **use** on the property. The remaining such vehicles stored or parked on the property shall be **accessory** to the permitted **use**;
3. Where the **lot** has a **lot area** of less than or equal to 8,000 m² such parking or storage is limited to a maximum total of one such vehicle.

5.1.13 Accessible Parking

Where the parking requirements for any land **use** is 2 or more spaces, 1 space of the first 10 spaces required, plus 1 space of every additional 50 spaces or portion thereof, shall be provided as an accessible **parking space**.

Accessible **parking spaces** for the physically handicapped shall be:

- a minimum width of 4 m and a minimum length of 6 m;
- hard-surfaced and level;
- located near and accessible to an entrance; and
- identified by a **sign** with the International Symbol for Handicapped Persons.

5.2 Stacking Requirements

All **drive-thru establishments** shall comply with the following **stacking lane** regulations:

TYPE OF DRIVE-THRU	MINIMUM STACKING LANE
Drive-thru restaurant	10
Automobile Service/Gas Station gas bar (per pump island)	2
All other drive thru types (including car washes)	4

5.2.1 Stacking Space Size

All stacking spaces shall be rectangular in shape, with a minimum size of 2.7 m wide by 5.4 m long.

5.2.2 Stacking Lane Marking

Stacking lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the **parking area**.

5.3 Loading Space Requirements

Any **lot, building** or **structure used** for any purpose involving the receiving, shipping, loading or unloading of **persons**, animals, or things, shall provide on the same **lot** and not forming part of a **street** or **lane**, loading or unloading facilities in accordance with the following schedule:

GROSS FLOOR AREA	MINIMUM NUMBER OF LOADING SPACES REQUIRED
Less than 465 m ²	0 spaces
465 m ² to 930 m ²	1 space
Each additional 930 m ² or portion thereof	1 additional space

5.3.1 Loading Space Size

A **loading space** shall be 10 m long, 3.5 m wide and having a vertical clearance of at least 4 m.

5.3.2 Loading Space Access

Each **loading space** shall be provided with one or more unobstructed driveways of not less than 3.5 m in width. Such driveway shall be contained within the **lot** on which the spaces are located and are accessible from a **street** or **lane**. No part of such driveway shall be **used** for the parking or temporary storage of vehicles.

5.3.3 Loading Space Surface

The driveways, loading and unloading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles and with provisions for drainage facilities.

5.3.4 Loading Space Location

All **loading spaces** shall be so arranged as to avoid interference with the movement of traffic on public **streets**. No **loading spaces** shall occupy any required **front yard** or required **exterior side yard**, nor be situated upon any **street**, **lane** or required **parking space** unless set back from the **street line** a minimum distance of 20 m.

5.3.5 Additions to Existing Use

The **loading space** requirements referred to herein shall not apply to any **building** in existence as of August 8, 2016 so long as the floor area as it existed at such date is not increased.

If an addition is made to the **building** or **structure** which increases the **gross floor area**, then additional **loading spaces** shall be provided as required by Section 5.3 of this By-law for such addition.

SECTION 6 – AGRICULTURAL (A) ZONE

6.1 Permitted Uses

Within any Agricultural Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.2)
- **Agricultural Use**
- **Agricultural-Related Business**
- **Bed and Breakfast Establishment**
- **Conservation**
- **Dwelling, Accessory Second Unit** (Section 4.4)
- **Dwelling, Detached**
- **Dwelling, Garden Suite** (Section 4.5)
- **Dwelling, Group Home**
- **Farm Home Industry** (Section 6.2.9)
- **Farm Business** (Section 6.2.9)
- **Home Occupation**
- **Kennel** (Section 6.2.10)

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

6.2 Regulations

Within any Agricultural Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

6.2.1	Minimum Lot Area	350,000 m ² (35 ha)
6.2.2	Minimum Lot Frontage	120 m
6.2.3	Minimum Front Yard	12.5 m (Section 4.19 & Section 4.20)
6.2.4	Minimum Rear Yard	7.5 m
6.2.5	Minimum Interior Side Yard	3 m

	Where the interior side lot line abuts a Residential Zone or land in use for residential purposes, the minimum interior side yard width is 7.5 m.
6.2.6	Minimum Exterior Side Yard 12.5 m (Section 4.19 & Section 4.20)

6.2.7 Livestock Facilities

New **livestock facilities** will not be permitted on **lots** with a **lot area** of less than 8,000 m² (0.8 ha). (Section 4.24)

6.2.8 Regulations for Residential Uses

Notwithstanding the above regulations, **lots used** solely for residential purposes shall be subject to the following regulations:

6.2.8.1	Minimum Lot Area	4,000 m ² (0.4 ha)
6.2.8.2	Minimum Frontage	30 m
6.2.8.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
6.2.8.4	Minimum Rear Yard	7.5 m
6.2.8.5	Minimum Interior Side Yard	3 m
6.2.8.6	Minimum Exterior Side Yard	7.5 m (Section 4.19 & Section 4.20)
6.2.8.7	Maximum Lot Coverage	30%
6.2.8.8	Maximum Building Height	11 m

6.2.9 Limits in Area for Non-Agricultural Uses

The associated **buildings, structures**, parking and loading areas of **farm home industries, kennels, and farm businesses** shall not occupy a combined area exceeding 2% of the **lot area**, to a maximum of 0.4 hectares in area.

6.2.10 Kennels

1. A **kennel** must be located on a farm, and shall be secondary to the **agricultural use**.

2. The **kennel** must employ at least one **person** who dwells on the property and may employ two additional employees.
3. A **kennel** must be appropriate for rural servicing and be compatible with **agricultural uses**.
4. A **kennel** must comply with all applicable by-laws and regulations such as noise and parking regulations.
5. A **kennel** and all associated structures must be setback 150 m from all property lines.
6. A **kennel** is limited in area, as included in Section 6.2.9.

SECTION 7 – RURAL RESIDENTIAL (RR) ZONE

7.1 Permitted Uses

Within any Rural Residential Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.2)
- **Bed and Breakfast Establishment**
- **Dwelling, Accessory Second Unit** (Section 4.4)
- **Dwelling, Detached**
- **Dwelling, Garden Suite** (Section 4.5)
- **Dwelling, Group Home**
- **Home Occupation**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

7.2 Regulations

Within any Rural Residential Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

7.2.1	Minimum Lot Area	4,000 m ² (0.4 ha)
	Existing lots as of October 19, 1999, shall have a minimum lot area of 2,000 m ² (0.2 ha).	
7.2.2	Minimum Lot Frontage	30 m
7.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
7.2.4	Minimum Rear Yard	7.5 m
7.2.5	Minimum Interior Side Yard	3 m
7.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
7.2.7	Maximum Lot Coverage	30%
7.2.8	Maximum Building Height	11 m

SECTION 8 – VILLAGE RESIDENTIAL LOW DENSITY (R1) ZONE

8.1 Permitted Uses

Within any Village Residential Low Density Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.2)
- **Bed and Breakfast Establishment**
- **Dwelling, Accessory Second Unit** (Section 4.4)
- **Dwelling, Detached**
- **Dwelling, Duplex**
- **Dwelling, Group Home**
- **Dwelling, Semi-Detached**
- **Home Occupation**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

8.2 Regulations

Within any Village Residential Low Density Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

8.2.1 Regulations for Detached & Duplex Dwellings:

8.2.1.1	Minimum Lot Area	405 m ²
8.2.1.2	Minimum Lot Frontage	13.5 m
8.2.1.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
8.2.1.4	Minimum Rear Yard	7.5 m
8.2.1.5	Minimum Interior Side Yard	1.8 m

	One side yard must be 3 m if no attached garage or carport is provided
8.2.1.6	Minimum Exterior Side Yard 4.5 m (Section 4.19 & Section 4.20)
8.2.1.7	Maximum Lot Coverage 35%
8.2.1.8	Maximum Building Height 9 m

8.2.2 Regulations for Semi-Detached Dwellings (Each Unit):

8.2.2.1	Minimum Lot Area	300 m ²
8.2.2.2	Minimum Lot Frontage	10 m
8.2.2.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
8.2.2.4	Minimum Rear Yard	7.5 m
8.2.2.5	Minimum Interior Side Yard	1.8 m
	Side yard must be 3 m if no attached garage or carport is provided	
8.2.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
8.2.2.7	Maximum Lot Coverage	35%
8.2.2.8	Maximum Building Height	9 m

SECTION 9 – VILLAGE RESIDENTIAL MEDIUM DENSITY (R2) ZONE

9.1 Permitted Uses

Within any Village Residential Medium Density Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.2)
- **Bed and Breakfast Establishment**
- **Dwelling, Accessory Second Unit** (Section 4.4)
- **Dwelling, Apartment**
- **Dwelling, Cluster Townhouse**
- **Dwelling, Detached**
- **Dwelling, Duplex**
- **Dwelling, Group Home**
- **Dwelling, Retirement Home**
- **Dwelling, Semi-Detached**
- **Dwelling, Street Fronting Townhouse**
- **Home Occupation**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

9.2 Regulations

Within any Village Residential Medium Density Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

9.2.1 Regulations for Detached & Duplex Dwellings

9.2.1.1	Minimum Lot Area	405 m ²
9.2.1.2	Minimum Lot Frontage	13.5 m
9.2.1.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
9.2.1.4	Minimum Rear Yard	7.5 m
9.2.1.5	Minimum Interior Side Yard	1.8 m
	One <i>side yard</i> must be 3 m if no attached garage or carport is provided	
9.2.1.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
9.2.1.7	Maximum Lot Coverage	35%
9.2.1.8	Maximum Building Height	9 m

9.2.2 Regulations for Semi-Detached Dwellings (Each Unit):

9.2.2.1	Minimum Lot Area	300 m ²
9.2.2.2	Minimum Lot Frontage	10 m
9.2.2.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
9.2.2.4	Minimum Rear Yard	7.5 m
9.2.2.5	Minimum Interior Side Yard	1.8 m
	<i>Side yard</i> must be 3 m if no attached garage or carport is provided	
9.2.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
9.2.2.7	Maximum Lot Coverage	35%
9.2.2.8	Maximum Building Height	9 m

9.2.3 Regulations for Apartment Dwellings:

9.2.3.1	Minimum Lot Area	800 m ² for first 4 units plus 100 m ² for each additional unit
9.2.3.2	Minimum Lot Frontage	30 m
9.2.3.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
9.2.3.4	Minimum Rear Yard	7.5 m
9.2.3.5	Minimum Interior Side Yard	4.5 m
9.2.3.6	Minimum Exterior Side Yard	6 m (Section 4.19 & Section 4.20)
9.2.3.7	Maximum Lot Coverage	35%
9.2.3.8	Maximum Building Height	11 m

9.2.4 Regulations for Cluster Townhouse Dwellings:

9.2.4.1	Minimum Lot Area	200 m ² per unit
9.2.4.2	Minimum Lot Frontage	18 m
9.2.4.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
9.2.4.4	Minimum Rear Yard	7.5 m
9.2.4.5	Minimum Interior Side Yard	4.5 m
9.2.4.6	Minimum Exterior Side Yard	6 m (Section 4.19 & Section 4.20)
9.2.4.7	Maximum Lot Coverage	35%
9.2.4.8	Maximum Building Height	9 m

9.2.5 Regulations for Street Fronting Townhouse Dwellings (Per Unit):

9.2.5.1	Minimum Lot Area	200 m ²
9.2.5.2	Minimum Lot Frontage	6 m
9.2.5.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
9.2.5.4	Minimum Rear Yard	7.5 m
9.2.5.5	Minimum Interior Side Yard	2 m
9.2.5.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
9.2.5.7	Maximum Lot Coverage	35%
9.2.5.8	Maximum Building Height	9 m

SECTION 10 – VILLAGE COMMERCIAL (C1) ZONE

10.1 Permitted Uses

Within any Village Commercial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.2)
- **Commercial School**
- **Courier Service**
- **Dry Cleaning and Laundering Establishment**
- **Dwelling, Accessory Second Unit** (Section 4.4)
- **Dwelling, Apartment** (Section 10.2.9)
- **Entertainment/Recreation Establishment**
- **Financial Institution**
- **Funeral Home**
- **Institutional Uses**
- **Office**
- **Parking Lot**
- **Pet Grooming**
- **Restaurant**
- **Retail Store**
- **Service Shop**
- **Taxi or Bus Depot**
- **Veterinary Clinic**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

10.2 Regulations

Within any Village Commercial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

10.2.1	Minimum Lot Area	300 m ²
10.2.2	Minimum Lot Frontage	10 m
10.2.3	Minimum Front Yard	0.0 m (Section 4.19 & Section 4.20)
10.2.4	Minimum Rear Yard	7.5 m
10.2.5	Minimum Interior Side Yard	0.0 m
10.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
10.2.7	Maximum Lot Coverage	80%
10.2.8	Maximum Building Height	11 m

10.2.9 Regulations for Apartment Dwellings:

Apartments are only permitted on the upper floors of commercial establishments. Commercial **uses** must occupy the entire ground floor and no **accessory second unit** shall be permitted in the same **building** or **structure**.

10.3 Flood Plain Area - (f)

In addition to Section 10.2 any new development or redevelopment proposed within the C1 (f) area are also subject to the regulations of the Grand River Conservation Authority which include the following:

1. Development, redevelopment or a major addition/renovation for permitted residential **uses** shall be permitted in the flood fringe provided that the **structure** is floodproofed to the regulatory level and that:
 - a. the habitable floor space elevation of any new residential **dwelling unit** is located above the regulatory flood elevation;
 - b. no **basements** are allowed;
 - c. mechanical, electrical, air conditioning and heating equipment will be located above the regulatory flood level; and
 - d. safe access is provided.
2. Minor renovation/addition to **existing** residential **buildings** in the flood fringe shall be permitted provided any new habitable floor space is, where feasible, above the regulatory flood level, and in no case lower than the elevation of the **existing** ground floor level.

3. Conversion of an **existing** commercial **building** to a residential **use** in the flood fringe will be permitted provided the **building** is floodproofed to the regulatory flood level and that:
 - a. the habitable floor space elevation of any new residential **use** is located above the regulatory flood elevation;
 - b. mechanical, electrical, air conditioning and heating equipment will be located above the regulatory flood level;
 - c. safe access is provided.
4. Any commercial development or redevelopment of **existing** commercial **structures** shall be permitted provided that the **building** or **structure** is floodproofed to the regulatory flood level and that:
 - a. mechanical, electrical, air conditioning and heating equipment will be located above the regulatory flood level.
 - b. where practical, **building** openings will be located above the regulatory flood level. Where doorway elevations are permitted below the regulatory flood level, the openings will be floodproofed to the satisfaction of the Grand River Conservation Authority.
5. A permit will be required from the Grand River Conservation Authority for all construction and placement or removal of fill occurring within the flood fringe, in addition to any other necessary permits or approvals such as a building permit or site plan approval.
6. Notwithstanding any uses permitted by the underlying Zone the following uses shall be prohibited in a C1 (f) Zone - Flood Plain Area:
 - a. an **institutional use** such as hospitals, **long-term care facilities, retirement homes**, pre-schools, school nurseries, **child care centres** and **schools**;
 - b. an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or
 - c. uses associated with the disposal, manufacturing, treatment or storage of hazardous substances.

SECTION 11 – VILLAGE SERVICE COMMERCIAL (C2) ZONE

11.1 Permitted Uses

Within any Village Service Commercial Zone, no **person** shall **use** any **lot** or **erect**, **alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.2)
- **Assembly Hall**
- **Automobile Service/Gas Station**
- **Commercial School**
- **Courier Service**
- **Dry Cleaning and Laundering Establishment**
- **Dwelling, Accessory Second Unit** (Section 4.4)
- **Dwelling, Apartment**
- **Dwelling, Cluster Townhouse**
- **Dwelling, Street Fronting Townhouse**
- **Dwelling, Retirement Home**
- **Entertainment/Recreation Establishment**
- **Farmer's Market**
- **Financial Institution**
- **Funeral Home**
- **Garden Centre**
- **Hotel or Motel**
- **Institutional Uses**
- **Office**
- **Parking Lot**
- **Pet Grooming**
- **Plaza Complex**
- **Restaurant**
- **Retail Store**
- **Service Shop**
- **Taxi or Bus Depot**
- **Veterinary Clinic**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

11.2 Regulations

Within any Village Service Commercial Zone, no **person** shall **use** any **lot** or **erect**, **alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

11.2.1	Minimum Lot Area	800 m ²
11.2.2	Minimum Lot Frontage	15 m
11.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
11.2.4	Minimum Rear Yard	7.5 m
11.2.5	Minimum Interior Side Yard	1.8 m
11.2.6	Minimum Exterior Side Yard	7.5 m (Section 4.19 & Section 4.20)
11.2.7	Maximum Lot Coverage	35 %
11.2.8	Maximum Building Height	11 m

11.2.9 Regulations for Apartment Dwellings and Retirement Homes:

11.2.9.1	Minimum Lot Area	800 m ² for first 4 units plus 100 m ² for each additional unit
11.2.9.2	Minimum Lot Frontage	30 m
11.2.9.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
11.2.9.4	Minimum Rear Yard	7.5 m
11.2.9.5	Minimum Interior Side Yard	4.5 m
11.2.9.6	Minimum Exterior Side Yard	6 m (Section 4.19 & Section 4.20)
11.2.9.7	Maximum Lot Coverage	35%
11.2.9.8	Maximum Building Height	11 m

11.2.10 Regulations for Cluster Townhouse Dwellings:

11.2.10.1	Minimum Lot Area	200 m ² per unit
11.2.10.2	Minimum Lot Frontage	18 m
11.2.10.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
11.2.10.4	Minimum Rear Yard	7.5 m
11.2.10.5	Minimum Interior Side Yard	4.5 m
11.2.10.6	Minimum Exterior Side Yard	6 m (Section 4.19 & Section 4.20)
11.2.10.7	Maximum Lot Coverage	35%
11.2.10.8	Maximum Building Height	9 m

11.2.12 Regulations for Street Fronting Townhouse Dwellings (Per Unit):

11.2.12.1	Minimum Lot Area	200 m ²
11.2.12.2	Minimum Lot Frontage	6 m
11.2.12.3	Minimum Front Yard	6 m (Section 4.19 & Section 4.20)
11.2.12.4	Minimum Rear Yard	7.5 m
11.2.12.5	Minimum Interior Side Yard	2 m
11.2.12.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
11.2.12.7	Maximum Lot Coverage	35%
11.2.12.8	Maximum Building Height	9 m

SECTION 12 – HAMLET MIXED USE (C3) ZONE

12.1 Permitted Uses

Within any Hamlet Mixed Use Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.2)
- **Assembly Hall**
- **Dwelling, Accessory Second Unit** (Section 4.4 & Section 12.2.10.3)
- **Dwelling, Detached**
- **Dwelling, Group Home**
- **Farmer’s Market**
- **Funeral Home**
- **Institutional Uses**
- **Office**
- **Restaurant**
- **Retail Store**
- **Service Shop**
- **Veterinary Clinic**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

12.2 Regulations

Within any Hamlet Mixed Use Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

12.2.1	Minimum Lot Area	4,000 m ² (0.4 ha)
12.2.2	Minimum Lot Frontage	30 m
12.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
12.2.4	Minimum Rear Yard	7.5 m

	Minimum Interior Side Yard	3 m
12.2.5	Where the <i>interior side lot line</i> abuts a Residential Zone or lands <i>used</i> for residential purposes, the minimum <i>interior side yard</i> width is 7.5 m, unless abutting <i>uses</i> are both residential.	
12.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
12.2.7	Maximum Lot Coverage	35%
12.2.8	Maximum Building Height	11 m

12.2.9 Flood Plain Area – (f)

In addition to Section 12.2 any new development or redevelopment proposed within the C3 (f) area are also subject to the regulations of the Grand River Conservation Authority which include the following:

1. Conversion of *existing* residences to a permitted commercial *use* will require flood proofing measures approved by the Grand River Conservation Authority.
2. An *existing* commercial *building* shall not be converted to a residential *use*.
3. Additions or enlargements to *structures existing* on October 19, 1999 will be permitted up to a maximum of 50% of the *existing ground floor* area with flood proofing measures approved by the Grand River Conservation Authority. No basements or accessory second units, or enlargements of existing basements or accessory second units will be permitted.
4. Prior to the approval or enlargement of an *existing structure* or change in *use*, a permit is required from the Grand River Conservation Authority for land located below the elevation of the Regulatory Flood Line.
5. The exact delineation of the C3 (f) Zone limits shall be determined in consultation with the Grand River Conservation Authority. The applicant may be required to obtain the services of a qualified professional to determine the exact elevations on their land.
6. Notwithstanding any uses permitted by the underlying Zone the following uses shall be prohibited in a C3 (f) Zone - Flood Plain Area:
 - a. an *institutional use* such as hospitals, *long-term care facilities, retirement homes*, pre-schools, school nurseries, *child care centres* and *schools*;
 - b. an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or

- c. uses associated with the disposal, manufacturing, treatment or storage of hazardous substances.

SECTION 13 – HIGHWAY COMMERCIAL (C4) ZONE

13.1 Permitted Uses

Within any Highway Commercial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.2)
- **Agricultural Service Establishment**
- **Assembly Hall**
- **Auction House**
- **Automobile Sales Establishment**
- **Automobile Service/Gas Station**
- **Automobile Washing Establishment**
- **Brewing-on-Premise Establishment**
- **Commercial School**
- **Contractor or Tradesman Establishment**
- **Courier Service**
- **Dry Cleaning and Laundering Establishment**
- **Dwelling, Accessory Second Unit** (Section 4.4)
- **Entertainment/Recreation Establishment**
- **Farm Implement Outlet**
- **Farmer's Market**
- **Financial Institution**
- **Funeral Home**
- **Garden Centre**
- **Hotel or Motel**
- **Institutional Uses**
- **Office**
- **Parking Lot**
- **Plaza Complex**
- **Recreational Trailer Sales and Service Establishment**
- **Rental Outlet**
- **Restaurant**
- **Service Shop**
- **Specialty Store**
- **Taxi or Bus Depot**
- **Veterinary Clinic**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

13.2 Regulations

Within any Highway Commercial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

13.2.1	Minimum Lot Area	4,000 m ² (0.4 ha)
13.2.2	Minimum Lot Frontage	30 m
13.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
13.2.4	Minimum Rear Yard	7.5 m
13.2.5	Minimum Interior Side Yard	3 m
	Where the interior side lot line abuts a Residential Zone or lands used for residential purposes, the minimum interior side yard width is 7.5 m.	
13.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
13.2.7	Maximum Lot Coverage	40%
13.2.8	Maximum Building Height	11 m
13.2.9	Minimum Landscaped Area	10%

SECTION 14 – RURAL INDUSTRIAL (M1) ZONE

14.1 Permitted Uses

Within any Rural Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Retail Store, Wholesale Outlet**, Showroom, **Office**, or facilities for employees including: **Recreational Uses**, a **Child Care Centre**, and a **Restaurant**.
- **Accessory Use** (Section 4.2)
- **Agricultural Service Establishment**
- **Agricultural Supply Establishment**
- **Automobile Body/Repair Shop**
- **Brewing-on-Premise Establishment**
- **Catering Service**
- **Construction Company**
- **Contractor or Tradesperson Establishment**
- **Industrial Use**
- **Plaza Complex**
- **Recreational Trailer Sales and Service Establishment**
- **Rental Outlet**
- **Scientific Research Establishment**
- **Self-Storage**
- **Transport Establishment**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

14.2 Regulations

Within any Rural Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

14.2.1	Minimum Lot Area	4,000 m ² (0.4 ha)
14.2.2	Minimum Lot Frontage	30 m
14.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
14.2.4	Minimum Rear Yard	7.5 m
14.2.5	Minimum Interior Side Yard	4.5 m
	Where the <i>interior side lot line</i> abuts a Residential Zone or lands in <i>use</i> for residential purposes, the minimum <i>interior side yard</i> width is 7.5 m.	
14.2.6	Minimum Exterior Side Yard	7.5 m (Section 4.19 & Section 4.20)
14.2.7	Maximum Lot Coverage	40%
14.2.8	Maximum Building Height	15 m

14.2.9 Restrictions on Gross Floor Area for Accessory Uses

An *accessory office* shall have a maximum *gross floor area* of 40% of the *gross floor area used* by the *main use*.

An *accessory retail store, wholesale outlet*, showroom, or *accessory* facilities for employees (including *recreational uses*, a *child care centre*, and a *restaurant*) shall have a maximum *gross floor area* no greater than 30% of the *gross floor area* of the *main use*.

SECTION 15 – EXTRACTIVE INDUSTRIAL (M3) ZONE

15.1 Permitted Uses

Within any Extractive Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.2)
- **Accessory Wholesale Outlet** or **Office**
- **Aggregate Processing Facility**
- **Agricultural Use**
- **Conservation**
- **Pit**
- **Asphalt Plant**
- **Quarry**
- **Wayside Pit** or **Quarry**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

15.2 Regulations

Within any Extractive Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

15.2.1 Setbacks for Excavation

No excavation shall occur:

1. within 15 m of any **lot line**;
2. 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;
3. within 30 m from any body of water that is not the result of excavation below the water table.

15.2.2 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**:

1. within 30 m of any **lot line** (Section 4.19 & Section 4.20);
2. within 90 m from any part of the boundary of the site that abuts land Zoned or **used** for residential purposes.

15.2.3 Maximum Building Height 25 m

15.2.4 Restrictions on Lot Area for Accessory Uses

An **accessory office** and **accessory wholesale outlet** shall have a maximum combined **ground floor area** of 10% of the **lot area**.

SECTION 16 – DISPOSAL INDUSTRIAL (M4) ZONE

16.1 Permitted Uses

Within any Disposal Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.2)
- **Composting Yard**
- **Recycling Plant**
- **Waste Disposal Area**
- **Waste Processing Plant**
- **Waste Transfer Station**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

16.2 Regulations

Within any Disposal Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

16.2.1	Minimum Front Yard	30 m (Section 4.19 & Section 4.20)
16.2.2	Minimum Rear Yard	30 m
16.2.3	Minimum Interior Side Yard	30 m
16.2.4	Minimum Exterior Side Yard	30 m (Section 4.19 & Section 4.20)
16.2.5	Maximum Building Height	25 m

SECTION 17 – INSTITUTIONAL (I) ZONE

17.1 Permitted Uses

Within any Institutional Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.2)
- **Assembly Hall**
- **Dwelling, Group Home**
- **Institutional Use**
- **Museum**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

17.2 Regulations

Within any Institutional Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

17.2.1	Minimum Lot Area	900 m ²
17.2.2	Minimum Frontage	15 m
17.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
17.2.4	Minimum Rear Yard	7.5 m
17.2.5	Minimum Interior Side Yard	3 m
	Where the interior side lot line abuts a Residential Zone or land in use for residential purposes, the minimum interior side yard width is 7.5 m.	
17.2.6	Minimum Exterior Side Yard	4.5 m (Section 4.19 & Section 4.20)
17.2.7	Maximum Lot Coverage	50%
17.2.8	Maximum Building Height	11 m

17.2.9	Minimum Landscaped Area	10%
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SECTION 18 – OPEN SPACE (OS1) ZONE

18.1 Permitted Uses

Within any Open Space Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Agricultural Use**
- **Accessory Use** (Section 4.2)
- **Accessory Retail Store** or **Office**
- **Campground**
- **Conservation**
- **Dwelling, Detached** (Section 18.2.10)
- **Flood Control Project**
- **Passive Recreation**
- **Recreational Uses**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

18.2 Regulations

Within any Open Space Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

18.2.1	Minimum Lot Area	4,000 m ² (0.4 ha)
18.2.2	Minimum Lot Frontage	30 m
18.2.3	Minimum Front Yard	7.5 m (Section 4.19 & Section 4.20)
18.2.4	Minimum Rear Yard	7.5 m
18.2.5	Minimum Interior Side Yard	3 m
	Where the interior side lot line abuts a Residential Zone or land in use for residential purposes, the minimum interior side yard width is 7.5 m.	
18.2.6	Minimum Exterior Side Yard	7.5 m (Section 4.19 & Section 4.20)

18.2.7	Maximum Lot Coverage	40%
18.2.8	Maximum Building Height	11 m

18.2.9 Restrictions for Agricultural Uses

Within the Open Space Zone, ***agricultural uses*** shall not be allowed within the Urban Centre or Hamlet Areas.

The provisions of the Agricultural Zone shall apply to ***agricultural uses***.

18.2.10 Restrictions for Residential Use

A ***detached dwelling*** may only exist for the purposes of the owner, caretaker, watchman or other similar ***persons*** employed on the ***lot*** on which such ***dwelling unit*** is located. The regulations of the Rural Residential Zone shall be applied to the ***dwelling unit***.

SECTION 19 – OPEN SPACE RESTRICTED (OS2) ZONE

19.1 Permitted Uses

Within any Open Space Restricted Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Agricultural Use**
- **Accessory Use** (Section 4.2)
- **Conservation**
- **Flood Control Project**
- **Passive Recreation**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

19.2 Regulations

19.2.1 New Detached Dwellings within the Village of Rockwood

Notwithstanding Section 19.1, a **detached dwelling** may be permitted on a **lot existing** as of October 19, 1999 in Rockwood in the Open Space Restricted Zone provided all of the following are satisfied:

1. the approval of the Grand River Conservation Authority and the County of Wellington is obtained;
2. the proposed **building** site is not within the regulatory floodline;
3. the proposed **building** complies with the regulations of the Village Residential Low Density Zone, and all other regulations of this By-law.

19.2.2 Restrictions for Agricultural Uses

Within the Open Space Restricted Zone, **agricultural uses** shall not be allowed within the Urban Centre or Hamlet Areas.

The provisions of the Agricultural Zone shall apply to **agricultural uses**.

SECTION 20 – ENVIRONMENTAL PROTECTION (EP) ZONE

20.1 Permitted Uses

Within any Environmental Protection Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.2)
- **Agricultural Use** (Section 20.2.1)
- **Conservation**
- **Flood Control Project**
- **Passive Recreation**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

20.2 Regulations

20.2.1 Restrictions on Agricultural Uses

Within the Environmental Protection Zone, **agricultural uses** shall not be allowed within the Urban Centre or Hamlet Areas. The provisions of the Agricultural Zone shall apply to **agricultural uses**.

Within the Environmental Protection Zone, **agricultural uses** do not include a **detached dwelling**.

Notwithstanding Section 20.1, new or expanded agricultural **buildings** and **structures** will require approval from the Grand River Conservation Authority.

SECTION 21 – SPECIAL PROVISIONS

The following provisions shall have effect notwithstanding anything else in this By-law and the other provisions of this By-law shall be deemed to be amended insofar as is necessary to give effect thereto. Reference should be made to the Schedule and Map noted in italics at the end of the provision.

21.1 Notwithstanding the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lot "I" Registered Plan 49, in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Highway No. 6, permitted uses shall include a chain saw and lawn mower sales and service centre.

21.2 Notwithstanding the provisions of the Highway Commercial (C4) Zone, on the lands described as Part of Lot 19, Registered Plan 365, in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Highway No. 6, permitted uses shall include an electronics distribution facility which may include retail and wholesale sales. The following uses shall not be permitted:

- i) open storage of goods and materials
- ii) Motel
- iii) Hotel

21.3 Notwithstanding the provisions of the Highway Commercial (C4) Zone, on lands described as Part of Lot 14, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the open storage of goods and materials is not permitted.

21.4 Notwithstanding the provisions of the Agricultural (A) Zone and Environmental Protection (EP) Zone, on the lands described as Part of Lot 8, Concession 3, Division "B", in the former Township of Guelph, illustrated on Schedule "A", a trucking business including the storage and repair of trucks and a warehouse facility shall be permitted. Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply:

- i) Minimum Lot area - 3.0 ha (7.4 ac)
- ii) Minimum Lot Frontage - 100 m

21.5 Notwithstanding the provisions of the Highway Commercial (C4) Zone, on the lands described as Lot 2, Registered Plan 44, Concession 2, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a welding shop shall be permitted and the following provisions shall apply:

- i) Minimum Lot area 0.195 ha (0.48 ac)

ii)	Minimum Interior Side Yard	1.22 m
iii)	Minimum Rear Yard	1.83 m

21.6 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 6 and 7, Concession 2, Division "C", in the former Township of Guelph, illustrated on Schedule "A", an airport and related uses shall be permitted.

21.7 Notwithstanding the provisions of the Highway Commercial (C4) Zone, on the lands described as Part of Lot 15, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a moving and storage business shall be a permitted.

21.8 Notwithstanding the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lot 15, Concession 2, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the Minimum Lot area shall be 0.37 ha (0.91 ac).

21.9 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 2, Concession 2, Division "D", in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Highway 6, and consisting of 0.7094 ha (1.75 ac), permitted uses shall be restricted to a detached dwelling unit, 3 apartment units, and a sporting goods supply store having a maximum floor area of 149 m².

21.10 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 8, Concession 2, Division "B", in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Township Road No. 12, and consisting of 0.8148 ha (2.01 ac), an autobody repair shop and a motor vehicle sales and service establishment shall be permitted.

21.11 Notwithstanding the provisions of the Agricultural (A) Zone, on the property legally known as Concession 2, Division D, Part Lots 5 to 8 inclusive; Concession 3, Division D, Lots 4 to Part Lot 10, inclusive; Part Lots 8 & 9 on Plan 865, and Part of Bedford Road together with Rights-of-Way in the former Township of Guelph, and municipally known as 5439 Highway 6 & 5420 Highway 6 illustrated on Schedule "A", permitted uses shall include institutional uses related to the activities of the centre, a cemetery, places of worship, places of retreat, five dwelling units related to farming, as well as shelters for the homeless and handicapped, accommodation for priests and laity, dining halls and supporting office facilities (ie. offices, computer facilities, reception room, kitchens, etc.), and works of charity and mercy, farming and education, and a child care centre.

21.12 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lots 15 and 16, Concession 6, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a Place of Worship shall be a permitted use and the Minimum Lot area shall be 10.8 ha.

[Amended by By-law 67/2000]

21.13 [Removed by By-law 40/2016]

21.14 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 15, Concession 6, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the additional uses of a Group Home or Long Term Care Facility shall be permitted. A Group Home or Long Term Care Facility licensed in accordance with the Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, as amended.

21.15 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 2, Concession 3, Division "B", in the former Township of Guelph, illustrated on Schedule "A", and fronting onto County Road No. 32, a woodworking shop and furniture manufacturing business shall be permitted uses.

Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply to the woodworking shop and furniture manufacturing business:

- | | | |
|-------|---------------------------------------|-----------------|
| i) | Minimum Lot area | 0.4 ha (1.0 ac) |
| ii) | Minimum Lot Width | 30.5 m |
| iii) | Minimum Side Yard | 6.1 m |
| iv) | Minimum Rear Yard | 1.5 m |
| v) | Parking spaces | 4 |
| vi) | Loading spaces | 1 |
| vii) | Maximum Building Height | 10.7 m |
| viii) | No outdoor storage shall be permitted | |

21.16 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 7, Concession 6, Division "C", in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Wellington Rd 124, and consisting of 3.6 hectares, a Garden Centre for the wholesale and retail sale (including products grown and/or produced off the site) of plants, trees, shrubs, soil, fertilizers, herbicides, insecticides, peat moss, mulch, gardening tools, sprinkler systems, landscaping products and accessories related to gardening and the planting of trees, shrubs and plants shall be a permitted use.

Notwithstanding the provisions of this By-law, the following special provisions shall apply:

- | | | |
|----|------------------|-----------------|
| i) | Minimum Lot area | 3.6 ha (8.8 ac) |
|----|------------------|-----------------|

- | | | |
|------|-------------------|-------|
| ii) | Minimum Lot Width | 145 m |
| iii) | Minimum Side Yard | 3.4 m |

[Amended by By-law 57/2005]

21.17 Notwithstanding the provisions of the Agricultural (A) and Environmental Protection (EP) Zones, on the lands described as Part of Lots 22, 23 and 24, Concession 1, Division "B", in the former Township of Guelph, illustrated on Schedule "A", and abutting onto Wellington Road 86, a 27-hole Golf Course and accessory uses shall be permitted.

21.18 Notwithstanding the provisions of the Open Space (OS1) Zone, on the lands described as Part of Lot 15, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", and fronting onto Wellington Road No. 30, Offices and accessory uses shall be permitted.

21.19 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lots 21 and 22, Concession 6, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the additional use of a Group Home shall be permitted.

[Amended by By-law 21/2005]

21.20 Notwithstanding the provisions of the Rural Residential (RR) and Environmental Protection (EP) Zones on the lands described as Part of Lots 9 and 10, Concession 1, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the following additional provisions shall apply:

- i) The boundary between the Rural Residential (RR) Zone and the adjacent Environmental Protection (EP) Zone is defined as elevation 335.4 m above mean sea level.
- ii) The elevation of all building openings shall be at a minimum elevation of 335.7 m above mean sea level.

21.21 Notwithstanding the provisions of the Highway Commercial (C4) Zone on the lands described as Lot 3, Registered Plan 44, Concession 2, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the following provisions shall apply:

- | | | |
|------|---------------------------------------|-----------------------|
| i) | Minimum Lot area | 975.45 m ² |
| ii) | Minimum Lot Frontage | 18.7 m |
| iii) | Minimum Side Yard (south side of lot) | 0.0 m |

21.22 [Removed by By-law 17/2008]

21.23 [Removed by By-law 40/2016]

21.24 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lots 25 and 26, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a Place of Worship and a private School shall be permitted uses.

21.25 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 2, Concession 4, Division "B", in the former Township of Guelph, illustrated on Schedule "A", a Veterinary Clinic shall be a permitted use.

21.26 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 7, Concession 2, Division "B", in the former Township of Guelph, illustrated on Schedule "A", a Long Term Care Facility shall be a permitted use.

21.27 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 3, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a cemetery shall be a permitted use.

21.28 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 2, Concession 9, Division "C", in the former Township of Guelph, illustrated on Schedule "A", a Place of Worship, an accessory religious bookstore, and a commercial school shall be permitted uses. The accessory religious bookstore shall have a maximum floor area of 35 m². The commercial school shall have a maximum floor area of 280 m² devoted to classroom use.

21.29 Notwithstanding the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lots 13 and 14, Concession 6, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the Minimum Lot area shall be 0.4 ha (1.0 ac).

21.30 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on the lands described as Part of Lot 13, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", a concrete batching plant and related material storage shall be permitted and the Minimum Lot Frontage shall be 20 m.

- 21.31** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lots 10 and 11, Concession 1, Division "C", in the former Township of Guelph, illustrated on Schedule "A", a veterinarian's clinic shall be a permitted use.
- 21.32** Notwithstanding the provisions of the Agricultural (A) Zone, on a portion of the lands described as Part of Lot 7, Concession XI, Division "C", in the former Township of Guelph, illustrated on Schedule "A", meat processing and related wholesale and retail sales uses in one building, with a maximum gross floor area of 576 m², shall be permitted. Meat processing shall not include slaughtering of animals.
- 21.33** Notwithstanding the Highway Commercial (C4) Zone on the lands described as Part of Lot 1 and the South Part of Lot 1, Registered Plan 365, in the former Township of Guelph, illustrated on Schedule "A", the Minimum Lot Frontage shall be 18.8 m.
- 21.34** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lots 25 and 26, Concession 3, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the Minimum Lot Frontage shall be 34.6 m.
- 21.35** Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 14, Concession 1, Division "D", in the former Township of Guelph, illustrated on Schedule "A", the minimum lot frontage shall be no less than 34 m.
- 21.36** Notwithstanding the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lot 13, Concession 6, Division "D", more particularly known as Block 20, Registered Plan 846, in the former Township of Guelph, illustrated on Schedule "A", the minimum lot frontage shall be 22.0 m.
- 21.37** Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Parts of Lots 9 and 10, Division "B"; and Part 1 on Registered Plan 61R9410, with the municipal address of 5041 Wellington Rd 32, in the former Township of Guelph, illustrated on Schedule "A", a veterinarian clinic having a maximum floor area of 278.7 m², and one attached dwelling unit shall be a permitted use.
- 21.38** Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 5, Concession 5, in the former Township of Eramosa, illustrated on Schedule 'A' to this by-law the following shall apply:

- i) The following uses are permitted:
- Agricultural Research and/or Breeding and/or Grading operation
 - Agricultural Supply Establishment excluding the bulk sale, storage, mixing and distribution of bulk fertilizer or chemical products
 - Business or Professional Office accessory to a permitted use
 - Contractor or Tradesperson Establishment
 - Health food and health products warehouse and bottling centre
 - Nursery stock warehouse-mail order-distribution centre
 - Commercial Greenhouse, not including a Garden Centre
 - Service Shop
 - Veterinary Clinic excluding outdoor runs or pens
 - Warehouse
 - The uses listed in the Agricultural (A) Zone (Section 6.1 - Permitted Uses) are permitted, excluding the bulk mixing, sale and distribution of bulk fertilizer, rental of fertilizer related equipment and sale of farm chemicals

Notwithstanding the above list, permitted uses may be restricted through the general provisions and reference should be made to Section 4.18 Well Head Protection Areas and related Schedule B. Specific activities may be limited through the implementation of the Grand River Source Protection Plan.

- ii) Minimum Lot area = 1.62 ha (4.0 ac)
- iii) An Office accessory to a permitted use shall have a maximum gross floor area of 40% of the gross floor area used by the permitted use.
- iv) Outdoor storage and display of goods, materials and equipment, accessory to the main use shall be permitted in accordance with the following provisions:
- a. Shall be located to the rear of the front wall of the main building, but not in a required side yard or a required rear yard.
 - b. Shall not cover more than 20% of the lot area.
 - c. Shall be visually screened from the street.
 - d. Shall not obstruct or occupy any required parking areas.

[Amended by By-law 20/2003] [Amended by By-law 31/2013]

21.39 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 2, Concession 4, in the former Township of Eramosa, illustrated on Schedule "A", a farrier operation, a blacksmith operation, and uses accessory to the foregoing shall be permitted.

21.40 Notwithstanding the general provisions of this By-law and the provisions of the Agricultural (A) Zone, on lands described as Part of Lots 6 and 7, Concession 1, in the former Township of Eramosa, illustrated on Schedule “A”, two detached dwellings shall be permitted.

21.41 Notwithstanding the general provisions of this By-law and the provisions of the Agricultural (A) Zone, on lands described as Part of Lots 14 and 15, Concession 7, in the former Township of Eramosa, illustrated on Schedule “A”, two detached dwellings shall be permitted, and the maximum distance between the two Residential dwellings shall be 39.6 m (129.9 ft).

21.42 [Removed by By-law 61/2009]

21.43 Notwithstanding the general provisions of this By-law and the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 11, Concession 5, in the former Township of Eramosa, illustrated on Schedule “A”, two detached dwellings shall be permitted.

21.44 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lots 1 and 2, Concession 7, in the former Township of Eramosa, illustrated on Schedule “A”, the minimum lot width shall be 45 m.

21.45 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 23, Concession 7, in the former Township of Eramosa, illustrated on Schedule “A”, a poultry vaccine production operation and accessory buildings and structures shall be permitted.

21.46 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 1, Concession 5, in the former Township of Eramosa, illustrated on Schedule “A”, a stainless steel fabricating plant and uses accessory to the foregoing shall be permitted. Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply:

- i) Minimum Side Yard 6.0 m
- ii) Minimum Rear Yard 10.6 m
- iii) No outdoor storage of goods or materials of any kind shall be permitted.

21.47 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 5, Concession 2, in the former Township of Eramosa, illustrated on Schedule “A”, a plant for the assembly and sale of roof components and uses accessory to the foregoing shall be permitted. Notwithstanding the provisions of the Agricultural (A) Zone, the additional permitted uses described above shall be permitted in accordance with the following conditions:

i) Buildings and Structures

All buildings and structures devoted to the additional uses permitted by this by-law shall not exceed 1,200 m² in total floor area.

ii) Outdoor Storage

All outdoor storage shall be located to the rear of the line of the front wall of the existing residence. All outdoor storage areas shall be enclosed within a chain link fence having a height of not less than 1.8 m and no outdoor storage shall be located within 4.5 m of any lot line.

iii) Off-street Parking

Not less than one (1) Off-street Parking space shall be provided for each 46 m² (495.2 ft²) of building floor area devoted to the additional uses permitted by this by-law. Such off-street parking space shall be located to the rear of the line of the front wall of the existing residence. In addition to the foregoing, not more than six (6) off-street parking spaces, to be used for visitor or customer parking only, may be located ahead of the line of the front wall of the existing residence and to the rear of the building line. All off-street parking area and access drives, if not paved, shall be graded, drained and treated to prevent the escape of dust.

iv) Off-street Loading

Not less than one (1) space having a minimum dimension of 3.6 m (11.8 ft) by 9.1 m (29.9 ft) and having a clear height of not less than 4.2 m (13.8 ft) shall be provided for each 278.8 m² (3001.1 ft²) of building floor area devoted to the additional uses permitted by this by-law. All off-street loading spaces shall be located to the rear of the line of the front wall of the existing residence. All off-street loading areas and access drives, if not paved, shall be graded, drained and treated to prevent the escape of dust.

21.48 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on lands described as Parts of Lot 19 and 20, Concession 3, in the former Township of Eramosa, illustrated on Schedule "A", two detached dwellings shall be permitted.

21.49 Notwithstanding the provisions of provisions of the Agricultural (A) Zone, on lands described as Part of Lot 32, Concession 3, in the former Township of Eramosa, illustrated on Schedule "A", an all-season religious camp and uses accessory to the foregoing, shall be permitted, which may include the following:

- i) off-street parking areas;
- ii) off-street loading areas;
- iii) infirmary;
- iv) dining hall(s);

- v) cabins and cottages;
- vi) Office;
- vii) washrooms;
- viii) tuck shop or canteen
- ix) swimming pool and change rooms;
- x) residences for camp director and grounds serviceman;
- xi) utilities including hydro, septic tanks and wells;
- xii) maintenance building;
- xiii) a pond for canoeing and boating.

Notwithstanding the foregoing, tent trailer camping is not permitted as an accessory use.

21.50 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 3, Concession 3, in the former Township of Eramosa, illustrated on Schedule “A”, a detached dwelling and uses accessory thereto shall be the sole permitted uses. Notwithstanding the general provisions of this By-law, frontage on an opened public road shall not be required.

Notwithstanding, the provisions of the Agricultural (A) Zone, the following regulations shall apply:

i)	Minimum Lot area	1.36 ha (3.4 ac)
ii)	Minimum Lot Frontage	0.0 m
iii)	Minimum Side Yard	6.0 m
iv)	Minimum Rear Yard	6.0 m

21.51 Notwithstanding the provisions of the Agricultural (A) and Environmental Protection (EP) Zones, on lands described as Part of Lot 3, Concession 3, in the former Township of Eramosa, illustrated on Schedule “A”, a farm, a detached dwelling and uses accessory to the foregoing shall be the sole permitted uses.

21.52 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 32, Concession 2, in the former Township of Eramosa, illustrated on Schedule “A” and fronting onto Wellington Road 29, metal fabricating shall be a permitted use.

21.53 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 12, Concession 6, in the former Township of Eramosa, illustrated on Schedule “A”, an additional Dwelling Unit is permitted to be located above the existing detached private garage.

21.54 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 32, Concession 2, in the former Township of Eramosa, illustrated on Schedule “A”, and fronting onto Edgewood Road, a detached dwelling, a

distribution business engaged in the sale of goods or commodities to retailers or to individuals by mail order, a painting and graphic arts studio and a workshop for prototype Museum exhibits and uses accessory to the foregoing shall be the sole permitted uses.

Notwithstanding the provisions of the Agricultural (A) Zone, the distribution business referred to above, shall take place within the Office and storage building existing on the date of passing of the amending By-law subject to the following:

- i) the distribution business shall be operated only by the occupants of the dwelling as an accessory use and on the same lot as the dwelling;
- ii) the gross floor area and footprint of the building shall not exceed that which exists on the date of passing of the amending By-law.
- iii) the number of parking spaces provided to the Office and storage building shall be limited to a maximum of five.
- iv) the number of employees who are not occupants of the principal Residential dwelling shall not exceed five.
- v) there shall be no outdoor storage of goods or materials.
- vi) there shall be no on-site retail sales.

Any new detached dwelling shall be located on the area identified as Part "A".

[Amended by By-law 49/2001]

21.55 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on lands described as Part of Lot 1, Concession 7, in the former Township of Eramosa, illustrated on Schedule "A", and fronting onto Provincial Highway No. 7, the following shall be permitted in addition to the permitted uses of the Rural Industrial Zone:

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an Automobile service/gas station or public garage;
- a welding shop;
- a veterinary clinic;
- an antique store, or craft shop;
- a motel;
- motorcycle sales establishment;
- a furniture and appliance store;
- a nursery stock outlet;
- a restaurant;
- uses accessory to the foregoing including a residence.

Regulations

Minimum Lot area	1800 m ²
Minimum Lot Width	40.0 m

Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

21.56 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 13, Concession 7, in the former Township of Eramosa, illustrated on Schedule “A”, and fronting onto Wellington Road 124, no Person shall use land or erect or use a building or structure except in accordance with the following:

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an Automobile service/gas station or public garage;
- a welding shop;
- a Veterinary Clinic;
- an antique store, or craft shop;
- a Motel;
- motorcycle sales establishment;
- a furniture and appliance store;
- a nursery stock outlet;
- a Restaurant;
- uses accessory to the foregoing including a residence.

Regulations

Minimum Lot area	1800 m ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

21.57 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 8, Concession 3, in the former Township of Eramosa, illustrated on Schedule “A”, and fronting onto Third Line, no Person shall use land or erect or use a building or structure except in accordance with the following:

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an Automobile service/gas station or public garage;
- a welding shop;
- a Veterinary Clinic;
- an antique store, or craft shop;
- a Motel;

- motorcycle sales establishment;
- a furniture and appliance store;
- a nursery stock outlet;
- a Restaurant;
- uses accessory to the foregoing including a residence.

Regulations

Minimum Lot area	1800 m ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

21.58 Notwithstanding the provisions of the Rural Residential (RR) Zone, on lands described as Part of Lot 13, Concession 4, in the former Township of Eramosa, illustrated on Schedule “A”, and fronting onto Wellington County Road 124, the following uses are permitted in addition to those of the Rural Residential Zone:

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an Automobile service/gas station or public garage;
- a welding shop;
- a veterinary clinic;
- an antique store, or craft shop;
- a motel;
- motorcycle sales establishment;
- a furniture and appliance store;
- a nursery stock outlet;
- a restaurant;
- uses accessory to the foregoing including a residence.

Regulations

Minimum Lot area	1800 m ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

21.59 Notwithstanding the provisions of the Rural Residential (RR) Zone, on lands described as Part of Lot 13, Concession 4, in the former Township of Eramosa, illustrated on Schedule “A”, and fronting onto Wellington County Roads 124 and 27, the following uses are permitted in addition to those of the Rural Residential Zone:

Permitted Uses

- a farm implement dealer, including the sale and service of new and used farm implements and machinery;
- an Automobile service/gas station or public garage;
- a welding shop;
- a veterinary clinic;
- an antique store, or craft shop;
- a motel;
- motorcycle sales establishment;
- a furniture and appliance store;
- a nursery stock outlet;
- a restaurant;
- a convenience store;
- uses accessory to the foregoing including a residence.

Regulations

Minimum Lot area	1800 m ²
Minimum Lot Width	40.0 m
Minimum Side Yard	1/2 building height but not less than 4.5 m
Minimum Rear Yard	7.5 m
Accessory Buildings Maximum Height	4.5 m

[Amended by By-law 37/2010]

21.60 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 3, Concession 1, in the former Township of Eramosa, illustrated on Schedule "A", a Long Term Care Facility shall be permitted. The minimum lot area and minimum lot frontage shall be as existing on the date of the amending by-law.

21.61 Notwithstanding the provisions of the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 15, Concession 7, in the former Township of Eramosa, illustrated on Schedule "A", a feed mill shall be permitted. The minimum lot area and minimum lot frontage shall be as existing on the date of passing of the amending by-law.

21.62 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 6, Concession 1, illustrated on Schedule "A", in the former Township of Eramosa, and fronting onto Wellington County Road 29, no Person shall use land or erect or use a building or structure except in accordance with the following regulations:

Permitted Uses

- a detached dwelling
- uses accessory to the foregoing

Lot Requirements

i)	Minimum Lot area:	2.0 ha (4.9 ac)
ii)	Minimum Lot Width:	118.0 m
iii)	Minimum Side Yard:	7.6 m
iv)	Minimum Rear Yard:	7.6 m

21.63 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 3, Concession 2, in the former Township of Eramosa, illustrated on Schedule "A", a boarding Kennel, breeding Kennel and dog training facility are permitted uses, in accordance with the following:

- i) the number of mature animals that may be boarded, bred or trained at any given time shall be limited to no more than 15.
- ii) the gross floor area of buildings devoted to the boarding, breeding or training of animals shall not exceed 170.0 m², exclusive of outdoor runs or pens.

21.64 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 10, Concession 4, in the former Township of Eramosa, illustrated on Schedule "A", a Semi-Detached dwelling and uses accessory thereto shall be permitted uses.

Notwithstanding the provisions of the Agricultural (A) Zone, the minimum side yards shall be 4.5 m on one side and equivalent to existing, as the date of the amending by-law, on the other side.

21.65 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 10, Concession 4, in the former Township of Eramosa, illustrated on Schedule "A", a Contractor or Tradesperson Establishment and buildings, structures and uses accessory thereto shall be permitted uses.

21.66 [Removed by By-law 40/2016]

21.67 Notwithstanding the provisions of the Rural Residential (RR) Zone, on lands described as Part of Lot 13, Concession 1, in the former Township of Eramosa, illustrated on Schedule "A", the following provisions shall apply:

- i) Minimum Lot area 0.15 ha (0.37 ac)

- ii) Minimum Lot Frontage 31.4 m

21.68 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 24, Concession 2, in the former Township of Eramosa, illustrated on Schedule "A", individual storage and individual workshops shall be permitted uses, and shall only occur as accessory uses to an agricultural use occurring on the same property, and shall take place only within buildings legally existing on the date of the amending by-law having a gross floor area no greater than 4,181.5 m².

Outdoor storage of any goods or materials, other than trailers which are in usable condition and capable of being transported, is prohibited.

21.69 [Removed by By-law 40/2016]

21.70 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 6, Concession 4, in the former Township of Eramosa, illustrated on Schedule "A", a detached dwelling and buildings or structures accessory thereto are permitted.

Notwithstanding the provisions of the Agricultural (A) Zone, the main building shall be erected no closer than 7.6 m (24.9 ft) to any lot line and the minimum lot area shall be as existing on January 1st, 1997.

21.71 Notwithstanding the provisions of the Village Residential Low Density (R1) Zone, on lands described as Part of Lot 4, Concession 4, in the former Township of Eramosa, illustrated on Schedule "A", in the Village of Rockwood, the following provisions shall apply:

- i) Minimum Lot Width 20 m (65.6 ft)
- ii) Minimum Lot area 700 m² (7535.0 ft²)
- iii) Maximum Lot Coverage 35%
- iv) Minimum Front Yard 7.5 m (24.6 ft)
- v) Minimum Side Yard:
 - a) Interior Side
 - One Storey 1.5 m (4.9 ft)
 - More than One Storey 1.8 m (5.9 ft)
 - b) Exterior Side 6.0 m (19.7 ft)
- vi) Minimum Rear Yard 7.5 m (24.6 ft)
- vii) Minimum Floor Area 102 m² (1098 ft²)
- viii) Maximum Height 9 m (29.5 ft)
- ix) Servicing Requirements:
 - Every dwelling shall be connected to municipal sanitary sewers and a municipal water supply.

21.72 Notwithstanding the provisions of the Village Residential Low Density (R1) Zone, on lands described as Part of Lot 3, Concession 4, in the former Township of Eramosa, illustrated on Schedule “A”, in the Village of Rockwood, the following provisions shall apply:

- | | | |
|-------|--|--|
| i) | Minimum Lot Width | 15 m (49.2 ft) |
| ii) | Minimum Lot area | 525 m ² (5651.2 ft ²) |
| iii) | Maximum Lot Coverage | 45% |
| iv) | Minimum Front Yard | 7.5 m (24.6 ft) |
| v) | Minimum Side Yard: | |
| | a) Interior Side | |
| | One Storey | 1.2 m (3.9 ft) |
| | More than One Storey | 1.5 m (4.9 ft) |
| | b) Exterior Side | 6.0 m (19.7 ft) |
| vi) | Minimum Rear Yard | 7.5 m (24.6 ft) |
| vii) | Minimum Floor Area | 102 m ² (1098.0 ft ²) |
| viii) | Maximum Height | 9 m |
| ix) | Servicing Requirements: | |
| | Every dwelling shall be connected to municipal sanitary sewers and a municipal water supply. | |

[Amended by By-law 48/2002] [Amended by By-law 38/2004]

21.73 Notwithstanding the provisions of the Village Residential Low Density (R1) Zone, on lands described as Part of Lots 4 and 5, Concession 5, in the former Township of Eramosa, illustrated on Schedule “A”, in the Village of Rockwood, the following provisions shall apply:

- | | | |
|-----|-------------------------------------|-----------------|
| i) | Minimum Lot area: | |
| | With Municipal Sewer & Water Supply | 0.2 ha (0.5 ac) |
| ii) | Minimum Lot Width | 30 m (98.4 ft) |

Notwithstanding provisions of the Village Residential Low Density (R1) Zone, where lots abut a Environmental Protection (EP) Zone, no buildings or structures shall be erected within 7.6 m of the top of the bank as established by the Grand River Conservation Authority.

21.74 Notwithstanding the provisions of the Village Residential Low Density (R1) Zone, on lands described as Part of Lot 6, Concession 5, in the former Township of Eramosa, illustrated on Schedule “A”, in the Village of Rockwood, light Industrial Uses shall be a permitted.

Notwithstanding the provisions of the Village Residential Low Density (R1) Zone, for light Industrial Uses, the lot regulations shall be as existing on the date of the amending by-law.

21.75 Notwithstanding the provisions of the Village Service Commercial (C2) Zone and the general provisions of this By-law, on lands described as Part of Lot 5,

Concession 4, illustrated on Schedule "A", in the former Township of Eramosa, in the Village of Rockwood, the number of off-street parking spaces shall be calculated on the basis of 5.0 spaces per 100 m² (1076.4 ft²) of gross leasable commercial space, plus 1 space for each Residential unit.

21.76 [Removed by By-law 69/2005]

21.77 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as SW Half Lot 21, Concession 6 former Township of Eramosa, illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) 'Detached Dwelling Unit' means a dwelling house containing one (1) Dwelling Unit only and includes a Mobile Home but does not include a travel trailer.
- ii) Only one 'Detached Dwelling Unit' is permitted on the whole property.
- iii) A 'Seasonal Equestrian Camp' shall be permitted accessory to the main agricultural equestrian use.
- iv) A 'Seasonal Equestrian Camp' means a facility which operates from May 1 to October 1 and provides equestrian instruction and accessory recreation programming in an overnight camp setting catering to short term guests.
- v) Buildings associated with the 'Seasonal Equestrian Camp' are limited to:
 - a) Two (2) bunk houses providing sleeping accommodations
 - b) One (1) dining hall
 - c) One (1) registration Office
 - d) One (1) recreation building
 - e) One (1) swimming pool and pool cabana
 - f) Accessory storage buildings
- vi) Minimum gross floor area for a Detached Dwelling Unit: 110 m²

[Amended by By-law 71/2001] [Amended by By-law 32/2013]

21.78 Notwithstanding the provisions of the Village Residential Medium Density (R2) Zone, on lands described as Part of the Southwest Half of Lot 5, Concession 5, in the former Township of Eramosa, illustrated on Schedule "A", in the Village of Rockwood, freehold attached bungalow townhouses shall be a permitted use. Attached bungalow is defined as a Townhouse Dwelling attached in groups of two to four, having no greater than two bedrooms plus a loft, and a height no greater than 1 ½ storeys.

Notwithstanding the Village Residential Medium Density (R2) Zone and the general provisions of this By-law, the following provisions shall apply for each unit:

- i) Minimum Lot area 200.0 m²
- ii) Minimum Lot Frontage 8.0 m
- iii) Minimum Front Yard 6.0 m
- iv) Minimum Rear Yard 7.5 m

- iii) Minimum Side Yard Adjacent to a Lot Line Separating a Block of Attached Units 1.8 m
- iv) Minimum Yard Between Attached Dwelling units 0.0 m
- v) Minimum Exterior Side Yard 4.5 m
- vi) Maximum Lot Coverage for Each Block of Buildings 40%
- vii) Maximum Lot Coverage for An Individual Dwelling Unit On a Lot 50%
- vii) Minimum Landscaped Open Space 30%
- viii) Maximum Building Height 9.0 m
- ix) Minimum Required Parking spaces per Lot 2.0
- x) Maximum Number of Bedrooms 2
- xi) Covered porches may project into the required front yard provided an unobstructed yard of 4.5 m is provided and in the required side yard, provided an unobstructed yard of 1.5 m is provided.
- xii) Where a rear yard abuts a Environmental Protection Zone, a minimum building setback of 4.5 m is required from the Zone line, subject to approval by the Conservation Authority.
- xiii) Maximum height of accessory buildings shall be 4.5 m.
- xiv) Tandem parking is permitted.

[Amended by By-law 49/2001]

21.79 Notwithstanding the provisions of the Village Residential Medium Density (R2) Zone, on lands described as Part of the Southwest Half of Lot 5, Concession 5, in the former Township of Eramosa, illustrated on Schedule "A", in the Village of Rockwood, a mixed use building containing apartment Dwelling units and service commercial uses, including business and professional Offices shall be permitted.

Notwithstanding the provisions of the Village Residential Medium Density (R2) Zone, a maximum of 15 Residential dwellings shall be permitted.

21.80 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 14, Concession 10, in the former Township of Nichol, illustrated on Schedule "A", the minimum lot area shall be 6.0 ha (14.8 ac).

21.81 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 6, Concession 9, in the former Township of Nichol, illustrated on Schedule "A", agricultural uses and accessory uses thereto, including greenhouses shall be permitted, excluding:

- i) Buildings and structures used for the raising of livestock, poultry mink or fur bearing animals or the growing of mushrooms;
- ii) Commercial greenhouses;
- iii) Lagoons or structures of liquid animal wastes.

Notwithstanding the provisions of the Agricultural (A) Zone, a minimum lot frontage of 53.34 m (175.0 ft) and a minimum lot area of 0.4 ha (1.0 ac) shall be provided.

21.82 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 8, Concession 10, in the former Township of Nichol, illustrated on Schedule "A", two detached dwellings and accessory uses thereto shall be permitted.

21.83 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 9, Concession 9, in the former Township of Nichol, illustrated on Schedule "A", a winery and associated retail sales shall be permitted uses.

Notwithstanding the provisions of the Agricultural (A) Zone and the general provisions of this By-law, the following provisions shall apply to winery and associated retail sale uses:

- i) Winery shall mean a lot on which buildings and structures are used for making wines produced from fruit grown on the site, locally grown fruits and may include imported juices, as a secondary use to the farming operation.
- ii) The maximum gross floor area devoted to the sale of wine produced on site shall be 148 m².
- iii) Minimum Lot area: 20 ha (49.4 ac)

21.84 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 2, Concession 9, in the former Township of Nichol, illustrated on Schedule "A", the minimum lot frontage shall be 25.9 m.

21.85 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 1, Concession 9, in the former Township of Nichol, illustrated on Schedule "A", a Duplex Dwelling, and accessory uses thereto is permitted. Notwithstanding the provisions of the Agricultural (A) Zone, the minimum lot area shall be 4.0 ha (9.9 ac).

21.86 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 15, Concession 4 East, in the former Township of Pilkington, illustrated on Schedule "A", permitted uses shall include an industrial plant for food processing.

Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply:

- i) Minimum Lot area 0.4 ha (1.0 ac)
- ii) Minimum Lot Frontage 30.0 m

- iii) Minimum Interior Side Yard 7.5 m
- iv) Minimum Exterior Side Yard 10.5 m subject to Section 4.19
- v) Minimum Front Yard 20.0 m subject to Section 4.19
- vi) Minimum Rear Yard 7.5 m subject to Section 4.19.
Where the rear abuts a railway right-of-way or siding no rear yard need be provided.
- vii) Maximum Gross floor area 50% of the lot area
- viii) Residential Setback 60.0 m, including outside storage
- ix) Minimum landscaped area 20%
- x) A buffer strip shall be provided adjacent to every lot line that abuts a Residential use or Zone.
- xi) A landscape strip of 3.0 m shall be provided across the entire frontage of the lot adjacent to the front lot line except for areas of ingress and egress.
- xii) Accessory retail is permitted provided no more than 25% of the gross floor area is used in the main industrial building.

21.87 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 16, Concession 4 East, in the former Township of Pilkington, illustrated on Schedule “A”, the minimum rear yard shall be 60.0 m and no accessory building or structure shall be permitted in said rear yard.

21.88 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 14, Concession 1 East, in the former Township of Pilkington, illustrated, on Schedule “A”, the permitted uses shall include a well drilling business within the existing buildings. Notwithstanding the provisions of the Agricultural (A) Zone, the minimum rear yard shall be 3.41 m.

21.89 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 16, Concession 1 East, in the former Township of Pilkington, illustrated on Schedule “A”, the permitted uses shall include a Contractor or Tradesperson Establishment, provided the use is accessory to the primary Residential use of the property and is conducted by the occupant of the dwelling on the property. The ancillary sale of related building materials may occur on a limited basis, provided it remains clearly secondary to the contracting business.

Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply:

- i) Minimum Lot Frontage: 30.48 m
- ii) Minimum Lot area: 0.38 ha (0.94 ac)
- iii) Maximum Lot Coverage: 15 %
- iv) Minimum Side yard for Existing Accessory Buildings: 1.22 m
- v) Maximum Lot Coverage for Accessory Buildings: 10%, provided the lot coverage for all buildings does not exceed 15% in (iii).

- i) The outdoor storage of goods, materials, and equipment shall only be permitted in accordance with the following provisions:
 - a) Located to the rear of the front wall of the main building, but not in a required side yard nor a required rear yard.
 - b) Not cover more than 92.9 m².
 - c) Shall be visually screened from the street and any abutting land Zoned or used for Residential or institutional purposes by a buffer strip. The buffer strip is to be located within and abutting the entire Zone limit, other than along a street line. The buffer strip shall be a minimum of 1.5 m (4.9 ft) in width and consist of vegetative plantings maintained at an ultimate height of not less than 1.8 m (5.9 ft). Alternatively, a solid fence or other landscaping feature of the same height may be used.
 - d) A buffer strip of the above dimensions is to be maintained along the entire length of the east lot boundary.

21.90 Notwithstanding the provisions of the Highway Commercial (C4) Zone, on the lands described as Part of Lot 17, Concession 5 East, in the former Township of Pilkington, illustrated on Schedule "A", warehousing and manufacturing conducted entirely within a building which do not require municipal water or sewer service and which do not use water in the manufacturing process shall be permitted.

21.91 Notwithstanding the provisions of the Highway Commercial (C4) Zone, on the lands described as Part of Lot 18, Concession 4 East, in the former Township of Pilkington, illustrated on Schedule "A", light assembly, light manufacturing, warehousing, wholesaling and repair operations conducted entirely within a building which do not require municipal water or sewer service and which do not use water in the manufacturing process and an accessory retail outlet; industrial, farm or construction equipment rental or sales; a landscaping business and an accessory retail outlet, shall be permitted. Notwithstanding anything to the contrary in this by-law, enterprises which are or are likely to become obnoxious, offensive, or dangerous by reason of the presence, emission or production of odour, dust, vibration, smoke, noise, fumes, or radiation shall be prohibited.

Accessory retail outlets shall be limited to the sale or rental to the ultimate consumer goods, materials and services produced on the premises or related to the main use and shall be limited to 10% of the gross floor area of the building.

Notwithstanding the provisions of the Highway Commercial (C4) Zone the minimum front yard shall be 8.8 m.

21.92 Notwithstanding the Rural Residential (RR) Zone, on the lands described as Part of Lot 15, Concession 1 East, in the former Township of Pilkington, illustrated on Schedule "A", better known as the Ellenville estate subdivision, the following provisions shall apply:

- | | | |
|-------|---|--|
| i) | Minimum Lot Frontage | 35 m |
| ii) | Maximum Lot Coverage | 10% |
| iii) | Minimum Front Yard | 15.2 m subject to Section 4.19. |
| iv) | Minimum Side Yard: | |
| | On an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 7.62 m. | |
| | On a corner lot, the minimum side yard abutting a public street shall be 15.2 m subject to Section 4.19. | |
| v) | Minimum Rear Yard | 15.2 m |
| vi) | Minimum Floor Area | |
| | 1 Storey | 157.9 m ² |
| | 1-1/2 Storey or split level | 185.8 m ² |
| | 2 or 2-1/2 Storey | 22.9 m ² |
| | Where no basement or cellar is provided, the applicable minimum floor area shall be increased by 18.58 m ² . | |
| vii) | Maximum Height | 2-1/2 Storeys |
| viii) | Accessory Buildings: | |
| | a. | No accessory building shall be located within 1.8 m of a side or rear lot line, except that the minimum yard abutting a public road shall be 15.2 m subject to Section 4.19. |
| | b. | Maximum Lot Coverage – 5% provided that the lot coverage of all buildings on the lot does not exceed the maximum lot coverage. |

21.93 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 14, Concession 4 East, in the former Township of Pilkington, illustrated on Schedule “A”, a detached dwelling shall not be permitted.

21.94 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 17, Concession 5 East, in the former Township of Pilkington, illustrated on Schedule “A”, an accessory second unit is permitted. Notwithstanding the provisions of the Agricultural (A) Zone, each Dwelling Unit shall be fully self contained; shall have a floor area of not less than 152.4 m²; and there shall be no exterior stairways, except open metal fire escapes.

21.95 Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 14, Concession 5 East, in the former Township of Pilkington, illustrated on Schedule “A”, the packaging, storage and distribution of food and agricultural commodities shall be permitted.

Permitted uses shall not include a Transport Establishment as defined as “the use of land, buildings, structures or parts thereof, where trucks and transports or buses are rented, leased, serviced, repaired, loaded or unloaded, kept for hire, stored or parked for dispatching as common carriers or where goods are temporarily stored for further shipment”.

Permitted uses shall not include noxious uses identified in Section 4.17.

Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 14, Concession 5 East, in the former Township of Pilkington, the following provisions shall apply to the industrial plant for food processing:

- i) Minimum Lot area 0.4 ha (1.0 ac)
- ii) Minimum Lot Frontage 30.0 m
- iii) Minimum Interior Side Yard 7.5 m
- iv) Minimum Exterior Side Yard 10.5 m subject to Section 4.19
- v) Minimum Front Yard 20.0 m subject to Section 4.19
- vi) Minimum Rear Yard 7.5 m subject to Section 4.19.
Where the rear yard abuts a railway right-of-way or siding no rear yard need be provided.
- vii) Maximum Gross floor area 25% of the lot area
- viii) Residential Setback 60.0 m, including outside storage
- ix) Accessory Buildings:
 - Minimum Side & Rear Yards 3.0 m, except where a side or rear yard abuts a street, where the yard shall be 12.0 m subject to Section 4.19.
- x) Minimum landscaped area 20%
- xi) A buffer strip shall be provided adjacent to every lot line that abuts a Residential use or Zone.
- xii) A landscape strip of 3.0 m shall be provided across the entire frontage of the lot adjacent to the front lot line except for areas of ingress and egress.
- xiii) Accessory retail is permitted provided no more than 25% of the gross floor area is used in the main industrial building.
- xiv) Truck parking and outdoor storage areas shall be limited to the area identified on By-law 64/2006.

[Amended by By-law 56/2000] [Amended by By-law 14/2006] [Amended by By-law 64/2006]

21.96 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on lands described as Part of Lot 14, Concession 4 East, in the former Township of Pilkington, illustrated on Schedule "A", incineration of materials being reclaimed shall be permitted, subject to being carried out within a furnace designed and approved by the Ministry of Environment particularly insofar as any emission of smoke is concerned. Furthermore, no transformers containing P.C.B. shall be processed on the site.

21.97 Notwithstanding the provisions of the Agricultural (A) Zone on the property described as Part of Lots 4 and 5, Division "D", Concession 3, in the former Township of Guelph, in addition to a cemetery, places of worship, places of retreat, 5 Dwelling units related to farming, as well as shelters for the homeless and handicapped, accommodation for priests and laity, dining halls and supporting Office facilities (ie. Canadian Jesuits Offices, computer facilities, reception room, kitchens, etc.), and works of charity and mercy, farming and education, and a daycare centre; a business or professional Offices and a Retirement Home shall be

permitted. The business and professional Offices and Retirement Home will be permitted up to the maximum gross floor area of and contained in the building as of July 4, 1990.

21.98 Notwithstanding the provisions of the Open Space (OS1) Zone on the property described as Part of Lot 17, Concession 5, in the former Township of Guelph, a Duplex Dwelling shall be permitted.

21.99 Notwithstanding the provisions of the Institutional (I) Zone and the general provisions of this By-law, on the property described as Part of Lot 5, Concession 4, in the Village of Rockwood, in the former Township of Eramosa, required off-street parking shall be permitted off-site and within the adjacent road allowance.

21.100 Notwithstanding the provisions of the Agricultural (A) Zone, on the property described as Part of Lot 1, Concession 2, in the former Township of Eramosa, a cemetery shall be a permitted use.

21.101 Notwithstanding the provisions of the Agricultural (A) Zone, on the property described as Part of Lot 1, Concession 2, in the former Township of Eramosa, a Place of Worship shall be a permitted use.

21.102 Notwithstanding the provisions of the Agricultural (A) Zone, on the property described as Part of Lot 13, Concession 1, in the former Township of Eramosa, a Contractor or Tradesperson Establishment shall be a permitted use.

[Amended by By-law 49/2001]

21.103 Notwithstanding the provisions of the Agricultural (A) Zone and the Environmental Protection (EP) Zone, on the lands described as Part of Lot 3, Concession 5, Division "B", illustrated on Schedule "A" to this Bylaw, a Contractor or Tradesperson Establishment shall be a permitted use.

Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply:

- | | | |
|-----|----------------------|----------------------|
| i) | Minimum Lot area | 0.9899 ha (2.44 ac.) |
| ii) | Minimum Lot Frontage | 99.0 m. |

[By-law 63/1999]

21.104 Notwithstanding the provisions of this By-law, the following special provisions shall apply to the lands described as Part of Lot 3, Concession 5, Division "B", illustrated on Schedule "A" to this Bylaw:

i) Minimum Lot area 24.163 ha (59.71 ac.)

[By-law 63/1999]

21.105 [Removed by By-law 37/2008]

21.106 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as 7305 and 7309 Side Road 14 (Part Lot 14, Concession 2, East of the Grand River, being Part 1 on 61R3699), formerly Township of Pilkington, Township of Guelph/Eramosa, illustrated on Schedule "A" to this By-law the following provisions shall apply:

A Garden Suite shall be a permitted use for a period of time which shall not exceed three (3) years from the day of passing of By-law No. 18/2014 being the 18th day of February, 2014

[By-law 41/2000] [Amended by By-law 15/2011] [Amended by By-law 18/2014]

21.107 Notwithstanding the General Provision 5.27 on lands described as Part of Lot 19, Concession 5, Parcel 4, in the former Township of Eramosa, illustrated on Schedule "A" (Map 1) to this By-law, no building or structure (including a private sewage treatment system) or the stock piling of fill shall be permitted within 5 metres (16.4 ft.) from the limits of the Environmental Protection (EP) Zone.

[By-law 3/2001]

21.108 Notwithstanding the definition of Minimum Gross floor area on the lands described as part of the East Part of Lot 20, Concession 7, Township of Guelph/Eramosa, that part of the detached dwelling floor area located below grade and defined as a cellar, shall be used to satisfy the minimum gross floor area requirement of the Zoning By-law.

21.109 Notwithstanding the provisions of the Agricultural (A) Zone on that part of the lands delineated as Special Provision 21.109 on Schedule "A" and described as Part of Lot 13, Concession 4, in the former Township of Eramosa, a Farm Home Industry shall be a permitted use.

[By-law 15/2001] [Amended by By-law 70/2001]

21.110 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on lands described as Part Lot A, Concession 2, Division 'E' and Part Lot A, Concession 2, Division 'F' in the former Township of Guelph, illustrated on Schedule "A" of this By-law, no building or structure shall be located closer than 12.2 metres (40 ft.)

from the proposed re-alignment of the County Road 124 and the Elmira Road right-of-way.

[By-law 30/2001]

21.111 Notwithstanding the Holding Zone provisions of Section 2.12 of this By-law, a detached dwelling will not be permitted within the Agricultural Holding (A-H) Zone applying to those portions of the property described as Part of Lot 22, Concession 3, in the former Township of Eramosa, as illustrated on Schedule "A", until such time as the Holding Symbol "H" is removed by By-law.

[By-law 40/2001]

21.112 Notwithstanding the definition of "Farm Home Industry", on a portion of the lands described as Part Lot 16, Concession 5, East of Grand River, including RP 61R-3311, Parts 2 and 4 (former Township of Pilkington), illustrated on Schedule "A" to this By-law, a "Farm Home Industry" shall be permitted notwithstanding the farmer and/or members of the family do not reside on the subject property.

All other provisions of the "Farm Home Industry" definition shall apply.

[By-law 50/2001]

21.113 [Removed by By-law 31/2003]

21.114 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on the lands described as Part of the Northeast Half of Lot 1, Concession 6, in the former Township of Eramosa, illustrated on Schedule "A" to this By-law, the following provisions shall apply:

- i) Section 4.24.1 of By-law 57/1999 shall not apply to the subject lands.
- ii) The following uses shall be prohibited:
 - A Fuel Storage Establishment
 - An Automobile service/gas station
 - Warehousing and/or outdoor storage of fertilizers, herbicides, petroleum products, chemicals or Hazardous substances and similar products or materials, either as a permitted or accessory use.
 - An Industrial Use which involves metal smelting and refining, metal finishing operations, or the use of significant amounts of chemicals, petroleum products.
- iii) On those lands abutting and located along the northwest lot line, a minimum yard of 16.5 metres shall be required, as shown on Schedule "A" to this By-law. A buffer strip subject to Section 4.11, and having a minimum width of 16.5 metres and located along the northwest lot line shall also be required.

- iv) On those lands abutting the property to the south, a buffer strip subject to Section 4.11 and having a minimum width of 6.0 metres shall be required, as shown on Schedule "A" to this By-law.
- v) Section 4.25 shall not apply to the subject lands.

[By-law 73/2005] [Amended by By-law 26/2002] [Amended by By-law 15/2005]

21.115 Notwithstanding the provisions of the Agricultural (A) Zone on the lands described as Part Lot 7, Concession 5, illustrated on Schedule "A" to this bylaw, a Residential and Day Camp shall be a permitted use.

A Residential and Day Camp means a public or privately operated facility which provides outdoor education and recreation programming in a Residential camp setting catering to short term guests whose accommodation will be limited to the following:

- i) Seventeen (17) camper cabins;
- ii) Three (3) staff cabins (seasonal);
- iii) Three (3) staff residence buildings (year-round);
- iv) One (1) building used as an administrative/health Office and containing two self-contained apartments (year round); and
- v) One (1) existing Residential dwelling (year-round).

Year round residency shall be permitted for up to a maximum of six staff members and their immediate families. Temporary tents and travel trailers may be permitted to accommodate staff only.

Additional accessory buildings located on the subject property are limited to the following:

- i) One (1) dining hall/kitchen;
- ii) Eight (8) storage/maintenance buildings;
- iii) One (1) chapel; and
- iv) One (1) washroom building.

[By-law 72/2001] [Amended by By-law 6/2002]

21.116 Notwithstanding Section 4.25 of this By-law, on lands described as 5797 Wellington Road 86, Part Lot 17, East of the Grand River, Concession 5 (former Township of Pilkington), Hamlet of Ariss, illustrated on Schedule "A" to this Bylaw, the minimum setback between buildings or structures (including a private sewage treatment system) and the limits of a Environmental Protection (EP) Zone shall be 15 metres.

[By-law 62/2001]

21.117 [Removed by By-law 61/2009]

21.118 Notwithstanding any other provision of this Bylaw to the contrary, on the lands described as Block 93, Part Block 94, Plan 781, illustrated on Schedule “A” to this bylaw, a 0.3 metre reserve abutting Highway 7 and the subject property will be deemed to constitute street frontage for the purposes of Section 4.7 of Bylaw No. 57/1999.

[By-law 44/2006]

21.119 Category 3 – Class “A” Licensed Pit (Above Extraction Only)

Notwithstanding the permitted uses of the Extractive Industrial (M3) Zone, on the lands described as Part of Lots 19 and 20, Concession 3, Division B, in the Township of Guelph- Eramosa (former Township of Guelph) illustrated on Schedule “A” to this By-law, only the following uses shall be permitted:

- i) A Category 3, Class “A” licensed Pit pursuant to the provisions of the Aggregate Resources Act, R.S.O. 1990, as amended, which is restricted to extracting aggregate material no closer than 1.5 metres above the established groundwater table.
- ii) An aggregate processing facility which does not include an asphalt plant, a concrete batching plant, a cement batching plan, a cement manufacturing plant, a brick and tile manufacturing plant, an aggregate transfer station nor the stockpiling/blending of recycled aggregate resources.
- iii) An agricultural use.
- iv) A structure or machinery accessory to a permitted use.

Notwithstanding the above or the provisions of the Extraction Industrial (M3) Zone, extraction shall be limited to Part A and Part B, as illustrated on Schedule “A” to this By-law.

[By-law 43/2002]

21.120 Haul Route and Landscape Berm

Notwithstanding the permitted uses of the Extractive Industrial (M3) Zone, on the land described as Part of Lots 18, Concession 3, Division B, in the Township of Guelph-Eramosa (former Township of Guelph) as illustrated on Schedule “A” to this By-law, the only uses permitted include a temporary haul route and landscape berm accessory to a Category 3, Class “A” licensed Pit being carried out within the area Zoned M3 with Special Provision, 21.119 on Part of Lots 19 and 20, Concession 3, Division B, Township of Guelph-Eramosa.

[By-law 43/2002]

21.121 Notwithstanding the provisions of Section 4.25, no building or structure (including a private sewage treatment system) shall be constructed within 5 m, from the limit of a Environmental Protection (EP) Zone.

[By-law 30/2002]

21.122 Notwithstanding the provisions of the Rural Residential (RR) Zone on the lands municipally described 31 Bedford Rd (Part Lot 17, Plan 365), formerly Township of Guelph, Township of Guelph/Eramosa, illustrated on Schedule 'A' to this by-law, an 'Automobile Body/Repair Shop' shall be a permitted use for a period of time which shall not exceed three years from the day of passing of By-law No. 40/2015 [passed June 1, 2015].

[By-law 39/2002] [Amended by By-law 40/2015]

21.123 Notwithstanding the provisions of Zoning By-law No. 57/1999 no building or structure (including a private sewage treatment system) shall be constructed within 3 m (9.84 ft.) from the limit of a Environmental Protection (EP) Zone on the northeast limit of the area subject to Special Provision 21.123.

[By-law 46/2002]

21.124 Notwithstanding the provisions of the Environmental Protection (EP) Zone, on a portion of the lands described as Part Lot 8, Concession 5, Division 'C', Speedvale Avenue, Former Township of Guelph, Township of Guelph/Eramosa, illustrated on Schedule "A" to this By-law, an access driveway, as approved by the Grand River Conservation Authority, shall be a permitted use.

[By-law 46/2002]

21.125 [Removed by By-law 40/2016]

21.126 Notwithstanding the provisions of the Village Residential Low Density (R1) Zone on the lands described as Block 33, Registered Plan 752 and Part Lots 4 and 5, Concession 5, illustrated on Schedule "A" to this by-law, Street Townhouse Dwelling units are permitted. Further, notwithstanding the Village Residential Low Density (R1) Zone and the general provisions of this By-law the following provisions shall apply to:

A. Street Townhouse Dwelling units

i)	Minimum Lot area	200 m ²
ii)	Minimum Lot Frontage	8.0 m
iii)	Minimum Front Yard	6.0 m
iv)	Minimum Rear Yard	7.5 m
v)	Minimum Side Yard Adjacent to Lot Line Separating a Block of Attached Units	1.8 m
vi)	Minimum Yard Between Attached Dwelling units	0.0 m
vii)	Minimum Exterior Side Yard	4.5 m

- viii) Maximum Lot Coverage For Each Block of Buildings
45%
- ix) Maximum Lot Coverage For An Individual Dwelling Unit On a Lot
55%
- x) Minimum Landscaped Open Space 25%
- xi) Maximum Building Height 9.0 m
- xii) Covered porches may project into the required Front Yard provided an unobstructed yard of 4.5 m is provided and in the required side yard, provided an unobstructed yard of 1.5 m is provided.
- xiii) Where a rear yard abuts a Environmental Protection Zone, a minimum building setback of 6.0 m is required from the Zone line subject to approval by the Conservation Authority.
- xiv) Maximum height of accessory buildings shall be 4.5 m.
- xv) Tandem parking is permitted

B. Semi-Detached Units

- i) Maximum Lot Coverage For Each Block of Buildings
45%
- ii) Maximum Lot Coverage For An Individual Dwelling Unit On a Lot
55%
- iii) Minimum Landscaped Open Space 25%

[By-law 39/2004]

21.127 Notwithstanding the provisions of the Agricultural (A) Zone on the lands described as Part Lot 9, Concession 1, Former Township of Eramosa, illustrated on Schedule "A" to this by-law, a "Farm Produce Outlet" shall be a permitted use. For the purposes of this Special Provision, a "Farm Produce Outlet" shall mean an establishment or premises where meat processing (but not slaughter) is permitted and where the farm products of the local farming community are sold at retail to the general public, provided that:

- a. This definition shall not include a "Retail Establishment" or "Retail Food Store" as defined below:
 - i. "Retail Establishment", means a building or structure or part thereof, in which goods, merchandise, substances, or articles are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.
 - ii. "Retail Food Store", means a building or structure or part thereof in which food, goods, wares, merchandise, substances, or articles are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.
- b. Minimum required customer parking spaces = 24;
- c. There shall be no open storage of materials, supplies, tools, equipment or goods which are used for, or result from, the Farm Produce Outlet, and

- d. Maximum total gross floor of the 'Farm Produce Outlet' permitted by the Special Provision = 622 m² (6,695 ft²) which shall include a maximum gross floor area of 104 m² (1,119 ft²) for the purposes of retail sales.
- e. The main driveway providing both ingress and egress to the subject property shall have a maximum perpendicular width of 10 m.

[By-law 43/2004] [Amended by By-law 79/2009]

21.128 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on the lands described as Part Lot 1, Conc. 6 (in the former Township of Eramosa), illustrated on Schedule "A" to this By-law, the following provisions shall apply:

- i) Section 4.24.1 shall not apply to the subject lands
- ii) The following uses shall be prohibited:
 - A Fuel Storage Establishment
 - An automobile services station
 - Warehousing and/or outdoor storage of fertilizers, herbicides, petroleum products, chemicals or Hazardous substances and similar products or material, either as a permitted or accessory use.
 - An Industrial Use which involves metal smelting and refining, metal finishing operations, or the use of significant amounts of chemicals, and/or petroleum products.
- iii) Section 4.25 shall not apply.

[By-law 65/2004]

21.129 Notwithstanding the provisions of the Agricultural (A) and Environmental Protection (EP) Zones, on the lands described as Part of Lot 11, Concession 4, Division "B" (former Township of Guelph), illustrated on Schedule "A", a nine-hole Golf Course with a clubhouse and an associated golf practice and golf teaching facility use shall be permitted.

[By-law 65/2007]

21.130 Notwithstanding the uses of the Extractive Industrial (M3) Zone, on the lands described as Part of Lots 7 and 8, Concession 2, Division 'C', in the Township of Guelph/Eramosa (former Township of Guelph), illustrated on Schedule "A" to this By-law, only the following uses shall be permitted:

- i) An accessory use in accordance with Section 4.2 of this Bylaw;
- ii) An aggregate processing facility which does not include an asphalt plant; a concrete batching plant; a cement manufacturing plant; a brick and tile manufacturing plant; or an aggregate transfer station;
- iii) An accessory detached dwelling;
- iv) An agricultural use;
- v) A pit;

- vi) A structure or machinery accessory to a permitted use;
- vii) A wayside pit;
- viii) Conservation

Notwithstanding Section 15.2.1, an excavation setback of four (4) metres shall be required from the eastern side lot line and the rear lot line, as shown on Schedule “A” to this By-law.

Notwithstanding Section 15.2.1, no excavation setback shall be required along the common westerly side lot line, as shown on Schedule “A” to this By-law.

[By-law 38/2005]

21.131 [Removed by By-law 61/2009]

21.132 Notwithstanding the provisions of the Open Space (OS1) Zone and Environmental Protection (EP) Zone, the following Special Provision shall apply on lands described as Part Lot 2, Concession 9, Division C, in the former Township of Guelph, as illustrated on Schedule “A” of this By-law:

- i) Minimum Lot Frontage 26.26 m
- ii) Permitted uses shall only include Conservation uses as defined below:
“Conservation”, shall mean uses complementary to and compatible with the wise management and preservation of the natural environment, along with any of its significant biophysical features and ecological functions. Conservation may include uses such as reforestation, forest management, fish and wildlife management, erosion control, flood control and passive recreation.

[By-law 83/2005]

21.133 Notwithstanding the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lots 20 and 21, Concession 1, former Township of Eramosa, illustrated on Schedule ‘A’, the following provisions shall apply:

- i) Minimum Lot Frontage (Existing Place of Worship building) 2.5 metres
- ii) Minimum Interior Side Yard (Existing house/manse) 2.5 metres

[By-law 4/2006]

21.134 Notwithstanding the definition of Agricultural Use, on lands described as 5352 Eramosa-Erin Townline, Part Lot 12, Concession 7 in the former Township of Eramosa, as illustrated on Schedule “A” of this By-law, the barn on the subject

property shall not be utilized for the breeding, raising or training of horses or cattle; farms devoted to the hatching, raising and marketing of chickens, turkeys or other fowl or game birds, animals, fish or frogs; riding stables; the raising of sheep or goats, the raising of swine; or other livestock uses.

[By-law 16/2006]

21.135 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Lot 16, Part Lot 17, Concession 4, Division B, in the former Township of Guelph, illustrated on Schedule “A”, two (2) detached dwellings shall be permitted.

Notwithstanding the provisions of the Agricultural (A) Zone, if the existing second detached dwelling is rebuilt, the footprint of the new dwelling shall overlap in part with the footprint of the existing dwelling as it existed on the date of the passing of this By-law and access to the second dwelling shall be limited to the existing shared driveway access to Wellington Road 30.

[By-law 15/2006]

21.136 [Removed by By-law 40/2016]

21.137 Notwithstanding the regulations of the Agricultural (A) Zone, lands located within Part of Lot 18, Concession 4 E.O.G.R. in the former Township of Pilkington shall have a minimum lot area of 9.2 ha (22.7 ac), as illustrated on Schedule “A” of this By-law.

[By-law 60/2006]

21.138 Notwithstanding the provisions of the Agricultural (A) Zone and the General Provisions of this By-law, on lands described as Lot 32, Concession 2, being Parts 1 to 4 on 61R-10351 (#19 and #39 River Glen Path) in the former Township of Nassagaweya, as illustrated on Schedule “A” of this By-law”:

- i) Section 5.6 (“Street Frontage Required”) shall not apply
- ii) “**Lot Line, Front**” means the lot line abutting River Glen Path, where the principal access to the lot is provided, shall be deemed to be the front lot line.

21.139 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 9, 10 and 11, Concession 12, in the former Township of Guelph, illustrated on Schedule “A” to this By-law, the following provisions shall apply:

- a)

- i) Two (2) detached dwellings shall be permitted;
- ii) Access to both dwellings shall be limited to the existing driveway access to Guelph-Nichol Townline;
- iii) The new dwelling shall be located in proximity to the existing buildings within the area identified in By-law 46/2007.

b) The above provisions are no longer valid upon removal of one of the two detached dwellings.

[By-law 46/2007]

21.140 Notwithstanding the provisions of the Agricultural (A) Zone and the General Provisions of this By-law, on lands described as Parts of Lot 2 & 3, Concession 2, in the former Township of Eramosa, as illustrated on Schedule “A” of this By-law:

- i) Section 4.7 (Street Frontage Required) shall not apply
- ii) Minimum setback from all lot lines 7.5 m
- iii) Minimum length of any lot line 114 m
- iv) Minimum frontage 0 m

[By-law 60/2007]

21.141 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Residential (RR) and Environmental Protection (EP) Zone, on the lands described as Part of Lot 18, Concession 4, in the former Township of Pilkington, illustrated on Schedule “A” to this By-law, the following provisions shall apply:

- i) Section 4.25 Setbacks from Environmental Protection (EP) Zone does not apply;
- ii) Section 4.23 Watercourse Setbacks does not apply; and
- iii) No Person shall use any lot or erect, alter or use any building or structure within 15 m from the centre of the Municipal Drain.

[By-law 83/2007]

21.142 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Residential (RR), on the lands described as Part Lots 5, 6, & 7, Plan 365, in the former Township of Guelph, illustrated on Schedule “A” to this Bylaw, the following provisions shall apply:

- i) Minimum lot area of 0.2 hectares (0.5 acres);
- ii) Minimum lot frontage of 17.5m for Unit 5 identified on the draft plan of vacant land condominium (23CD-04004);
- iii) Notwithstanding the definition of “Street” provided in Section 3 of the Bylaw for the purposes of this section “Street” shall mean the internal road provided through the draft plan of vacant land condominium.

[By-law 17/2008]

21.143 Notwithstanding the provisions of the Agricultural (A) Zone and the General Provisions of this By-law, on lots whose principal access is provided via River Glen Path (a private lane) as illustrated on Schedule "A" of this Bylaw:

- i) Section 4.7 ("Street Frontage Required") shall not apply
- ii) "Lot Line, Front" means the lot line abutting River Glen Path, where the principal access to the lot is provided and shall be deemed to be the front lot line.

21.144 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 11, Concession 3, Division C in the former Township of Eramosa, illustrated on Schedule "A" to this By-law, the following provisions shall apply:

- i) Minimum Lot area: 1.4 ha (3.5 ac)
- ii) The sale and storage of landscape rocks and related landscape contractor services shall be permitted.
- iii) Outdoor storage and display is permitted subject to:
 - 1. Shall be visually screened from any abutting land Zoned or used for Residential or institutional purposes by a buffer strip in accordance with Section 4.11;
 - 2. Shall not cover more than 80% of the lot area;
 - 3. Shall not be located in any of the required yards;
 - 4. Shall not obstruct or occupy any required parking area;
 - 5. Area to be treated to prevent erosion and the raising of dust and loose particles;
 - 6. Area to be graded and drained so as to prevent the pooling of surface water or the flow of surface water to adjacent lots.

[By-law 19/2008]

21.145 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lot 12, Concession 7, in the former Township of Eramosa, illustrated on Schedule "A" to this By-law, the Minimum Lot Frontage shall be 26.9 m.

[By-law 37/2008]

21.146 Notwithstanding the provisions of the Agricultural (A) Zone on the lands described as 5887 Splint Road (Lot 14 S/W side of CP Railway, Concession 5, formerly Township of Pilkington, Township of Guelph/Eramosa, illustrated on Schedule "A" to this by-law the following provisions apply:

- i) A Garden Suite shall be a permitted use for a period of time which shall not exceed ten (10) years from the day of passing of By-law 41/2008; and
- ii) The Garden Suite shall have a maximum floor area of 112 m².

[By-law 41/2008]

21.147 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as 5520 Wellington Road 39, Part of Lots 11 and 12, Concession 5, Division D, Former Township of Guelph, in the Township of Guelph/Eramosa, and illustrated on Schedule “A” to this By-law, a detached dwelling unit shall not be permitted.

Notwithstanding the provisions of the Agricultural (A) Zone, the following provisions shall apply:

- i) Minimum Lot area 32 ha (79.07 ac)

[By-law 57/2008]

21.148 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Industrial (M1) Zone, on the lands described as Concession 6 Part Lot 1 Registered Plan 61R3866 Part 3 Part 2 Subject to Easement 61R9977 Part 1, in the former Township of Eramosa, and known municipally as 8572 Highway 7, illustrated on Schedule ‘A’ to this By-law, the following regulations apply:

- i. An accessory detached dwelling shall be permitted, if occupied by an owner or employee of the site.
- ii. For clarity, agricultural uses shall not be permitted in any form.

[By-law 58/2008] [Amended by By-law 37/2016]

21.149 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 13, Concession 1, in the former Township of Eramosa, illustrated on the Schedule “A” to this By-law, the following additional uses are permitted and regulations apply:

- i) “Farm Product Sales Outlet” shall be permitted use and means a building, structure or use accessory and secondary to the farm for the sale of agricultural/farm related products, from the farm and local farming community and which may be subject to local value added processing are sold at retail to the general public.
 - a) Agricultural/farm related products may include fruit and vegetables, grains, meat, and milk products.
 - b) Local artisans crafts may be sold accessory to the agricultural/farm related products.
- ii) “Cottage Winery” shall be a permitted use and means a building, structure or use accessory and secondary to the farm which is used for making

wines produced from fruit grown on the site, locally grown fruits and may include imported juices.

- a) Accessory to the on-site wine production of the 'Cottage Winery', limited on-site sale, of the final product shall be permitted subject to applicable licensing requirements.
- iii) "Food Consumption Area" shall be a permitted use and means a limited seating area where products available through other uses permitted on-site can be consumed, provided that:
 - a) Maximum gross floor area = 160 m² (1,722 ft²)
- iv) All buildings, structures, parking and loading areas used for the purpose of the uses permitted by the Special Provision shall not occupy an area exceeding 0.4 ha (1.0 ac)
- v) Maximum total gross floor area for uses permitted by the Special Provision = 865 m² (9,310 ft²)
- vi) The definitions of the additional permitted uses shall not include a 'Restaurant', 'Retail Establishment' or 'Retail Food Store' as defined below:
 1. "Restaurant", a building or part thereof, where food or refreshments are prepared and offered for retail sale to the public for immediate consumption either on or off the premises, take out or drive through service.
 2. "Retail Establishment", means a building or structure or part thereof, in which goods, merchandise, substances, or articles are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.
 3. "Retail Food Store", means a building or structure or part thereof in which food, goods, wares, merchandise, substances, or articles are offered or kept for sale at retail, but does not include any establishment otherwise.

[By-law 24/2009]

21.150 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Industrial (M1) Zone, on the lands described as NE ½ of Lot 2, Concession 3, in the former Township of Guelph, illustrated on Schedule "A" to this By-law, the following additional regulations shall apply:

- i) Section 14.2.9 (Retail, Wholesale or Office Uses Accessory to a Permitted Use) does not apply, and is replaced with the following regulations, when the land is used as a 'Fuel Storage Establishment' and a 'Transport Establishment'.
 - a) A business Office use is permitted accessory to the existing 'Fuel Storage Establishment' and 'Transport Establishment' subject to the following provisions:
 - a. Maximum Gross floor area = 1, 700 m²
 - b. Floor area devoted to the accessory business Office use may be located in up to two (2) separate buildings.
 - b) An accessory retail outlet, Wholesale Outlet or showroom would be a permitted use to a maximum gross floor area devoted to

the accessory business Office use and shall be located within one building.

[By-law 32/2009]

21.151 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone and the Environmental Protection (EP) Zone, on the lands described as Part of Lot 5, 6, and 7, Concession 4, Division D, in the former Township of Guelph, illustrated on Schedule "A" to this By-law, the following shall apply:

- i) Minimum Lot area = 10 ha (24.7 ac)
- ii) On the lands Zoned Agricultural (A) a flourmill, grain elevators and accessory uses are permitted in addition to the uses permitted under Section 6.1. These uses would not be permitted in the lands Zoned Environmental Protection (EP). The flourmill, grain elevators and accessory uses are subject to the following provisions:
 - a) All building, structures, parking, access and loading areas associated with the flourmill, grain elevators and accessory uses shall not occupy an area exceeding 6.7 ha (16.5 ac).
 - b) Section 4.7 'Street Frontage Required' does not apply;
 - c) 'Lot Line, Front' means the lot line abutting the hydro corridor, where the principle access to the lot is provided, shall be deemed to be the front lot line;
 - d) Minimum Lot Frontage = 100 m
 - e) Minimum Rear Yard Setback (adjacent to railway) = 20 m
 - f) Maximum Gross Building Floor Area (not including silos) = 3,000 m²
- iii) The provisions provided in Section ii of this Special Provision do not apply to the uses permitted under Section 6.1.

[By-law 34/2009]

21.152 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as 5600 Fourth Line, Part of the NE Half Lot 18, Concession 3, Former Township of Eramosa, and illustrated on Schedule "A" to this By-law, the following provisions shall apply:

- i) A "Detached Dwelling Unit" shall not be permitted; and
- ii) A minimum "Lot area" of 35.6 ha is required.

[By-law 73/2009]

21.153 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Industrial (M1) and the Environmental Protection (EP) Zone on the lands described as NE ½ Lot 2, Concession 1, Division B, former Township of Guelph, further identified as Part 2 of Severance Sketch prepared for application B 74/07 &

B 75/07, illustrated on Schedule "A" to this By-law, the following provision shall apply:

- i) Minimum Lot Frontage = 20.0 m
- ii) No Person shall use the lot or erect, alter or use any building or structure for any purpose except the following permitted uses:
 - a) The primary permitted use shall be vehicular access to lands identified as subject to Special Provision 21.154
 - b) In accordance with Section 4.2 of the By-law a use accessory to the primary permitted use of vehicular access shall be permitted.
- iii) Section 4.27 & Section 4.28 ('Outdoor Display' and 'Open Storage') does not apply.

[By-law 84/2009]

21.154 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Industrial (M1) Zone and Holding Provision (H) on the lands described as NE ½ Lot 2, Concession 1, Division B, former Township of Guelph, further identified as Part 1 of Severance Sketch prepared for application B 74/07 & B 75/07, illustrated on Schedule "A" to this By-law, the following provisions shall apply:

- i) Section 4.7 ('Street Frontage Required') shall not apply.
- ii) 'Lot Line Front' means the lot line abutting the railway right-of-way, where principal access to the lot is provided and shall be deemed to be the front lot line.
- iii) Vehicular access to the lands is permitted by the lands identified as subject to Special Provision 21.153.

[By-law 84/2009]

21.155 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) one on the lands described as Part of Lot 21 & 22, Concession 4, Division D, former Township of Guelph, further identified as Part 1 and 2, 61R-11274, as illustrated on Schedule "A" to this By-law, the following provisions shall apply:

- i) **"Industrial Use"** shall be a permitted use limited to the warehouse and manufacture of industrial, automotive and commercial vehicle components and systems.
- ii) Minimum Front Yard Setback for existing buildings or structures = 18.5m from the centre line of the street.
- iii) Minimum Lot area = 2.85 ha (7.04 ac).

[By-law 87/2009]

21.156 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) and Environmental Protection (EP) Zones, on the lands described as 5689 Fourth Line, Part of Lot 20, Concession 4, Former Township of Eramosa, in the Township of Guelph/Eramosa, and illustrated on Schedule “A” to this By-law, the following provisions shall apply:

- i) A “Detached Dwelling Unit” shall not be permitted; and
- ii) A minimum “Lot area” of 32 ha is required.

[By-law 63/2010]

21.157 Notwithstanding the provisions of the Village Residential Low Density (R1) and the Open Space (OS1) Zones on the lands described as the West Halves of Lot 3 and 4, Concession 5, in the former Township of Eramosa, illustrated on Schedule ‘A’ to this By-law, the following provisions shall apply:

- i) For the purposes of this provision ‘Dwelling, Townhouse’ means a Residential building divided vertically to provide 3 or more units, each unit having independent entrances to a front and rear yard immediately abutting the front and rear walls of each Dwelling Unit. The Dwelling units of a cluster townhouse do not require frontage on a public street.

General Provisions

- ii) Notwithstanding Section 5.1 (Parking Requirements) the following off-street parking requirements shall apply:
 - a) 2 spaces per Dwelling Unit; plus
 - b) 0.5 spaces per Townhouse or Semi-Detached Dwelling Unit to be dedicated and signed for visitor parking and located in shared off-street parking area(s).
- iii) Notwithstanding Section 5.1.10.3 (Ingress and Egress of Parking Areas for Residential Uses) the driveway associated with Semi-Detached or Townhouse shall be setback 0.0 m from the side lot line where the permitted interior side yard is 0.0 m, not including the exterior lot line when it serves as the point of access.
- iv) Notwithstanding Section 4.9 (Yard Encroachments) balconies and steps and ramps, covered or uncovered, or unenclosed porches or decks may project into any required yard a distance of not more than 3.5 m. Notwithstanding this, no such structure shall be permitted to encroach beyond a point that is closer than 2.5 m from a property boundary.
- v) Notwithstanding Section 4.25 (Setbacks from Environmental Protection (EP) Zone) no building or structure shall be constructed within 1.5m from the limit of the Environmental Protection (EP) Zone.

vi) For greater certainty, the balance of the General Provisions of the By-law not specifically superseded herein shall continue to apply.

Village Residential Low Density (R1) Special Provision 21.157

vii) No Person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following permitted uses:

- Accessory use in accordance with Section 4.2 of this By-law
- Bed and breakfast establishment
- Detached Dwelling
- Home Occupation
- Public open space uses
- Semi-Detached dwelling
- Townhouse Dwelling (cluster)

viii) Regulations for Detached Dwellings:

- | | | |
|----|---|---|
| a) | Minimum Lot area | 350.0 m ² |
| b) | Minimum Lot Frontage | 11.0 m |
| c) | Minimum Front Yard | 6.5 m subject to Section 4.19 |
| d) | Minimum Rear Yard | 7.5 m if the lot depth is greater than 33m or 6.5m if the lot depth is less than or equal to 33 m |
| e) | Minimum Interior Side Yard | |
| | One Side | 1.2 m |
| | Other Side Yard | 0.6 m |
| f) | A minimum of 1.8 m shall be maintained between adjacent foundations | |
| g) | Minimum Exterior Side Yard | 4.5 m subject to Section 4.19 |
| h) | Maximum Lot Coverage | 50% |
| i) | Maximum Height | 10.6 m |

ix) Regulations for Semi-Detached Dwellings (Each Unit)

- | | | |
|----|----------------------------|---|
| a) | Minimum Lot area | 200.0 m ² for each Dwelling Unit |
| b) | Minimum Lot Frontage | 8.0 m |
| c) | Minimum Front Yard | 6.5 m subject to Section 4.19 |
| d) | Minimum Rear Yard | 7.5 m |
| e) | Minimum Interior Side Yard | |
| | One Side | 1.5 m |
| | Other Side Yard | 0.0 m |

- f) A minimum of 3.0 m shall be maintained between adjacent foundations.
- g) Minimum Exterior Side Yard 4.5 m
- h) Maximum Lot Coverage 50%
- i) Maximum Height 10.6 m

x) Regulations for Townhouse Dwellings

- a) Minimum Lot area 200.0 m² for each Dwelling Unit
- b) Minimum Lot Frontage 18.0 m
- c) Minimum Width 7.0 m for each Dwelling Unit
- d) Minimum Front Yard 6.5 m to each Dwelling Unit
- e) Minimum Rear Yard 7.5 m to each Dwelling Unit
- f) Minimum Interior Side Yard
 - One Side 1.5 m
 - Other Side Yard 0.0m between attached Dwelling units
- g) A minimum of 3.0 m shall be maintained between the foundations of adjacent blocks of attached Dwelling units.
- h) Minimum Exterior Side Yard 4.5 m
- i) Maximum Lot Coverage 50%
- j) Maximum Height 10.6 m

[By-law 39/2011]

21.158 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) and Environmental Protection (EP) Zones, on the lands described as 7359 Wellington Rd 51, Part Lots 26, 27, 28, 29, Concession 4, Division D, Former Township of Eramosa, in the Township of Guelph/Eramosa, and illustrated on Schedule "A" to this By-law, the following provisions shall apply:

- i) A "Detached Dwelling Unit" shall not be permitted; and
- ii) A minimum "Lot area" of 25.2 ha is required.

[By-law 69/2011]

21.159 Notwithstanding the Agricultural (A) Zone, on lands described as Guelph Division E, Concession 2, Part Lots A & B, Reference Plan 61R 6686, Parts 35, 36, 38 and 42, illustrated on Schedule "A" to this By-law, the following provision shall apply:

- i) Minimum Lot area 31.6 ha (78.0 ac)

[By-law 8/2012]

21.160 Notwithstanding the General Provision of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as 5858 Wellington Road 7, Part Lot 15, Concession 1, East of the Grand River, Former Township of Pilkington, in the Township of Guelph/Eramosa, and illustrated on Schedule 'A' to this By-law, the following provisions shall apply:

- i) A "Detached Dwelling Unit" shall not be permitted; and
- ii) A minimum "Lot area" of 20.8 ha is required

[By-law 25/2012]

21.161 Notwithstanding the General Provision of this By-law and the provisions of the Agricultural (A) and Environmental Protection (EP) Zones, on the lands described as 5456 Fourth Line, Part Lot 14, Concession 3, Former Township of Eramosa, in the Township of Guelph/Eramosa, and illustrated on Schedule 'A' to this By-law, no Person shall use land or erect or use a building or structure except in accordance with the following:

Permitted Uses

- An agricultural related business including the repair, service and storage of agricultural equipment;
- A welding Machine Shop;
- The storage and display of antique farm tractors and other farm equipment;
- Uses accessory to the foregoing including a residence with parking garage.

[By-law 26/2012]

21.162 Notwithstanding the General Provision of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as 5452 Fourth Line, Part Lot 14, Concession 3, Former Township of Eramosa, in the Township of Guelph/Eramosa, and illustrated on Schedule 'A' to this By-law, the following provisions shall apply:

- i) A minimum "Lot area" of 7.22 ha is required.

[By-law 26/2012]

21.163 Notwithstanding the provisions of the Environmental Protection (EP) Zone, on the lands described as 7992 Mill Road Division C, Concession 11, Parts of Lots 10 and 11, RP61R10410 Parts 1 and 2 Former Township of Guelph (McMurty/1836853 Ontario Inc.), and illustrated on Schedule 'A' to this By-law, the following provisions shall apply:

- i) A 'garage' and associated tunnels shall be permitted on lands Zoned Environmental Protection (EP).

- ii) An existing guest house is permitted on lands Zoned Environmental Protection (EP).

[By-law 30/2012]

21.164 Notwithstanding the provisions of the Rural Industrial (M1) Zone on the lands described as Part of Lot 2, Concession 2, Division B, former Township of Guelph and illustrated on Schedule “A” to this By-law, the following additional use is permitted and regulations apply:

- i) An animal crematorium shall be a permitted use subject to applicable Ministry of the Environment approval(s). The animal crematorium shall be limited to the cremation of domestic animals. Domestic animals include such animals as cats, dogs and horses.
- ii) The animal crematorium shall be located within the existing industrial building and shall not exceed 465 m² of gross floor area within such building.
- iii) The minimum rear yard from the existing industrial building shall be 4.05 m.

[By-law 39/2012]

21.165 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part Lots 15-17, Concession 5, Division D and Part Lot 17, Concession 6, Division D, in the former Township of Guelph, illustrated on Schedule ‘A’ to this By-law, the following shall apply:

- i) A ‘Detached Dwelling Unit’ shall not be permitted; and
- ii) A ‘Minimum Lot area’ of 25.9 ha is required.

[By-law 62/2012]

21.166 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on part of the lands described as Part Lot 29, Concession 4, Division D, RP61R4774, Part 1 in the former Township of Guelph, illustrated on Schedule ‘A’ to this By-law, the following shall apply:

- i) A Farm Help Dwelling is a permitted accessory use.
- ii) ‘Dwelling, Farm Help’ shall mean a dwelling that is used for the housing of on-site farm labour where the workers assist on the subject farm on a regular basis.

[By-law 61/2012]

21.167 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part Lot 14, Concession 3, in the

former Township of Pilkington, illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) A 'Detached Dwelling Unit' shall not be permitted.

[By-law 5/2013]

21.168 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part Lot 25, Concession 4E, in the former Township of Eramosa, illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) A 'Detached Dwelling Unit' shall not be permitted.

[By-law 9/2013]

21.169 Notwithstanding the General Provisions of this By-law and the provisions of the Institutional (I) Zone, on the lands described as SW Half Part Lot 3, Concession 4, former Township of Eramosa illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) Permitted uses are limited to a School and accessory uses which may include a Child Care Centre.

[By-law 29/2013]

21.170 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as SW Half Part Lot 3, Concession 4, former Township of Eramosa, the following shall apply:

- i) A 'Minimum Lot area' of 33.49 ha is required.

[By-law 29/2013]

21.171 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Industrial (M1) Zone, on the lands described as Part of Lot A, Concession 2, Division 'E' in the former Township of Guelph, Parts 1, 8 and 9, Plan 61R-11855 illustrated on the Schedule "A" to this By-law, the following additional use and regulations apply:

- i) "Automobile Sales Establishment" shall be a permitted use.
- ii) Minimum Rear Yard 10.0 m

- iii) Watercourse Setback (Section 4.23) 14.8 m
- iv) Setbacks from a Environmental Protection (EP) Zone 10.0 m
- v) The maximum number of vehicles parked or stored outside on the lands shall be limited to 550.
- vi) "Display Parking space" refers to a parking space provided on-site for the purposes of outdoor display and storage of a motor vehicle, accessory to an Automobile Sales Establishment. Display Parking spaces are provided in addition to the minimum parking requirement of a permitted use as established in the Parking area Regulations (Section 5.1).
 - a. Maximum Display Parking spaces 480
 - b. Minimum Setback for Display Parking spaces 7.5m
 - c. Display Parking spaces are not subject to the lot area restrictions for Outdoor Display (Section 4.27).
- vii) Any driveway width used for joint ingress or egress shall have a minimum width of at least 3.5 m but not more than 12.0 m.
- viii) "Lot Line, Front" means the lot line abutting Whitelaw Road, where the principal access to the lot is provided, shall be deemed to be the front lot line.
- ix) On-site private wastewater treatment shall be limited to domestic use and may include car washing (subject to necessary approvals), but does not include wastewater associated with service bays, rustproofing and other vehicle related treatments.
- x) No building or structure shall be located closer than 12.2 metres from the Elmira Road right-of-way.

[By-law 60/2013]

21.172 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 16, Concession 4, former Township of Eramosa, and illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) A 'Detached Dwelling Unit' shall not be permitted.

[By-law 52/2013]

21.173 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of Lot 16, Concession 4, former Township of Eramosa, and illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) The maximum total floor area permitted for all accessory buildings or structures located on the lot shall be limited to 8% (1,280 m²) of the total lot area (1.6 ha).

[By-law 52/2013]

21.174 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Part of NE ½ Lot 22, Concession 5, former Township of Eramosa, and illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) A 'Detached Dwelling Unit' shall not be permitted.
- ii) A 'Minimum Lot area' of 34.9 ha is required.

[By-law 53/2013]

21.175 Notwithstanding the General Provisions of this By-law and the provisions of the Rural Residential (RR) Zone, on the lands described as Part of Lot 18, Concession 4 EGR, Former Township of Guelph illustrated on the Schedule "A" to this By-law, the following shall apply:

- i) "Contractor and Tradesperson Establishment" shall be an additional permitted use
- ii) Minimum Rear Yard = 1.5 m for the main building of the Contractor or Tradesperson Establishment
- iii) Section 4.2.3 (Location of Accessory Buildings) shall permit existing detached accessory structures to have a rear yard setback of 0.0 m.
- iv) Section 5.1.10.3 (Ingress and Egress to Parking areas) shall permit the existing driveway use for joint ingress or egress to a maximum of 9.7 m.
- v) Section 5.1.10.3 (Ingress and Egress to Parking areas) shall limit the number of driveways to a maximum of three (3).
- vi) Section 4.11.1 (Buffer Strip Requirements) shall permit the required Buffer Strip to be located onsite between the permitted Residential and Non-Residential Use.
- vii) Section 4.25 (Setbacks from Environmental Protection (EP) Zone) shall permit any development on-site that satisfies the setback requirements of the applicable Rural Residential (RR) Zone and the relief granted through this Special Provision to comply with the setbacks required from the Environmental Protection (EP) Zone.

[By-law 24/2014]

21.176 Notwithstanding the General Provisions of this By-law and the provisions of the Village Residential Low Density (R1) Zone, on the lands described as NE Half of Part of Lot 6, Concession 4, former Township of Eramosa, illustrated on Schedule 'A' to this By-law, the following shall apply:

- i) Additional permitted uses include:
 - a. School
 - b. Place of Worship
 - c. Accessory uses which may include a Child Care Centre or parking lot
- ii) The School, Place of Worship, and accessory uses shall be subject to the regulations of the Institutional (I) Zone.
- iii) The additional permitted uses are permitted without the removal of the Holding Provision.

[By-law 13/2014]

21.177 Notwithstanding the provisions of the Agricultural (A) Zone, on the lands described as 8445 Sideroad 10, Part Lot 10, Concession 5, in the Geographic Township of Eramosa, now in the Township of Guelph/Eramosa, and illustrated on Schedule 'A' of this By-law, the following shall apply:

- i) A 'Detached Dwelling Unit' shall not be permitted
- ii) Minimum Lot area is 31.55 ha

[By-law 19/2014]

21.178 Notwithstanding the General Provisions of this By-law and the provisions of the Agricultural (A) Zone, on the lands described as Concession 2 Division B, Part Lot 3 in the former Township of Guelph, and known municipally as 5089 Wellington Rd 32, illustrated on Schedule 'A' to this By-law, the following additional uses are permitted and regulations apply:

- i. "Farm Produce Sales Outlet" shall be a permitted use and means a building, structure or use accessory and secondary to the farm for the sale of agricultural/farm related products, from the farm and local farming community and which may be subject to local value-added processing are sold at retail to the general public.
 - a. Agricultural/farm related products may include fruit and vegetables, grains, meat and milk products.
 - b. Local artisans crafts may be sold accessory to the agricultural/farm related products.
- ii. "Farm-Related Tourism Business" means those agriculturally-related tourism uses that promote the enjoyment, education or activities related to the agricultural operation. The principle activity on the property must remain agricultural production. As such, uses must:
 - a. Be dependent on the existence of the agricultural operation,
 - b. Use products that are produced on the property or related to

agriculture,

- c. Enhance the agricultural nature of the property, and
- d. Not present any limitation to future agricultural activities.

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

- iii. "Farm-Related Bakery" shall be a permitted use and means a building or part thereof, where food or refreshments are prepared and offered for retail sale to the public for immediate consumption either on or off the premises. The majority of products offered will [By-law have some connection to the farm or immediate farming community.
- iv. "Multi-Purpose Event Facility" shall be a permitted use and means a service commercial establishment used for the purposes of birthday parties or other small events. Cooking classes and other similar activities which share knowledge about agricultural production or use farm-produced products shall be a permitted use of this facility. The Multi-Purpose Event Facility shall be a limited use concurrent with seasonal farm activities.
 - a. Maximum Gross floor area of the Multi-Purpose Event Facility 255 m²
- v. Maximum combined Gross floor area devoted to uses permitted by i., iii, & iv. shall not exceed 670 m².
- vi. Maximum combined developable area devoted to uses permitted by i., iii, & iv. shall not exceed 1.06 ha (2.6 ac).
- vii. Minimum Lot area 20.7 ha (53.5 ac)
- viii. Front Yard Setback for Existing Buildings 3.9 m

[By-law 12/2015]

21.179 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described as 5838 Fifth Line (Part Lot 24, Concession 4), formerly Township of Eramosa, Township of Guelph/Eramosa, illustrated on Schedule 'A' to this by-law, Garden Suite with a maximum floor area of 116 square metres shall be a permitted use for a period of time which shall not exceed twenty (20) years from the day of passing of By-law No. 22/2015 being the 16th day of March, 2015.

[By-law 22/2015]

21.180 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described 5495 Fourth Line (CON 4 PT LOT 15 RP 61R756 PART 1), formerly Township of Eramosa, Township of Guelph/Eramosa, illustrated on Schedule 'A' to this by-law, the minimum lot area shall be 28.45 hectares and a 'detached dwelling unit' shall not be permitted.

[By-law 28/2015]

21.181 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described 5439 Wellington Rd 29 (Concession 2, Part Lot 14), formerly Township of Eramosa, Township of Guelph/Eramosa, illustrated on Schedule 'A' to this by-law, a 'detached dwelling unit' shall not be permitted.

[By-law 31/2015]

21.182 Notwithstanding the provisions of the Institutional (I) Zone on the lands municipally described 107 Harris St., Rockwood (PLAN 65 PT LOT E S/S HARRIS), formerly Township of Eramosa, Township of Guelph/Eramosa, illustrated on Schedule 'A' to this by-law, a 'Social Service Establishment' shall be permitted. The exterior side yard setback shall be 1.82 m, and the rear yard setback shall be 6.44 m.

[By-law 71/2015]

21.183 Notwithstanding the provisions of the Agricultural (A) Zone on the lands municipally described 6838 Wellington Rd 124 (Guelph Div B Con 5 Pt Lot 2 RP 61R9754 Part 4), formerly Township of Guelph, Township of Guelph/Eramosa, illustrated on Schedule 'A' to this by-law, the accessory sale of ornamental landscape products and seasonal decorating merchandise shall be permitted.

On-Farm Diversified Uses shall be restricted to a total area of 444 m², which shall include all related structures and required parking spaces. Of this 444 m², the accessory sale of non-agricultural retail items will be restricted to a gross floor area of 118 m².

[By-law 79/2015]

21.184 Notwithstanding the provisions of the Rural Industrial (M1) Zone, on lands legally described as Division C Concession 2 Part Lot 9, Part Lot 10, and Part Lot 11, in the former Township of Guelph, and municipally addressed as 7861 Highway 7, illustrated on Schedule "A", the following uses shall be permitted in addition to the uses of the Rural Industrial zone:

- Agricultural Research and/or Breeding and/or Grading Operation
- Agricultural Supply Establishment
- Agricultural Use
- Commercial Greenhouse
- Feed Mill
- Grain Elevator
- Grain Storing, Weighing, Drying Operation
- Livestock Sales Barn
- One Dwelling Unit If Occupied By The Owner, Caretaker, Watchman Or Other Similar Person Employed On The Lot On Which Such Dwelling Unit Is Located
- Veterinary Clinic

[By-law 40/2016]

To be read in conjunction with Zoning By-law 40/2016
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TOWNSHIP OF
CENTRE WELLINGTON

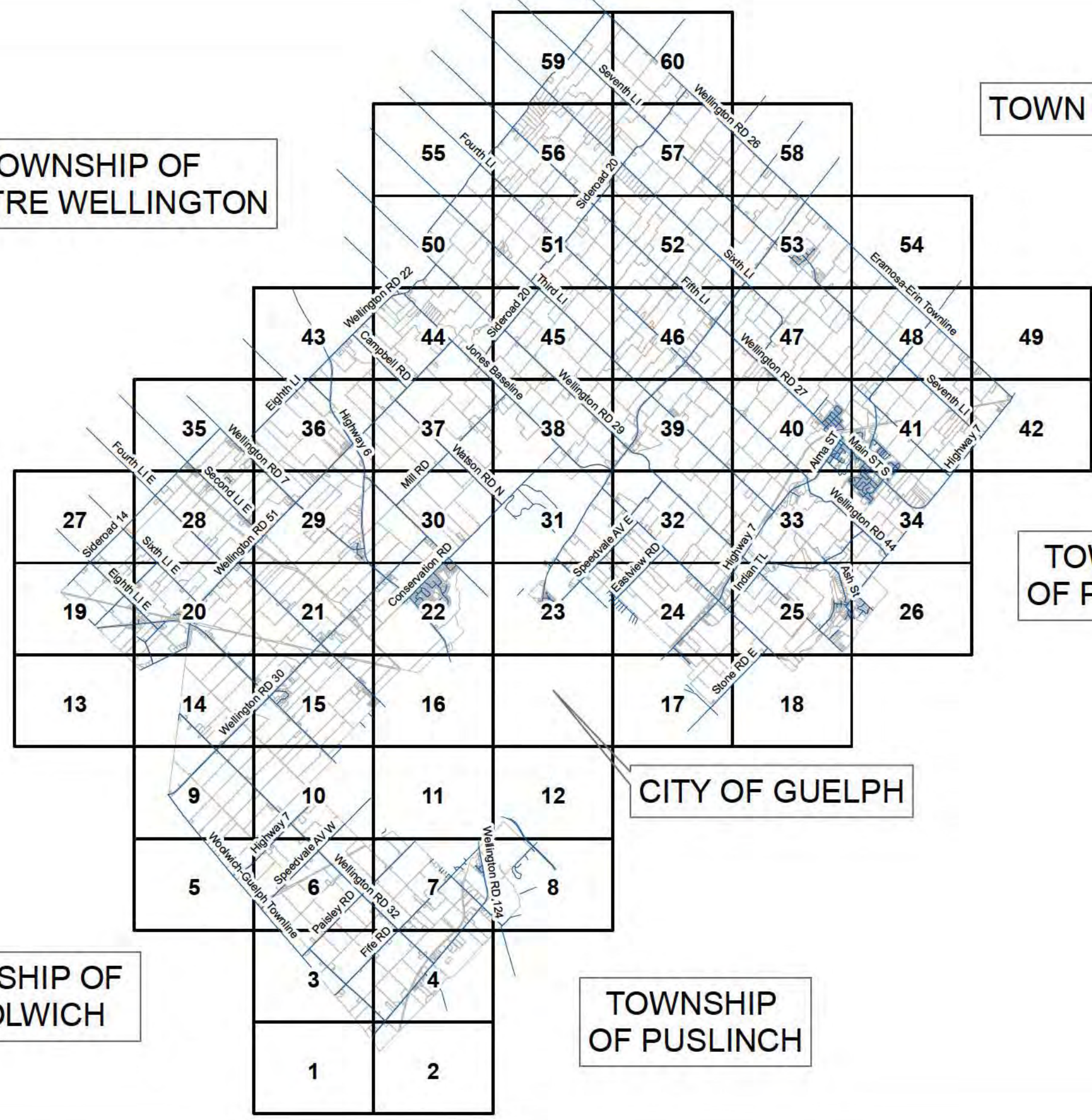
TOWN OF ERIN

TOWNSHIP
OF PUSLINCH

CITY OF GUELPH

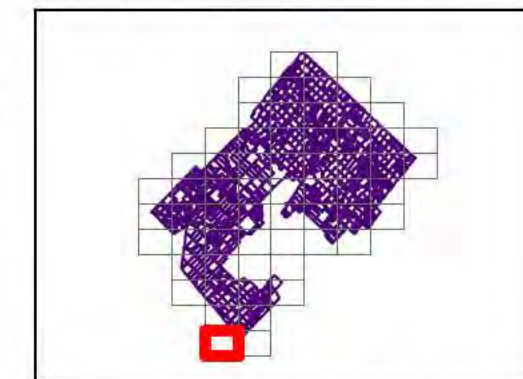
TOWNSHIP OF
WOOLWICH

TOWNSHIP
OF PUSLINCH



**Schedule A-
Map 1**

0 145 290 Meters



NEIGHBOURING MAPS

	3	4
	1	2

To be read in conjunction with Zoning By-law 40/2016
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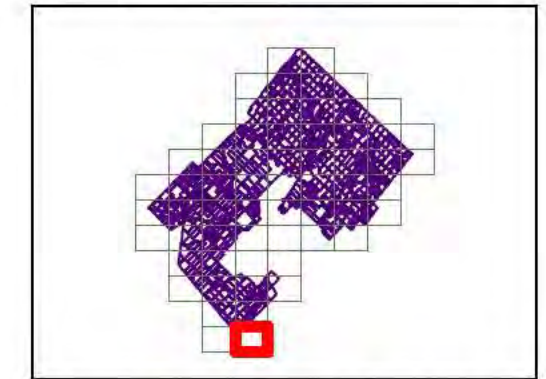
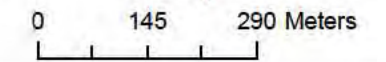
Township of Woolwich/
City of Cambridge

Zones

	Agricultural (A)
--	------------------



**Schedule A-
Map 2**



NEIGHBOURING MAPS



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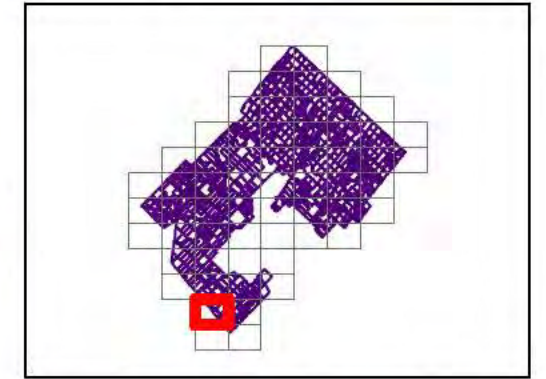
Zones

- Agricultural (A)
- Environmental Protection (EP)

**Schedule A-
Map 3**



0 145 290 Meters

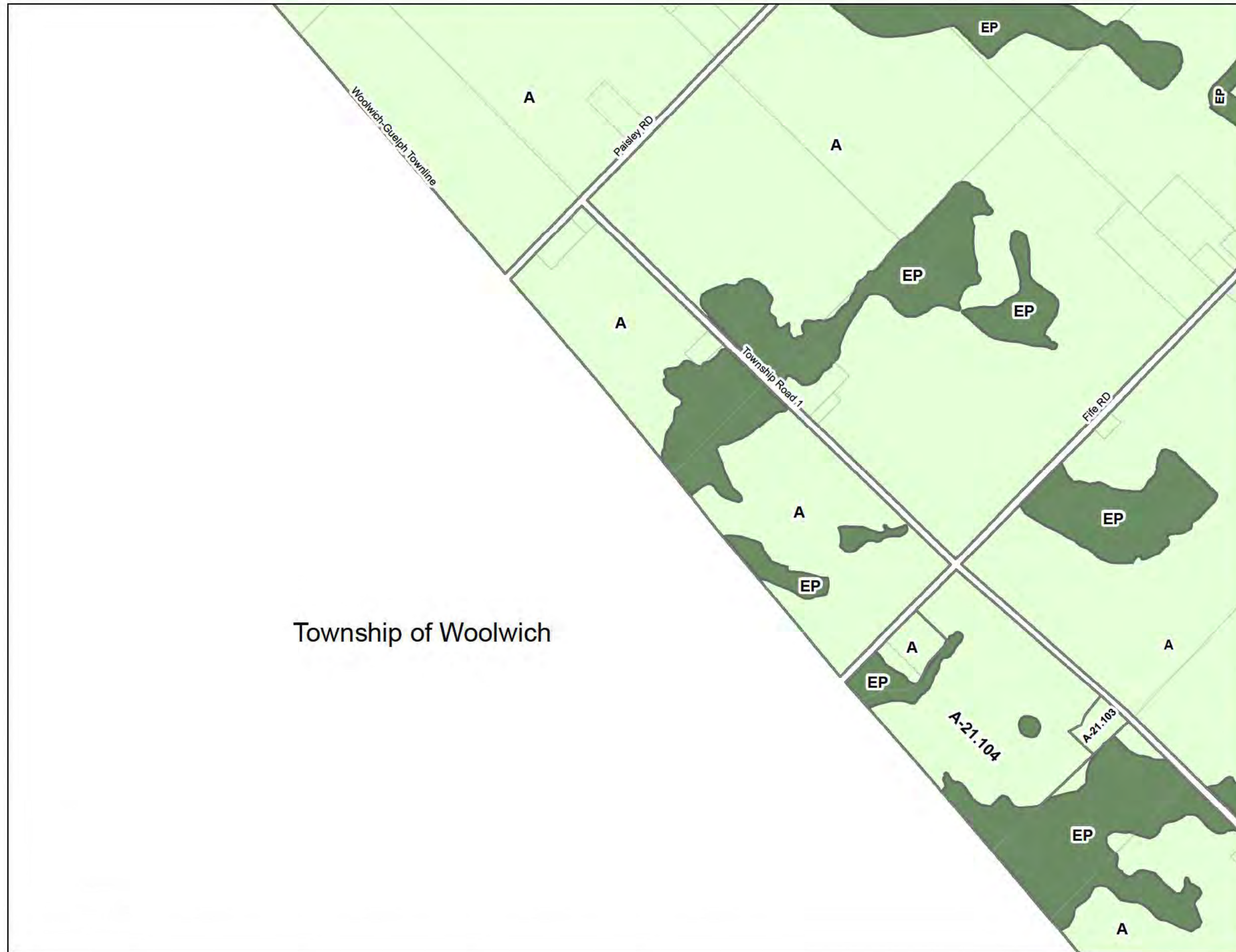


NEIGHBOURING MAPS

5	6	7
	3	4
	1	2

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Township of Woolwich



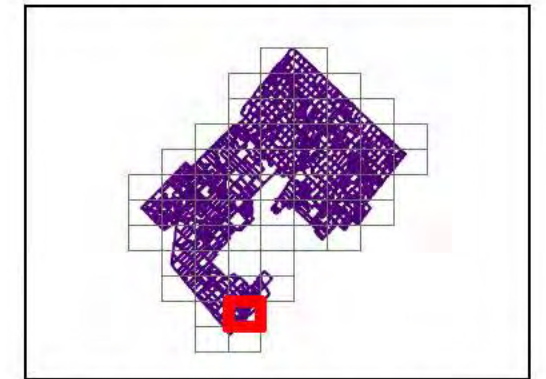
Zones

- Agricultural (A)
- Environmental Protection (EP)

Schedule A- Map 4



0 145 290 Meters



NEIGHBOURING MAPS

6	7	8
3	4	
1	2	

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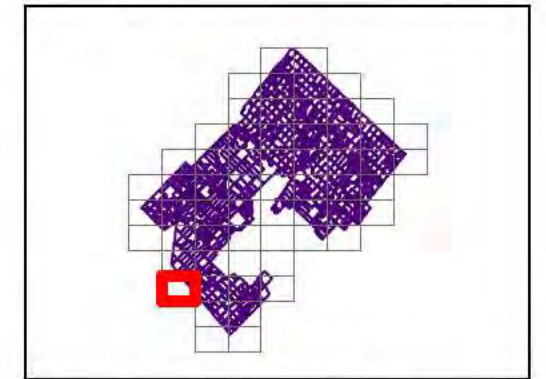


Zones	
	Agricultural (A)
	Highway Commercial (C4)
	Environmental Protection (EP)
	Rural Industrial (M1)
	Extractive Industrial (M3)
	Rural Residential (RR)

**Schedule A-
Map 5**



0 145 290 Meters



NEIGHBOURING MAPS

	9	10
	5	6
		3

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Township of Woolwich

EP

A

A-21.129

Highway 7

Woolwich-Guelph Townline

A

EP

A

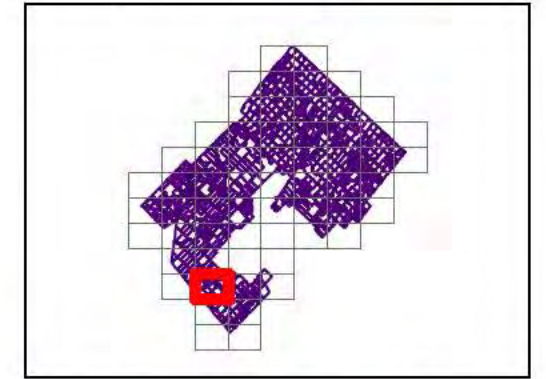
Zones

- Agricultural (A)
- Environmental Protection (EP)

Schedule A-
Map 6



0 145 290 Meters



NEIGHBOURING MAPS

9	10	11
5	6	7
	3	4

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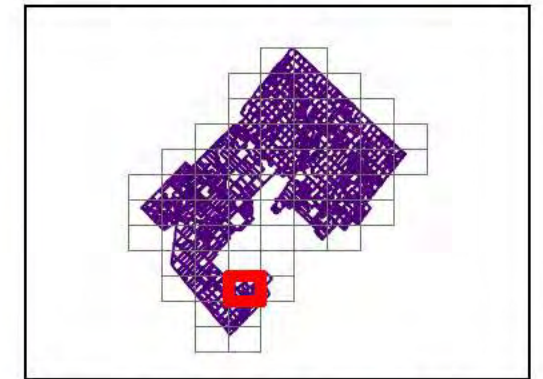
Zones

	Agricultural (A)
	Environmental Protection (EP)

Schedule A-
Map 7



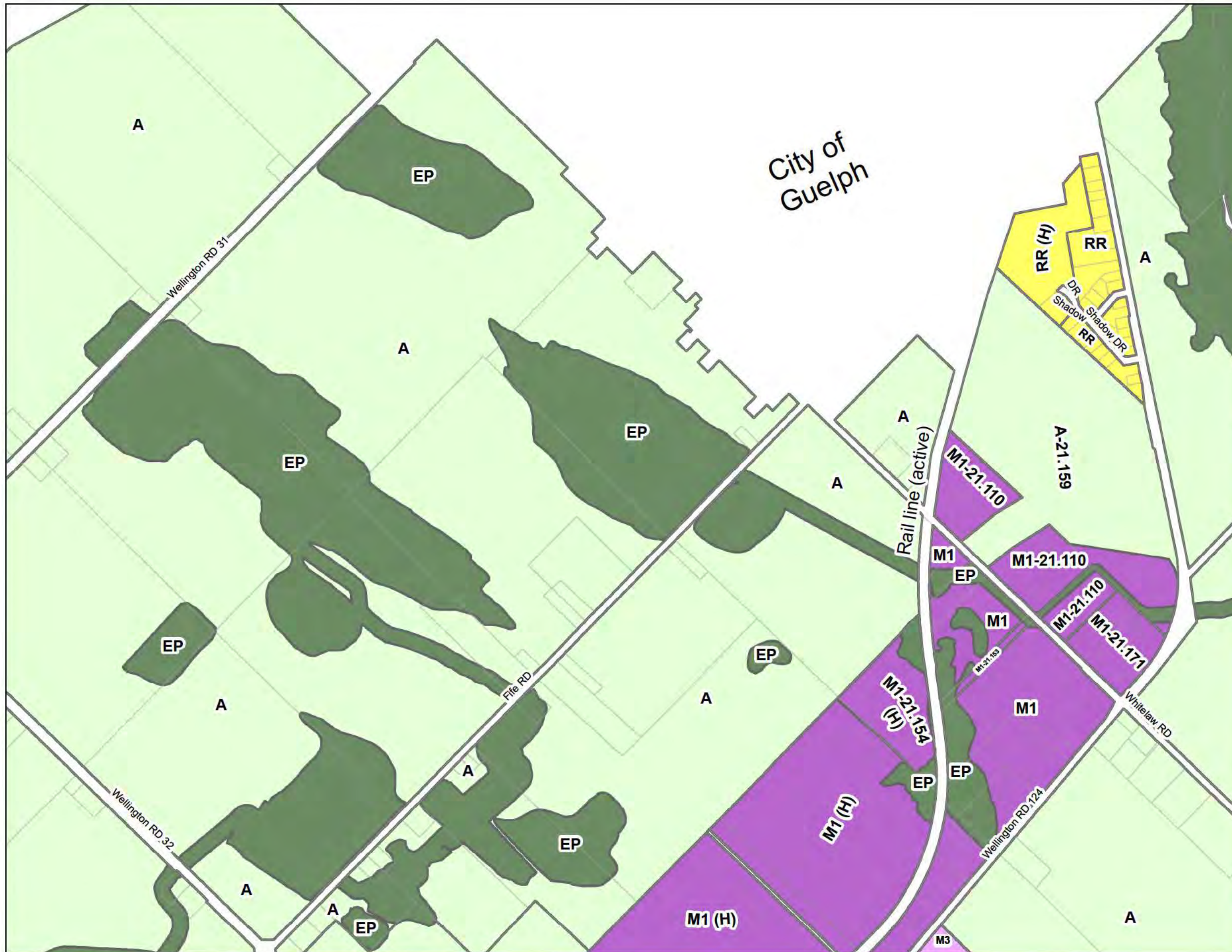
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NEIGHBOURING MAPS

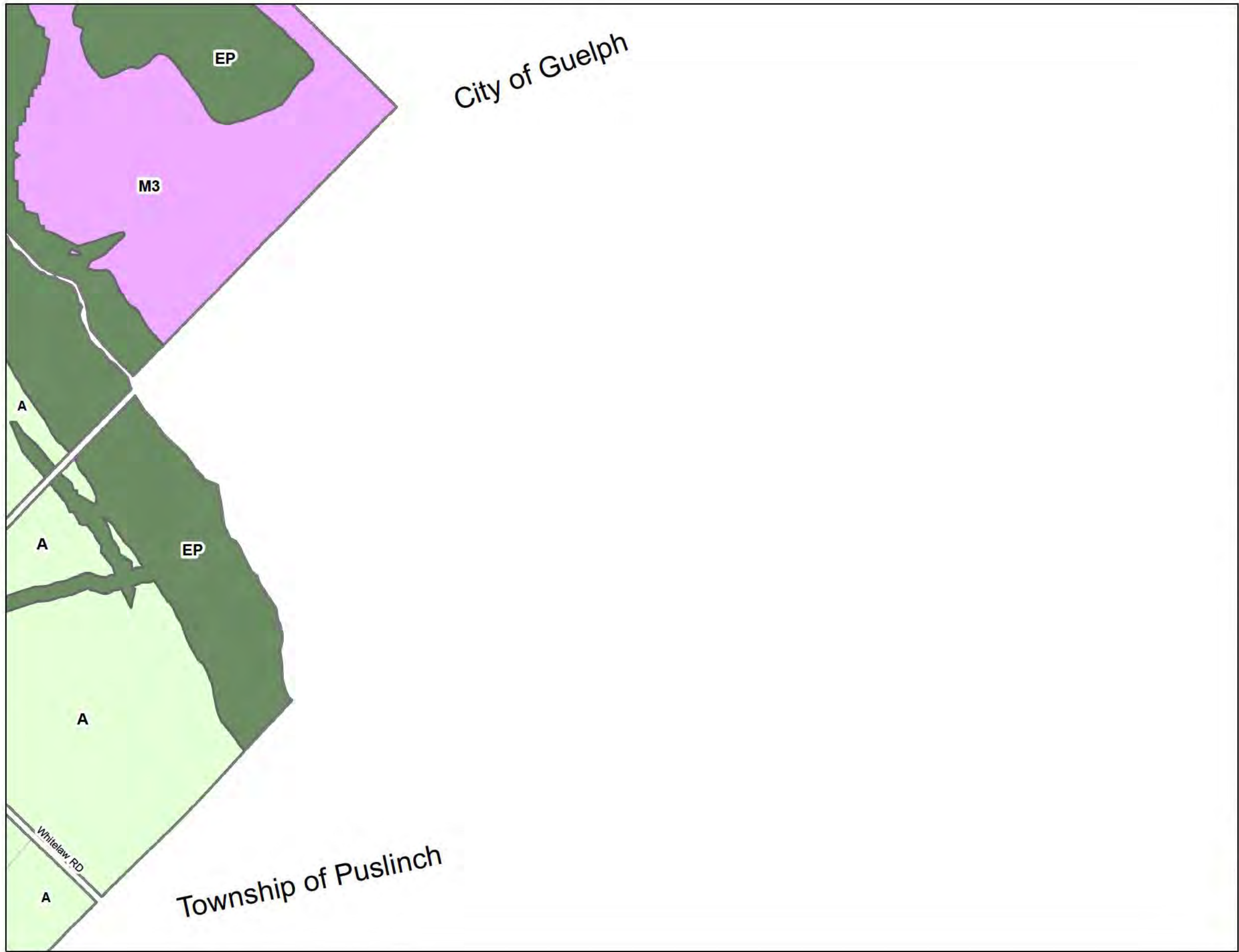
10	11	12
6	7	8
3	4	

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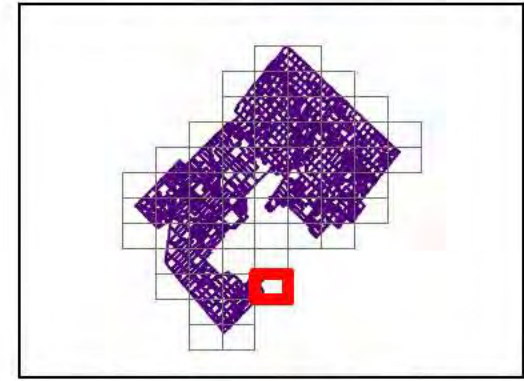
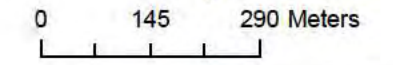


Zones

- Agricultural (A)
- Environmental Protection (EP)
- Rural Industrial (M1)
- Extractive Industrial (M3)
- Rural Residential (RR)



**Schedule A-
Map 8**



NEIGHBOURING MAPS

11	12	
7	8	
4		

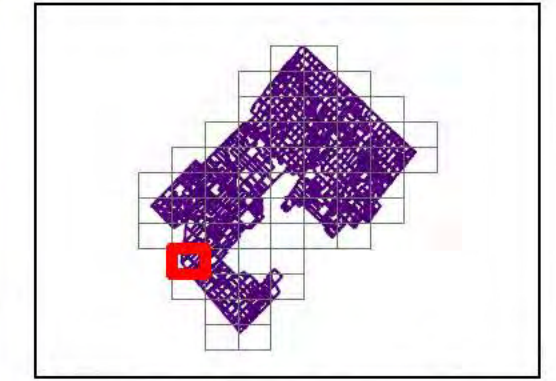
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Zones

- Agricultural (A)
- Environmental Protection (EP)
- Extractive Industrial (M3)

Schedule A-
Map 9

0 145 290 Meters






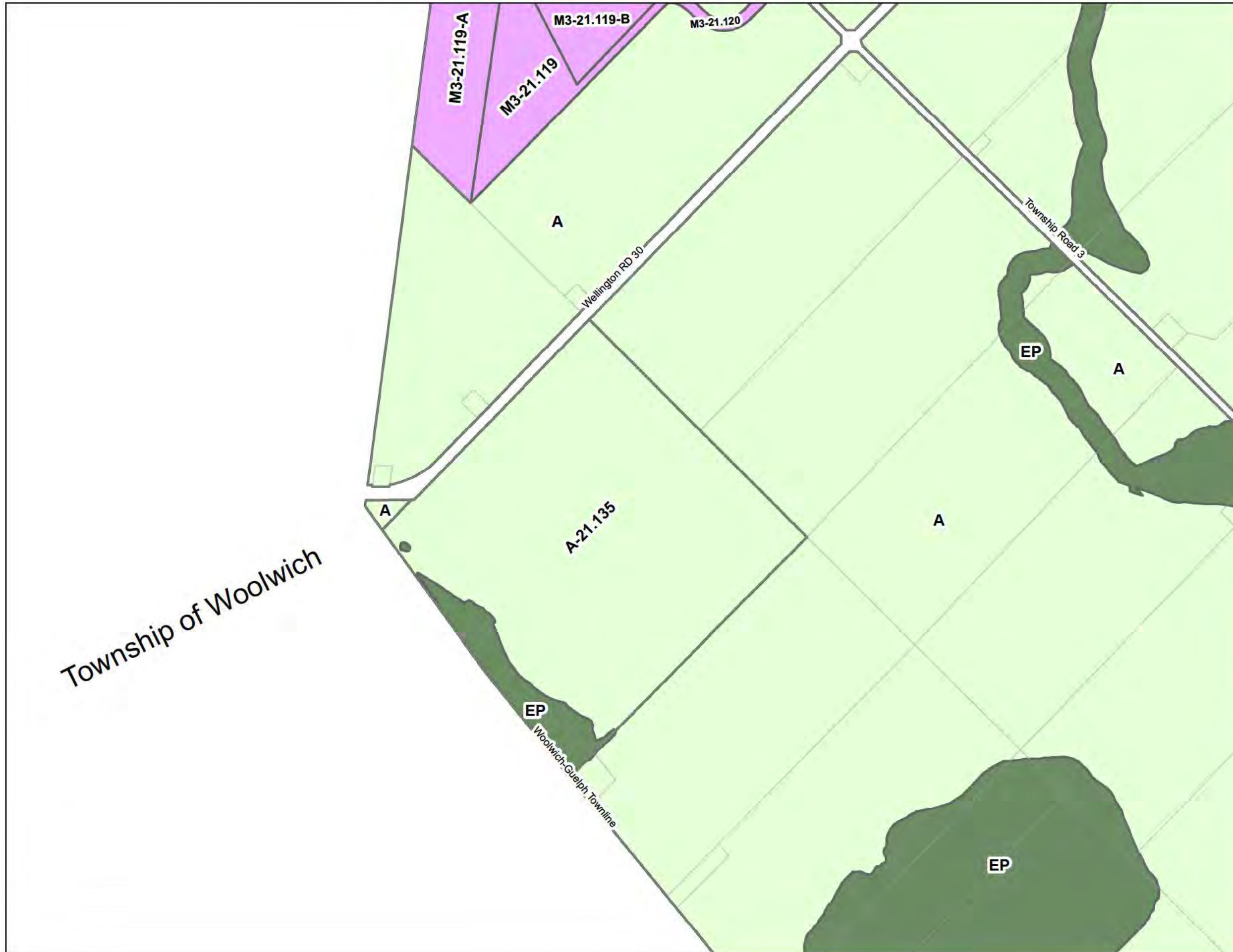
NEIGHBOURING MAPS

13	14	15
	9	10
	5	6

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Zones

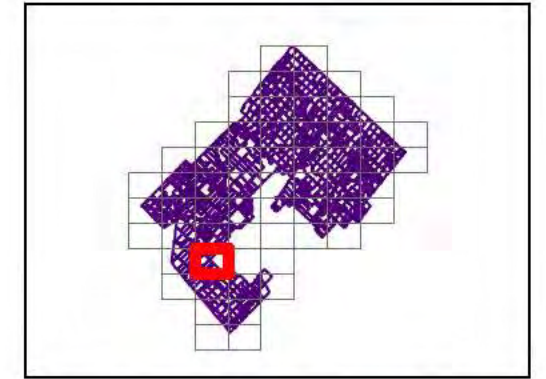
-  Agricultural (A)
-  Environmental Protection (EP)
-  Extractive Industrial (M3)



**Schedule A-
Map 10**



0 145 290 Meters



NEIGHBOURING MAPS

14	15	16
9	10	11
5	6	7

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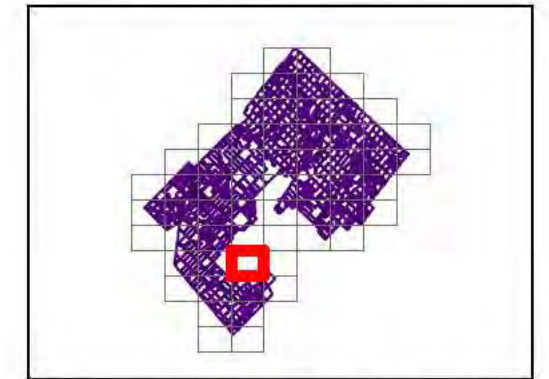
Zones

- Agricultural (A)
- Environmental Protection (EP)



Schedule A- Map 11

0 145 290 Meters



NEIGHBOURING MAPS

15	16	
10	11	12
6	7	8

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City of Guelph

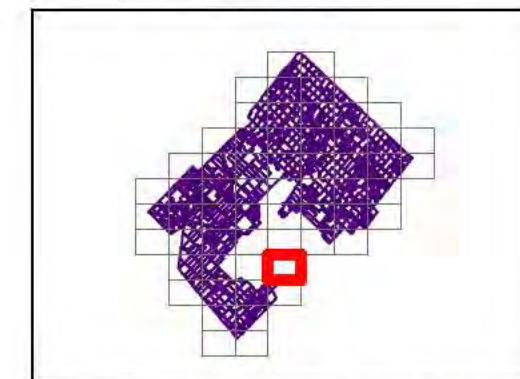
Zones	
	Agricultural (A)
	Environmental Protection (EP)

EP



Schedule A- Map 12

0 145 290 Meters



NEIGHBOURING MAPS

16		17
11	12	
7	8	

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City of Guelph

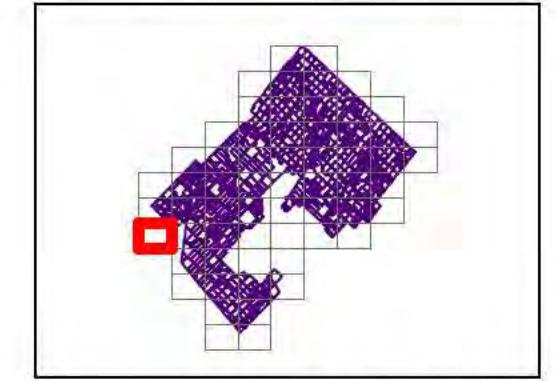


Zones	
	Agricultural (A)
	Environmental Protection (EP)
	Extractive Industrial (M3)

EP

**Schedule A-
Map 13**

0 145 290 Meters





Township of Woolwich

NEIGHBOURING MAPS

	19	20
	13	14
		9

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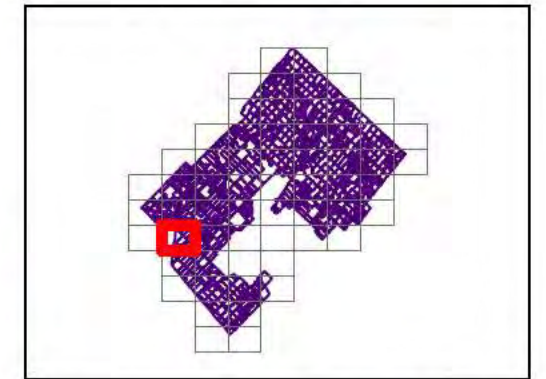
Zones

-  Agricultural (A)
-  Environmental Protection (EP)

Schedule A-
Map 14



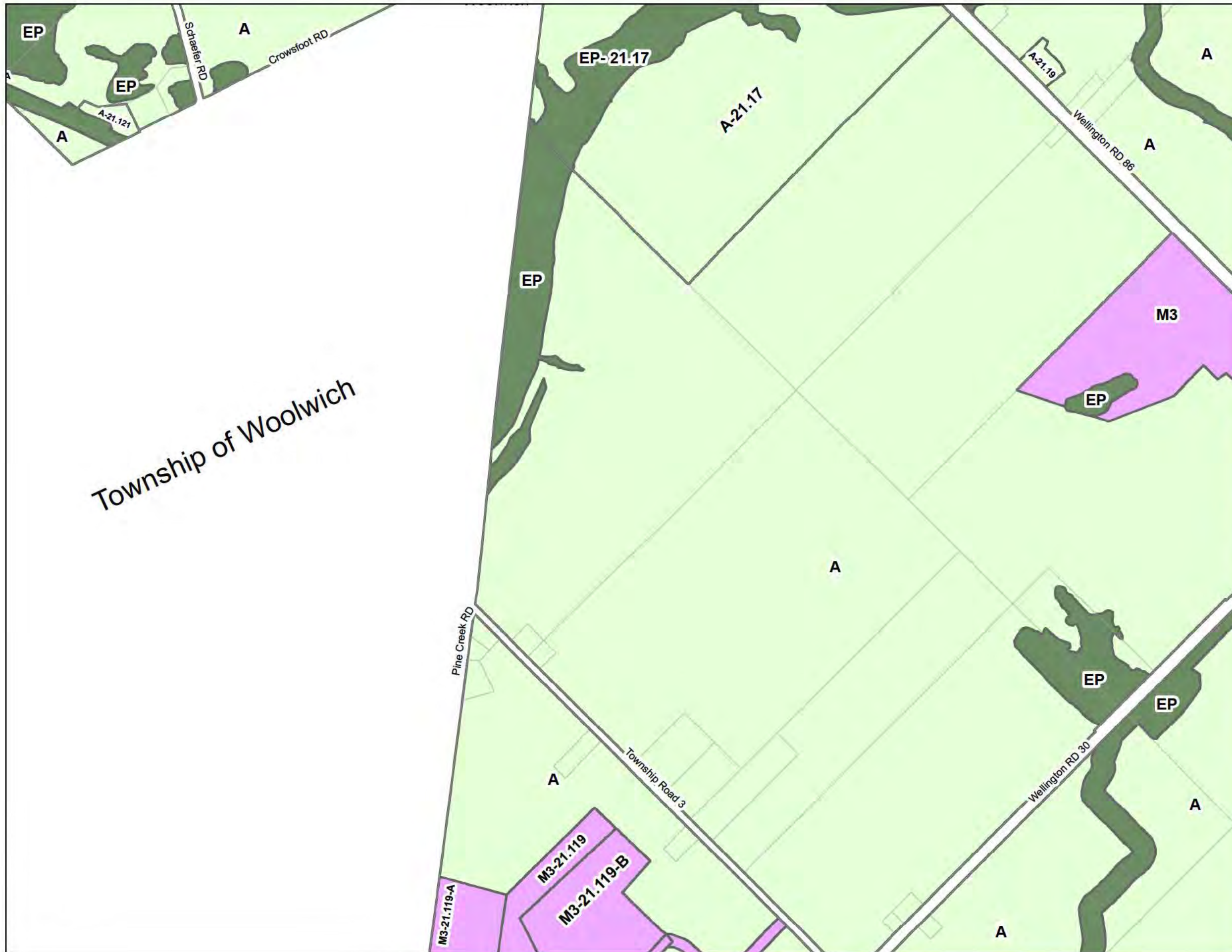
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NEIGHBOURING MAPS

19	20	21
13	14	15
	9	10

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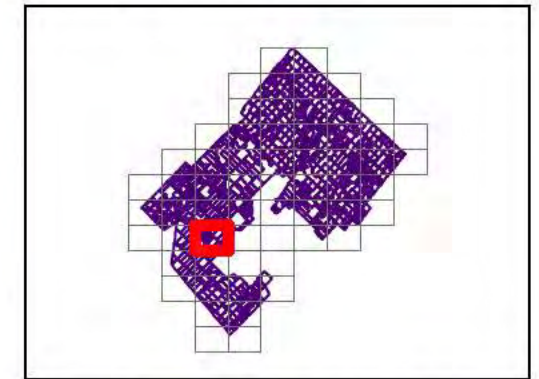
Township of Woolwich

Zones

- Agricultural (A)
- Environmental Protection (EP)
- Extractive Industrial (M3)

Schedule A- Map 15

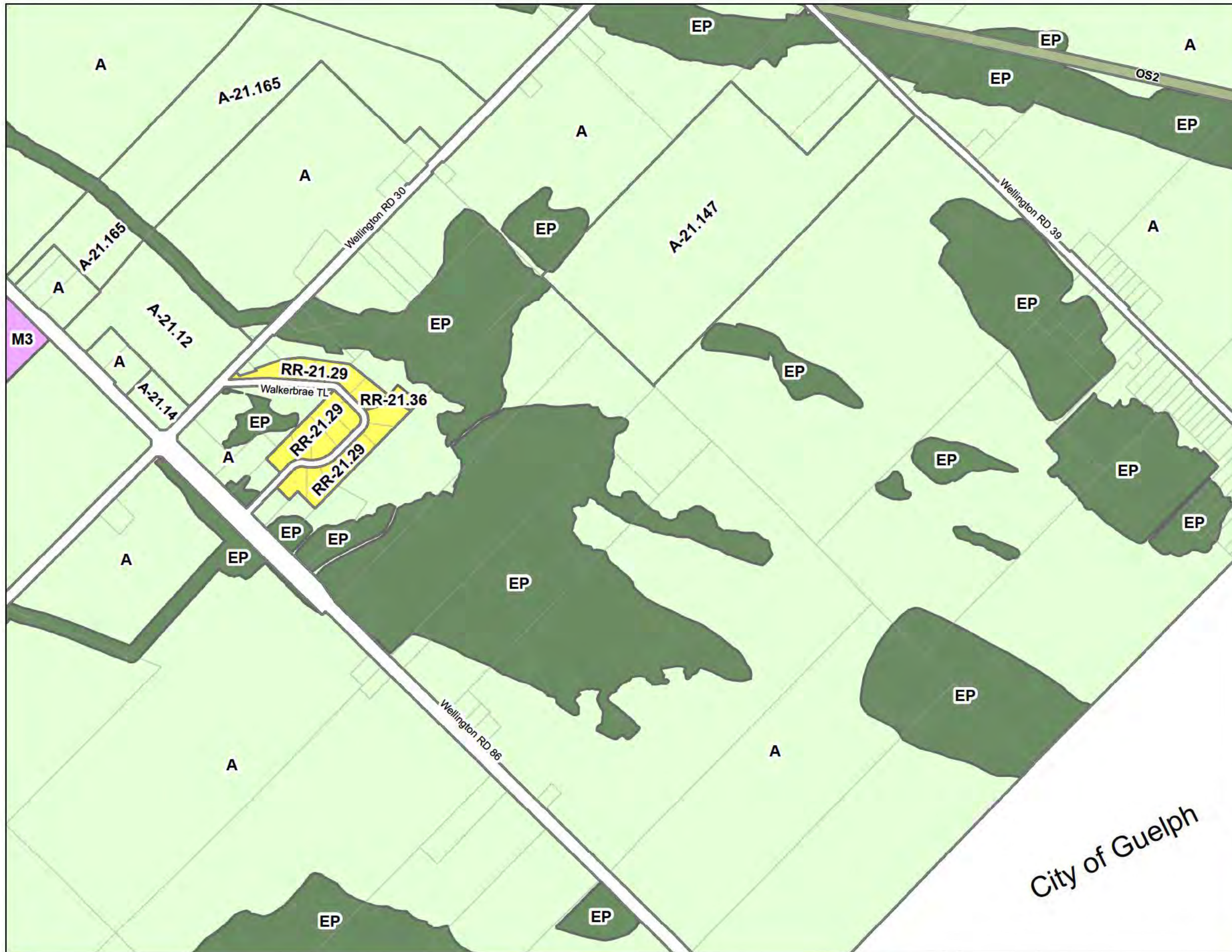
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NEIGHBOURING MAPS

20	21	22
14	15	16
9	10	11

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City of Guelph

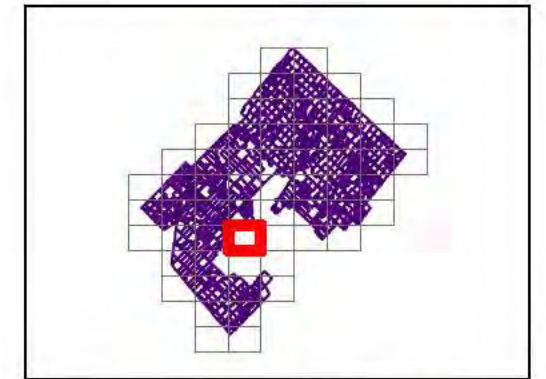
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Extractive Industrial (M3)
- Open Space Restricted (OS2)
- Rural Residential (RR)

**Schedule A-
Map 16**



0 145 290 Meters



NEIGHBOURING MAPS

21	22	23
15	16	
10	11	12

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City of Guelph

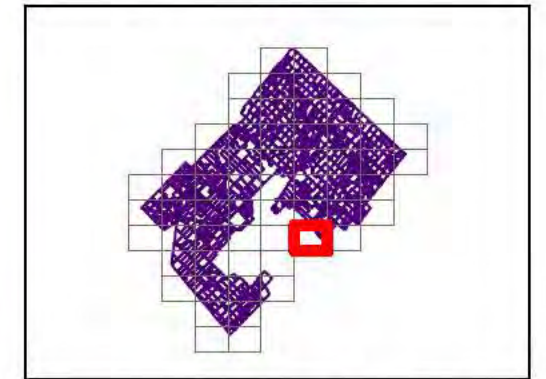
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Open Space Restricted (OS2)

Schedule A-
Map 17



0 145 290 Meters

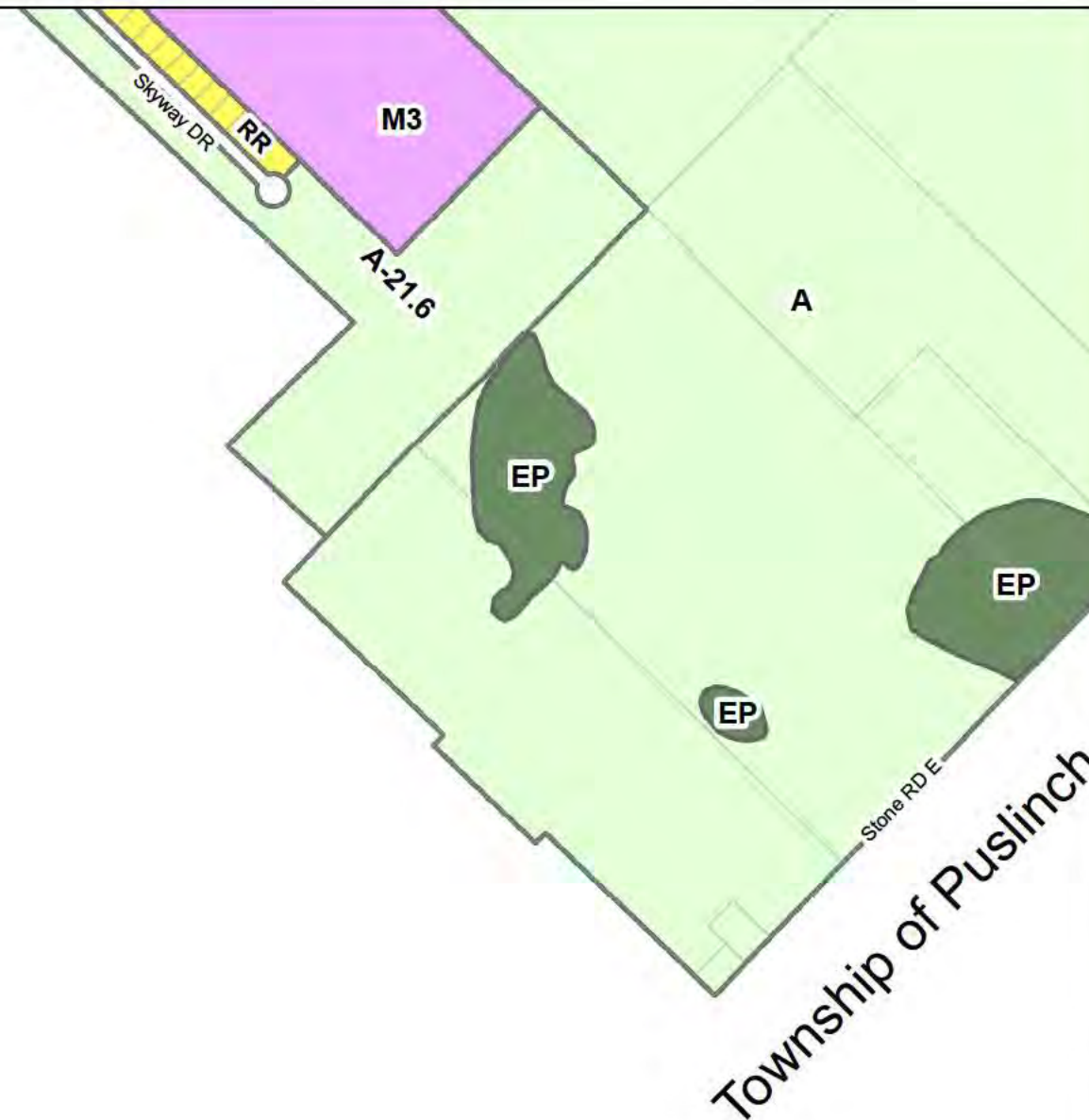


NEIGHBOURING MAPS

23	24	25
	17	18
12		

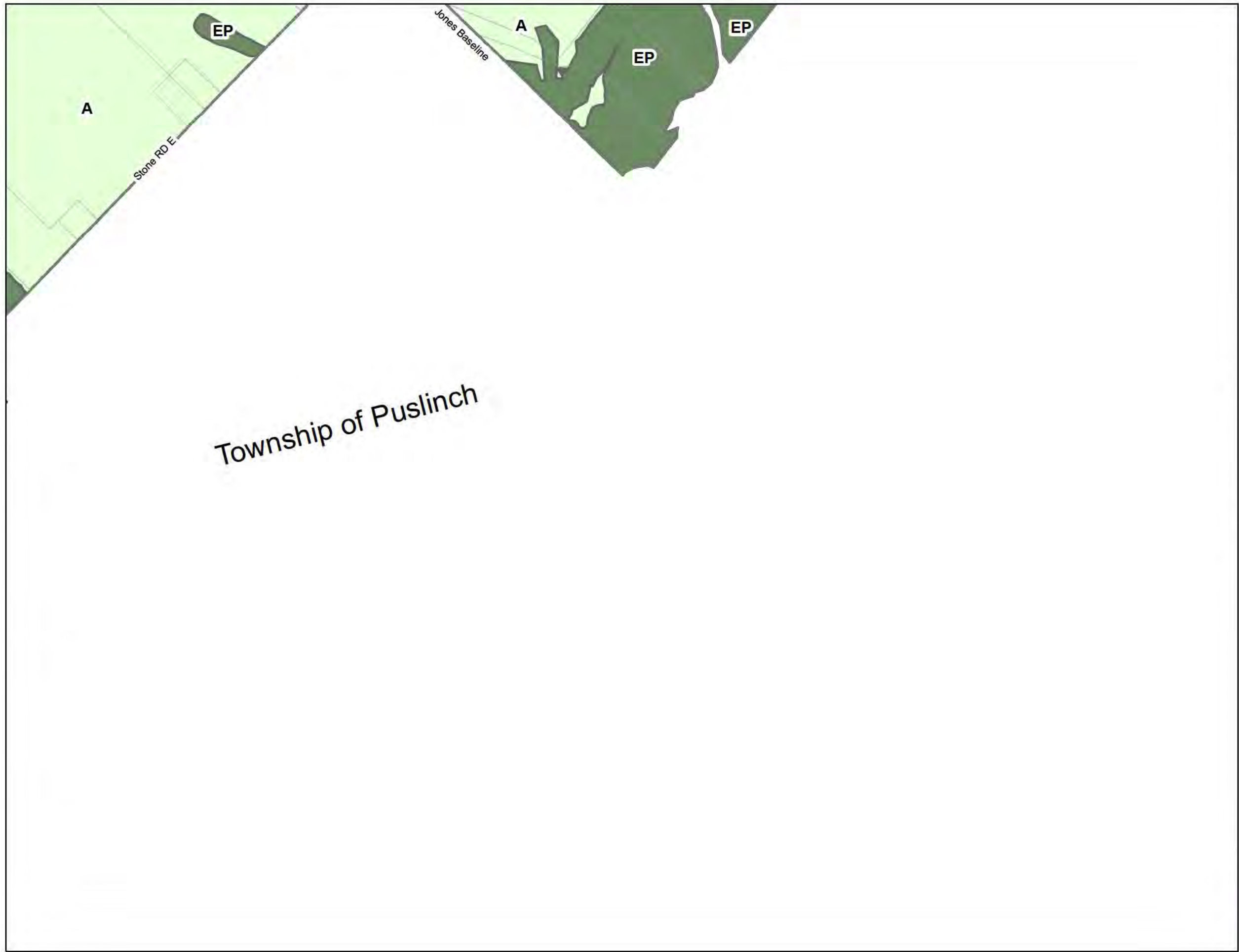
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City of Guelph

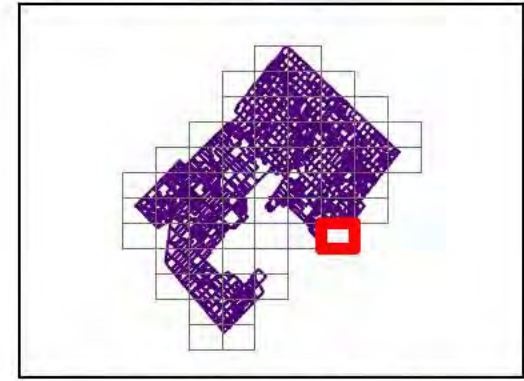
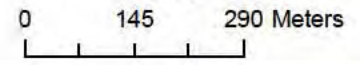


Zones

-  Agricultural (A)
-  Environmental Protection (EP)
-  Extractive Industrial (M3)
-  Rural Residential (RR)



**Schedule A-
Map 18**



NEIGHBOURING MAPS

24	25	26
17	18	

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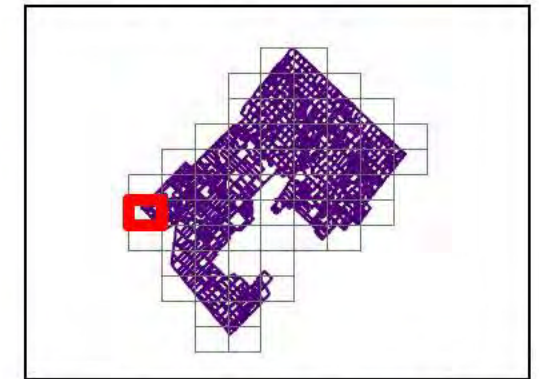
Zones

- Agricultural (A)
- Environmental Protection (EP)

Schedule A-
Map 19



0 145 290 Meters



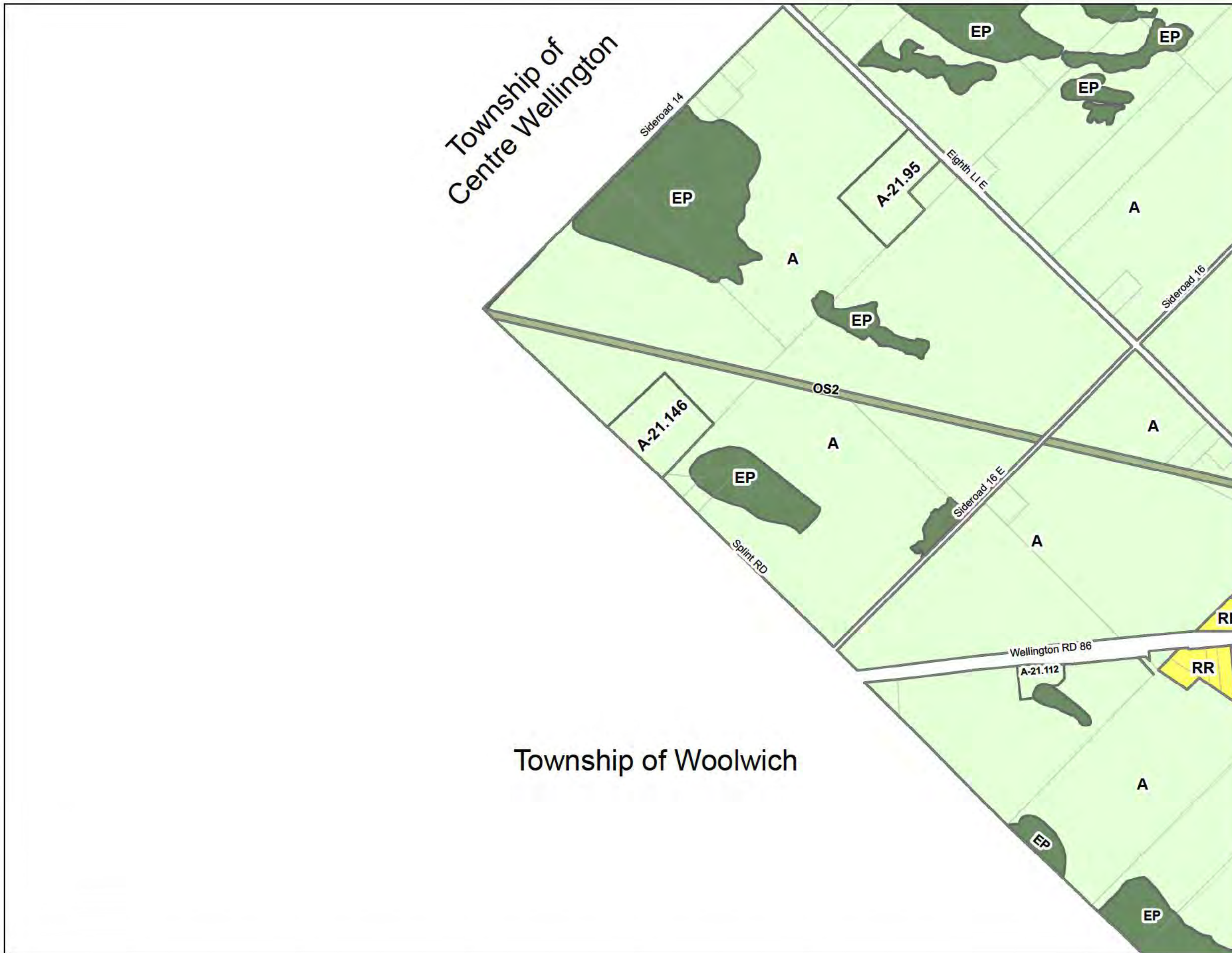
NEIGHBOURING MAPS

	27	28
	19	20
	13	14






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Township of
Centre Wellington

Township of Woolwich

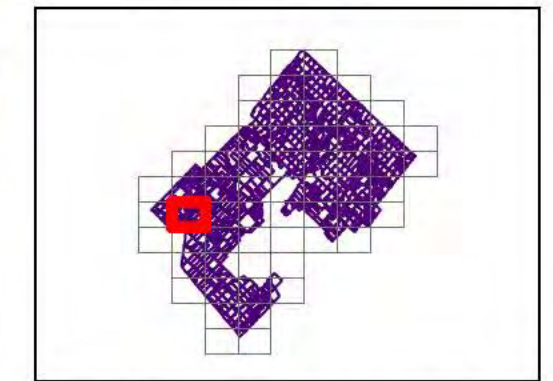


Zones

-  Agricultural (A)
-  Highway Commercial (C4)
-  Environmental Protection (EP)
-  Open Space Restricted (OS2)
-  Rural Residential (RR)

Schedule A- Map 20

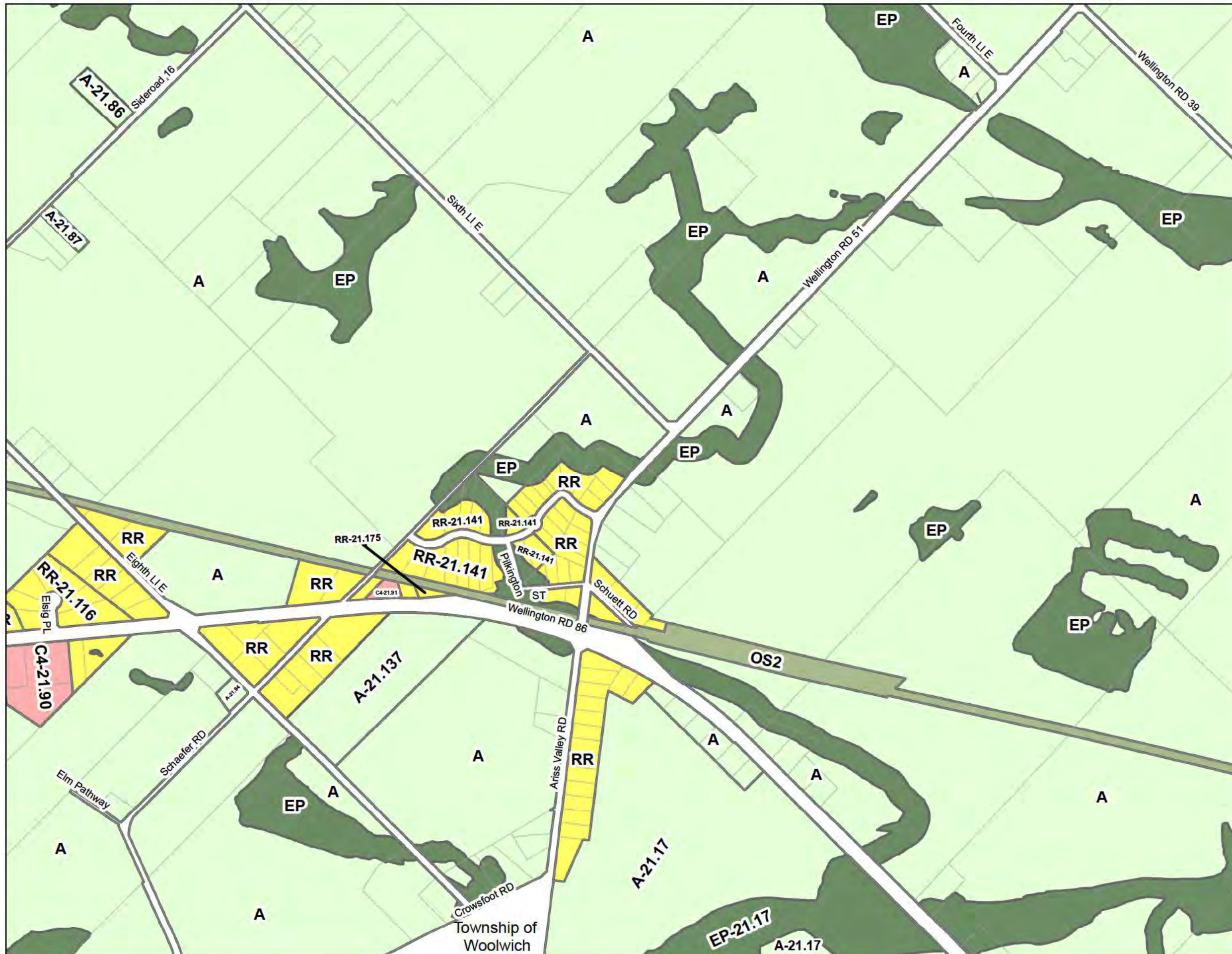
0 145 290 Meters



NEIGHBOURING MAPS

27	28	29
19	20	21
13	14	15

To be read in conjunction with Zoning By-law 40/2016
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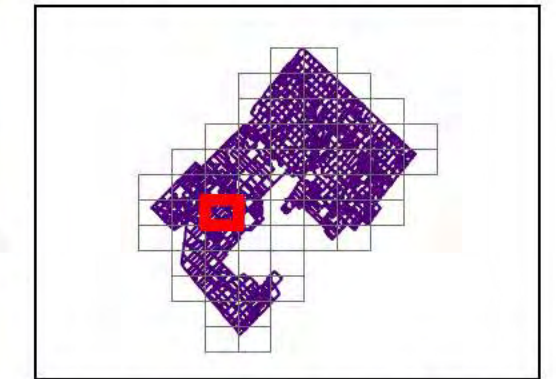


Zones

- Agricultural (A)
- Highway Commercial (C4)
- Environmental Protection (EP)
- Open Space Restricted (OS2)
- Rural Residential (RR)

Schedule A- Map 21

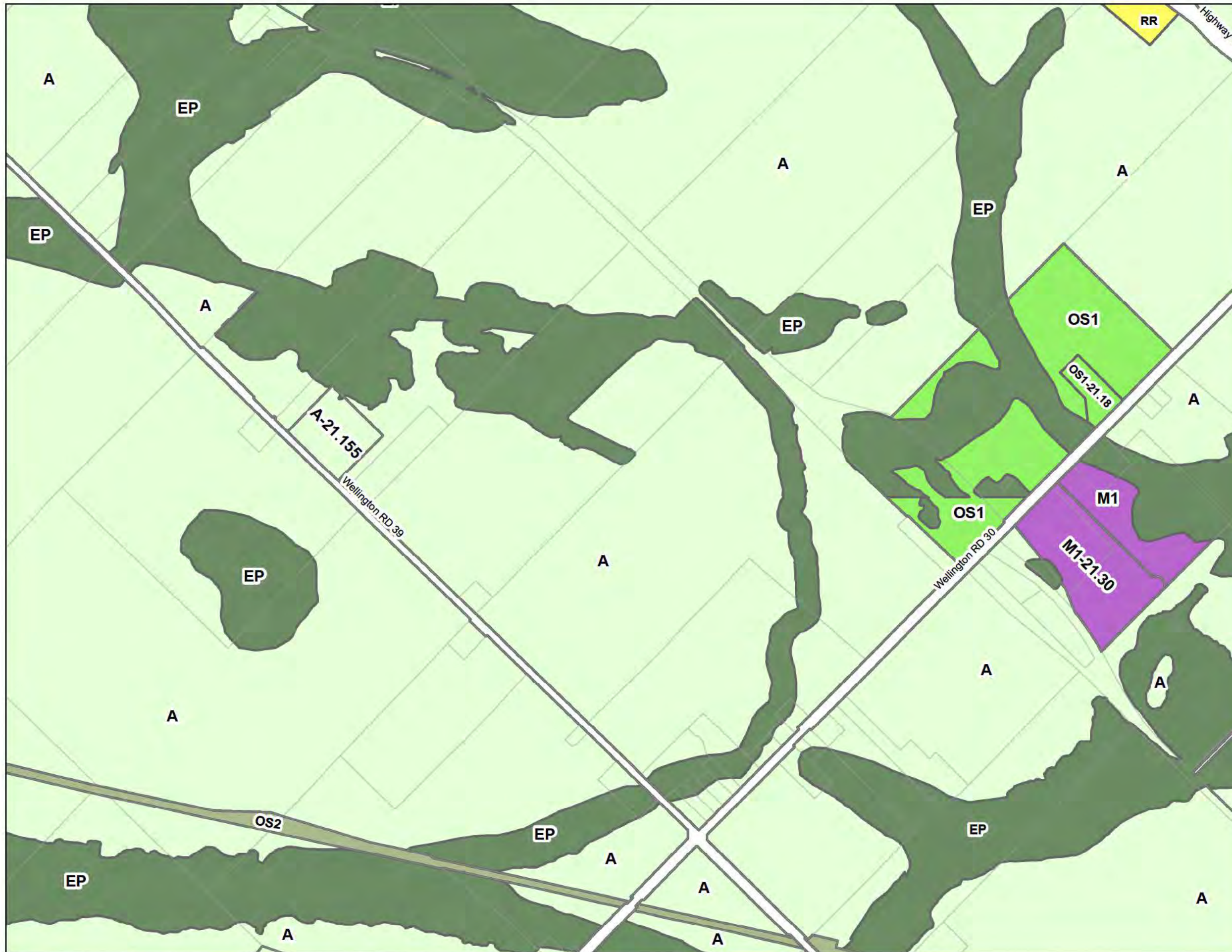
0 145 290 Meters



NEIGHBOURING MAPS

28	29	30
20	21	22
14	15	16

To be read in conjunction with Zoning By-law 40/2016
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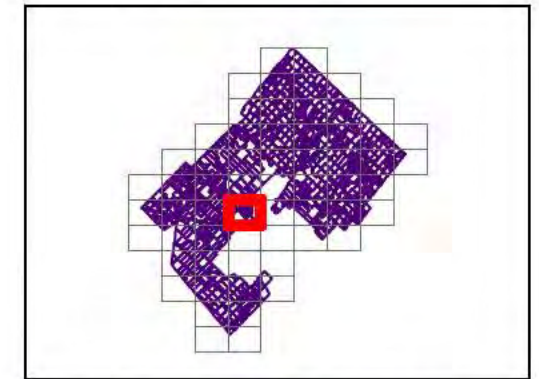
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Rural Industrial (M1)
- Open Space (OS1)
- Open Space Restricted (OS2)
- Rural Residential (RR)

Schedule A- Map 22



0 145 290 Meters



NEIGHBOURING MAPS

29	30	31
21	22	23
15	16	

To be read in conjunction with Zoning By-law 40/2016
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City of Guelph

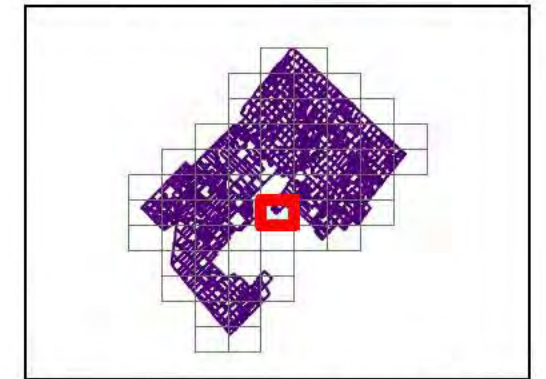
Zones

	Agricultural (A)
	Highway Commercial (C4)
	Environmental Protection (EP)
	Institutional (I)
	Open Space (OS1)
	Open Space Restricted (OS2)
	Rural Residential (RR)

Schedule A-
Map 23



0 145 290 Meters



NEIGHBOURING MAPS

30	31	32
22	23	24
16		17

To be read in conjunction with Zoning By-law 40/2016
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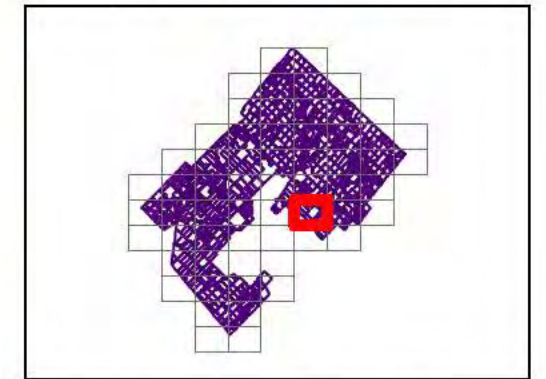
Zones

	Agricultural (A)
	Environmental Protection (EP)
	Open Space (OS1)
	Open Space Restricted (OS2)
	Rural Residential (RR)

Schedule A- Map 24



0 145 290 Meters



NEIGHBOURING MAPS

31	32	33
23	24	25
	17	18

To be read in conjunction with Zoning By-law 40/2016
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City of Guelph

Zones

- Agricultural (A)
- Highway Commercial (C4)
- Environmental Protection (EP)
- Rural Industrial (M1)
- Extractive Industrial (M3)
- Rural Residential (RR)

Schedule A
Map 25

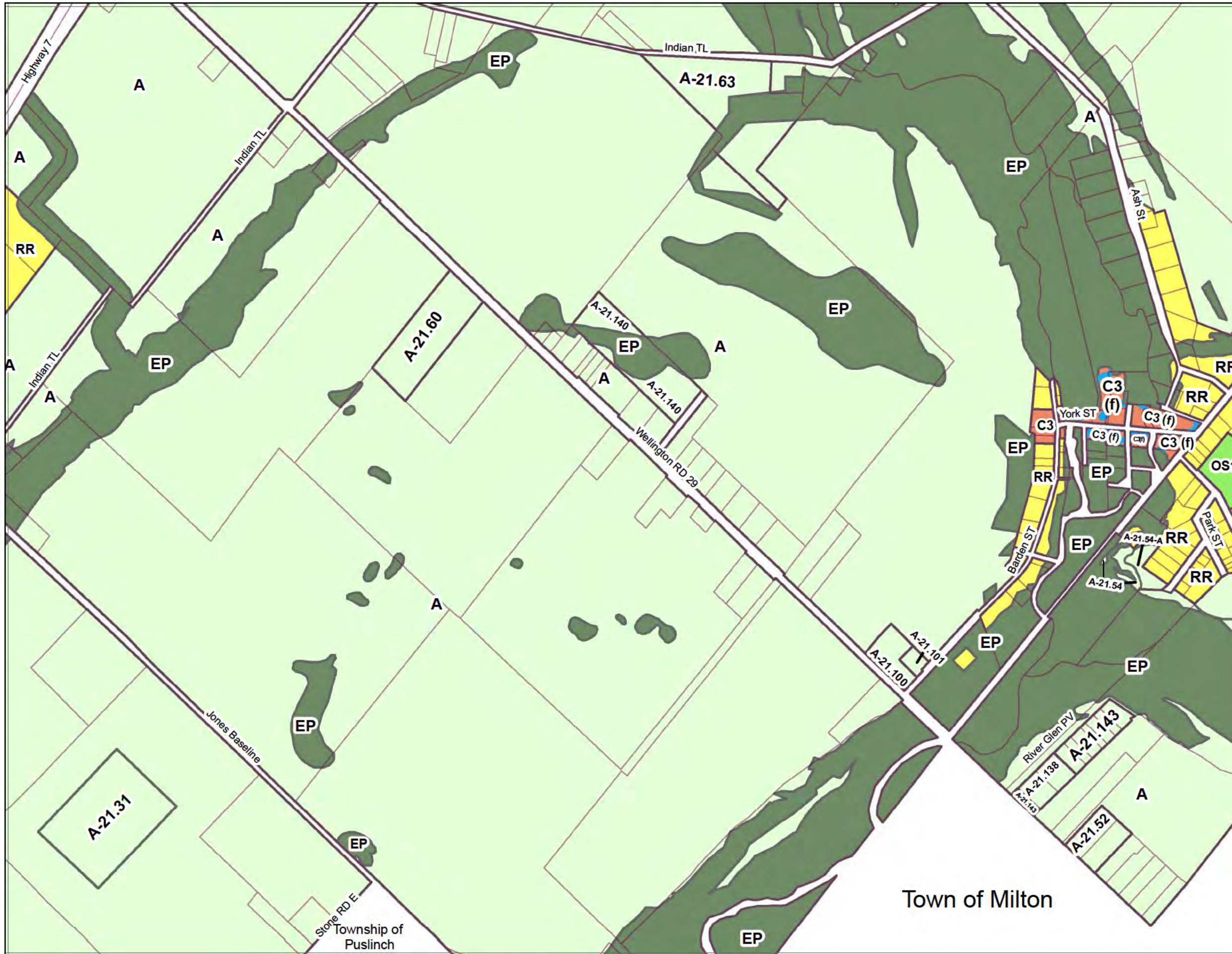
0 145 290 Meters



NEIGHBOURING MAPS

32	33	34
24	25	26
17	18	

To be read in conjunction with Zoning By-law 40/2016
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Flood Suffix (f) Applies

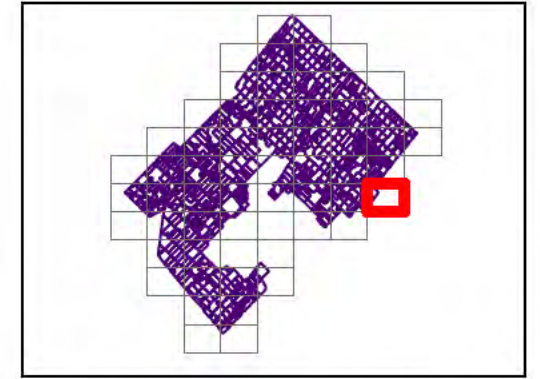
Zones

- Agricultural (A)
- Hamlet Mixed Use (C3)
- Environmental Protection (EP)
- Open Space (OS1)
- Rural Residential (RR)

Town of Milton

**Schedule A
Map 26**

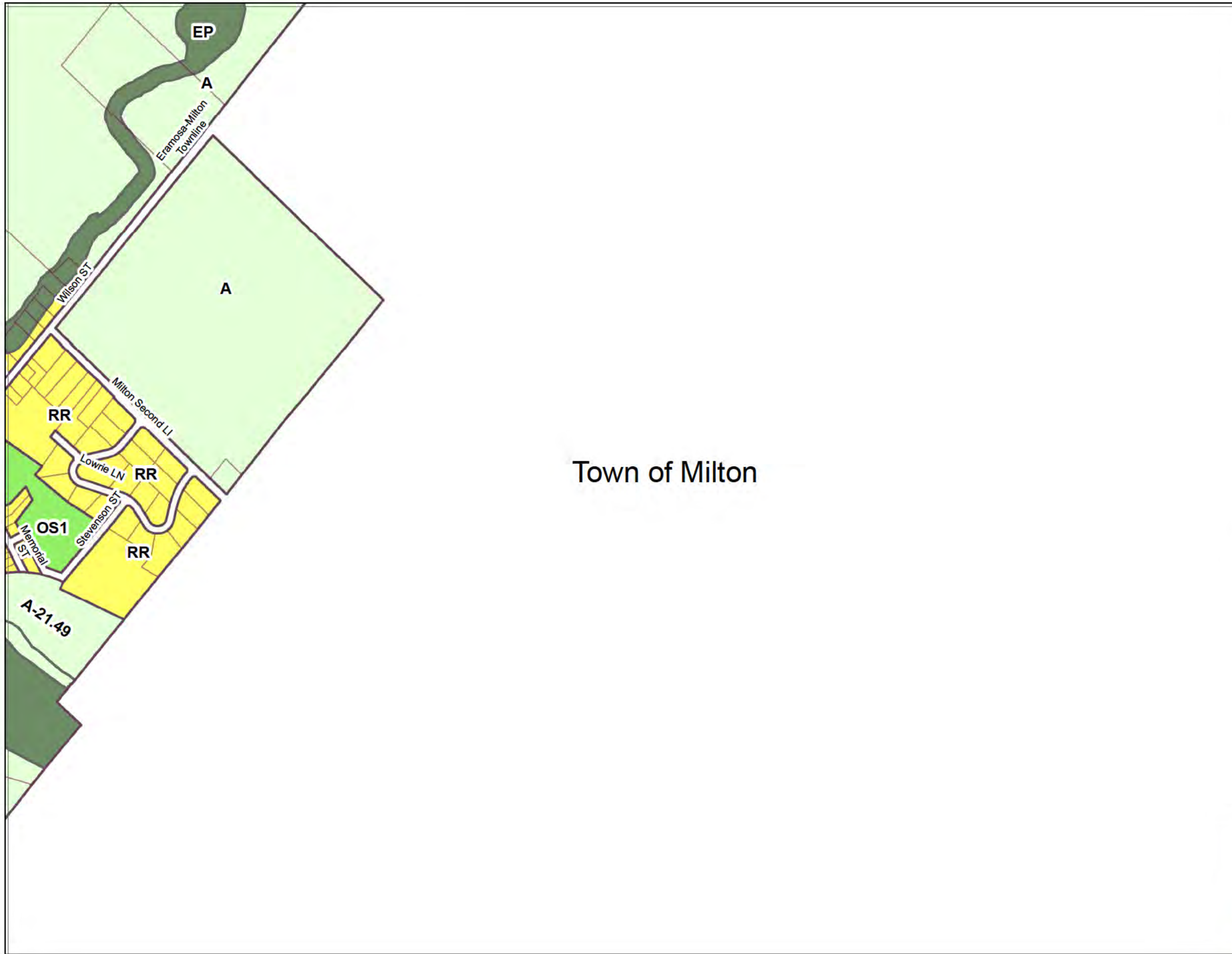
0 145 290 Meters



NEIGHBOURING MAPS

33	34	
25	26	
18		

To be read in conjunction with Zoning By-law 40/2016
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Town of Milton

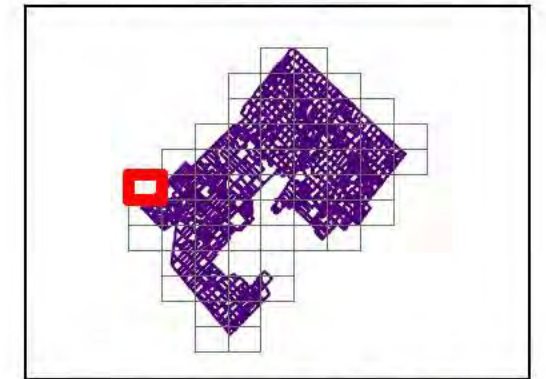
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Open Space (OS1)
- Rural Residential (RR)



**Schedule A-
Map 27**

0 145 290 Meters



NEIGHBOURING MAPS

		35
	27	28
	19	20

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Township of Centre Wellington



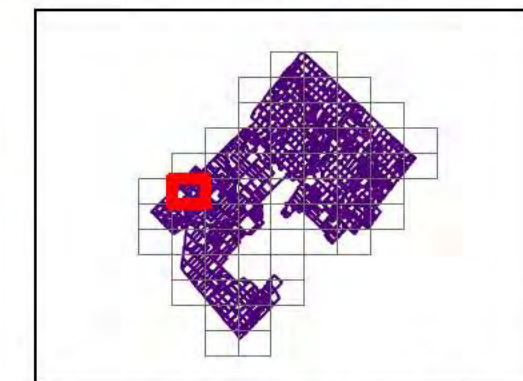
Zones

	Agricultural (A)
	Environmental Protection (EP)
	Rural Industrial (M1)

Township of Centre Wellington

Schedule A- Map 28

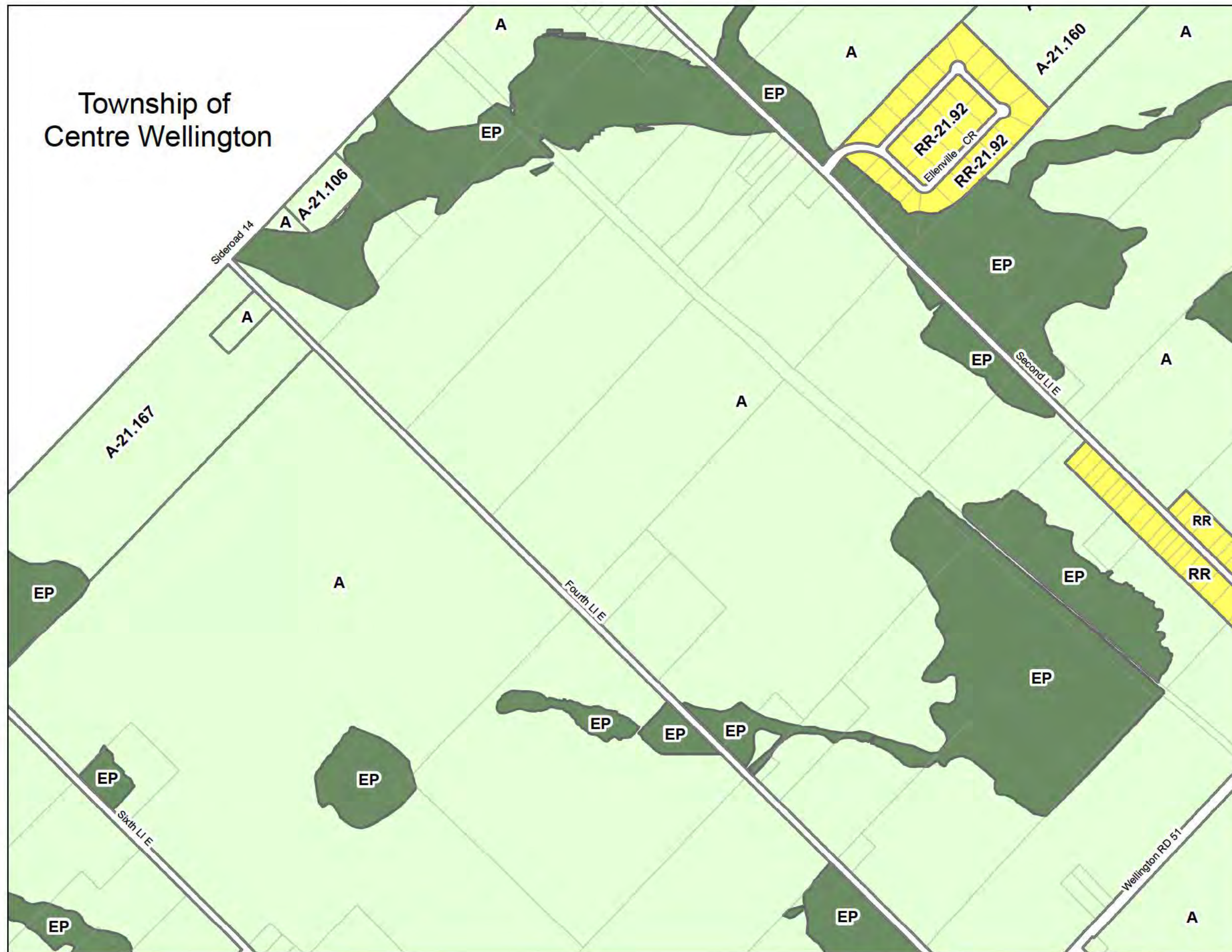
0 145 290 Meters



NEIGHBOURING MAPS

	35	36
27	28	29
19	20	21

To be read in conjunction with Zoning By-law 40/2016
DO NOT USE FOR SURVEY OR NAVIGATION PURPOSES
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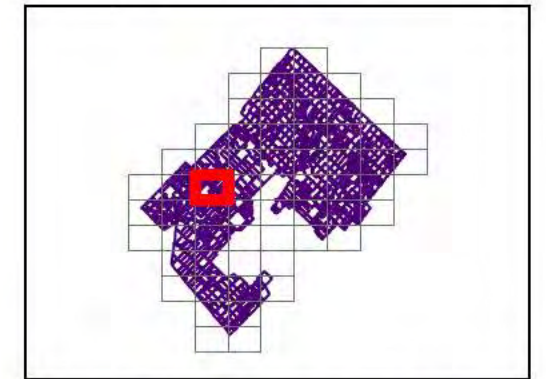
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Rural Residential (RR)

Schedule A- Map 29



0 145 290 Meters



NEIGHBOURING MAPS

35	36	37
28	29	30
20	21	22

To be read in conjunction with Zoning By-law 40/2016
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Some data gathered by Wellington County, 2016.
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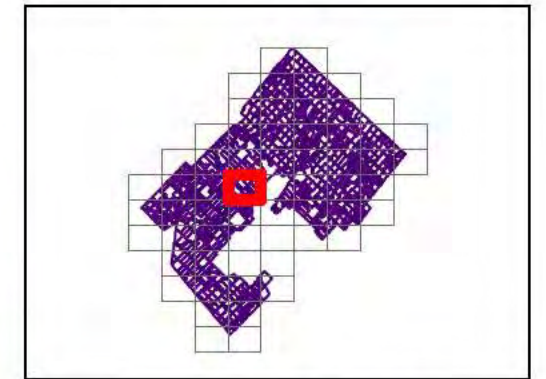
Zones

	Agricultural (A)
	Highway Commercial (C4)
	Environmental Protection (EP)
	Rural Industrial (M1)
	Rural Residential (RR)

Schedule A- Map 30



0 145 290 Meters



NEIGHBOURING MAPS

36	37	38
29	30	31
21	22	23

To be read in conjunction with Zoning By-law 40/2016
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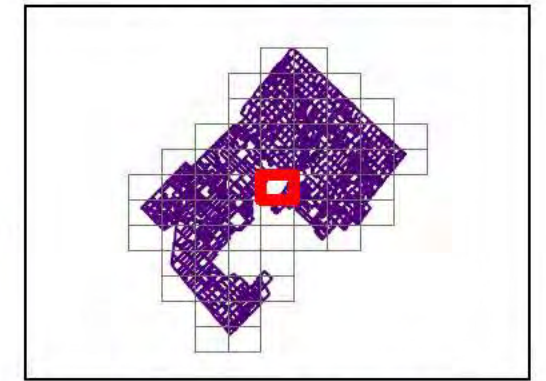
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Open Space (OS1)
- Rural Residential (RR)

**Schedule A-
Map 31**



0 145 290 Meters



NEIGHBOURING MAPS

37	38	39
30	31	32
22	23	24

To be read in conjunction with Zoning By-law 40/2016
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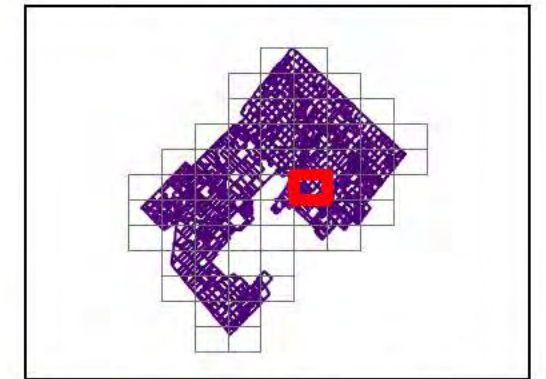
Zones

	Agricultural (A)
	Environmental Protection (EP)
	Open Space (OS1)

Schedule A-
Map 32



0 145 290 Meters



NEIGHBOURING MAPS

38	39	40
31	32	33
23	24	25

To be read in conjunction with Zoning By-law 40/2016
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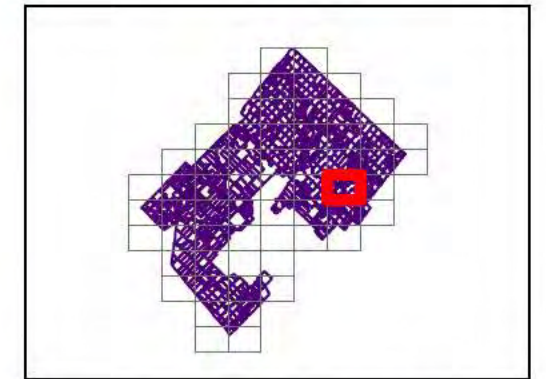
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Open Space (OS1)

Schedule A- Map 33



0 145 290 Meters



NEIGHBOURING MAPS

39	40	41
32	33	34
24	25	26

To be read in conjunction with Zoning By-law 40/2016
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See Schedule B for more detail within this area

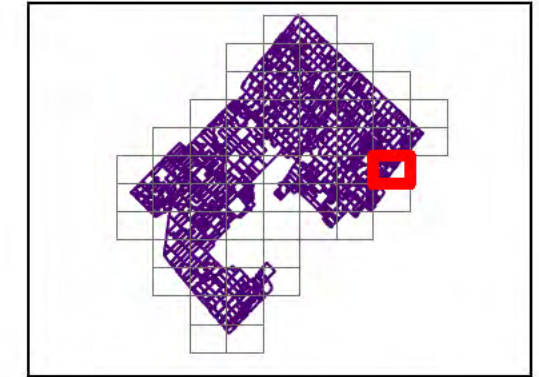
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Open Space Restricted (OS2)
- Village Residential Low Density (R1)



Schedule A Map 34

0 145 290 Meters



NEIGHBOURING MAPS

40	41	42
33	34	
25	26	

To be read in conjunction with Zoning By-law 40/2016
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Subject to By-law 34-95

Zones

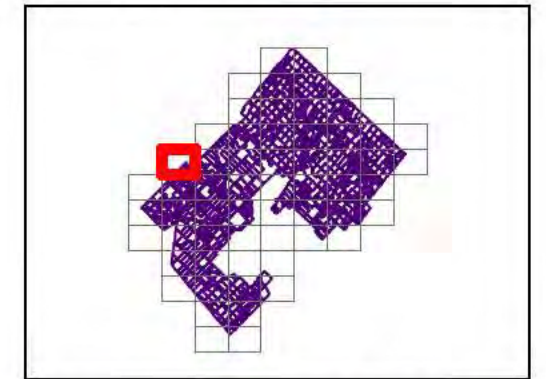
- Agricultural (A)
- Environmental Protection (EP)
- Institutional (I)
- Open Space (OS1)
- Open Space Restricted (OS2)
- Village Residential Low Density (R1)

Town of Milton



Schedule A- Map 35

0 145 290 Meters



NEIGHBOURING MAPS

		43
	35	36
27	28	29

To be read in conjunction with Zoning By-law 40/2016
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Township of Centre Wellington



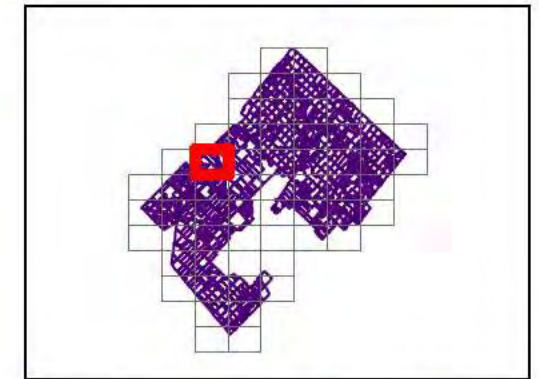
Zones

	Agricultural (A)
	Environmental Protection (EP)

Schedule A-
Map 36



0 145 290 Meters



NEIGHBOURING MAPS

	43	44
35	36	37
28	29	30

To be read in conjunction with Zoning By-law 40/2016
DO NOT USE FOR SURVEY OR NAVIGATION PURPOSES
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Some data gathered by Wellington County, 2016.
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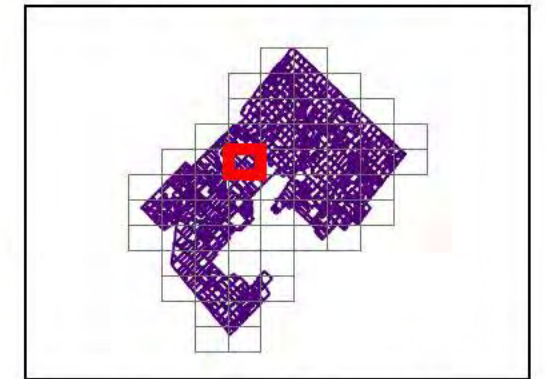
Zones

- Agricultural (A)
- Highway Commercial (C4)
- Environmental Protection (EP)
- Rural Residential (RR)

Schedule A- Map 37



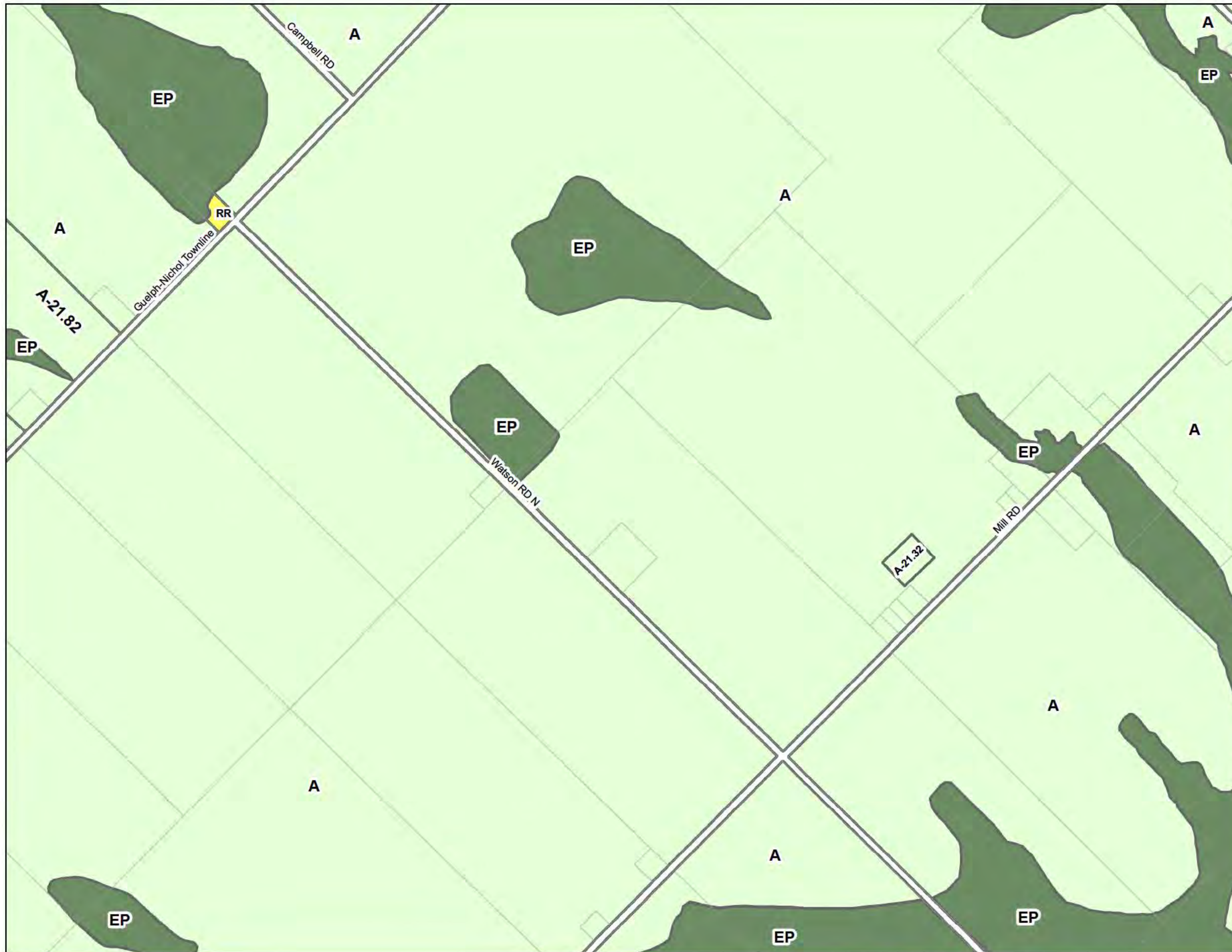
0 145 290 Meters



NEIGHBOURING MAPS

43	44	45
36	37	38
29	30	31

To be read in conjunction with Zoning By-law 40/2016
DO NOT USE FOR SURVEY OR NAVIGATION PURPOSES
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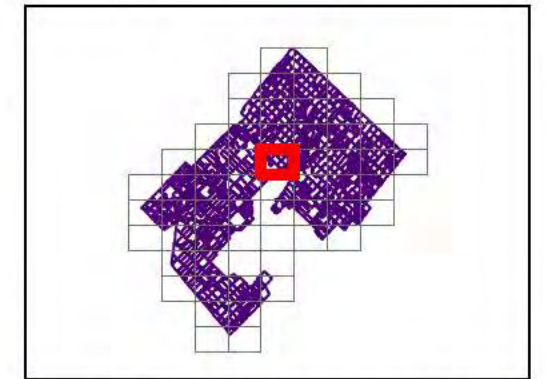
Zones

	Agricultural (A)
	Environmental Protection (EP)
	Rural Residential (RR)

**Schedule A-
Map 38**



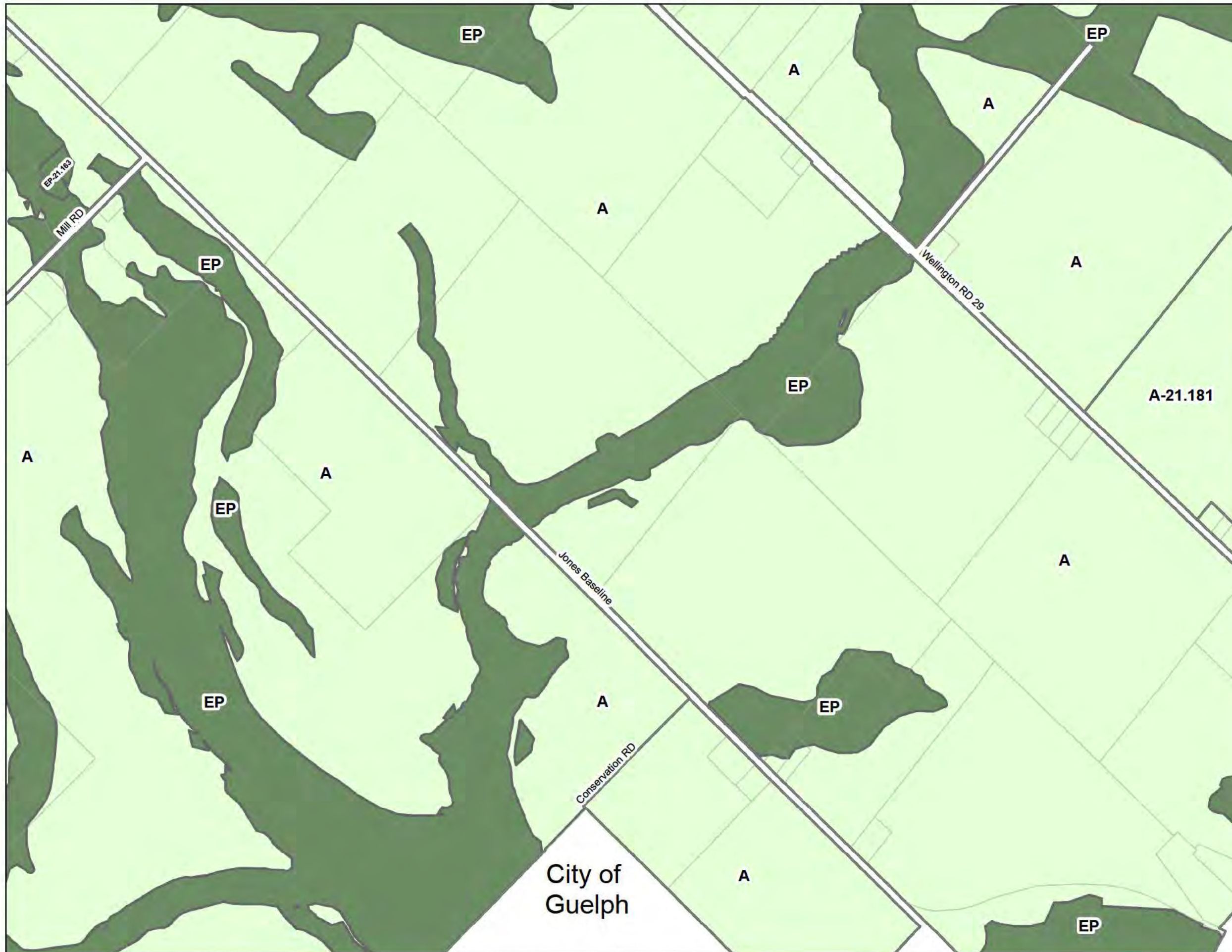
0 145 290 Meters



NEIGHBOURING MAPS

44	45	46
37	38	39
30	31	32

To be read in conjunction with Zoning By-law 40/2016
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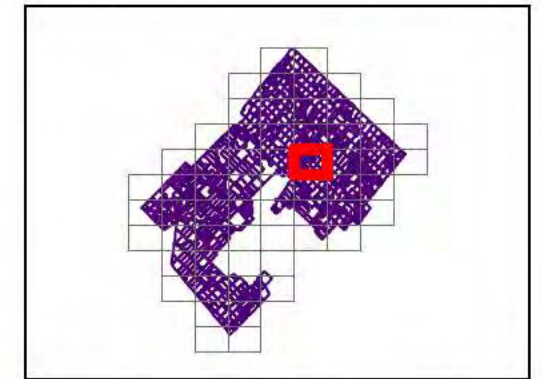
Zones

	Agricultural (A)
	Environmental Protection (EP)
	Open Space (OS1)

Schedule A-
Map 39



0 145 290 Meters



NEIGHBOURING MAPS

45	46	47
38	39	40
31	32	33

To be read in conjunction with Zoning By-law 40/2016
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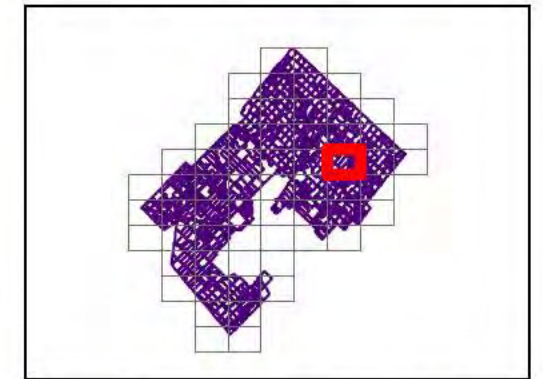
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Rural Residential (RR)

Schedule A- Map 40



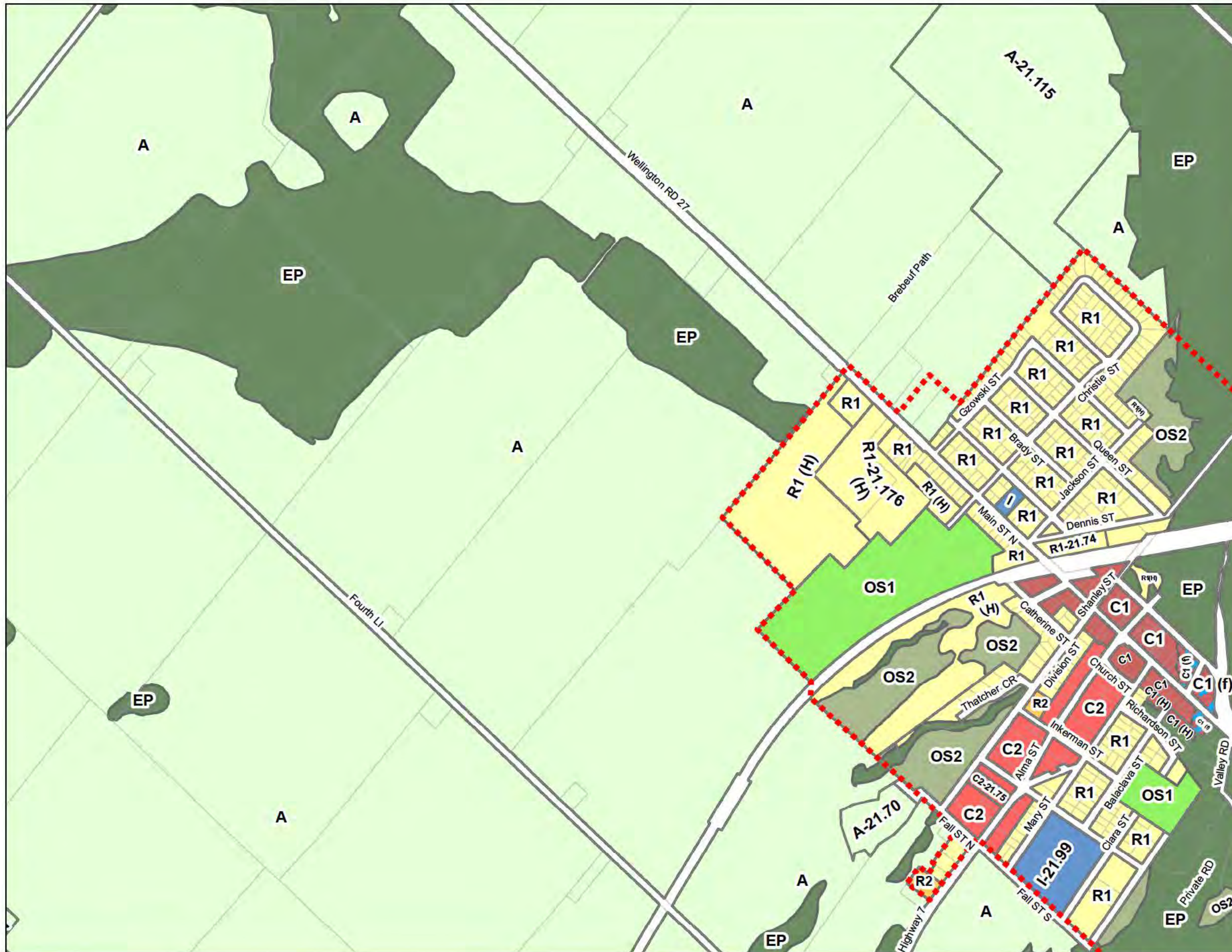
0 145 290 Meters



NEIGHBOURING MAPS

46	47	48
39	40	41
32	33	34

To be read in conjunction with Zoning By-law 40/2016
DO NOT USE FOR SURVEY OR NAVIGATION PURPOSES
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See Schedule B for more detail within this area

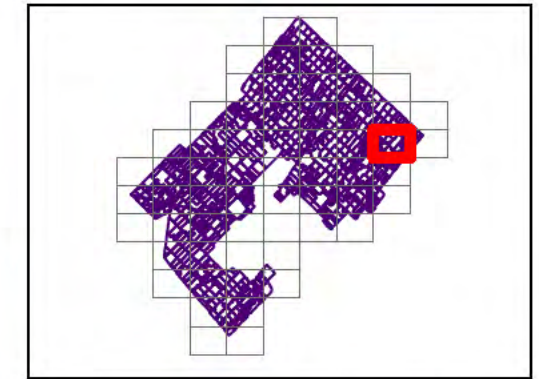
Flood Plain Area- (f)

Zones

- Agricultural (A)
- Village Commercial (C1)
- Village Service Commercial (C2)
- Environmental Protection (EP)
- Institutional (I)
- Open Space (OS1)
- Open Space Restricted (OS2)
- Village Residential Low Density (R1)
- Village Residential Medium Density (R2)

Schedule A
Map 41

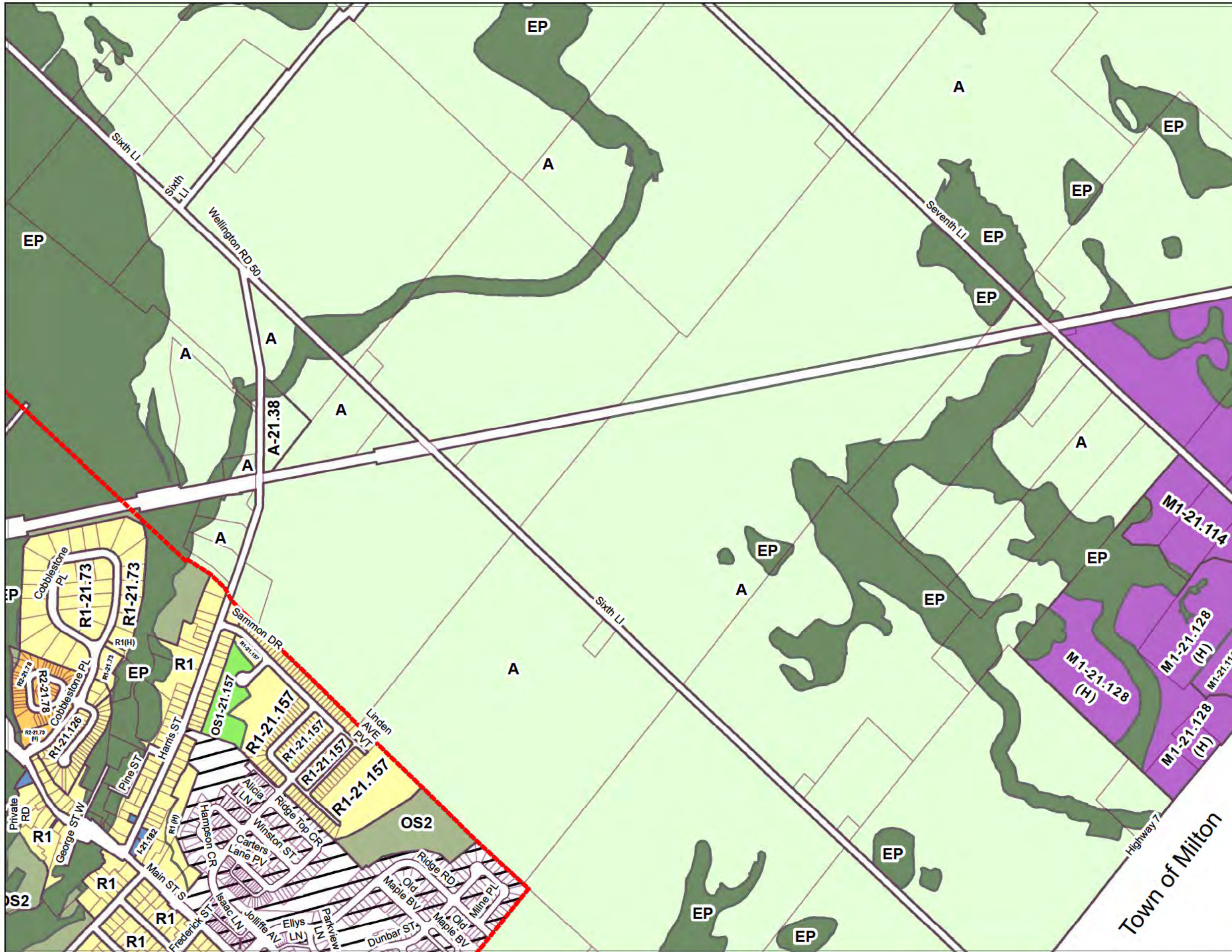
0 145 290 Meters



NEIGHBOURING MAPS

47	48	49
40	41	42
33	34	

To be read in conjunction with Zoning By-law 40/2016
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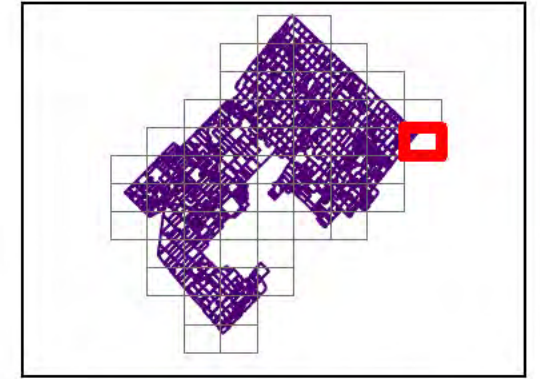
Subject to By-law 34-95

Zones

- Agricultural (A)
- Environmental Protection (EP)
- Institutional (I)
- Rural Industrial (M1)
- Open Space (OS1)
- Open Space Restricted (OS2)
- Village Residential Low Density (R1)
- Village Residential Medium Density (R2)

**Schedule A
Map 42**

0 145 290 Meters



NEIGHBOURING MAPS

48	49	
41	42	
34		

To be read in conjunction with Zoning By-law 40/2016
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Town of Milton

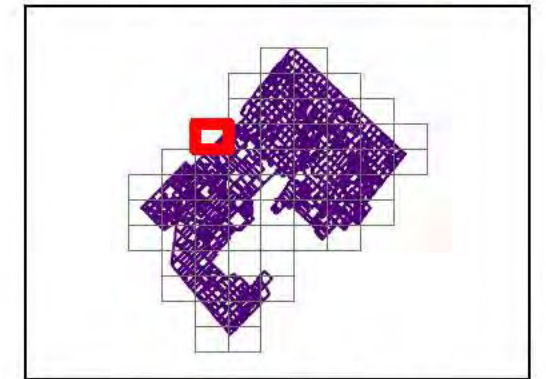
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Rural Industrial (M1)
- Rural Residential (RR)



Schedule A- Map 43

0 145 290 Meters



NEIGHBOURING MAPS

		50
	43	44
35	36	37

To be read in conjunction with Zoning By-law 40/2016
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Township of Centre Wellington



Zones

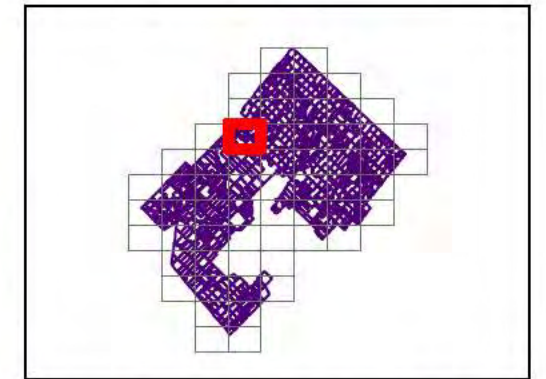
- Agricultural (A)
- Environmental Protection (EP)
- Rural Residential (RR)

Township of
Centre Wellington

Schedule A-
Map 44



0 145 290 Meters



NEIGHBOURING MAPS

	50	51
43	44	45
36	37	38

To be read in conjunction with Zoning By-law 40/2016
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Some data gathered by Wellington County, 2016.
Includes material which is copyright of the Queen's Printer for Ontario.



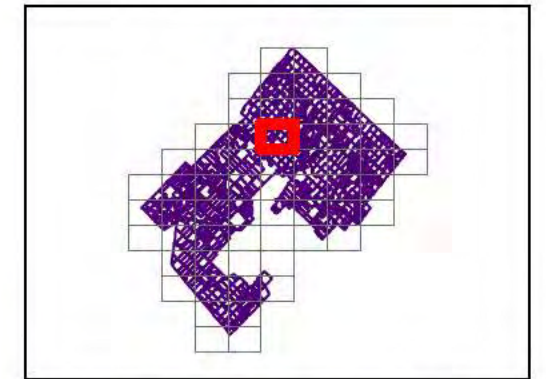
Zones

	Agricultural (A)
	Environmental Protection (EP)

Schedule A- Map 45



0 145 290 Meters



NEIGHBOURING MAPS

50	51	52
44	45	46
37	38	39

To be read in conjunction with Zoning By-law 40/2016
DO NOT USE FOR SURVEY OR NAVIGATION PURPOSES
This map is for reference only and may not be accurate.
Some data gathered by Wellington County, 2016.
Includes material which is copyright of the Queen's Printer for Ontario.



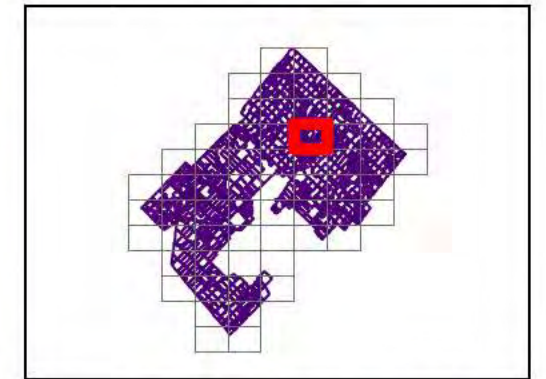
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Rural Residential (RR)

Schedule A-
Map 46



0 145 290 Meters



NEIGHBOURING MAPS

51	52	53
45	46	47
38	39	40

To be read in conjunction with Zoning By-law 40/2016
DO NOT USE FOR SURVEY OR NAVIGATION PURPOSES
This map is for reference only and may not be accurate.
Some data gathered by Wellington County, 2016.
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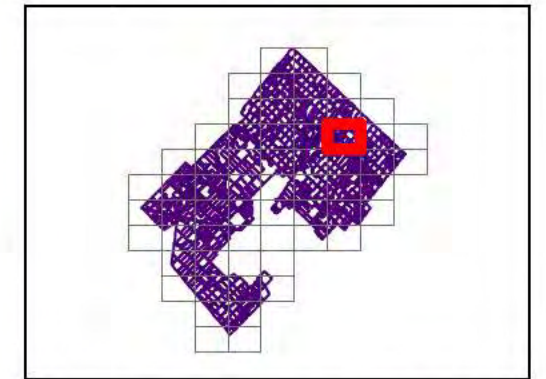
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Institutional (I)
- Rural Residential (RR)

Schedule A- Map 47



0 145 290 Meters



NEIGHBOURING MAPS

52	53	54
46	47	48
39	40	41

To be read in conjunction with Zoning By-law 40/2016
 DO NOT USE FOR SURVEY OR NAVIGATION PURPOSES
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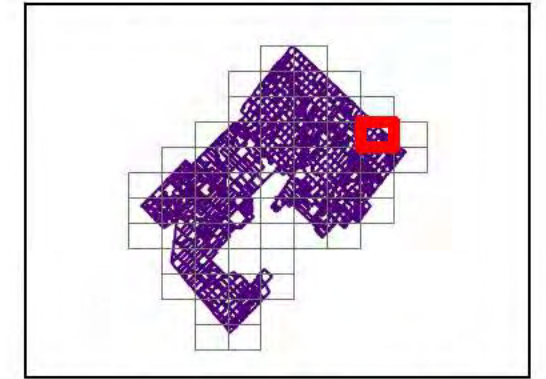
Zones

- Agricultural (A)
- Environmental Protection (EP)

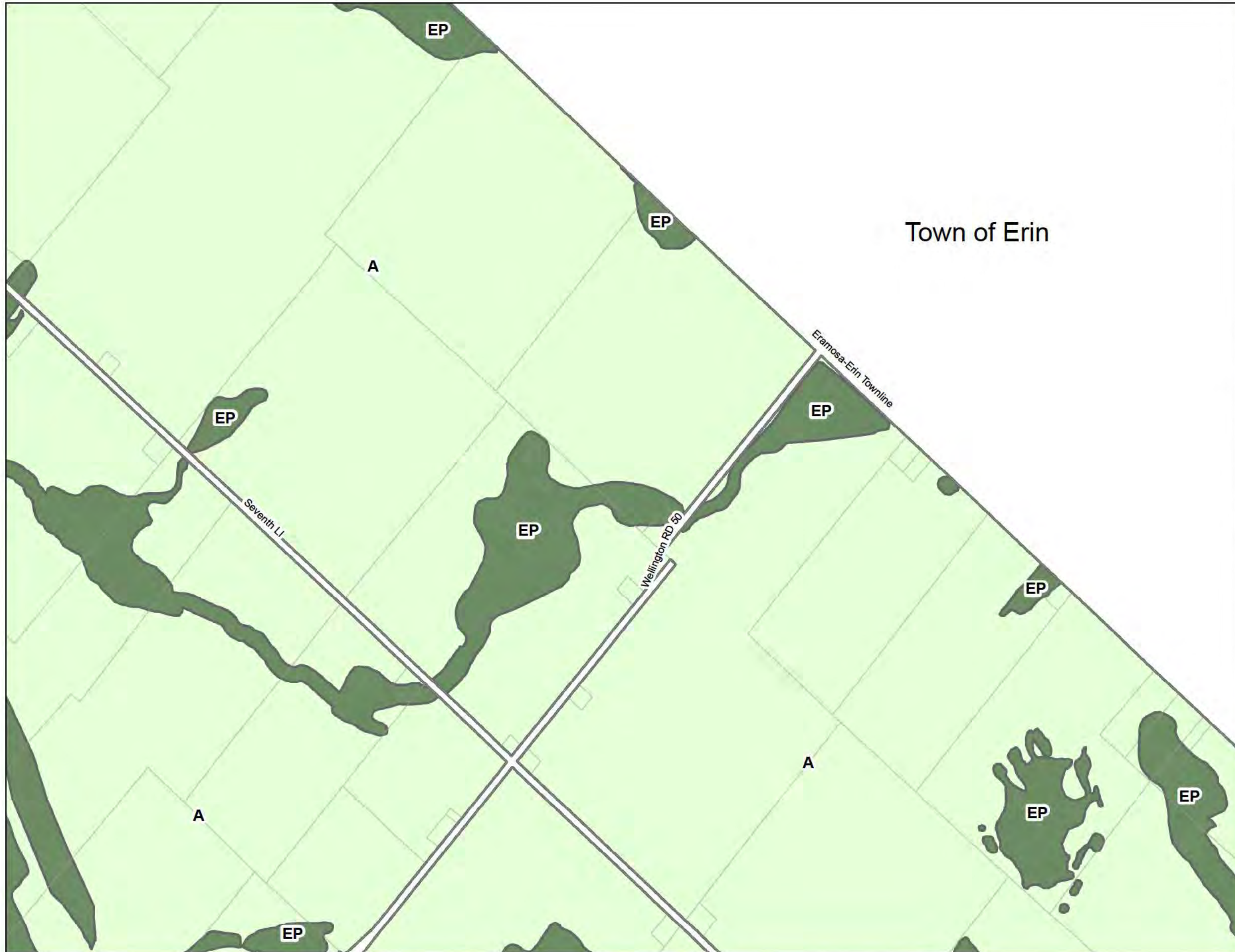
**Schedule A-
Map 48**



0 145 290 Meters



Town of Erin



NEIGHBOURING MAPS

53	54	
47	48	49
40	41	42

To be read in conjunction with Zoning By-law 40/2016
DO NOT USE FOR SURVEY OR NAVIGATION PURPOSES
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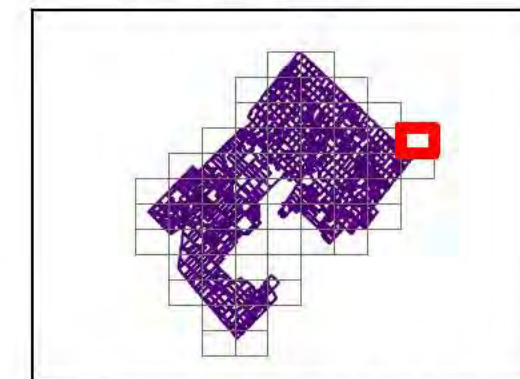
Zones

- Agricultural (A)
- Environmental Protection (EP)



Schedule A- Map 49

0 145 290 Meters

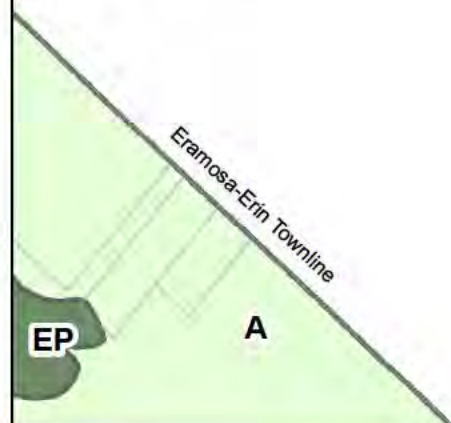


NEIGHBOURING MAPS

54		
48	49	
41	42	

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Town of Erin

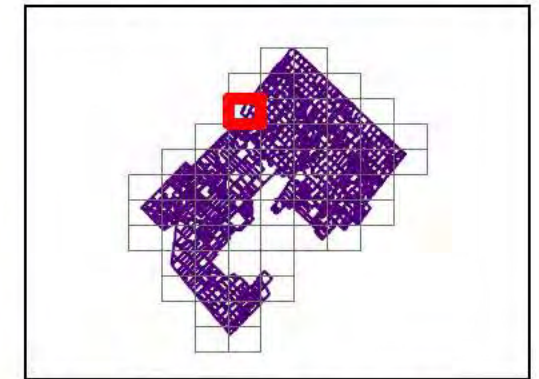


Zones	
	Agricultural (A)
	Environmental Protection (EP)

**Schedule A-
Map 50**



0 145 290 Meters



NEIGHBOURING MAPS

	55	56
	50	51
43	44	45

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Township of Centre Wellington

Wellington RD 29

Wellington RD 22

Third LJ

A-21.68



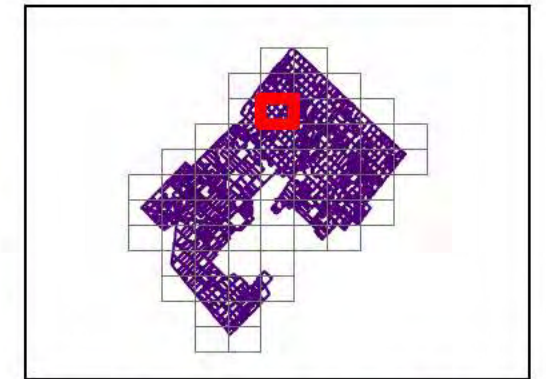
Zones

- Agricultural (A)
- Environmental Protection (EP)

Schedule A-
Map 51



0 145 290 Meters



NEIGHBOURING MAPS

55	56	57
50	51	52
44	45	46

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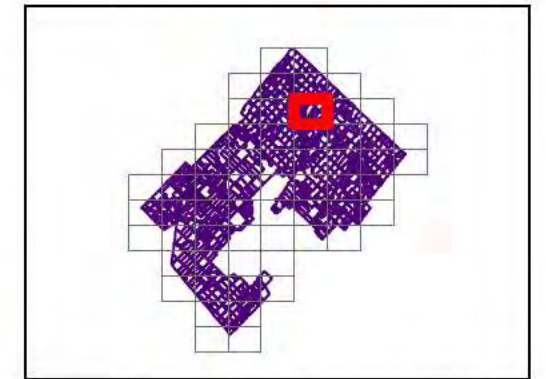
Zones

	Agricultural (A)
	Environmental Protection (EP)

Schedule A-
Map 52



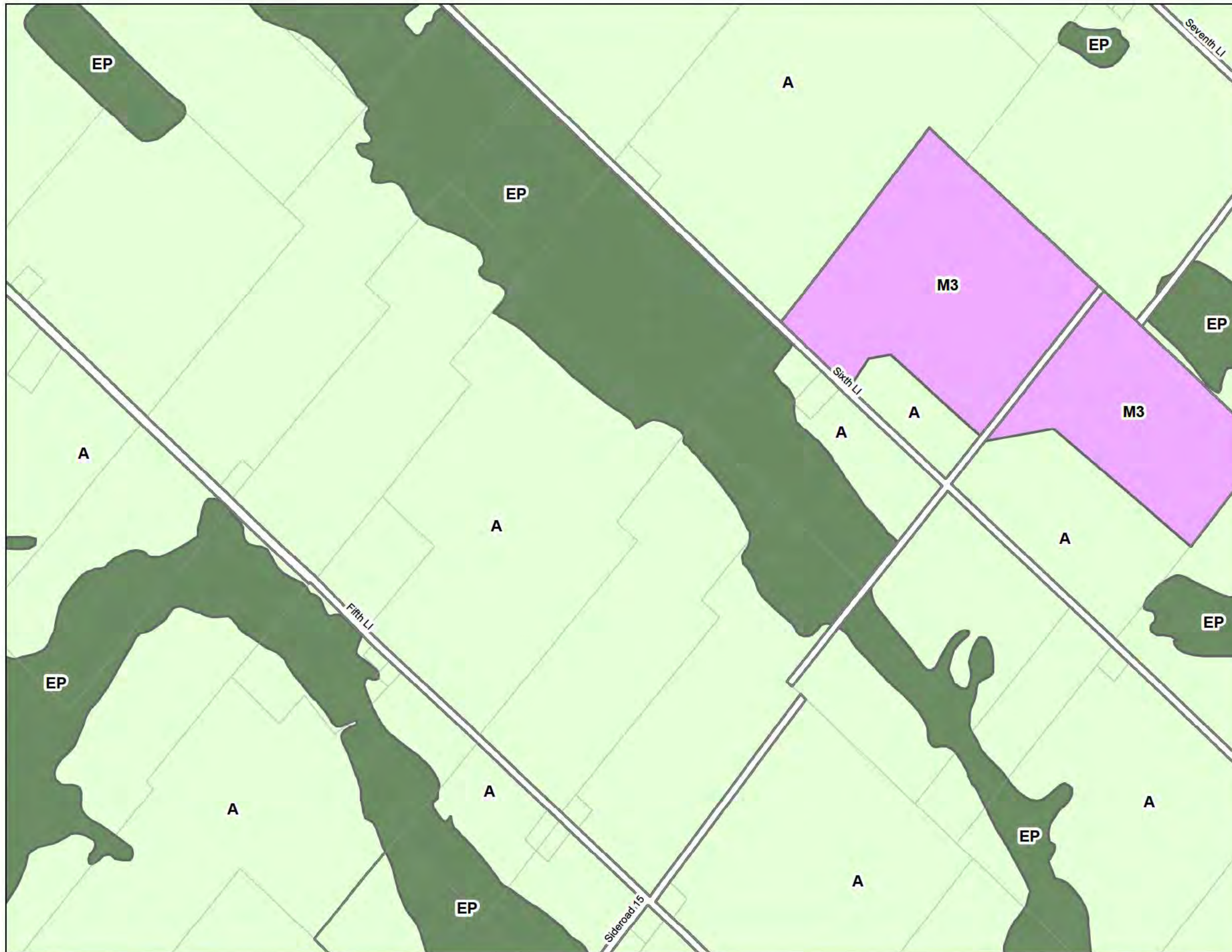
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NEIGHBOURING MAPS

56	57	58
51	52	53
45	46	47

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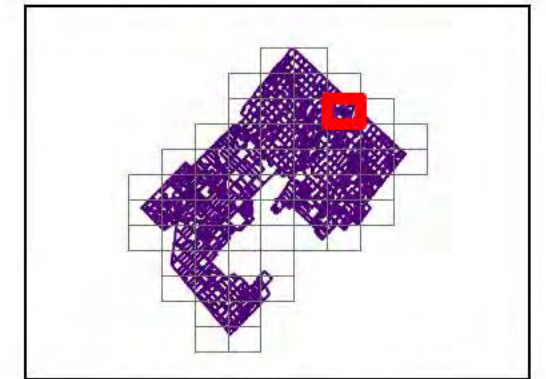
Zones

	Agricultural (A)
	Environmental Protection (EP)
	Extractive Industrial (M3)

Schedule A- Map 53



0 145 290 Meters



NEIGHBOURING MAPS

57	58	
52	53	54
46	47	48

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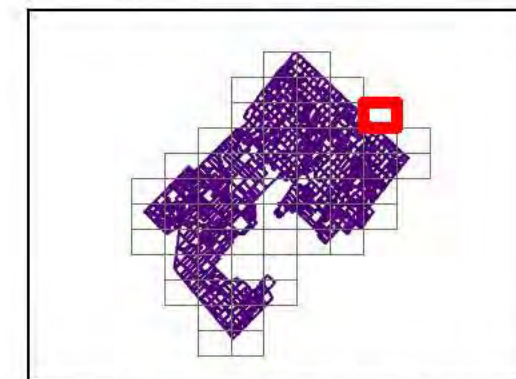
Zones

- Agricultural (A)
- Environmental Protection (EP)
- Institutional (I)
- Extractive Industrial (M3)
- Open Space Restricted (OS2)
- Rural Residential (RR)



**Schedule A-
Map 54**

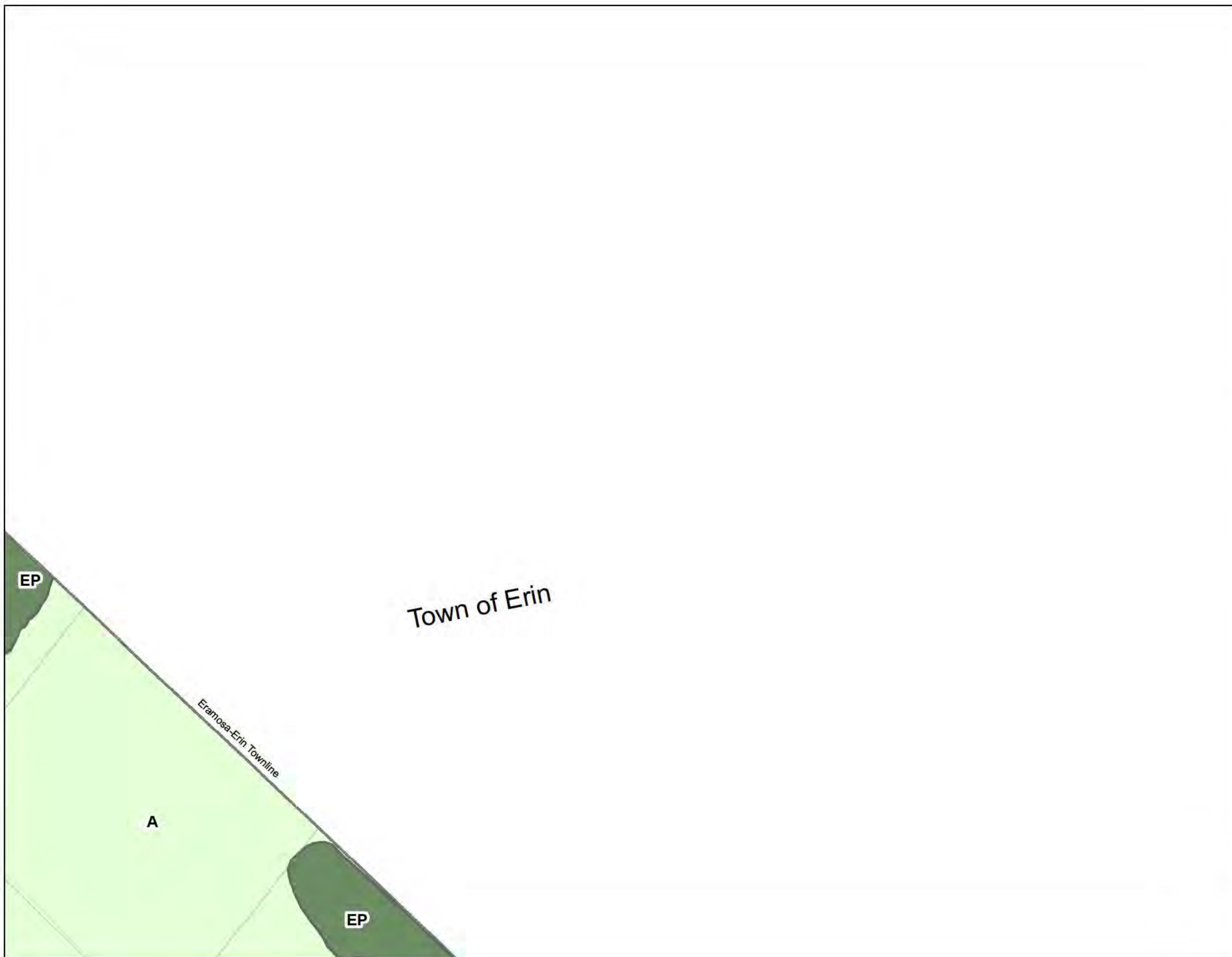
0 145 290 Meters



NEIGHBOURING MAPS

58		
53	54	
47	48	49

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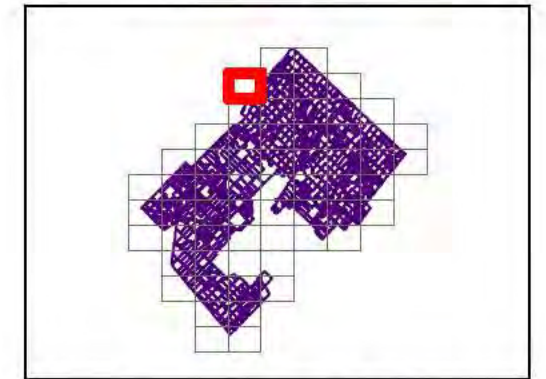
Zones

- Agricultural (A)
- Environmental Protection (EP)



**Schedule A-
Map 55**

0 145 290 Meters



NEIGHBOURING MAPS

		59
	55	56
	50	51

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Township of Centre Wellington



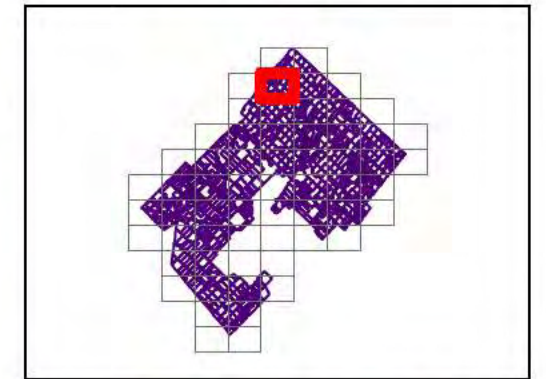
Zones

- Agricultural (A)
- Environmental Protection (EP)

Schedule A-
Map 56



0 145 290 Meters

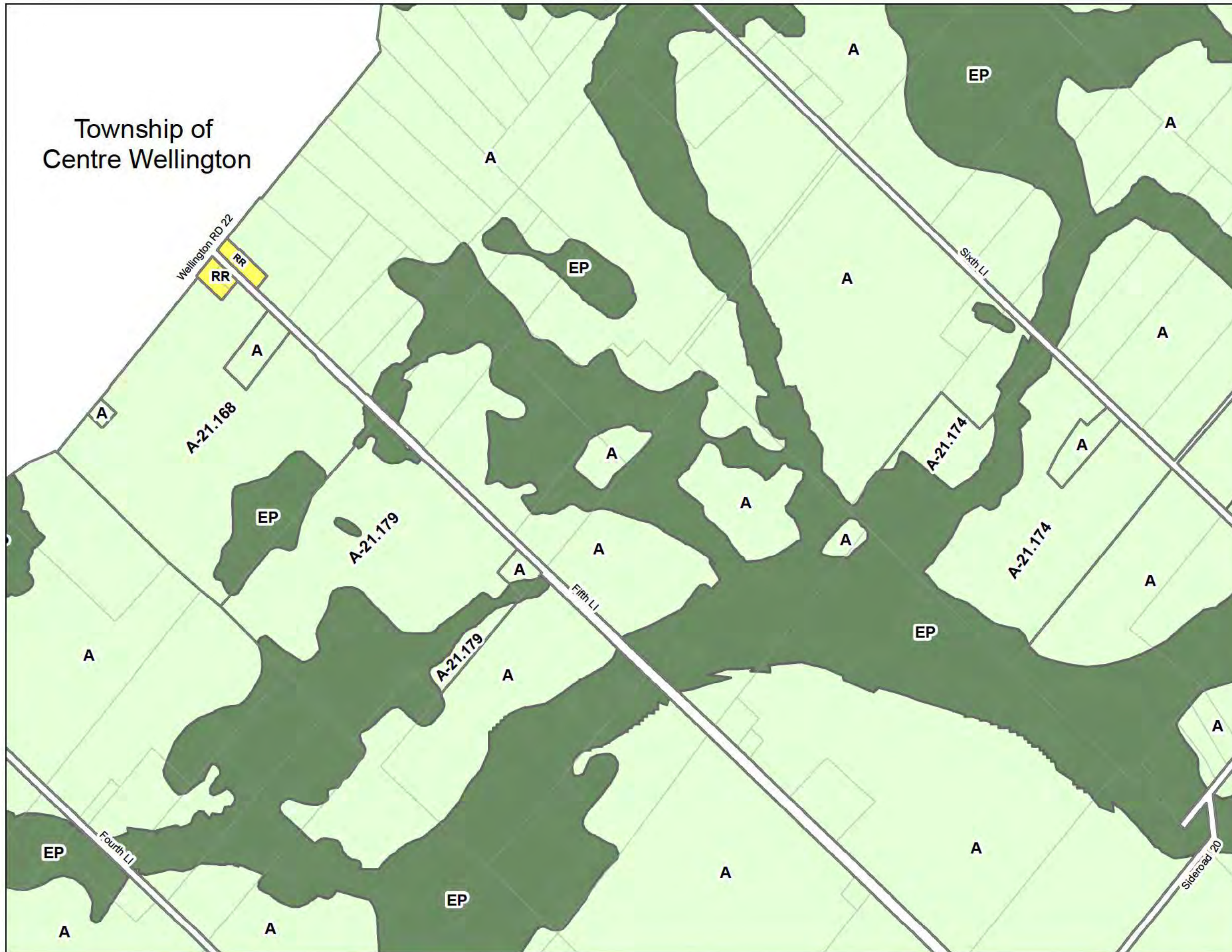


NEIGHBOURING MAPS

	59	60
55	56	57
50	51	52

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Township of
Centre Wellington



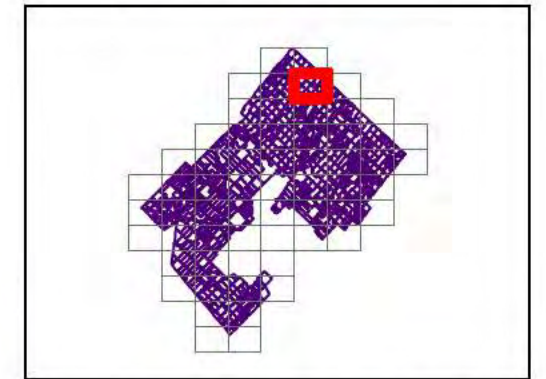
Zones

	Agricultural (A)
	Environmental Protection (EP)
	Rural Residential (RR)

**Schedule A-
Map 57**



0 145 290 Meters



NEIGHBOURING MAPS

59	60	
56	57	58
51	52	53

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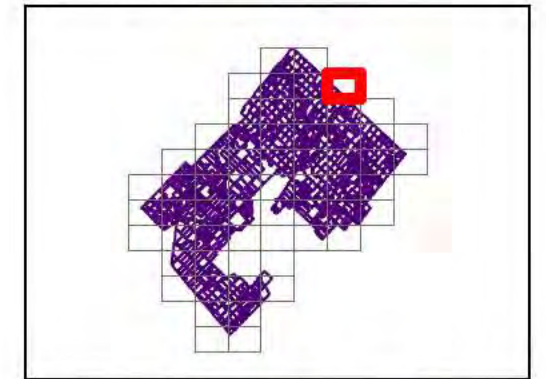
Zones

- Agricultural (A)
- Environmental Protection (EP)



**Schedule A-
Map 58**

0 145 290 Meters



NEIGHBOURING MAPS

60		
57	58	
52	53	54

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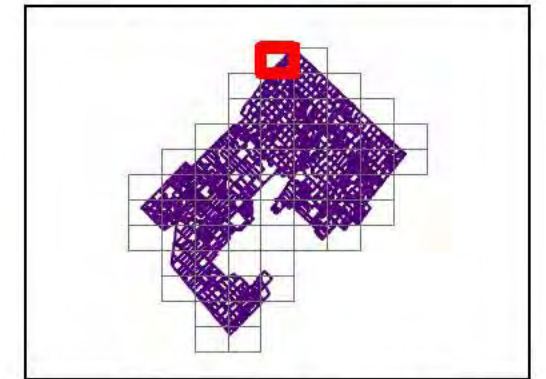
Zones

	Agricultural (A)
	Environmental Protection (EP)

**Schedule A-
Map 59**



0 145 290 Meters



NEIGHBOURING MAPS

	59	60
55	56	57

To be read in conjunction with Zoning By-law 40/2016
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Township of Centre Wellington



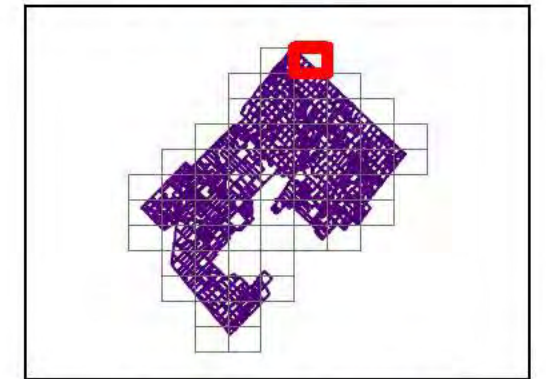
Zones

- Agricultural (A)
- Environmental Protection (EP)



**Schedule A-
Map 60**

0 145 290 Meters



NEIGHBOURING MAPS

59	60	
56	57	58

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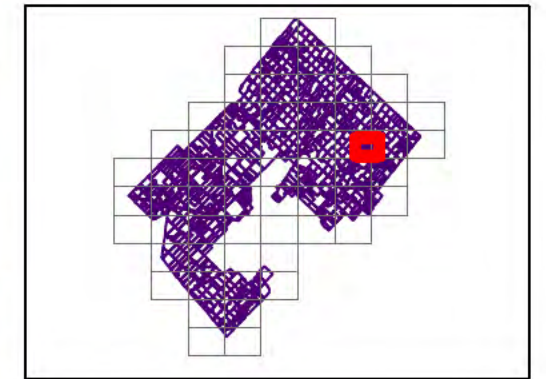
Zones

- Agricultural (A)
- Environmental Protection (EP)

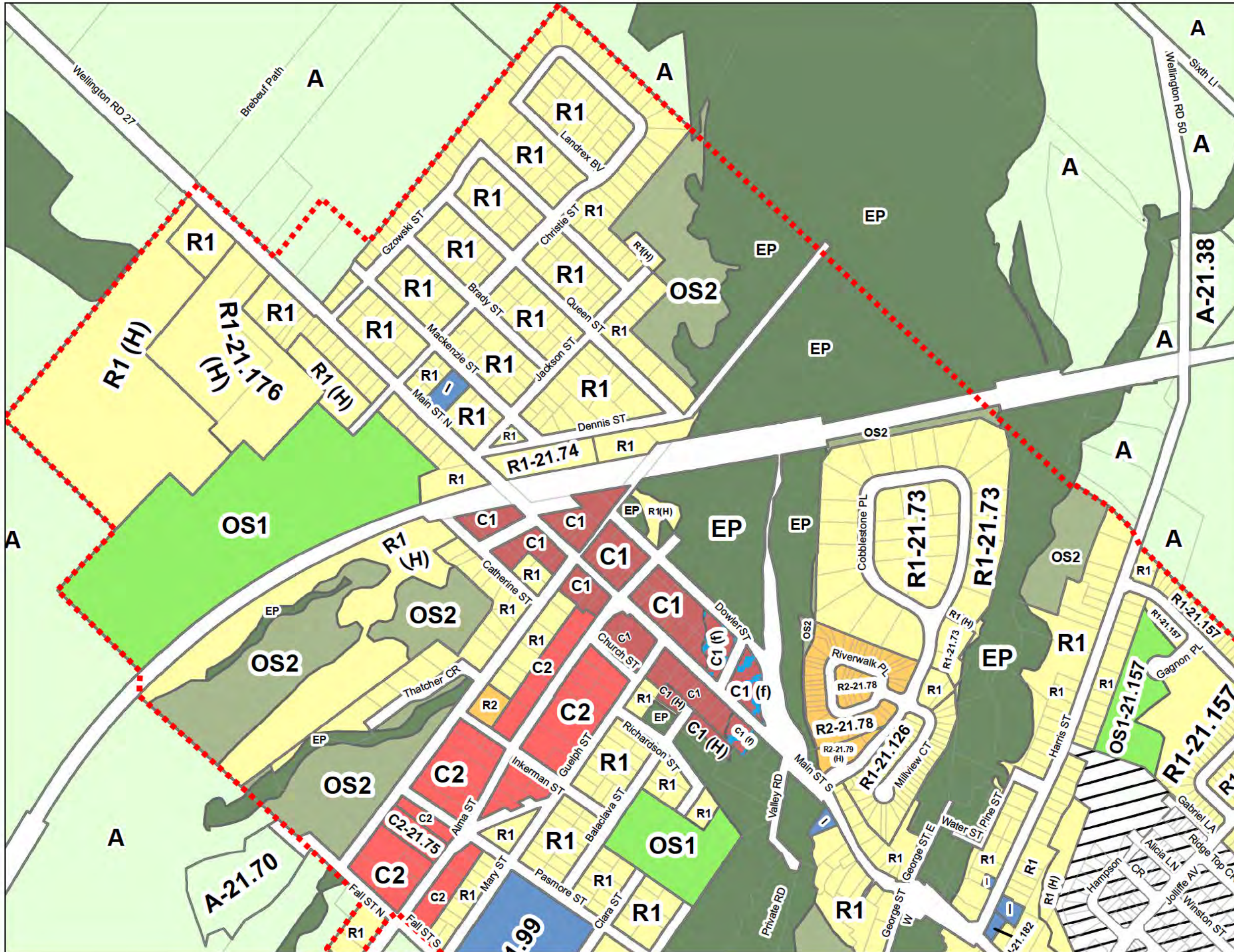
Schedule B- Map 1



0 95 190 Meters



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- Subject to By-law 34-95
- Flood Plain Area- (f)
- Zones**
- Agricultural (A)
- Village Commercial (C1)
- Village Service Commercial (C2)
- Environmental Protection (EP)
- Institutional (I)
- Open Space (OS1)
- Open Space Restricted (OS2)
- Village Residential Low Density (R1)
- Village Residential Medium Density (R2)

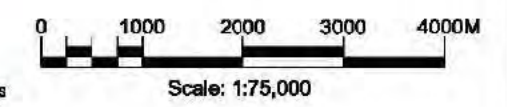
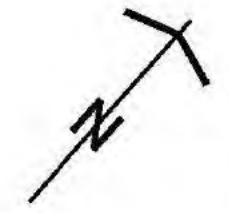
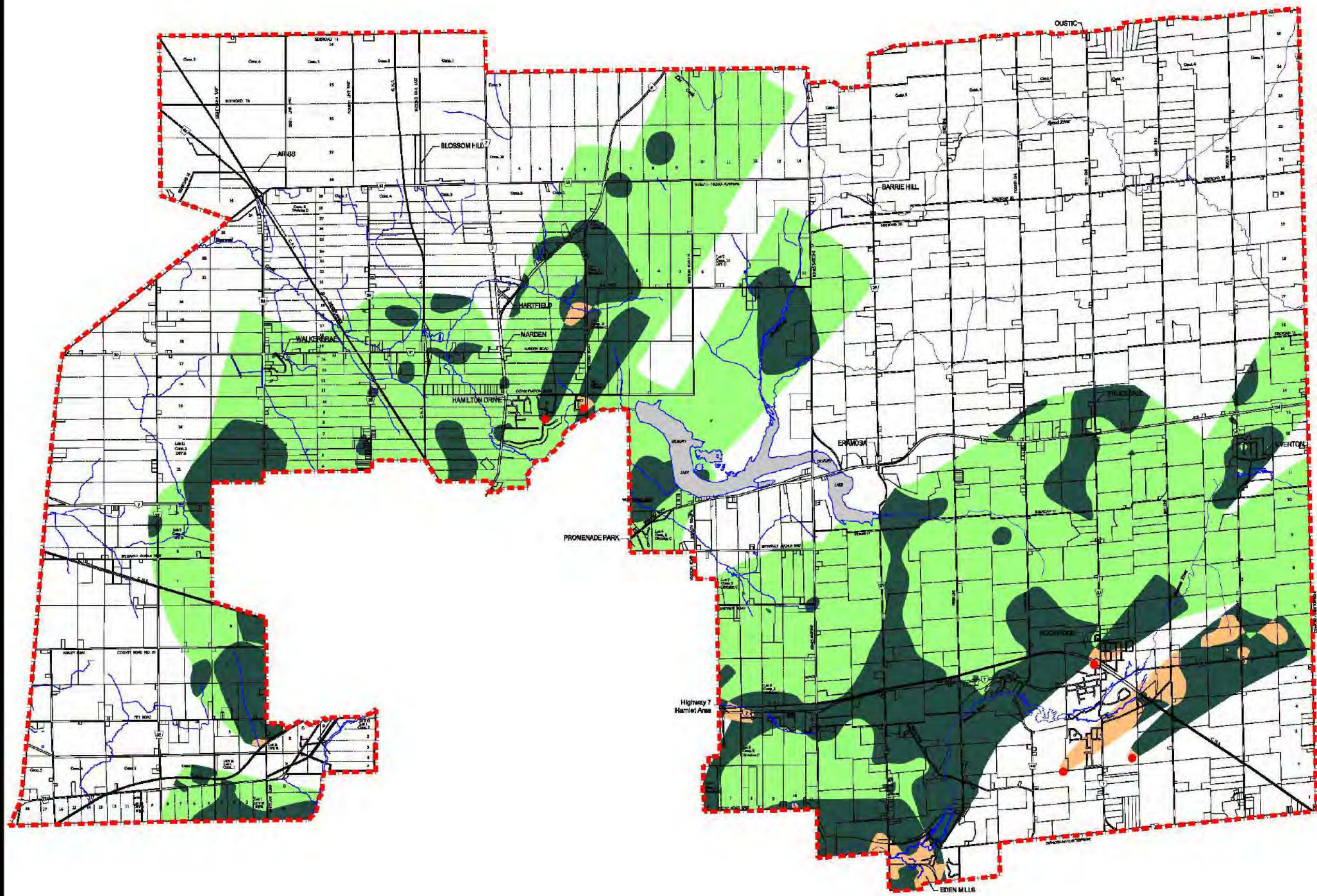
TOWNSHIP OF GUELPH / ERAMOSA ZONING BY-LAW Schedule 'c' to By-law Number 40/2016

Wellhead Protection Areas

-  - Wellhead Protection Area 1
-  - Wellhead Protection Area 2
-  - Wellhead Protection Area 3
-  - Well Location

NOTE: THIS SCHEDULE TO BE READ IN CONJUNCTION WITH APPLICABLE SECTIONS OF THE BY-LAW. PRODUCED BASED ON APPROVED COUNTY OF WELLINGTON OFFICIAL PLAN, SCHEDULE B3, DATED FEBRUARY 22, 2007

CONSOLIDATED TO DECEMBER 31, 2009



Township of Eramosa

CREWSON'S CORNERS

MDS

Minimum Distance Separation (MDS) Formulae

Implementation Guidelines

Publication 707





MDS Implementation Guidelines

Publication 707



Need Technical or Business Information?

Contact the Agricultural Information Contact centre at
1-877-424-1300

or

ag.info@omafra.gov.on.ca

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For more information on provincial acts and regulations, visit Ontario Statutes and Regulations website at **www.e-laws.gov.on.ca**.

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09-06-4M

Separation siting of Ontario livestock barns originated in 1970, with the introduction of the document *A Suggested Code of Practice*. Ontario was experiencing what at the time seemed like a proliferation of new, large livestock and poultry barns. 'Large' at that time was 600 feeder hogs, 60 dairy cows, or 15,000 chicken broilers. These seem small by today's standards. Today, large barns are commonly triple the size of those of the past, accommodating 2,000 feeder hogs, 250 dairy cows, or 50,000 chicken broilers at one time. To address nuisance effects associated with odour, *A Suggested Code of Practice* recommended fixed minimum separation distances between livestock or poultry barns and neighbouring houses, residential zones, lot lines and roads.

A Suggested Code of Practice encouraged farmers to apply for a Certificate of Approval from the government. The Certificate outlined the minimum amount of land required based on the avoidance of risk to ground water pollution by compounds of nitrogen, and the number of animal units on the farm. *A Suggested Code of Practice* rationalized that the effect of objectionable odours in a neighbourhood could be reduced if livestock and poultry facilities were located as far as practically possible from nearby dwellings. It recommended simple, fixed minimum separation distances for both the proposed barn and manure storages.

Revisions were made in a subsequent edition of *A Suggested Code of Practice* in 1973. While it contained a framework for the establishment and expansion of livestock enterprises, it provided little protection from encroachment by other land uses.

In 1976, the *Agricultural Code of Practice* was published which incorporated a number of changes and provided a two-way approach to separating livestock and poultry barns from non-compatible uses and vice-versa. It introduced the concept of a sliding scale for separation distances, since fixed distances were too restrictive, or too lenient, depending on the size and type of farm.

In 1976, the Minimum Distance Separation I (MDS I) formula was established to determine the minimum separation distances between proposed new development and existing livestock facilities and/or permanent manure storages.

The Minimum Distance Separation II (MDS II) formula was developed to determine the minimum separation distances between proposed new, enlarged or remodelled livestock facilities and/or permanent manure storages and other existing or approved development.

Both formulae were updated slightly in 1995 in two documents entitled, *Minimum Distance Separation I (MDS I)* and *Minimum Distance Separation II (MDS II)* but the basic principles of the formulae remained the same.

This document replaces all earlier versions of the MDS Formulae.

A review of this document will be undertaken by OMAFRA every five years to ensure the document reflects current land use planning practices and technological innovation within the livestock industry, and continues to meet the needs of agriculture and rural communities.

NOTE TO THE USER REGARDING CD SOFTWARE – To assist municipalities, farmers, consultants and the general public, as a public service, OMAFRA has developed a software program for distribution and use with the MDS Formulae. The 2006 version distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

New urban development meets an existing livestock facility



TABLE OF CONTENTS

BACKGROUND	1
DEFINITIONS	5
IMPLEMENTATION GUIDELINES - MINIMUM DISTANCE SEPARATION FORMULAE	
General Rules and Application of MDS Formulae	9
Determining Livestock Facility Capacity	13
Anaerobic Digesters	14
MDS Formulae and Factors	16
Type A and B Land Uses	21
Applying MDS - Measurement of MDS Setbacks	24
Applying MDS - Minor Variances	25
MDS I Calculation Form	27
MDS II Calculation Form	35
FACTOR TABLES	
Table 1: Factor A (Odour Potential) and Factor D (Manure or Material Form in Storage Facility)	42
Table 2: Factor B (Nutrient Units Factor)	46
Table 3: Factor C (Orderly Expansion Factor)	47
Table 4: Factor E (Encroaching Land Use Factor)	48
Table 5: Permanent Manure or Material Storage Types	49
Table 6: MDS I/II Separation Distances for Permanent Manure or Material Storage Types in Table 5	50
Appendix: Manure or Material Storage Types	52
ADDITIONAL INFORMATION	54



Rural Ontario continues to evolve and change. Farms are increasing in size and complexity. Fewer people living in rural areas are farmers. In 2001, rural residents accounted for about 17 percent of Ontario's total population of 11.5 million people. Farmers made up only one percent of Ontario's total population, and only six percent of the rural population. Only about 1 in 18 people living in rural Ontario actually farms. The number of farmers continues to decrease.

Agriculture continues to evolve and change. Agriculture in Ontario is diverse with a larger number of different crops and commodities. Agriculture in Ontario contributes jobs and billions of dollars per year to the provincial economy.

Increasingly, farm operators are finding it more and more difficult to expand or establish new livestock operations, especially in parts of the province, where historically there has been a great deal of fragmentation of the agricultural land base, through lot creation. Successful livestock operations are limited in the areas where they can affectively be located on suitable agricultural land and away from potential land use conflicts with neighbouring non-farm development. In recognition of the need to protect agricultural lands for agricultural land uses, the province has adopted land use policies which protect agricultural land and farm operations.


The Provincial Policy Statement, 2005 (PPS), is issued under the *Planning Act* and provides policy direction on land use planning matters of provincial interest. The PPS provides that the primary purpose and use of prime agricultural areas is for agriculture.

Policy 2.3.1 of the statement reads:

Prime agricultural areas shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Classes 1, 2 and 3 soils, in this order of priority.

The PPS sets out policies for prime agricultural areas and rural areas, which ensure that these areas are protected for agricultural uses in the long term. The *Planning Act* requires that municipal council decisions on land use planning matters be consistent with the Provincial Policy Statement. Municipalities are encouraged to adopt policies in



their official plans and zoning by-laws, that are more stringent than the PPS, and that work towards controlling or limiting future development that would not be compatible with agricultural uses and livestock operations. A principle of land use planning is the grouping together of compatible land uses and the separating of incompatible land uses. Unfortunately, in rural areas this principle of separating different and incompatible land uses has not always been applied. As in many urban areas where industry and residences are located side-by-side, conflicts about the way business is carried out sometimes arise between farmers and their rural neighbours. Even with the best management practices, noise and dust cannot be eliminated from certain agricultural operations and odours are often associated with livestock production.

The objective of Minimum Distance Separation (MDS) Formulae is to minimize nuisance complaints due to odour and thereby reduce potential land use conflicts. MDS does not account for other nuisance issues such as noise and dust.

The separation distances calculated by MDS will vary according to a number of variables including type of livestock, size of the farm operation, type of manure system and the form of development present or proposed. History shows, that where there has been sufficient separation distance between differing rural uses, there have been few odour complaints.

MDS applies in both rural areas and in prime agricultural areas of municipalities, as directed in policies 1.1.4.1(c) and 2.3.3.3 of the PPS:

New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae.

A separate document available from the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA), *Guide to Agricultural Land Use*, (Publication 824) contains advice on avoiding or reducing the potential for conflict between neighbouring land uses through appropriate farm practices. It explains the role of agricultural land use planning and advises on conflict avoidance and resolution. For rural non-farm residents, the guide provides an overview of agricultural practices and how to minimize their environmental impacts.

When a neighbour is bothered by what they perceive as abnormal odours, noise or dust, he or she should first try resolving the matter by speaking with the farmer believed to be creating the nuisance. If the complaint is not resolved, neighbours or farmers can seek assistance from a local Municipal Agricultural Advisory Committee, which has been established to deal with nuisance issues, if one exists. If further mediation is still necessary, neighbours or farmers can contact OMAFRA's Agricultural Information Contact Centre at 1-877-424-1300. The Contact Centre will arrange for the appropriate OMAFRA staff person to contact the parties and facilitate a conflict resolution process. For those issues that cannot be resolved through mediation, the Normal Farm Practices Protection Board, established under the *Farming and Food Production Protection Act, 1998*, provides a forum for complaint resolution other than the courts.

While MDS is an important and effective tool for dealing with nuisance issues related to odour, it will not eliminate all potential for odour complaints, nor will it address other nuisance issues such as noise, dust, light, smoke, vibration or flies. The MDS formulae is only intended to deal with odour generated from livestock facilities, such as barns and manure storages, and is not intended to address nuisance issues related to odour from land application of manure. In addition to the MDS formulae, municipalities are encouraged to develop policies in their official plans and zoning by-laws to address Policy 2.3.5.2 and Policy 1.1.3.9 of the PPS, and provide for mitigation of impacts from new or expanding settlement areas and non-agricultural uses on surrounding agricultural operations.

For additional information about resolving nuisance complaints, see the Factsheet, *The Farming and Food Production Protection Act (FFPPA) and Nuisance Complaints*, Order No. 05-013 or the *Citizen's Guide to the Farming and Food Production Protection Act and the Normal Farm Practices Protection Board* are available from OMAFRA's Agricultural Information Contact Centre, 1-877-424-1300 or the ministry's website www.omafra.gov.on.ca.

Anaerobic digesters are able to convert manure into methane, then into electricity for use on the farm or for sale to others





Except for references to legislation which are traditionally in italics, italicized terms in this document are defined in the Definitions section below.

Agricultural use – As defined in the Provincial Policy Statement, 2005, this means the growing of crops, including nursery 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, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agricultural-related uses – As defined in the Provincial Policy Statement, 2005, this means farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation. Examples of this use include animal husbandry services, produce or grain storage facilities, and seed dealers.

Anaerobic digester – An enclosed vessel in which micro-organisms break down organic materials (e.g. manure and other organic materials), in the absence of oxygen, resulting in the production of biogases, consisting primarily of methane and carbon dioxide. The Minimum Distance Separation Formulae is to be applied to on-farm anaerobic digesters, which utilize manure as an input. An on-farm anaerobic digester may include a *co-substrate input tank* fitted with a tight cover, in which permitted off-farm non-agricultural source materials are temporarily stored before feeding into the anaerobic digester.

Catastrophe – An unanticipated, disastrous loss of part, or all, of a *livestock facility* due to fire, collapse, flood, wind, or other such event.

Commercial use – The use of land, building or structure for the purpose of buying and/or selling commodities and supplying services, such as automotive service stations, car washes, convenience retail shops, hotels or motels, shopping centres and supermarkets.

Co-substrate input tank (CSIT) – Storage for containing permitted non-agricultural wastes that will be blended with manure in an on-farm *anaerobic digester* in order to increase biogas production.

Digestate – End product from the anaerobic digestion of manure (and possibly permitted *co-substrate input tank* materials) that has a significant reduction in pathogens and odour.

Dwelling – Any building that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals.

Empty facility – A *livestock facility* that does not currently contain any manure, house any *livestock*, or contain organic material used for *anaerobic digesters*.

Existing livestock facility – A *livestock facility*, or a portion of a *livestock facility*, intended for keeping or housing of *livestock* and containing one or more barns or structures. Includes *manure or material storages*, whether associated with a *livestock facility* or not, and *anaerobic digesters*, which have already been constructed.

Expanded livestock facility – Any building activity to construct or expand a *livestock facility* that requires a building permit and results in an increase, or decrease, in *Nutrient Unit* capacity on a *lot*, where there already was some existing *Nutrient Unit* capacity.

First livestock facility – Any building activity to construct a *livestock facility* that requires a building permit and results in an increase in *Nutrient Unit* capacity on a *lot*, where there was no existing *Nutrient Unit* capacity.

Housing capacity – Maximum *livestock* capacity for all facilities on a *lot* at any time, even if currently empty but able to house *livestock*.

Industrial use – The use of land, buildings or structures for the purpose of manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods, and related accessory uses.

Institutional use – The use of land, buildings or structures for public or social purposes, including religious, governmental, educational, charitable, health, or other non-commercial uses, and may include cemeteries, places of worship, municipal buildings, police and fire stations, schools, hospitals, and seniors complexes.

Livestock – Includes dairy, beef, swine, poultry, horses, goats, sheep, rattes, fur-bearing animals, deer & elk, game animals, birds, and other animals identified in Table 1.

Livestock facility – One or more barns or permanent structures with *livestock-occupied portions*, intended for keeping or housing of *livestock*. A *livestock facility* also includes all *manure or material storages* and *anaerobic digesters*.



Livestock occupied portion – Areas of *livestock facilities* where *livestock* spend the majority of their time, allowing substantial amounts of manure to accumulate, but not including feed preparation rooms, milking centres, offices, washrooms, riding arenas, *livestock* loading chutes, or *livestock* assembly areas.

Lot(s) – A parcel or tract of land, within a registered plan or subdivision or described in a deed or other legal document, that is capable of being legally conveyed.

Manure or material storage – Permanent storages, which may or may not be associated with a *livestock facility* containing liquid manure (< 18% dry matter), solid manure (\geq 18% dry matter), or digestate (< 18% dry matter). Permanent storages may come in a variety of:

- locations (under, within, nearby, or remote from barn)
- materials (concrete, earthen, steel, wood)
- coverings (open top, roof, tarp, or other materials)
- configurations and shapes
- elevations (above, below or partially above grade)

Multiple residential – Three or more *residential* units in the same structure.

Nutrient Unit (NU) – An amount of nutrients that give a fertilizer replacement value of the lower of 43 kilograms of nitrogen, or 55 kilograms of phosphate as nutrient (as defined in Ontario Regulation 267/03 made under the *Nutrient Management Act*, 2002).

Recreational use – high intensity – Recreational use that usually includes buildings and/or a higher density or concentration of human activity such as golf courses, sports fields, trailer parks, campgrounds and conservation areas with facilities.

Recreational use – low intensity – Recreational use that usually does not require buildings, does not alter the soil or topography, and/or has a lower density or concentration of human activity such as open space and environmental areas.

Residential use – The use of land, buildings or structures for human habitation.

Rural residential cluster – Four, or more, adjacent rural *lots*, generally one hectare or less in size, sharing a common contiguous boundary. *Lots* located directly across a road from one another shall be considered as having a common boundary.



Settlement areas – As defined in the Provincial Policy Statement, 2005, this means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated.

Rural residential clusters are not considered *settlement areas*, unless designated as such in a municipal official plan.

Storage capacity – Maximum storage volume (measured as cubic feet or cubic metres) of all storages for *manure*, or *digestate* treated through an *anaerobic digester*, on a *lot* at any time, even if currently empty but able to store these materials.

Tillable hectares – Land, including pasture that can be worked or cultivated to grow crops.

An overhead view of a concrete liquid manure storage facility



IMPLEMENTATION GUIDELINES – MINIMUM DISTANCE SEPARATION FORMULAE

The following section outlines the specific implementation guidelines that need to be considered as part of the application and calculation of the Minimum Distance Separation (MDS) Formulae. To assist the user the implementation guidelines have been organized into six sections.

Implementation Guideline	MDS I	MDS II
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General Rules and Application of the Minimum Distance Separation Formulae

The following implementation guidelines speak to some of the general rules regarding the MDS Formulae, and how they are to be referenced in planning documents and applied to land use applications and building permits. This section also highlights some of the specific instances where MDS Formulae are applied and exceptions where they are not applied.

1. Application of MDS and reference in municipal planning documents	MDS Formulae and criteria are to be referenced in official plans, included in zoning by-laws and applied in designations and zones where <i>livestock facilities</i> are a permitted use. MDS will be applied in Prime Agricultural Areas and Rural Areas as defined by the Provincial Policy Statement, 2005.	
2. What MDS <u>does</u> and <u>does not</u> apply to	MDS applies to <i>livestock facilities</i> . It does not apply to abattoirs, apiaries, assembly yards, fairgrounds, feed storages, field shade shelters, greenhouses, kennels, <i>livestock facilities</i> that are less than 10 m ² (108 ft ²) in floor area, machinery sheds, mushroom farms, pastures, slaughter houses, stockyards, or temporary field nutrient storage sites (as defined under the <i>Nutrient Management Act</i> , 2002).	
3. MDS and manure transfer facilities	Some <i>livestock facilities</i> require small facilities for holding some manure before transfer to long-term permanent storage, or transfer to field spreading areas, or transfer off the farm entirely. Examples include: small tanks inside or just outside the barn for settling out sand from liquid dairy manure; small sumps inside or just outside the barn for collection and/or mixing of liquid manure from several barn areas; or concrete pads at the end of chicken broiler barns where solid manure is pushed outside awaiting pickup by a trucker. These facilities should be considered as part of the barn and have the same MDS setbacks as the barn.	

Implementation Guideline	MDS I	MDS II
4. MDS and earthen <i>manure storages</i>	<p>MDS I is applied to earthen storages, despite the fact they are not considered to be a building.</p> <p>Best management practices recommend the MDS formula be followed for earthen <i>manure storages</i>, and this is backed up by the Provincial Policy Statement, 2005, <i>'New land uses, including the creation of lots and new or expanding livestock facilities shall comply with the minimum distance separation formulae'</i>.</p>	<p>MDS II is triggered when a building permit is required, but because earthen storages are not considered to be a building, they do not require a building permit. However, this does not exclude them from the requirement for siting according to the MDS formula.</p> <p>Best management practices recommend the MDS formula be followed for earthen <i>manure storages</i>, and this is backed up by the Provincial Policy Statement, 2005, <i>'New land uses, including the creation of lots and new or expanding livestock facilities shall comply with the minimum distance separation formulae'</i>.</p>
5. When are MDS Formulae implemented and applied?	<p>MDS I is applied at the time of planning and/or development review for proposed new development, such as <i>lot</i> creation, building permits for development on a <i>lot</i> in accordance with Implementation Guideline # 6, rezoning or redesignation of agricultural land to permit development, in proximity to <i>existing livestock facilities</i> on an existing or proposed separate parcel of land.</p>	<p>MDS II is applied at the time of building permit application to build a <i>first or expanded livestock facility</i>.</p>
6. MDS and surrounding development. When is MDS applied?	<p>MDS I is applied to all <i>livestock facilities</i> reasonably expected to be impacted by the proposed development, <i>lot</i> creation, rezoning or redesignation. For Type 'A' applications, apply MDS I for <i>livestock facilities</i> within a 1000 metre radius. For Type B application apply MDS I for <i>livestock facilities</i> within a 2000 metre radius.</p> <p>Separate MDS I calculations should be undertaken for each <i>livestock facility</i> located on a separate parcel of land. See Implementation Guidelines # 34 and # 35 for a discussion regarding Type 'A' and Type 'B' land uses.</p>	<p>MDS II is applied to all development reasonably expected to be impacted by the proposed <i>first or expanded livestock facility</i>.</p>

Implementation Guideline	MDS I	MDS II
<p>7. Application of MDS to development on existing <i>lots</i></p>	<p>Municipalities have the option, but are strongly encouraged to apply MDS I to development proposed through building permit on an existing <i>lot</i>. Construction of a <i>dwelling</i>, or other structures that are incompatible with <i>livestock facilities</i>, on an existing <i>lot</i> can have a very detrimental impact on the ability of surrounding agricultural operations to expand in the future, and often introduces a potential new source for nuisance complaints regarding odour from a <i>livestock facility</i>, that would generally not be allowed if the <i>lot</i> were to be created today. To address the potential negative impact of nuisance complaints to surrounding <i>livestock</i> operations from development on existing <i>lots</i>, municipalities are encouraged to undertake a thorough review of this issue at the next update of their municipal planning documents. Municipalities should consider approaches to address the future use and suitability of development on existing <i>lots</i>. The application of MDS I to development on existing <i>lots</i> will take its direction from the applicable municipal planning documents.</p>	<p>MDS II applies to <i>lot</i> lines.</p>
<p>8. MDS and Consent Applications</p>	<p>MDS I is applied to a proposed <i>lot</i>, vacant or with existing structures.</p> <p>Where a new <i>lot</i> is proposed with an existing <i>dwelling</i>, and that <i>dwelling</i> is already located on a <i>lot</i> separate from the subject <i>livestock facility</i>, MDS I is not applied as the potential odour conflict is already present between the neighbouring <i>livestock facility</i> and the existing dwelling. However, municipalities may choose to apply MDS I from the neighbouring <i>livestock facility</i> to a proposed <i>lot</i> with an existing <i>dwelling</i>. Direction to apply MDS I in these circumstances should be clearly indicated in the municipality's planning documents.</p> <p>MDS I is applied to a proposed <i>lot</i> with an existing <i>dwelling</i> when the <i>dwelling</i> is presently located on the same <i>lot</i> as the subject <i>livestock facility</i>.</p>	<p>N/A</p>

Implementation Guideline	MDS I	MDS II
9. MDS and Zoning By-Law Amendments	MDS I is applied when new development is proposed by way of a re-zoning in a zone where agriculture is a permitted use.	N/A
10. MDS and Official Plan Amendments	MDS I is applied to lands being considered for non-agricultural designation through the official plan amendment process.	N/A
11. Application of MDS after a <i>catastrophe</i>	Where municipalities apply MDS I to buildings or structures on an existing <i>lot</i> , municipalities have the option to not apply MDS I after a <i>catastrophe</i> that destroys part or all of a <i>dwelling</i> , providing the resulting new <i>dwelling</i> is built no closer to a <i>livestock facility</i> than before the <i>catastrophe</i> .	Municipalities have the option to not apply MDS II after a <i>catastrophe</i> that destroys part or all of a <i>livestock facility</i> , providing the resulting <i>livestock facility</i> is built no closer to a surrounding development than before the <i>catastrophe</i> . However, if rebuilding results in higher values for Factor A, B and/or D than before the <i>catastrophe</i> , then MDS II applies.
12. Existing uses that do not conform to MDS	MDS I is applied to new proposed development, even though there may be existing <i>non-agricultural uses</i> that do not conform to MDS I requirements. Where there are four, or more, existing non-farm uses closer to the subject <i>livestock facility</i> and in immediate proximity to the current application, MDS I will not be applied. The current application must not be located closer to the <i>livestock facility</i> than the four, or more, existing non-farm uses.	MDS II is measured from the proposed new construction of an <i>expanding livestock facility(ies)</i> even though there may be parts of the existing <i>livestock facility</i> , that do not conform.
13. Non-application of MDS to accessory structures	When a municipality applies MDS I to development on an existing <i>lot</i> , it is not applied to buildings and structures, accessory to a <i>dwelling</i> , such as decks, garages, gazebos, greenhouses, outbuildings, picnic areas, patios or sheds.	MDS II is not applied to buildings and structures, accessory to a <i>dwelling</i> on an adjacent <i>lot</i> , such as decks, garages, gazebos, greenhouses, outbuildings, picnic areas, patios or sheds.

Implementation Guideline	MDS I	MDS II
14. <i>Livestock occupied portions of livestock facilities</i>	MDS is not applied to portions of the <i>livestock facility</i> where <i>livestock</i> are not normally present for a long enough time for substantial amounts of manure to accumulate. For example, this includes feed bins, feed preparation areas, field shadeselters, <i>livestock</i> assembly areas, <i>livestock</i> loading chutes, machinery sheds, milking centres, offices, riding arenas, silos or washrooms.	
15. Setbacks - <i>dwelling</i> from <i>livestock facilities</i> , same <i>lot</i>	Neither MDS I nor MDS II are applied between a <i>dwelling</i> and a <i>livestock facility</i> located on the same <i>lot</i> .	
16. Ownership of adjacent land by same owner	MDS is applied regardless of the ownership of adjacent or adjoining legally separate <i>lots</i> . Ownership of adjacent or adjoining legally separate <i>lots</i> by the same owner does not prevent the application of MDS.	

Determining Livestock Facility Capacity

The following implementation guidelines provide direction on determining the capacity of a *livestock facility* for calculating MDS; as well as, direction on applying MDS to *empty livestock facilities*.

17. Obtaining Required <i>Livestock</i> Information from Owners	Information to be used in MDS calculations, (such as capacity of the <i>livestock facility</i> , type of <i>manure storage</i> , number of <i>tillable hectares</i> , etc..) should be obtained from the owner of an <i>existing</i> or <i>first livestock facility</i> . It may be necessary to independently verify the information received from the owner of the <i>livestock facility</i> to ensure accuracy of an MDS calculation.	
18. Smallest size of <i>livestock facility</i> for MDS	For the purposes of calculations, the smallest size of <i>livestock facility</i> is deemed to be five <i>Nutrient Units</i> , regardless if there are fewer <i>Nutrient Units</i> within the <i>livestock facility</i> , or not.	
19. Capacity of <i>livestock facilities</i> for MDS	MDS calculations shall be based on the maximum <i>livestock housing capacity</i> for all <i>livestock facilities</i> on a <i>lot</i> , even if the building is not currently used, but is structurally sound and reasonably capable of housing <i>livestock</i> . This also applies for permanent <i>manure storages</i> on <i>lots</i> where there is no <i>livestock</i> generating manure.	
20. Application of MDS to <i>empty livestock facilities</i>	MDS I applies to <i>empty livestock facilities</i> if they are structurally sound and reasonably capable of housing <i>livestock</i> , or storing manure. The MDS I calculation should be based on the most probable Factors A, B and D. The Ministry of Agriculture, Food and Rural Affairs may provide municipalities with additional information to guide them in this determination. See Implementation Guidelines # 25, 26 and 28 regarding Factors A, B and D.	MDS II applies to <i>empty livestock facilities</i> that are part of an <i>expanding livestock facility</i> if they are structurally sound and reasonably capable of housing <i>livestock</i> , or storing manure. The MDS II calculation should be based on the most probable Factors A, B and D.

continued...

Implementation Guideline	MDS I	MDS II
<p>20. Application of MDS to <i>empty livestock facilities</i></p> <p style="text-align: right;">continued...</p>		<p>continued...</p> <p>See Implementation Guidelines # 25, 26 and 28 regarding Factors A, B and D.</p> <p>However, <i>empty livestock facilities</i> can be excluded from MDS II calculations for <i>expanding livestock facilities</i> if a building permit is required for altering the facilities so they are no longer capable for the housing of <i>livestock</i> (or manure). Municipalities may consider other approaches which achieve the same objective.</p>

Anaerobic Digesters

The following implementation guidelines speak to issues related specifically to *anaerobic digesters*, such as determination of appropriate MDS factors, and setbacks for *co-substrate input tanks (CSIT)* and *anaerobic digesters (AD)*.

<p>21. Storages for <i>digestate</i> from an <i>anaerobic digester</i> and how to apply Factors B and C</p>	<p>When a <i>livestock facility</i> installs an <i>anaerobic digester (AD)</i>, some supplemental agricultural or non-agricultural materials may be imported to help boost biogas production. This means a larger storage for the resulting materials treated by the AD system is required.</p> <p>If an adjacent <i>livestock facility</i> has an AD system <u>and</u> there are imported supplemental materials, then for Factor B, use the greater of the NU capacity for <i>livestock</i> on the <i>lot</i>, versus the NU capacity of <u>all</u> storage volumes using 19.8 m³/NU (700 ft³/NU) from Table 1.</p> <p>For example, a 100 NU swine farm has an AD system and imports supplemental materials to boost biogas production. There is just one storage of 2,376 m³ capacity.</p> <p>For Factor B, this is 2,376 m³ ÷ 19.8 m³/NU = 120 NU, which is greater than 100 NU for swine. Use 120 NU in Table 2 to determine Factor B.</p>	<p>When a <i>livestock facility</i> installs an <i>anaerobic digester (AD)</i>, some supplemental agricultural or non-agricultural materials may be imported to help boost biogas production. This necessitates the need for larger storage for the resulting <i>digestate</i> from the AD system.</p> <p>In MDS II, for Factor B, use the greater of the NU capacity for <i>livestock</i> on the <i>lot</i>, versus the NU capacity of the proposed storage volume using 19.8 m³/NU (700 ft³/NU) from Table 1.</p> <p>For Factor C, use the increased NU capacity of the proposed storage volume compared to the NU capacity for the <i>livestock</i> on the <i>lot</i>.</p> <p style="text-align: right;">continued...</p>
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Implementation Guideline	MDS I	MDS II
<p>21. Storages for <i>digestate</i> from an <i>anaerobic digester</i> and how to apply Factors B and C.</p> <p style="text-align: right;">continued...</p>		<p>continued...</p> <p>For example, a 100 NU swine farm proposes to build 2,376 m³ of storage for manure and other imported materials treated by an AD system.</p> <p>For Factor B, this is $2,376 \text{ m}^3 \div 19.8 \text{ m}^3/\text{NU} = 120 \text{ NU}$, which is greater than 100 NU for swine. Use 120 NU in Table 2 to determine Factor B.</p> <p>For Factor C, the NU capacity of the proposed storage is 120 NU compared to 100 NU for swine. The increase is $120 \text{ NU} - 100 \text{ NU} = 20 \text{ NU}$, or $20 \text{ NU} / 100 \text{ NU} \times 100 = 20\%$. Use 20% in Table 3 to determine Factor C.</p>
<p>22. <i>Anaerobic digesters</i> and <i>co-substrate input tanks</i></p>	<p><i>Co-substrate input tanks (CSIT)</i> <u>may</u> be installed to store imported agricultural or non-agricultural materials prior to input into an <i>anaerobic digester (AD)</i>.</p> <p>The required MDS I separation from a <i>CSIT</i> and/or <i>AD</i> is 125 m regardless of size or type, and whether greater or lesser MDS I setbacks are calculated based on the <i>livestock</i> NU capacity or potential NU capacity based on <i>tillable hectares</i>.</p>	<p><i>Co-substrate input tanks (CSIT)</i> <u>may</u> be installed to store imported agricultural or non-agricultural materials prior to input into an <i>anaerobic digester (AD)</i>.</p> <p>The required MDS II separation from a <i>CSIT</i> and/or <i>AD</i>, regardless of size or type, is:</p> <ul style="list-style-type: none"> • 125 m for Type A land uses • 250 m for Type B land uses • 125 m to the nearest neighbour's house • 13 m to the nearest <i>lot</i> line • 25 m to the nearest road allowance

Implementation Guideline	MDS I	MDS II
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MDS Formulae and Factors

The following implementation guidelines provide direction on the calculation of the MDS Formulae for MDS I and MDS II. In addition, they provide a brief summary of the Factors used to calculate MDS, and specific considerations related to the calculation.

23. Calculating building base distance, 'F'	F = Factor A x B x D x E (Note: Factor C <u>not</u> used in MDS I)	F = Factor A x B x C x D (Note: Factor E <u>not</u> used in MDS II)
24. Calculating permanent <i>manure storage</i> base distance, 'S'	'S' is <u>not</u> calculated, but read directly from Table 6 by first calculating the building base distance 'F', then choosing the new added 'Permanent Manure Storage Type' from Table 5.	
25. Storage base distances ('S') when F > 1000 metres	If 'F' > 1000 m, the Storage Base Distance 'S' is the same as the Building Base Distance, 'F' as noted in Table 6.	
26. Factor A - Odour Potential Factor	Factor A is based on the type of livestock and its relative potential for emanating offensive odours. The higher the Factor A, the higher the odour potential, and the higher the resulting MDS separation distances, all other things being equal. See Table 1.	
27. Factor B - <i>Nutrient Units</i> Factor	Factor B is based on the number, or equivalent number, of <i>Nutrient Units (NU)</i> in <i>housing capacity at a livestock facility</i> . The higher the number of NU, the higher the Factor B, and the higher the resulting MDS separation distances, all other things being equal. See Table 2. In determining Factor B, it may be required to interpolate a value from Table 2. Interpolated values for Factor B should not include more than two decimal places, and may need to be rounded accordingly.	
28. Factor C - Orderly Expansion Factor	Does not apply for MDS I	Factor C only applies for MDS II, and is based on the percentage increase in the number of NU for the proposed construction. The higher the percentage increase, the higher the Factor C, and the higher the resulting MDS II, all things being equal. Expansion of a <i>livestock facility</i> is a necessary and typical process for the economic development of most farm operations, and can reasonably be expected over time. <i>continued...</i>

Implementation Guideline	MDS I	MDS II
<p>28. Factor C - Orderly Expansion Factor</p> <p style="text-align: right;">continued...</p>		<p><i>continued...</i></p> <p>Factor C allows for future expansion. Factor C is the highest it can be for the <i>first livestock</i> building (or first permanent <i>manure storage</i> where no <i>livestock</i> are housed) on a <i>lot</i>, resulting in a building location that will allow most subsequent <i>livestock</i> buildings to be built within a reasonable building envelope. Factor C is smallest for no increase in NU (0% increase), or decreases in NU ('negative' increase), rare on most farms, except when replacing an old building with little to no additional <i>livestock</i> capacity, downsizing, or when installing storages to increase manure holding capacity to prevent spreading at inappropriate times of the year.</p> <p>For the purposes of determining Factor C, all <i>first livestock facilities</i> are to be calculated at Factor C = 1.14.</p> <p>Where an <i>existing livestock facility</i> is to be expanded, the percentage increase shall be calculated using: the total additional <i>Nutrient Units</i> proposed as the numerator, and the total existing <i>Nutrient Units</i> as the denominator.</p> <p>For example, an <i>existing livestock facility</i> currently has 200 <i>nutrient units</i> and proposes to add 100 additional <i>Nutrient Units</i>. In this case percentage increase, would be calculated as 100 NU divided by 200 NU and then multiplied by 100 for a value of 50 %</p> <p>$(100/200) \times 100 = 50 \%$</p> <p style="text-align: right;"><i>continued...</i></p>

Implementation Guideline	MDS I	MDS II
<p>28. Factor C - Orderly Expansion Factor</p> <p style="text-align: right;">continued...</p>		<p><i>continued...</i></p> <p>Where a <i>livestock facility</i> is to be expanded, and one or more building permits to establish or expand that <i>livestock facility</i> were already issued within the previous three years, the percentage increase shall be calculated using: the total additional <i>Nutrient Units</i> established or added by building permit issued during the previous three year period, plus the proposed expansion, as the numerator; and the total existing <i>Nutrient Units</i> prior to the previous three year period as the denominator.</p> <p>For example, an <i>existing livestock facility</i> currently has 200 <i>Nutrient Units</i> and proposes to add 100 additional <i>Nutrient Units</i>. A building permit for this <i>livestock facility</i> was issued 2 years ago, and increased the size of the operation at that time from 100 <i>Nutrient Units</i> to 200 <i>Nutrient Units</i>. In this case, percentage increase would be calculated as 200 NU (100 NU for this expansion plus 100 NU for expansion 2 years ago) divided by 100 NU (the total capacity of the <i>livestock facility</i> 3 years ago) and then multiplied by 100 for a value of 200%.</p> <p>$[(100+100)/100] \times 100 = 200 \%$</p> <p>See Table 3 for further information. In determining Factor C, it may be required to interpolate a value from Table 3. Interpolated values for Factor C should not include more than four decimal places, and may need to be rounded accordingly.</p>

Implementation Guideline	MDS I	MDS II
29. Factor D - Manure or Material Form in Permanent Storage Factor	Factor D is based on the type of manure or material and its relative potential for emanating offensive odours. The higher the Factor D, the higher the odour potential, and the higher the resulting MDS separation distance, all other things being equal. See Table 1.	
30. Factor E - Encroaching Land Use Factor	Factor E is based on the degree of effect an encroaching land use might have on an <i>existing livestock facility</i> . The higher the encroachment factor, the higher the potential effect on a <i>livestock facility</i> , and the higher the resulting MDS I separation distance, all other things being equal. See Table 4.	N/A
31. Calculating weighted averages for Factor A	<p>In MDS I, Factor A <u>may</u> require a weighted average, if there are more than one type of <i>livestock</i> housed with differing values for Factor A.</p> <p>For example, if an adjacent <i>livestock facility</i> houses 50 NU of chicken broilers with Factor A = 0.7, and 100 NU of swine feeders with Factor A = 1.2, then the weighted average Factor A is: $[(50 \times 0.7) + (100 \times 1.2)] \div (50 + 100) = 1.03$</p> <p>When calculating a weighted average, the value of Factor A should not include more than two decimal places, and may need to be rounded accordingly.</p>	<p>In MDS II, Factor A <u>may</u> require a weighted average, if more than one type of <i>livestock</i> is <u>added</u> with differing values for Factor A.</p> <p>For example, if a farmer proposes to <u>add</u> 50 NU of chicken broilers with Factor A = 0.7, and 100 NU of swine feeders with Factor A = 1.2, to a <i>livestock facility</i>, then the weighted average Factor A is: $[(50 \times 0.7) + (100 \times 1.2)] \div (50 + 100) = 1.03$</p> <p>When calculating a weighted average, the value of Factor A should not include more than two decimal places, and may need to be rounded accordingly.</p>
32. Calculating weighted averages for Factor D	<p>In MDS I, Factor D <u>may</u> require a weighted average, if there are more than one type of <i>livestock</i> housed with differing values for Factor D.</p> <p>For example, if an adjacent <i>livestock facility</i> houses 50 NU of chicken broilers with Factor D = 0.7, and 100 NU of swine feeders with Factor D = 0.8, then the weighted average Factor D is: $[(50 \times 0.7) + (100 \times 0.8)] \div (50 + 100) = 0.77$ <p style="text-align: right;">continued...</p></p>	<p>In MDS II, Factor D <u>may</u> require a weighted average, if more than one type of <i>livestock</i> is <u>added</u> with differing values for Factor D.</p> <p>For example, if a farmer proposes to <u>add</u>: 50 NU of chicken broilers with Factor D = 0.7, and 100 NU of swine feeders with Factor D = 0.8, then the weighted average Factor D is: <p style="text-align: right;">continued...</p></p>

Implementation Guideline	MDS I	MDS II
<p>32. Calculating weighted averages for Factor D</p> <p style="text-align: right;">continued...</p>	<p><i>continued...</i></p> <p>When calculating a weighted average, the value of Factor D should not include more than two decimal places, and may need to be rounded accordingly.</p>	<p><i>continued...</i></p> $[(50 \times 0.7) + (100 \times 0.8)] \div (50 + 100) = 0.77$ <p>When calculating a weighted average, the value of Factor D should not include more than two decimal places, and may need to be rounded accordingly.</p>
<p>33. <i>Tillable hectares</i></p>	<p>In MDS I, Factor B is based on the greater of the existing <i>Nutrient Unit housing capacity</i> of the <i>livestock facility</i>, or the potential <i>Nutrient Unit housing capacity</i> of the livestock facility based on the product of <i>tillable hectares</i> on that <i>lot</i> multiplied by 7.5 <i>Nutrient Units/tillable hectare</i> (to a maximum of 300 <i>Nutrient Units</i>).</p> <p>However, for <i>settlement area</i> expansions only, MDS I is based on the existing <i>Nutrient Unit housing capacity</i> and not <i>tillable hectares</i>. See the following examples:</p> <p>For example:</p> <p style="padding-left: 20px;">20 NU operation on 10 hectares; <i>housing capacity</i> is 75 NU</p> <p style="padding-left: 20px;">20 NU operation on 45 hectares; <i>housing capacity</i> is 300 NU</p> <p style="padding-left: 20px;">300 NU operation on 10 hectares; <i>housing capacity</i> is 300 NU</p> <p style="padding-left: 20px;">300 NU operation on 45 hectares; <i>housing capacity</i> is 300 NU.</p>	<p>N/A</p>
<p>34. Rounding of MDS calculations</p>	<p>All resulting calculated separation distances are rounded <u>up</u> to the nearest metre.</p>	

Type A and B Land Uses

These implementation guidelines outline considerations regarding the interpretation of Type A and Type B land uses for MDS I and II, and how different land uses should be treated in MDS. They also provide specific direction on exceptions to Type A and Type B land uses.

35. Type A land uses

Type A land uses are typically characterized by uses that have a lower density of human occupancy, habitation or activity.

For the purposes of MDS I, Type A land uses include applications to rezone or redesignate agricultural lands for *industrial, agricultural-related or recreational use – low intensity* purposes.

Type A land uses include applications to permit:

- construction of a *dwelling* on an existing lot where the municipality has determined that MDS I should be applied, or the
- creation of up to three *lots* either by consent or plan of subdivision

Type A land uses are typically characterized by uses that have a lower density of human occupancy, habitation or activity.

For the purposes of MDS II, Type A land uses include areas zoned or designated *industrial, agricultural-related or recreational use – low intensity*.

Type A land uses include *residential dwellings* on lots zoned agriculture, rural *residential, residential*, or other similar zoning. This includes existing *residential* uses on separate *lots* not recognized through Official Plan designation as a *residential* area.

36. Type B land uses

Type B land uses are typically characterized by uses that have a higher density of human occupancy, habitation or activity.

For the purposes of MDS I, Type B land uses include applications to rezone or redesignate agricultural lands for *residential, institutional, recreational use – high intensity, commercial or settlement area* purposes.

Type B land uses include applications to permit:

- creation of *residential* subdivisions in rural areas, or
- expansion of a *settlement area*, or
- creation of *multiple residential* development, or
- the creation of a lot which results in a *rural residential cluster*

Type B land uses are typically characterized by uses that have a higher density of human occupancy, habitation or activity.

For the purposes of MDS II, Type B land uses include areas zoned or designated *settlement area, recreational use high – intensity, institutional, or commercial*.

Type B land uses include areas designated in an Official Plan as *residential* for:

- *residential* subdivisions, or
- multiple *residential*, or
- estate *residential* development

Implementation Guideline	MDS I	MDS II
37. Application to <i>settlement areas</i>	<p>MDS I does not apply to proposed non-agricultural uses in approved <i>settlement area</i> designations. However, municipalities have the option to apply MDS I from <i>livestock facilities</i> within a <i>settlement area</i> designation.</p> <p>The application of MDS I will take its direction from the applicable municipal planning documents.</p>	<p>Where municipalities permit <i>first</i> or <i>expanded livestock facilities</i> within approved <i>settlement area</i> designations, municipalities have the option, but are strongly encouraged to apply MDS II.</p> <p>The application of MDS II will take its direction from the applicable municipal planning documents.</p>
38. Cemeteries	<p>For the purposes of MDS I, cemeteries should be considered a Type B land use, as they are an <i>institutional use</i>.</p>	<p>For the purposes of MDS II, cemeteries should be considered a Type B land use, as they are an <i>institutional use</i>.</p> <p>However, cemeteries may be treated as a Type A land use when the cemetery is closed and receives low levels of visitation. Cemeteries such as this should be clearly identified in the municipality's planning documents.</p>
39. <i>Rural residential clusters</i>	<p>For the purposes of MDS I, <i>lot</i> creation which results in a <i>rural residential cluster</i> should be considered a Type B land use.</p>	<p>For the purposes of MDS II, <i>rural residential clusters</i> should be considered a Type A land use, except where they have been identified and designated in an Official Plan.</p>
40. Rear <i>lot</i> lines, side <i>lot</i> lines, and road allowances	N/A	<p>In addition to Type A and Type B land uses, MDS II setbacks are calculated from rear <i>lot</i> lines, side <i>lot</i> lines, and road allowances.</p> <p>Rear and side <i>lot</i> line MDS II setbacks are calculated as 0.1 x the Building Base Distance 'F' and Storage Base Distance 'S'.</p> <p style="text-align: right;">continued...</p>

Implementation Guideline	MDS I	MDS II
<p>40. Rear <i>lot lines</i>, Side <i>lot lines</i>, and Road Allowances</p> <p style="text-align: right;">continued...</p>		<p>continued...</p> <p>For example, an MDS II calculation yields values of 100 metres for Building Base Distance 'F' and 123 metres for Storage Base Distance 'S'. The required setback for the <i>livestock facility</i> from the <i>lot lines</i> would be 10 metres (100 x 0.1). The required setback for the <i>manure storage</i> from the <i>lot lines</i> would be 12.3 metres (123 x 0.1). This value should be rounded to the nearest whole number, so in this instance, the setback for the <i>manure storage</i> would be 12 metres.</p> <p>Under no circumstances should the MDS II setback from a rear or side <i>lot line</i> exceed 30 metres, see Implementation Guideline #44.</p> <p>Road allowance MDS II setbacks are calculated as 0.2 x the Building Base Distance 'F' and Storage Base Distance 'S'.</p> <p>For example, an MDS II calculation yields values of 100 metres for Building Base Distance 'F' and 123 metres for Storage Base Distance 'S'. The required setback for the <i>livestock facility</i> from the road allowance would be 20 metres (100 x 0.2). The required setback for the <i>manure storage</i> from the road allowance would be 24.6 metres (123 x 0.2). This value should be rounded to the nearest whole number, so in this instance, the setback for the <i>manure storage</i> would be 25 metres.</p>

Implementation Guideline	MDS I	MDS II
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Applying MDS - Measurement of MDS Setbacks

The following implementation guidelines provide direction on measurement of MDS setbacks between *livestock facilities*, and other existing or proposed development, *lot* lines, and road allowances.

41. Measurement of MDS	For MDS I, measurements are taken as the shortest distance between the area to be rezoned or redesignated and the <i>livestock occupied portion</i> of the <i>livestock facility</i> (or storage).	For MDS II, measurements are taken as the shortest distance between the point of new construction for the <i>livestock occupied portion</i> of a <i>first</i> or <i>expanded livestock facility</i> and the <i>dwelling/lot line/road allowance/or area</i> zoned or designated.
42. Measurement of MDS for <i>Lot</i> Creation	For MDS I, measurements are taken as the shortest distance between the <i>lot</i> line of the <i>lot</i> being created and the <i>livestock occupied portion</i> of the <i>livestock facility</i> (or storage). Where larger lots may be permitted (generally greater than 1 ha), a suitable location must be identified for a 1 ha building envelope outside the MDS I setback.	N/A
43. Measurement of MDS for development on existing <i>lots</i>	Where a municipality chooses to apply MDS I to development proposed through building permit on an existing <i>lot</i> , measurements are taken as the shortest distance between the <i>dwelling</i> or other structure to be constructed and the <i>livestock occupied portion of the livestock facility</i> .	N/A
44. Maximum setbacks to side or rear <i>lot</i> lines	N/A	The maximum required setback from any <i>livestock facility</i> to side or rear <i>lot</i> lines is 30 m.

Implementation Guideline	MDS I	MDS II
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Applying MDS - Minor Variances

This section of the MDS Formulae implementation guidelines speak to specific issues regarding minor variances applications under the *Planning Act*.

45. Affects of wind, etc. on MDS	The direction of prevailing wind, surrounding topography, and presence of trees, berms, or other screening do not affect MDS calculations, but could be elements considered in Minor Variance applications.	
46. Reducing MDS setbacks and minor variances	MDS I setbacks should not be reduced except in accordance with these implementation guidelines. Where a municipality applies MDS I to development on existing <i>lots</i> , minor variances to MDS I distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS I, or mitigate environmental impacts, may warrant further consideration.	Minor variances to MDS II distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts, may warrant further consideration.



MDS I CALCULATION FORM

The following outlines the 10 Steps on how to calculate setbacks to all adjacent *livestock facilities*, reasonably expected to be impacted by an applicant's proposed development. Each step is colour-coded. The applicable topics found in the Implementation Guidelines Chart on pages 9 to 25 and the applicable Tables are noted in the steps below.

<p>Step 1</p>	<p>Location and contact information</p>	<p>Fill in the pertinent information about the applicant, and each adjacent <i>livestock facility</i> within 1000 m or more, of the proposed development. Each <i>livestock facility</i> must be on its own separate <i>lot</i> and should be treated as separate calculations. All barns and structures located on one <i>lot</i> should be treated as part of the same <i>livestock facility</i>. Implementation Guidelines #1 through #16 provide direction on the general rules and application of the Minimum Distance Separation Formulae.</p>
<p>Step 2</p>	<p><i>Livestock facility</i> animal/material types</p>	<p>For the first <i>livestock facility</i> identified in Step 1, fill in all of its existing animal/material types, descriptions, the total maximum housing capacity, the number of animals/material per <i>Nutrient Unit</i> (NU) and associated manure forms. Information on the existing animal/material types, descriptions, the total number of animals/material, and associated manure forms should be obtained from the owner of the <i>livestock facility</i>. It may be necessary to verify this information independently. Information on the number of animals/material per <i>Nutrient Unit</i> (NU) can be determined from Table 1. Implementation Guidelines #17 through #20 provide guidance on determining <i>livestock facility</i> capacity. Implementation Guidelines #21 and #22 provide direction on dealing with <i>anaerobic digesters</i>.</p>
<p>Step 3</p>	<p>Existing <i>Nutrient Units</i> (NU)</p>	<p>Calculate the existing total maximum NU capacity of the <i>livestock facility</i> by dividing existing capacity of each animal/material type by the number of animals/material per NU as found in Table 1. Then, add all the existing NU together for all the types of animal/material present, to obtain the total maximum number of NU.</p>

<p>Step 4</p>	<p>Weighted Factor A</p>	<p>Determine Factor A (Odour Potential Factor) for each animal/material type present, from Table 1, and fill in the calculation form. If necessary, calculate the weighted average for Factor A, if Factor A is not the same for all animals/materials listed. See Implementation Guidelines #26 and #31 for further direction.</p>
<p>Step 5</p>	<p>Weighted Factor D</p>	<p>Determine Factor D (Manure Form in Permanent Storage Factor) from Table 1, for each animal/material type present, and fill in the calculation form. If necessary, calculate the weighted average Factor D, if Factor D is not the same for all animals/materials listed. See Implementation Guidelines #29 and #32 for further direction.</p>
<p>Step 6</p>	<p><i>Tillable hectares</i> and potential NU</p>	<p>Fill in the maximum <i>tillable hectares</i> of land on the <i>lot</i> where the <i>livestock facility</i> is located, based on information obtained from the owner of the <i>livestock facility</i>. It may be necessary to verify this information independently. Calculate the potential total number of NU, which equals: # of <i>tillable hectares</i> x 7.5, up to a maximum of 300 NU. Implementation Guidelines #33 and #17 provide more specific information.</p>
<p>Step 7</p>	<p>Factor B and existing vs. potential NU</p>	<p>Compare the total number of existing NU calculated in Step 3 with the total number of potential NU calculated in Step 6. Using the greater of these two numbers, determine Factor B from Table 2, and fill in the correct space on the calculation form. In some circumstances, it will be necessary to interpolate Factor B from Table 2, when the number of NU is not specifically identified in the table. Implementation Guideline #27 provides more specific direction on Factor B.</p>
<p>Step 8</p>	<p>Determine Factor E</p>	<p>Determine and fill in Factor E (Encroachment Land Use Factor) on the calculation form. Factor E can be determined from Table 4. Implementation Guidelines #30 and #35 through #39 provide specific direction on Factor E and the determination of Type A and Type B land uses.</p>
<p>Step 9</p>	<p>F, Building Base Distance</p>	<p>Calculate F (Building Base Distance) = (Factor A) x (Factor D) x (Factor B) x (Factor E), which is the required MDS I setback from the proposed development to the nearest barn of the <i>livestock facility</i>. For further information, see Implementation Guidelines #23 and #34.</p>

<p>Step 10</p>	<p>S, <i>Manure Storage</i> Base Distance</p>	<p>Establish S (<i>Manure Storage</i> Base Distance) by first using Table 5 to choose the existing storage at the <i>livestock facility</i> with the highest odour potential: Very Low, Low, Medium, and High. Then, enter Table 6 under the appropriate column and read across using 'F' calculated from Step 9. It may be necessary to interpolate. S, is the required MDS I setback from the proposed development to the nearest <i>manure storage</i> at the <i>livestock facility</i>. Implementation Guidelines #24 and #25 provide further information. Implementation Guidelines #21 and #22 provide further information on dealing with <i>anaerobic digesters</i>.</p> <p>Steps 2 through 10 should be completed for any other <i>livestock facilities</i> present, in accordance with Implementation Guideline #6.</p>
<p>Now What?</p>	<p>Using calculated MDS</p>	<p>The calculated values of MDS can now be used in the context of the land use planning application for which they have been prepared. Implementation Guidelines #35 through #40 provide direction around issues regarding Type A and Type B land uses. Implementation Guidelines #41 through #44 provide direction around issues of measurement of MDS setbacks, and, Implementation Guidelines #45 and #46 provide direction on issues regarding minor variances.</p>

Example:

Ms. Smith proposes to create a new *lot*, on agricultural land, adjacent to Mr. Jones' *Swiney-Acres Farm*. This *livestock facility* has:

- a) 1200 head swine feeder barn over a slatted floor barn where all the swine manure is stored,
- b) 33000 bird chicken broiler barn (9-week cycle) with solid manure stored outside, uncovered, dry enough for a flowpath option; and,
- c) permanent concrete storage for imported solid dairy manure 10 metres wide x 12 metres long and 2 metre walls, with flowpath option.

The *lot* where all Mr. Jones' barns and *manure storage* are has 60 *tillable hectares*. There are no other *livestock facilities* within 1000 m of the proposed *lot*. How far must Ms. Smith's proposed *lot* be from Mr. Jones' nearest barn and nearest *manure storage*?

Evaluator: _____

Date: _____

File Number: _____

Contact Information:

	Applicant Information	Owner of Adjacent Livestock Facility #1	Owner of Adjacent Livestock Facility #2, etc.
File Name	Jane	Jim	[No other adjacent <i>livestock facilities</i>]
Last Name	Smith	Jones	
Farm/Company	N/A	Swiney-Acres Farm	
Address	123 New Road	124 New Road	
City/Town	Somewhere	Somewhere	
Province	Ontario	Ontario	
Postal Code	NOG OJO	NOG OJO	
Upper Tier	Upper Somewhere	Upper Somewhere	
Lower Tier	Lower Somewhere	Lower Somewhere	
Lot	1	2	
Concession	2	2	
911 Number	12345	12346	
Roll Number	666	667	
Telephone	905-555-1111	905-555-3333	
Fax	905-555-2222	905-555-4444	
Email	jsmith@newroad.ca	jjones@newroad.ca	

MDS I Calculation Form:

Animal Type or Material	Description	Number per NU	Manure Form	Existing Maximum Housing Capacity	Existing NU	Factor A	Factor D
Swine	Feeders (27 kg - 105 kg)	6	Liquid	1200	200	1.2	0.8
Chickens	Broilers (9 week cycle)	300	Solid	33 000	110	0.7	0.7
Imported Manure	Max Capacity (10m x 12m x 2m)	19.8	Solid	240	12	1.2	0.7
Total Number of NU					322		
Factor A (Odour Potential Factor)...a weighted average may be necessary						1.03	
Factor D (Manure Form Factor)...a weighted average may be necessary							0.76
Factor B (<i>Nutrient Units</i> Factor)							475
Factor E (Encroaching Land Use Factor)							1.1
Maximum tillable hectares on the lot with the livestock facilities			60	X	7.5	=	300 NU (Maximum 300 NU)
F (Building Base Distance, m) = Factor A x Factor D x Factor B x Factor E							409
S (Manure Storage Base Distance, m)							409
Now What?		Repeat MDS calculation process as appropriate for other <i>livestock facilities</i> in the vicinity. Apply calculated MDS in the context of the land use planning application for which they were prepared.					

MDS I CALCULATION BLANK FORM

Evaluator: _____

Date: _____

File Number: _____

Contact Information:

	Applicant Information	Owner of Adjacent Livestock Facility #1	Owner of Adjacent Livestock Facility #2, etc
File Name			
Last Name			
Farm/Company			
Address			
City/Town			
Province			
Postal Code			
Upper Tier			
Lower Tier			
Lot			
Concession			
911 Number			
Roll Number			
Telephone			
Fax			
Email			

MDS I CALCULATION BLANK FORM

Animal Type or Material	Description	Number per NU	Manure Form	Existing Maximum Housing Capacity	Existing NU	Factor A	Factor D
Swine							
Chickens							
Imported Manure							
Total Number of NU							
Factor A (Odour Potential Factor)...a weighted average may be necessary							
Factor D (Manure Form Factor)...a weighted average may be necessary							
Factor B (<i>Nutrient Units</i> Factor)							
Factor E (Encroaching Land Use Factor)							
Maximum tillable hectares on the lot with the livestock facilities				X		=	(Maximum 300 NU)
F (Building Base Distance, m) = Factor A x Factor D x Factor B x Factor E							
S (Manure Storage Base Distance, m)							
Now What?	Repeat MDS calculation process as appropriate for other <i>livestock facilities</i> in the vicinity. Apply calculated MDS in the context of the land use planning application for which they were prepared.						



MDS II CALCULATION FORM

The following outlines the 10 Steps on how to calculate setbacks to all development reasonably expected to be impacted by a proposed *first* or *expanded livestock facility*. Each step is colour-coded. Applicable topics are found in the Implementation Guidelines Chart on pages 9 to 25 and applicable Tables are noted.

<p>Step 1</p>	<p>Location and contact information</p>	<p>Fill in the pertinent information about the applicant who is proposing a <i>first</i>, or <i>expanded</i>, <i>livestock facility</i>. Implementation Guidelines #1 through #16 provide direction on the general rules and application of the Minimum Distance Separation Formulae.</p>
<p>Step 2</p>	<p><i>Livestock facility</i> animal/material types</p>	<p>Fill in all existing, and proposed to be added, animal/material types, descriptions, the total maximum housing capacity, the number of animals/material per <i>Nutrient Unit</i> (NU) and associated manure forms. Table 1 and Implementation Guidelines #17 through #20 provide guidance on determining <i>livestock facility</i> capacity. Implementation Guidelines #21 and #22 provide direction on dealing with <i>anaerobic digesters</i>.</p>
<p>Step 3</p>	<p>Existing, and proposed to be added <i>Nutrient Units</i> (NU)</p>	<p>Calculate the existing, and proposed to be added, NU capacity of the <i>livestock facility</i> by dividing existing, and proposed to be added, capacity of each animal/material type by the number of animals/material per NU as found in Table 1. Then, add all the existing, and proposed to be added, NU together for all the types of animal/material present, to obtain the total number of NU.</p>
<p>Step 4</p>	<p>Weighted Factor A</p>	<p>Determine Factor A (Odour Potential Factor) from Table 1, for <u>only</u> each animal/material type proposed to be <u>added</u>, and fill in the calculation form. If necessary, calculate the weighted average for Factor A, if Factor A is not the same for all animals/materials added. See Implementation Guidelines #26 and #31 for further direction.</p>

<p>Step 5</p>	<p>Weighted Factor D</p>	<p>Determine Factor D (Manure Form in Permanent Storage Factor) from Table 1, for <u>only</u> each animal/material type <u>added</u>, and fill in the calculation form. If necessary, calculate the weighted average for Factor D, if Factor D is not the same for all animals/materials added. See Implementation Guidelines #29 and #32 for further direction.</p>
<p>Step 6</p>	<p>Factor B</p>	<p>Determine Factor B from Table 2, based on the Total NU to be housed at the <i>livestock facility</i>, and fill in the space on the calculation form. In some cases, it will be necessary to interpolate Factor B from Table 2, when the number of NU is not specifically identified in the table. Implementation Guideline #27 provides more specific direction on Factor B.</p>
<p>Step 7</p>	<p>Determining Percentage Increase for <i>livestock facility</i></p>	<p>Determine if a building permit was issued on this <i>lot</i> in the past 3 years that increased the <i>livestock</i> capacity of the <i>livestock facility</i>.</p> <p>If 'No', use Approach (i) below to calculate Percentage Increase. If 'Yes', use Approach (ii) below to calculate Percentage Increase.</p> <p>Approach (i)</p> <p>Enter total Added NU as calculated in Step 3 above. Enter total Existing NU as calculated in Step 3 above. If total Existing NU is zero (i.e. this is the <i>First Livestock Facility</i> on the <i>lot</i>), then the Percentage Increase is considered to be at its maximum, or 700% as per Table 3. If total Existing NU is not zero, divide Added NU by Existing NU and multiply by 100. This value is the Percentage Increase. In rare cases of downsizing, the Added NU would actually be 'negative'. In this case, the Percentage Increase is 'negative', but considered to be at its minimum, or 0% as per Table 3.</p> <p>Approach (ii)</p> <p>Enter total Added NU as calculated in Step 3 above, as well as the total number of NU added in the past 3 years by previous building permit(s). Enter total Existing NU of the <i>livestock facility</i> as it was 3 years ago, prior to the current application date. If total Existing NU 3 years ago was zero, then the <i>livestock facility</i> in this current application <u>and</u> the one(s) constructed in the past 3 years are all considered to be the <i>First Livestock Facility</i> on the <i>lot</i>, and the Percentage Increase is considered to be at its maximum, or 700% as per Table 3. If total Existing NU 3 years ago was <u>not</u> zero, divide Added NU</p> <p style="text-align: right;">continued...</p>

<p>Step 7</p> <p>continued...</p>		<p>continued...</p> <p>in this application <u>plus</u> Added NU over the past 3 years, by Existing NU 3 years ago and multiply by 100. This value is the Percentage Increase. In rare cases of downsizing, the Added NU would actually be 'negative'. In this case, the Percentage Increase is 'negative', but considered to be at its minimum, or 0% as per Table 3.</p> <p>Implementation Guideline #28 provides further direction and assistance on calculating Percentage Increase, and establishing Factor C.</p>
<p>Step 8</p>	<p>Factor C</p>	<p>Determine and fill in Factor C (Orderly Expansion Factor) on the calculation form, based on the Percentage Increase calculated in Step 7. Factor C can be determined from Table 3. In some instances, it may be necessary to interpolate Factor C. Implementation Guideline #28 provides direction on calculating the Percentage Increase in NU for the proposed construction.</p>
<p>Step 9</p>	<p>F, Building Base Distance</p>	<p>Calculate F (Building Base Distance) = (Factor A) x (Factor D) x (Factor B) x (Factor C), which is the required MDS II setback from <u>all</u> proposed <i>first or expanded livestock facilities</i> to the nearest development. For further information, see Implementation Guidelines #23 and #34.</p>
<p>Step 10</p>	<p>S, Manure Storage Base Distance</p>	<p>Establish S (<i>Manure Storage</i> Base Distance) by first using Table 5 to choose the proposed new storage at the <i>livestock facility</i> with the <u>highest</u> odour potential: Very Low, Low, Medium, and High. Then, enter Table 6 under the appropriate column and read across using 'F' calculated from Step 9. It may be necessary to interpolate from the table. 'S' is the required MDS II setback from <u>all</u> proposed new storages to the nearest development. Implementation Guidelines #24 and #25 provide further information. Implementation Guidelines #21 and #22 provide further information on dealing with <i>anaerobic digesters</i>.</p>
<p>Now What?</p>	<p>Using calculated MDS</p>	<p>The calculated values of MDS II can now be applied to the building permit application. Implementation Guidelines #35 through #39 provide direction around Type A and Type B land uses. For Type A land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 1.0 to determine the required MDS setback. For Type B land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 2.0 to determine the required MDS setback. Implementation Guideline #40 provides direction around setbacks from rear <i>lot</i> lines, side <i>lot</i> lines and road allowances. For rear and side <i>lot</i> lines, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.1 to determine the required</p> <p>continued...</p>

Now What?

continued...

continued...

MDS setback. In accordance with Implementation Guideline #44, the required MDS setback from a rear or side *lot* line should never exceed 30 metres. For road allowances, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.2 to determine the required MDS setback. Implementation Guidelines #41 through #44 provide direction around issues of measurement of MDS II setbacks. Implementation Guidelines #45 and #46 provide direction on issues regarding minor variances.

Example:

Mr. Jones proposes to build a second 1200 head swine feeder barn with concrete liquid *manure storage* to go along with his existing:

- 1200 head swine feeder barn over a slatted floor where all the swine manure is stored;
- 33000 bird chicken broiler barn (9-week cycle) with solid *manure storage* outside, uncovered, dry enough for a flowpath option;
- 10 m x 12 m x 2 m permanent concrete storage with flowpath option, for his imported solid dairy manure; and
- The existing facilities were constructed more than 3 years ago.

How far must the proposed barn be sited from all development reasonably expected to be impacted?

Evaluator: _____

Date: _____

File Number: _____

Applicant Information:

First Name	Jim	Lower Tier	Lower Somewhere
Last Name	Jones	Lot	2
Farm/Company	Swiney-Acres Farm	Concession	2
Address	124 New Road	Fire Number	123456
City/Town	Somewhere	Roll Number	667
Province	Ontario	Telephone	905-555-3333
Postal Code	NOG OJO	Fax	905-555-4444
Upper Tier	Upper Somewhere	Email	jjones@newroad.ca

MDS II CALCULATION FORM

Animal Type or Material	Description	Number per NU	Manure Form	Existing Maximum Housing Capacity	Existing NU	Proposed Maximum Housing Capacity	Added NU	Total NU	Factor A	Factor AD
Swine	Feeders (27 kg - 105 kg)	6	Liquid	1200	200	1200	200	400	1.2	0.8
Chickens	Broilers (9 week cycle)	300	Solid	33000	110	N/A	N/A	110	N/A	N/A
Imported Manure	Maximum Capacity (10m x 12m x 2m)	19.8	Solid	240	12	N/A	N/A	12	N/A	N/A
Totals					322		200	522		
Factor A (Odour Potential Factor) weighted average may be necessary									1.2	
Factor D (Manure Form Factor) weighted average may be necessary										0.8
Factor B (Nutrient Units Factor)										563
Has a building permit been issued for the <i>livestock facility</i> on this property, in the last 3 years that has increased its <i>livestock</i> capacity? No? Yes? <i>If No, proceed to Approach (i); if Yes, proceed to Approach (ii)</i>										
Approach (i) - No Building Permits in Last 3 Years					Approach (ii) - Building Permit(s) issued in Last 3 Years					
Calculation of Percentage Increase					Calculation of Percentage Increase					
Total 2 - Total Added NU (From Above)				200	Total 2 - Total Added NU (From Above) + Total Added NU from building permit(s) issued in the last 3 Years					
Total 1 - Total Existing NU (From Above)				322	Total 1 - Total Existing NU at <i>Livestock Facility</i> - 3 Years Ago					
If Total 1 = Zero - Treat as a <i>First Livestock Facility</i>					If Total 1 = Zero - Treat as a <i>First Livestock Facility</i>					
% Increase: (Total 2/Total 1) x 100				62.1%	% Increase: (Total 2/Total 1) x 100					
Factor C (Orderly Expansion Factor)										0.825
F (Building Base Distance, m) = Factor A x Factor D x Factor B x Factor C										446
S (Manure Storage Base Distance, m)										446
Now What?	Apply MDS calculation to building permit application as appropriate. For Type A land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 1.0 to determine the required MDS setback. For Type B land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 2.0 to determine the required MDS setback. Implementation Guideline #40 provides direction around setbacks from rear <i>lot</i> lines, side <i>lot</i> lines and road allowances. For rear and side <i>lot</i> lines, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.1 to determine the required MDS setback. In accordance with Implementation Guideline #44, the required MDS setback from a rear or side <i>lot</i> line should never exceed 30 metres. For road allowances, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.2 to determine the required MDS setback.									

MDS II CALCULATION BLANK FORM

Evaluator: _____

Date: _____

File Number: _____

Contact Information:

	Applicant Information	Owner of Adjacent Livestock Facility #1	Owner of Adjacent Livestock Facility #2, etc
File Name			
Last Name			
Farm/Company			
Address			
City/Town			
Province			
Postal Code			
Upper Tier			
Lower Tier			
Lot			
Concession			
911 Number			
Roll Number			
Telephone			
Fax			
Email			

MDS II CALCULATION BLANK FORM

Animal Type or Material	Description	Number per NU	Manure Form	Existing Maximum Housing Capacity	Existing NU	Proposed Maximum Housing Capacity	Added NU	Total NU	Factor A	Factor AD
Swine										
Chickens										
Imported Manure										
Totals										
Factor A (Odour Potential Factor) weighted average may be necessary										
Factor D (Manure Form Factor) weighted average may be necessary										
Factor B (Nutrient Units Factor)										
Has a building permit been issued for the <i>livestock facility</i> on this property, in the last 3 years that has increased its <i>livestock capacity</i> ? No? Yes? <i>If No, proceed to Approach (i); if Yes, proceed to Approach (ii)</i>										
Approach (i) - No Building Permits in Last 3 Years					Approach (ii) - Building Permit(s) issued in Last 3 Years					
Calculation of Percentage Increase					Calculation of Percentage Increase					
Total 2 - Total Added NU (From Above)					Total 2 - Total Added NU (From Above) + Total Added NU from building permit(s) issued in the last 3 Years					
Total 1 - Total Existing NU (From Above)					Total 1 - Total Existing NU at <i>Livestock Facility</i> - 3 Years Ago					
If Total 1 = Zero - Treat as a <i>First Livestock Facility</i>					If Total 1 = Zero - Treat as a <i>First Livestock Facility</i>					
% Increase: (Total 2/Total 1) x 100					% Increase: (Total 2/Total 1) x 100					
Factor C (Orderly Expansion Factor)										
F (Building Base Distance, m) = Factor A x Factor D x Factor B x Factor C										
S (<i>Manure Storage</i> Base Distance, m)										
Now What?	Apply MDS calculation to building permit application as appropriate. For Type A land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 1.0 to determine the required MDS setback. For Type B land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 2.0 to determine the required MDS setback. Implementation Guideline #40 provides direction around setbacks from rear <i>lot</i> lines, side <i>lot</i> lines and road allowances. For rear and side <i>lot</i> lines, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.1 to determine the required MDS setback. In accordance with Implementation Guideline #44, the required MDS setback from a rear or side <i>lot</i> line should never exceed 30 metres. For road allowances, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.2 to determine the required MDS setback.									

FACTOR TABLES

Table 1: Factor A (Odour Potential) and Factor D (Manure or Material Form in Storage Facility)

Animal Type or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage			
				Liquid Manure: Factor D = 0.8 < 18% Dry Matter	Solid Manure: Factor D = 0.7 18 - 100% Dry Matter		
Swine	Sows with litter, dry sows/boars Segregated Early Weaning (SEW)	3.33	1.0	Most systems have liquid manure stored under the barn slats for short or long periods, or in storages located outside	Systems with solid manure inside on deep bedded packs, or with scraped alleys		
	Sows with litter, dry sows or boars (non-SEW)	3.5					
	Breeder gilts (entire barn designed specifically for this purpose)	5					
	Weaners (7 kg – 27 kg)	20	1.1				
	Feeders (27 – 105 kg)	6	1.2				
Dairy Cattle	Milking-age cows (dry or milking)		0.7	Free-stall barns with minimal bedding, or sand bedding, or tie-stall barns with minimal bedding & milking centre washwater added	Tie-stall barns with lots of bedding, or loose housing with deep bedded pack, and with or without outside yard access		
	- Large-framed; 545 kg – 636 kg (e.g. Holsteins)	0.7					
	- Medium-framed; 455 kg – 545 kg (e.g. Guernseys)	0.85					
	- Small-framed; 364 kg – 455 kg (e.g. Jerseys)	1					
	Heifers (5 months to freshening)						
	- Large-framed; 182 kg – 545 kg (e.g. Holsteins)	2					
	- Medium-framed; 148 kg – 455 kg (e.g. Guernseys)	2.4					
	- Small-framed; 125 kg – 364 kg (Jerseys)	2.9					
	Calves (0 – 5 months)		0.7			Free-stall barns with minimal bedding, or sand bedding, or tie-stall barns with minimal bedding & milking centre washwater added	Bedded pens or stalls or heavily bedded calf hutches that are outside
	- Large-framed; 45 kg – 182 kg (e.g. Holsteins)	6					
- Medium-framed; 39 kg – 148 kg (e.g. Guernseys)	7						
- Small-framed; 30 kg – 125 kg (Jerseys)	8.5						
Beef Cattle	Cows, including calves to weaning (all breeds)	1	0.7	N/A	Bedded pack barns with or without outside yard access		
	Feeders (7 – 16 months)	3	0.8	Slatted floor systems, or barns with minimal bedding & yard scraped to a liquid storage			
	Backgrounders (7 – 12.5 months)	3					
	Shortkeepers (12.5 – 17.5 months)	2					

Animal Type, or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage	
				Liquid Manure: Factor D = 0.8 Less than 18% Dry Matter	Solid Manure: Factor D = 0.7 18 to 100% Dry Matter
Veal	Milk-fed	6	1.1	Slatted floors or slatted stall system	Heavily bedded pack barns
	Grain-fed	6	0.8		
Goats	Does & bucks (for meat kids; includes unweaned offspring & replacements)	8	0.7	N/A	Heavily bedded pack barns
	Does & bucks (for dairy; includes unweaned offspring & replacements)	8			
	Kids (dairy or feeder kids)	20			
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)	8	0.7	N/A	All sheep systems
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)	6			
	Lambs (dairy or feeder lambs)	20			
Horses	Large-framed, mature; > 681 kg (including unweaned offspring)	0.7	0.7	N/A	All horse systems
	Medium-framed, mature; 227 kg – 680 kg (including unweaned offspring)	1			
	Small-framed, mature; < 227 kg (including unweaned offspring)	2			
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)	150	1.0	Birds in cages, manure belts, no drying of manure, water added	Birds in cages, manure belts & drying, or floor systems
	Layer pullets (day olds until transferred into layer barn)	500	0.7		
	Broiler breeder growers (males/females transferred out to layer barn)	300	0.7	N/A	Bedded floors
	Broiler breeder layers (males/females transferred in from grower barn)	100	0.7	N/A	Cage or slatted floor systems
	Broilers on an 8 week cycle	350	0.7	N/A	Bedded floor systems
	Broilers on a 9 week cycle	300			
	Broilers on a 10 week cycle	250			
	Broilers on a 12 week cycle	200			
	Broilers on any other cycle, or if unknown, use 24.8 m ² /NU	24.8 m ²			
Turkeys	Turkey pullets (day old until transferred to layer turkey barn)	267	0.7	N/A	Bedded floor systems
	Turkey breeder layers (males/females transferred in from grower barn)	67			
	Breeder toms	45			
	Broilers (day olds to 6.2 kg)	133			
	Hens (day olds up to 6.2 kg to 10.8 kg; 7.5 kg is typical)	105			
	Toms (day olds to over 10.8 to 20 kg; 14.5 kg is typical)	75			
	Turkeys at any other weights, or if unknown, use 24.8 m ² /NU	24.8 m ²			

Animal Type, or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage	
				Liquid Manure: Factor D = 0.8 Less than 18% Dry Matter	Solid Manure: Factor D = 0.7 18 to 100% Dry Matter
Quail	Use 24.8 m ² /NU	24.8 m ²	0.7	N/A	Bedded floor systems
Partridge	Use 24.8 m ² /NU	24.8 m ²			
Pheasants	Use 24.8 m ² /NU	24.8 m ²			
Squab	Use 24.8 m ² /NU	24.8 m ²			
Rheas	Adults (includes replacements & market birds)	13			
Emus	Adults (includes replacements & market birds)	12			
Ostriches	Adults (includes replacements & market birds)	4			
Ducks	Peking	105	0.8	Wire mesh flooring systems	Bedded floor systems
	Muscovy, use 24.8 m ² /NU	24.8 m ²			
Geese	Use 24.8 m ² /NU	24.8 m ²			
Rabbits	Breeding females (including males, replacements & market animals)	40	0.8	N/A	Cage or floor systems
Chinchillas	Breeding females (including males, replacements & market animals)	320			
Fox	Breeding females (including males, replacements & market animals)	25	1.0		
Mink	Breeding females (including males, replacements & market animals)	90			
Bison	Adults (includes unweaned calves & replacements)	1.3	0.7	N/A	Bedded pack barns with outside access or outside confinement areas
	Feeders (170 kg – 477 kg)	4			
Llama	Adults (includes unweaned young & replacements)	5			
	Feeders (45 kg – 86 kg)	16			
Alpaca	Adults (includes unweaned young & replacements)	8			
	Feeders (23 kg – 48 kg)	26			
Wild Boar	Breeding age sows (includes boars, replacements & weaned piglets to 27 kg)	5			
	Finishing boars (27 kg – 86 kg)	7			
					Continued...

Animal Type, or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage	
				Liquid Manure: Factor D = 0.8 Less than 18% Dry Matter	Solid Manure: Factor D = 0.7 18 to 100% Dry Matter
Deer	White tailed deer - Adults > 24 mo (including unweaned offspring)	11	0.7	N/A	Bedded pack barns with outside access <u>OR</u> outside confinement areas
	- Feeders	21			
	Red deer - Adults > 24 mo (including unweaned offspring)	7			
	- Feeders	14			
	Elk - Adults > 24 mo (including unweaned offspring)	2			
	- Feeders	6			
	Elk/deer hybrids - Adults > 24 mo (including unweaned offspring)	4			
	- Feeders	10			
	Fallow deer - Adults > 24 mo (including unweaned offspring)	13			
- Feeders	23				
Other livestock not listed in this table	To determine the number per NU, add up the total maximum live weight of animals and divide by the weight of animals per NU in the next column	453.6 kg (1000 lbs)	0.8	All storages with liquid manure	All storages with solid manure
Manure imported to a lot not generating manure ²	Maximum capacity of permanent storages at any time: solid or liquid capacity	19.8 m ³ (700 ft ³)	1.2	All storages with liquid manure	All storages with solid manure
Storages for <i>digestate</i> from an Anaerobic Digester (odours reduced during this process)	Maximum capacity of permanent storages at any time: solid or liquid capacity	19.8 m ³ (700 ft ³)	0.5	All storages with liquid manure	All storages with solid manure

1. On farms with 100 milking-age cows (dry & milking), there are usually about 20 replacement calves and 80 replacement heifers.
2. Average value for typical types of manures that might be imported to a lot, such as poultry, dairy, beef, swine, horse or other manure.
N/A = Not Applicable

Table 2: Factor B (Nutrient Units Factor)

In using Table 2 to determine Factor B, it may be necessary to interpolate a value for Factor B. For example, you determine the total number of *nutrient units* at a *livestock facility* to be 255 NU. Table 2 provides a value for Factor B for 250 NU and for 260 NU, but not for 255 NU. The value of Factor B for 250 NU is 435 and the value of Factor B for 260 NU is 441. To determine Factor B for 255 NU interpolate between the numbers 435 and 441. In this example, the value of Factor B for 255 NU is 438.

When interpolating a value for Factor B do not include more than two decimal places. Interpolated values with more than two decimal places should be rounded accordingly. For example, if an interpolated value for Factor B is calculated as 499.238, then use a value of 499.24 for Factor B in the MDS calculation.

For operations less than 5 NU in size, do not interpolate, but use a Factor B of 150. For operations greater than 5000 NU in size, contact OMAFRA staff to determine Factor B.

Final NU	Factor B	Final NU	Factor B	Final NU	Factor B	Final NU	Factor B
Up to 5	150	46	252	124	340	390	508
6	153	47	254	126	342	400	513
7	157	48	256	128	344	410	517
8	160	49	258	130	346	420	522
9	163	50	260	135	351	430	526
10	167	52	264	140	355	440	530
11	170	54	268	145	360	450	535
12	173	56	272	150	364	460	539
13	177	58	276	155	368	470	543
14	180	60	280	160	372	480	547
15	183	62	282	165	376	490	551
16	187	64	284	170	380	500	555
17	190	66	285	175	384	520	562
18	193	68	287	180	388	540	570
19	197	70	289	185	392	560	577
20	200	72	291	190	395	580	584
21	202	74	293	195	399	600	591
22	204	76	294	200	402	620	598
23	206	78	296	205	406	640	605
24	208	80	298	210	409	660	611
25	210	82	300	215	413	680	618
26	212	84	301	220	416	700	624
27	214	86	303	225	419	750	639
28	216	88	305	230	423	800	654
29	218	90	307	235	426	850	668
30	220	92	309	240	429	900	681
31	222	94	310	245	432	950	694
32	224	96	312	250	435	1000	707
33	226	98	314	260	441	1100	731
34	228	100	316	270	447	1200	753
35	230	102	318	280	453	1300	775
36	232	104	320	290	458	1400	795
37	234	106	322	300	464	1500	815
38	236	108	324	310	469	2000	870
39	238	110	326	320	474	3000	980
40	240	112	329	330	480	4000	1090
41	242	114	331	340	485	5000	1200
42	244	116	333	350	490		
43	246	118	335	360	494		
44	248	120	337	370	499		
45	250	122	339	380	504		
						Greater than 5000	Contact OMAFRA staff

Table 3: Factor C (Orderly Expansion Factor)

In using Table 3 to determine Factor C, it may be necessary to interpolate a value for Factor C. For example, you determine the percentage increase at a *livestock facility* to be 155%. Table 3 provides a value for Factor C for a 150% increase, and for a 160% increase, but not for a 155% increase. The value of Factor C for a 150% increase is 0.9371 and the value of Factor C for a 160% increase is 0.9497. To determine Factor C for a 155% increase interpolate between the numbers 0.9371 and 0.9497. In this example, the value of Factor C for a 155% increase is 0.9434.

When interpolating a value for Factor C do not include more than four decimal places. Interpolated values with more than four decimal places should be rounded accordingly. For example, if an interpolated value for Factor C is calculated as 0.977643, then use a value of 0.9776 for Factor C in the MDS calculation.

For operations with a 0% increase, or a decrease, i.e. 'negative' percentage increase, use a value of 0.5000 for Factor C. Do not interpolate below a value of 0.5000. For operations with a 700% increase or greater, or for a *first livestock facility*, use a value of 1.1400 for Factor C. Do not interpolate above a value of 1.1400.

% Increase in Nutrient Units	Factor C	% Increase in Nutrient Units	Factor C	% Increase in Nutrient Units	Factor C
0% increase or decreases ('negative' increase)	0.5000	27%	0.6674	80%	0.8484
1%	0.5062	28%	0.6736	85%	0.8547
2%	0.5124	29%	0.6798	90%	0.8610
3%	0.5186	30%	0.6860	95%	0.8674
4%	0.5248	31%	0.6922	100%	0.8737
5%	0.5310	32%	0.6984	105%	0.8800
6%	0.5372	33%	0.7046	110%	0.8864
7%	0.5434	34%	0.7108	115%	0.8927
8%	0.5496	35%	0.7170	120%	0.8990
9%	0.5558	36%	0.7232	125%	0.9054
10%	0.5620	37%	0.7294	130%	0.9117
11%	0.5682	38%	0.7356	135%	0.9180
12%	0.5744	39%	0.7418	140%	0.9244
13%	0.5806	40%	0.7480	145%	0.9307
14%	0.5868	41%	0.7542	150%	0.9371
15%	0.5930	42%	0.7604	160%	0.9497
16%	0.5992	43%	0.7666	170%	0.9624
17%	0.6054	44%	0.7728	180%	0.9751
18%	0.6116	45%	0.7790	190%	0.9877
19%	0.6178	46%	0.7852	200%	1.0000
20%	0.6240	47%	0.7914	300%	1.0280
21%	0.6302	48%	0.7976	400%	1.0560
22%	0.6364	49%	0.8038	500%	1.0840
23%	0.6426	50%	0.8100	600%	1.1120
24%	0.6488	55%	0.8167	700% increase, or more, or First Livestock Facility on lot of record.	1.1400
25%	0.6550	60%	0.8230		
26%	0.6612	65%	0.8294		
		70%	0.8357		
		75%	0.8420		

Table 4: Factor E (Encroaching Land Use Factor)

Encroaching Land Use	Factor E
Type A Land Use	1.1
Type B Land Use	2.2

Encroachment of urban development



Table 5: Permanent Manure or Material Storage Types

Solid Manure: 18% dry matter, or more

Liquid Manure: Less than 18% dry matter

Digestate: Less than 18% dry matter

Storage Odour Potential	Solid or Liquid System	Inside or Outside Livestock Facility	Number referred to in Table 6 (View images in Appendix A)	Description of permanent manure storages being sited by MDS II, or encroached upon through MDS I application
Very Low	Solid	Inside	V1	Solid, inside, bedded pack (manure accumulates under <i>livestock</i> over time)
		Outside	V2	Solid, outside, covered (cover keeps off precipitation to prevent runoff)
			V3	Solid, outside, no cover, greater than or equal 30% dry matter (manure is dry enough that a flowpath option can be used for runoff control (<i>Nutrient Management Act, 2002</i>))
			V4	Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage needed, but it has a permanent, tight cover)
	Liquid	Inside	V5	Liquid, inside, underneath slatted floor (manure is stored under the animals in the barn)
		Outside	V6	Liquid, outside, with a permanent, tight fitting cover (negative pressure tarp, concrete lid, inflatable dome, etc.)
			V7	Liquid, (digestate), outside, no cover (all manure has been treated through anaerobic digestion, or a similar process that reduces odours)
	Solid	Outside	L1	Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid Low runoff storage needed, but it is uncovered, producing more odour than in V4 above)
	Liquid	Outside	L2	Liquid, outside, with a permanent floating cover (tarps, foam panels, etc.)
Medium	Liquid	Outside	M1	Liquid, outside, no cover, straight-walled storage (usually circular or rectangular concrete, or steel storages)
			M2	Liquid, outside, roof, but with open sides (roof keeps off precipitation, but the open sides allow wind to travel over the manure and carry odours)
High	Liquid	Outside	H1	Liquid, outside, no cover, sloped-sided storage (earthen <i>manure storages</i> , but <u>not</u> earthen runoff storages associated with a solid manure storage which are L1 above)

Table 6: MDS I/II Separation Distances for Permanent Manure or Material Storage Types in Table 5

In using Table 6 (see page 51) to determine a value for 'S' – Storage Separation Distance, in some instances it may be necessary to interpolate a value.

For example, you determine the value for Encroachment Base Distance 'F' to be 106 metres. From Table 5, you have determined that the *livestock facility* uses a storage facility with an odour potential that is considered medium (M1).

Table 6 provides a value for Storage Separation Distance 'S' for an M1 Storage for an Encroachment Base Distance 'F' of 100 metres and for an Encroachment Base Distance 'F' of 110 metres, but not for an Encroachment Base Distance 'F' of 106 metres. The value of Storage Separation Distance 'S' for an M1 Storage with an Encroachment Base Distance 'F' of 100 metres, is 190 metres. The value of Storage Separation Distance 'S' for an M1 Storage with an Encroachment Base Distance 'F' of 110 metres, is 199 metres. To determine the value of Storage Separation Distance 'S' for an M1 Storage, with an Encroachment Base Distance 'F' of 106 metres interpolate between the numbers 190 and 199. In this example, the value of Storage Separation Distance 'S' for an M1 Storage, with an Encroachment Base Distance 'F' of 106 metres is 195.4 metres. This value should be rounded to the nearest whole number, in this case 195 metres.


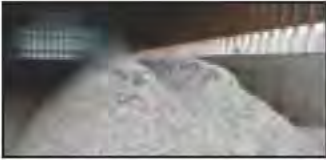





When interpolating a value for Storage Separation Distance 'S' do not include any decimal places. Interpolated values with decimal places should be rounded accordingly. For example, if an interpolated value for Storage Separation Distance 'S' is calculated as 202.83 metres, then use a value of 203 metres for Storage Separation Distance 'S'.

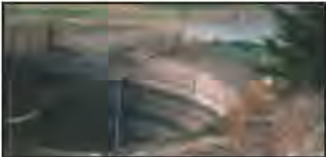
In all instances, where Encroachment or Building Base Distance 'F' exceeds 1000 metres, then Storage Separation Distance 'S' will be the same value as 'F'.

Table 6: MDS I/II Separation Distances for Permanent Manure

Building Base Distance (m) for MDS II ('F'), or Encroachment Base Distance for MDS I ('F')	Storage Separation Distances Based on Relative Odour Potential - Storage Base Distance, 'S' (m)			
	Very Low Odour Storages V1 to V7	Low Odour Storages L1 to L2	Medium Odour Storages M1 to M2	High Odour Storages H1
40	40	64	136	232
50	50	74	145	240
60	60	84	154	248
70	70	93	163	256
80	80	103	172	264
90	90	113	181	272
100	100	123	190	280
110	110	132	199	288
120	120	142	208	296
130	130	152	217	304
140	140	162	226	312
150	150	171	235	320
160	160	181	244	328
170	170	191	253	336
180	180	201	262	344
190	190	210	271	352
200	200	220	280	360
210	210	230	289	368
220	220	240	298	376
230	230	249	307	384
240	240	259	316	392
250	250	269	325	400
260	260	279	334	408
270	270	288	343	416
280	280	298	352	424
290	290	308	361	432
300	300	318	370	440
310	310	327	379	448
320	320	337	388	456
330	330	347	397	464
340	340	357	406	472
350	350	366	415	480
360	360	376	424	488
370	370	386	433	496
380	380	396	442	504
390	390	405	451	512
400	400	415	460	520
420	420	435	478	536
440	440	454	496	552
460	460	474	514	568
480	480	493	532	584
500	500	513	550	600
600	600	610	640	680
800	800	805	820	840
1000	1000	1000	1000	1000
Greater than 1000 m	Storage Base Distance, 'S', should be the same as Building Base Distance or Encroachment Base Distance - 'F'			

APPENDIX A MANURE OR MATERIAL STORAGE TYPES

Type	Description	Image
V1	Solid, inside, bedded pack (manure accumulates under <i>livestock</i> over time)	
V2	Solid, outside, covered (cover keeps off precipitation to prevent runoff)	
V3	Solid, outside, no cover, greater than or equal 30% dry matter (manure is dry enough that a flowpath option can be used for runoff control (<i>Nutrient Management Act, 2002</i>))	
V4	Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage needed, but it has a permanent, tight cover)	
V5	Liquid, inside, underneath slatted floor (manure is stored under the animals in the barn)	
V6	Liquid, outside, with a permanent, tight fitting cover (negative pressure tarp, concrete lid, inflatable dome, etc.)	
V7	Liquid, (digestate), outside, no cover (all manure has been treated through anaerobic digestion, or a similar process that reduces odours)	

Type	Description	Image
L1	Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage needed, but it is uncovered, producing more odour than in V4 above)	
L2	Liquid, outside, with a permanent floating cover (tarps, foam panels, etc.)	
M1	Liquid, outside, no cover, straight-walled storage (usually circular or rectangular concrete, or steel storages)	
M2	Liquid, outside, roof, but with open sides (roof keeps off precipitation, but the open sides allow wind to travel over the manure and carry odours)	
H1	Liquid, outside, no cover, sloped-sided storage (earthen <i>manure storages</i> , but <u>not</u> earthen runoff storages associated with a solid manure storage which are L1 above)	

ADDITIONAL INFORMATION

For further information and additional reading on related topics, please consult the following documents. Additional training materials on MDS may be available on OMAFRA's website www.omafra.gov.on.ca.

Legislation

The Planning Act, 1990

The Farming and Food Production Protection Act, 1998

Publications – Ontario Ministry of Municipal Affairs and Housing

Provincial Policy Statement, 2005

Publications – Ontario Ministry of Agriculture, Food and Rural Affairs

Guide to *Agricultural Land Use*, Publication 824

Factsheets

The Farming and Food Production Protection Act (FFPPA) and Nuisance Complaints,
Order No. 05-013

Farmer and Neighbour Relations, Preventing and Resolving Local Conflicts,
Order No. 05-001

What Rural Neighbours Can Expect From Large Livestock Operations, Order No. 06-027
Anaerobic Digestion Basics, Order No. 04-097

TOWNSHIP OF GUELPH ERAMOSIA CONSOLIDATED ZONING BYLAW

34-95

“The Rockwood Ridge Subdivision By-law”

This publication represents an Office Consolidation only of By-law 34-95 as amended up to December 2011 and is not to be construed as an enactment of the Municipal Council. Specific reference to the parent by-law and all of its amendments (listed in the table below) is required in order to verify accuracy of the information. These documents are available at the Township of Guelph-Eramosa Municipal Office, 8348 Wellington Road 124, P.O. Box 3000, Rockwood, Ontario.

By-law No.	Amendment	Name	Location	Approved 3rd Reading	Status
7/2000	-	Seaton	Blk. 78, RP 61M-15 (Rockwood)	21-Feb-00	In Effect
9/2000	-	Seaton	Pt. Lot 3, Con. 4, (Rockwood)	20-Mar-00	In Effect
22/2001	-	Seaton	Pt. Of West Half Lots 3 and 4, Con. 5 (Rockwood)	11-Jun-01	In Effect
23/2001	-	Seaton	Pt. Of West Half Lots 3 and 4, Con. 5 (Rockwood)	11-Jun-01	In Effect
47/2002	Rezone, Lift Holding Provision	Seaton	Pt. Block 79, Plan 61M-15 (Rockwood Ridge Sub. Phase 1-20' strip)	16-Sep-02	In Effect
18/2003	Lift Holding Provision	Seaton	Pt. of the W1/2 Lots 3 and 4, Con. 5 (Eramosa)	17-Mar-03	In Effect
66/2003	Lift Holding Provision & Amendments	Seaton	Rockwood Ridge Subdivision	20-Oct-03	In Effect
9/2004	Lift Holding Provision	Seaton	Rockwood Ridge Subdivision, Phase 2C	1-Mar-04	In Effect
10/2004	Lift Holding Provision	Seaton	Rockwood Ridge Subdivision, Phase 2D	15-Mar-04	In Effect
56/2005	Rezone & Amendments	Seaton	Rockwood Ridge Subdivision, Pt Lots 3 and 4, Conc. 5 (Eramosa)	17-Oct-05	In Effect

APPENDIX "B"
To the Order of the Ontario Municipal Board
made on the 2nd day of August, 1994

THE CORPORATION OF THE TOWNSHIP OF
ERAMOSA
By-law 34-95

A By-law to Amend Bylaw 14-1977 of the Township of Eramosa

WHEREAS it is considered desirable for the control of development within the area of the Township of Eramosa known as the 'Rockwood Ridge Subdivision' to prohibit the use of land and the erection and use of buildings or structures except for certain purposes, and to regulate the type of construction and the height, bulk, location, size, floor area, character and use of buildings in according with the provisions of Section 34 of the Planning Act, R.S.O. 1990;

NOW THEREFORE the Council of the Corporation of the Township of Eramosa enacts as follows:

TABLE OF CONTENTS

SECTION 1 – ADMINISTRATION	1
1.1 Title	1
1.2 Building Permits	1
1.3 Enforcement	1
1.4 Severability	1
1.5 Effective Date	1
1.6 Repeal of Former By-law	1
SECTION 2 – ESTABLISHMENT OF ZONES	2
2.1 Zones	2
2.2 Zone Schedule	2
2.3 Determining Zone Boundaries	2
2.4 Compliance with Zoning By-law	2
SECTION 3 – PERMITTED USES	3
3.1 Residential First Density Zone (R1)	3
3.2 Residential Second Density Zone (R2)	3
3.3 Residential Multiple One Zone (RM1)	3
3.4 Residential Mixed Use One (RMU1)	4
3.5 Residential Mixed Use Two (RMU2)	4
3.6 Residential Mixed Use Three (RMU3)	4
3.7 Neighbourhood Commercial Zone (C1)	4
3.8 Open Space Zone (OS)	5
SECTION 4 – USE STANDARDS	6
4.1 Zones	6
SECTION 5 – GENERAL PROVISIONS	7
5.1 Accessory Buildings, Structures and Uses	7
5.2 Driveways	10
5.3 Location and Number of Principal Dwelling Units	10
5.4 Frontage on a Street	11
5.5 Height Exceptions	11
5.6 Height of Dwelling Units	11
5.7 Holding Provision	11
5.8 Noxious Trade	11

5.9	Parking Area Regulations	11
5.10	Public Uses	14
5.11	Reduction of Requirements	15
5.12	Special Uses Permitted	15
5.13	Temporary Sales Use	15
5.14	Model Homes	15
SECTION 6 DEFINITIONS		16
SECTION 7 ENACTMENT		27

SECTION 1 ADMINISTRATION

1.1 TITLE

This By-law may be referred to as "The Rockwood Ridge Zoning By-law".

1.2 BUILDING PERMITS

The requirements of this By-law must be met before a Building Permit is issued by the Township for the erection or alteration of any building or structure.

1.3 ENFORCEMENT

Any person convicted of a violation of this By-law is liable, at the discretion of the convicting Justice, on first conviction to a fine of not more than \$20,000.00 and on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted.

1.4 SEVERABILITY

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

1.5 EFFECTIVE DATE

This By-law shall come into force the day that it was passed where there are no objections received or where objections are received upon the approval of the Ontario Municipal Board in accordance with the provisions of the Planning Act.

1.6 REPEAL OF FORMER BY-LAW

The provisions of By-law 14-1977 of the Township of Eramosa are hereby repealed insofar as they affect the lands shown on Schedule 'A' to this By-law.

SECTION 2 ESTABLISHMENT OF ZONES

2.1 ZONES

For the purposes of this By-law, the following zones are established and they may be referred to by the name or by the symbol set opposite the name of the zone below:

R1	-	Residential First Density
R2	-	Residential Second Density
RM1	-	Residential Multiple Use
RMU1	-	Residential Mixed Use One
RMU2	-	Residential Mixed Use Two
RMU3	-	Residential Mixed Use Three
C1	-	Neighbourhood Commercial
OS	-	Open Space

2.2 ZONE SCHEDULE

The zones and zone boundaries are shown on the attached Schedule 'A' which forms part of this By-law.

2.3 DETERMINING ZONE BOUNDARIES

- a) A zone boundary which is shown approximately at a lot line, street or lane is considered to be at the boundary of the lot line, street or lane.
- b) A zone boundary shown approximately in the centre line of a street or lane is considered to be the centre line of the street or lane.
- c) Unless the location of a zone boundary is specified by dimensions on the zoning map, a zone boundary which lies within a lot shall be fixed by the scale of the Schedule upon which it is shown.

2.4 COMPLIANCE WITH BY-LAW

No person shall change the use of any building, structure or land or erect or use any building or structure or occupy any land or building except in conformity with the provisions of this By-law.

SECTION 3 PERMITTED USES

3.1 RESIDENTIAL FIRST DENSITY ZONE (R1)

3.1.1 The following uses are permitted in the Residential First Density (R1) Zone:

- i) Single detached dwellings
- ii) Semi-detached dwellings
- iii) Duplex dwellings
- iv) Triplex dwellings
- v) Fourplex dwellings
- vi) A home occupation subject to Section 5.1
- vii) Accessory apartments within single detached and semi-detached dwellings.

3.1.2 Special Provisions

- a) On those lands denoted by the symbol *1, *2, *3 and *4, as shown on Schedule 'A', 60 percent of the lots shall have frontages of 15.2 metres or greater and a minimum of 80 percent of the lots shall be used for single detached dwellings.

3.2 RESIDENTIAL SECOND DENSITY ZONE (R2)

3.2.1 The following uses are permitted in the Residential Second Density (R2) Zone:

- i) Single detached dwellings
- ii) Semi-detached dwellings
- iii) Street townhouse dwellings
- iv) Block townhouse dwellings
- v) Home occupations subject to Section 5.1
- vi) Accessory apartments within single detached, semi-detached, and street townhouse dwellings

3.3 RESIDENTIAL MULTIPLE ONE ZONE (RM1)

3.3.1 The following uses are permitted in the Residential Multiple One (RM1) Zone:

- i) Street townhouse dwellings
- ii) Block townhouse dwellings
- iii) Apartment dwellings
- iv) Home occupations subject to Section 5.1
- v) Accessory apartments within street townhouse dwellings

3.4 RESIDENTIAL MIXED USE ONE ZONE (RMU1)

3.4.1 The following uses are permitted in the Residential Mixed Use One (RMU1) Zone:

- i) Street townhouse dwellings
- ii) Apartment dwellings
- iii) Service uses
- iv) Institutional uses
- v) Home occupations subject to Section 5.1
- vi) Accessory apartments within street townhouse dwellings

3.5 RESIDENTIAL MIXED USE TWO ZONE (RMU2)

3.5.1 The following uses are permitted in the Residential Mixed Use Two (RMU2) Zone:

- i) Street townhouse dwellings
- ii) Block townhouse dwellings
- iii) Apartment dwellings
- iv) Institutional uses
- v) Home occupations subject to Section 5.1
- vi) Accessory apartments within street townhouse and block townhouse dwellings

3.6 RESIDENTIAL MIXED USE THREE ZONE (RMU3)

3.6.1 The following uses are permitted in the Residential Mixed Use Three (RMU3) Zone:

- i) Apartment dwellings
- ii) Service uses
- iii) Institutional uses
- iv) Home occupations subject to Section 5.1

3.7 NEIGHBOURHOOD COMMERCIAL ZONE (C1)

3.7.1 The following uses are permitted in the Neighbourhood Commercial (C1) Zone:

- i) Apartment dwellings in the same building as retail or service uses
- ii) Block townhouse dwellings
- iii) Retail stores
- iv) Service uses
- v) Institutional uses
- vi) Restaurants
- vii) Home occupations subject to Section 5.1

3.8 OPEN SPACE ZONE (OS)

3.8.1 The following uses are permitted in the Open Space (OS) Zone:

- i) Public recreational buildings and parks
- ii) Stormwater management facilities
- iii) Natural environment uses or areas

3.8.2 Special Provisions

- a) On those lands denoted by the Zone symbol OS*A, as shown on Schedule 'A', the only uses permitted are listed in Section 3.8.1 ii) and iii).

SECTION 4 USE STANDARDS

4.1 ZONES

No person shall erect any building or structure in any of the following Zones except in accordance with Section 5, General Provisions, and the following Zone Standards tables:

ZONE	TABLE
Residential Zones	Tables A, B, C, D, E and F
Commercial Zone	Table G
Open Space Zone	Table H

TABLE A
STANDARDS FOR THE R1 ZONE

ZONE PROVISION	DWELLING UNIT TYPE OR USE						
	SINGLE DET. DWELLING	SEMI-DET. DWELLING	DUPLEX DWELLING	TRIPLEX DWELLING	FOURPLEX DWELLING	Minimum lot area	Minimum frontage
Minimum lot area	400 sq. m.	250 sq. m.	500 sq. m.	500 sq. m.	650 sq. m.	500 sq. m.	18.0 m.
Minimum frontage	12.2 m	9.0 m.	15.2 m.	18.0 m.	18.0 m.	18.0 m.	18.0 m.
Minimum front yard	4.5 m.	4.5 m.	4.5 m.	4.5 m.	4.5 m.	4.5 m.	4.5 m.
Minimum setback to garage	6.0 m. (*2)	6.0 m. (*2)	6.0 m. (*2)	6.0 m. (*2)	6.0 m. (*2)	6.0 m. (*2)	6.0 m. (*2)
Minimum rear yard	7.5 m.	7.5 m.	7.5 m.	7.5 m.	7.5 m.	7.5 m.	7.5 m.
Interior side yard	1.2 m.	1.5 m. (*1)	1.2 m.	1.5 m. (*1)	1.5 m.	1.5 m.	1.5 m.
Other interior side yard *4	1.5 m. (*1)	0.0 m.	1.5 m. (*1)	1.5 m.	3.0 m.	3.0 m.	3.0 m.
Exterior side yard	3.0 m.	3.0 m.	3.0 m.	3.0 m.	3.0 m.	3.0 m.	3.0 m.
Maximum lot coverage *3	40%	40%	40%	40%	40%	40%	40%
Minimum landscaped open space	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
Maximum height	10.6 m.	10.6 m.	10.6 m.	10.6 m.	10.6 m.	10.6 m.	10.6 m.
SPECIAL PROVISIONS (*)							
<p>*1 – Where there is no attached garage or exterior side yard, the minimum interior yard shall be increased to 3.0 metres</p> <p>*2 – In no case shall any part of an attached or detached garage extend closer to the front lot line than the principal building on the lot</p> <p>*3 – Notwithstanding the 35% maximum for coverage for single detached dwellings, bungalows (with or without lofts) shall have a maximum lot coverage of 40%</p> <p>*4 – Notwithstanding the 1.5 metre Other Interior side yard for single detached dwellings, the garage portion of a bungalow (with or without a loft) or a single storey garage which is attached to a two storey dwelling, may have an Other Interior side yard of 0.9 metres</p>							

**TABLE B
STANDARDS FOR THE R2 ZONE**

ZONE PROVISION	DWELLING UNIT TYPE OR USE			
	SINGLE DET. DWELLING	SEMI-DET. DWELLING	STREET TH DWELLINGS	BLOCK TH DWELLINGS
Minimum lot area	270 sq. m.	210 sq. m.	175 sq. m. (*2)	Not applicable
Minimum frontage	9.0 m.	7.0 m. (*6)	6.0 m. (*3)	Not applicable
Minimum front yard	4.5 m. (*7)	4.5 m. (*7)	4.5 m. (*7)	4.5 m. (*7)
Minimum setback to garage	6.0 m. (*5)	6.0 m. (*5)	6.0 m. (*5)	6.0 m. (*5)
Minimum rear yard	7.5 m.	7.5 m.	7.5 m.	7.5 m.
Interior side yard	1.2 m. (*1)	1.0 m. (*1)	0.0 m. (*4)	1.0 m.
Other interior side yard	0.6 m.	0.0 m.	0.0 m.	1.0 m.
Exterior side yard	3.0 m. (*7)	3.0 m. (*7)	3.0 m. (*7)	3.0 m. (*7)
Maximum lot coverage	40%	45%	60%	60%
Minimum landscaped open space	Not applicable	Not applicable	Not applicable	20%
Maximum height	10.6 m.	10.6 m.	10.6 m.	10.6 m.
Maximum density	Not applicable	Not applicable	Not applicable	35 upha.
SPECIAL PROVISIONS (*)				
<p>*1 – Where there is no attached garage, exterior side yard or rear lane access, the minimum interior yard shall be increased to 3.0 metres or 1.5 metres with a shared driveway.</p> <p>*2 – The lot area may be reduced to 160 sq. m. if the driveway accessing the individual dwelling unit does not cross the front lot line and is not located in the front yard.</p> <p>*3 – The minimum lot frontage may be reduced to 5.5 metres if the driveway accessing the individual dwelling unit does not cross the front lot line and is not located in the front yard.</p> <p>*4 – The minimum side yard for end units shall be 1.0 metre.</p> <p>*5 – In no case shall any part of an attached or detached garage extend closer to the front lot line than the principal building on the lot.</p> <p>*6 – Where there is no attached garage, exterior side yard, rear lane access (public or private) or shared driveway, the minimum lot frontage shall be increased to 8.5 metres.</p> <p>*7 – Where the required parking is provided to the rear of the dwelling unit and accessed by a driveway crossing the exterior side lot line in the rear yard, or accessed by a lane located to the rear, or accessed by a shared driveway serving four or more dwelling units, this yard may be reduced to 3.0 metres. Where this provision applies, no other driveway, and no other parking, in the front yard shall be permitted.</p>				

**TABLE C
STANDARDS FOR THE RM1 ZONE**

ZONE PROVISION	DWELLING UNIT TYPE OR USE			
	STREET TH DWELLINGS	BLOCK TH DWELLINGS	APARTMENT DWELLINGS	
Minimum lot area	175 sq. m. (*1)	not applicable	not applicable	
Minimum frontage	6.0 m. (*2)	not applicable	not applicable	
Minimum front yard	4.5 m. (*6)	4.5 m. (*6)	6.0 m.	
Minimum setback to garage	6.0 m. (*4)	6.0 m. (*4)	6.0 m. (*4)	
Minimum rear yard	7.5 m.	6.0 (*5)	7.5 m.	
Interior side yard	0.0 m. (*3)	1.0 (*5)	4.0 (*5)	
Other interior side yard	0.0 m.	1.0 (*5)	4.0 (*5)	
Exterior side yard	4.5 m. (*6)	not applicable	not applicable	
Maximum lot coverage	60%	60%	50%	
Minimum landscaped open space	not applicable	20%	25%	
Maximum height	10.6 m.	10.6 m.	10.6 m.	
Maximum density	not applicable	35 upha.	65 upha.	
SPECIAL PROVISIONS (*)				
<p>*1 - The lot area may be reduced to 160 sq. m. if the driveway accessing the individual dwelling unit does not cross the front lot line and is not located in the front yard.</p> <p>*2 - The minimum lot frontage may be reduced to 5.5 metres if the driveway accessing the individual dwelling unit does not cross the front lot line and is not located in the front yard.</p> <p>*3 - The minimum side yard for end units shall be 1.0 metre.</p> <p>*4 - In no case shall any part of an attached or detached garage extend closer to the front lot line than the principal building on the lot.</p> <p>*5 - This yard shall be increased to 7.5 metres if the yard is located between a wall of the principal building and the rear lot line of an abutting lot(s) which is in a R1 Zone.</p> <p>*6 - Where the required parking is provided to the rear of the dwelling unit and accessed by a driveway crossing the exterior side lot line in the rear yard, or accessed by a lane located to the rear, or accessed by a shared driveway serving four or more dwelling units, this yard may be reduced to 3.0 metres. Where this provision applies, no other driveway, and no other parking, in the front yard shall be permitted.</p>				

**TABLE D
STANDARDS FOR THE RMU1 ZONE**

ZONE PROVISION	DWELLING UNIT TYPE OR USE			
	STREET TOWNHOUSE DWELLINGS	APARTMENT DWELLINGS	SERVICE OR INSTITUTIONAL USE	
Minimum lot area	160 sq. m.	not applicable	160 sq. m.	
Minimum frontage	5.5 m.	not applicable	5.5 m.	
Minimum front yard	0.0 m.	0.0 m.	0.0 m.	
Minimum setback to garage	(*2)	(*2)	0.0 m.	
Minimum rear yard	6.0 m.	6.0 m.	6.0 m.	
Interior side yard	0.0 m. (*3)	0.0 m.	0.0 m.	
Other interior side yard	0.0 m.	0.0 m.	0.0 m.	
Exterior side yard	0.0 m.	0.0 m.	0.0 m.	
Maximum lot coverage	60%	60%	60%	
Minimum landscaped open space	Not applicable	Not applicable	Not applicable	
Maximum height	10.6 m.	10.6 m.	10.6 m.	
Maximum density	Not applicable	65 upha.	Not applicable	
SPECIAL PROVISIONS (*)				

*1 – Any lot line abutting a lane shall be deemed to be the rear lot line and any yard abutting a lane shall be deemed to be a rear yard. All other lot lines and yards shall be determined from this point of reference.

*2 - Driveways used for accessing a street townhouse or apartment dwelling unit shall cross the rear lot line and attached garages shall either be attached to the rear wall of the principal building on the lot or located between the rear wall of the principal building on the lot and the rear lot line, provided it is located a minimum of 0.3 metres from the rear lot line.

*3 – The minimum side yard for end units shall be 1.0 metre.

**TABLE E
STANDARDS FOR THE RMU2 ZONE**

ZONE PROVISION	DWELLING UNIT TYPE OR USE				
	STREET TOWNHOUSE DWELLINGS	BLOCK TOWNHOUSE DWELLINGS	APARTMENT DWELLINGS	SERVICE OR INSTITUTIONAL USE	
Minimum lot area	160 sq. m.	Not applicable	Not applicable	160 sq. m.	
Minimum frontage	5.5 m.	Not applicable	Not applicable	5.5 m.	
Minimum front yard	0.0 m.	0.0 m.	0.0 m.	0.0 m.	
Minimum setback to garage	(*1)	(*1)	(*1)	(*1)	
Minimum rear yard	6.0 m.	6.0 m.	6.0 m.	6.0 m.	
Interior side yard	0.0 m. (*2)	1.0 m.	0.0 m.	0.0 m.	
Other interior side yard	0.0 m.	1.0 m.	0.0 m.	0.0 m.	
Exterior side yard	Not applicable	Not applicable	Not applicable	Not applicable	
Maximum lot coverage	60%	60%	60%	60%	
Minimum landscaped open space	Not applicable	20%	Not applicable	Not applicable	
Maximum height	10.6 m.	10.6 m.	10.6 m.	10.6 m.	
Maximum density	Not applicable	35 upha.	65 upha.	Not applicable	
SPECIAL PROVISIONS (*)					
<p>*1 – Driveways used for accessing an individual street townhouse dwelling fronting on a public street shall not cross the front lot line and attached garages shall either be attached to the rear wall of the principal building on the lot or located, if detached, to the rear of the principal building on the lot provided it is located a minimum of 0.3 metres from the rear lot line. Common driveways accessing three or more dwelling units may cross the front lot line to access a parking area located to the rear of the dwelling units.</p> <p>*2 – The minimum side yard for end units shall be 1.0 metre.</p> <p>*3 – Notwithstanding the maximum lot coverage of 60% for street or block townhouse dwellings a maximum coverage of 65% is permitted for bungalow and bungalow with loft street or block townhouse dwellings.</p>					

**TABLE F
STANDARDS FOR THE RMU3 ZONE**

ZONE PROVISION	MIXED USE APARTMENT /SERVICE USE / INSTITUTIONAL BUILDING				
Minimum lot area	Not applicable				
Minimum frontage	Not applicable				
Minimum setback from front lot lint	4.5 m.				
Minimum setback from side lot lines	6.0 m. (*1)				
Minimum setback from rear lot line	7.5 m.				
Minimum front yard	Not applicable				
Minimum setback to garage	Not applicable				
Interior side yard	Not applicable				
Other interior side yard	Not applicable				
Exterior side yard	Not applicable				
Maximum lot coverage	50%				
Minimum landscaped open space	30%				
Maximum building height	10.6 m.				
Maximum density on lot	71 upha.				
SPECIAL PROVISIONS (*)					

*1 – The setback shall be increased to 7.5 metres for that part of the building closest to the interior side lot line located on the northern boundary of the area designated by this By-law.

That Council of the Corporation of the Township of Guelph / Eramosa shall not remove the Holding (H) Symbol from Residential Mixed Use Three (RMU3) zone until the following condition is complied with:

- i) A Market Impact Study is prepared by a qualified professional which demonstrates that the proposed service commercial development will not have an undue impact on the downtown core of Rockwood. The Study shall include consideration of long and short term impacts of any proposed new service commercial development on the downtown core to the satisfaction of the Township.

**TABLE G
STANDARDS FOR THE C1 ZONE**

ZONE PROVISION	DWELLING UNIT TYPE OR USE			
	BLOCK TH DWELLINGS	MIXED USE BUILDING		
Minimum lot area	Not applicable	Not applicable		
Minimum frontage	Not applicable	Not applicable		
Minimum front yard	0.0 m.	0.0 m.		
Minimum setback to garage	Not applicable	Not applicable		
Minimum rear yard	7.5 m.	7.5 m		
Interior side yard	1.0 m.	0.0 m.		
Other interior side yard	1.0 m.	0.0 m.		
Exterior side yard	0.0 m.	0.0 m.		
Maximum lot coverage	60%	60%		
Minimum landscaped open space	20%	Not applicable		
Maximum height	10.6 m.	10.6 m.		
Maximum density	35 upha.	Not applicable		
SPECIAL PROVISIONS (*)				
NONE				

**TABLE H
STANDARDS FOR THE OS ZONE**

ZONE PROVISION	DWELLING UNIT TYPE OR USE				
	PUBLIC RECREATIONAL BUILDINGS				
Minimum lot area	Not applicable				
Minimum frontage	Not applicable				
Minimum front yard	3.0 m.				
Minimum setback to garage	Not applicable				
Minimum rear yard	5.0 m.				
Interior side yard	5.0 m				
Other interior side yard	5.0 m.				
Exterior side yard	3.0 m.				
Maximum lot coverage	35%				
Minimum landscaped open space	Not applicable				
Maximum height	10.6 m.				
Maximum density	Not applicable				
SPECIAL PROVISIONS (*)					
NONE					

SECTION 5 GENERAL PROVISIONS

5.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use provided that the principle building or structure is already in existence on the lot, but shall not include the following:

- i) any occupation for gain or profit conducted within or accessory to a dwelling unit or lot except as specifically permitted in accordance with this By-law; or
- ii) any building used for human habitation except where specifically permitted by this By-law.

Except as otherwise provided by this By-law in all Zones, any accessory building or structure shall comply with the front and exterior yard setback of the Zone within which it is located.

5.1.1 Detached Accessory Apartments

Detached accessory apartments are only permitted in the R1 Zone. In addition, the maximum number of detached accessory apartments permitted in the R1 Zone is 15 percent of the total number of lots in each R1 Zone. Detached accessory apartments are not permitted if the principal building on the lot contains an accessory apartment.

5.1.2 Number of Detached Accessory Buildings Permitted on a Lot

Only one detached accessory building containing an accessory dwelling unit, a home occupation and / or private garage is permitted on a lot in the R1 Zone. Only one detached accessory building containing a home occupation and/or private garage is permitted on a lot being used for each principal building or block townhouse dwelling unit in all Zones except the R1 Zone.

5.1.3 General Provisions for Accessory Home Occupations

One home occupation is permitted per principal dwelling unit. Where a home occupation is permitted in a Zone, a home occupation:

- a) shall be conducted entirely within an enclosed building;
- b) shall not detract from the residential character of the dwelling or the lot on which the home occupation is located;
- c) shall not involve the external storage or display of materials or finished products associated with the home occupation use;
- d) shall not create any waste or unsightly conditions visible off the lot;
- e) shall not occupy more than 25 percent of the floor area of the principal dwelling unit;
- f) shall not detract from the residential character of the lot, other than by the placement of a sign, without internal illumination, attached flat against a wall of a building on the lot, such sign to be no greater than .15 square metres in area;
- g) shall not consist of an occupation that discharges or emits odorous, noxious or toxic matter or vapours, heat, glare, noise or radiation, or recurrently generated ground vibrations;
- h) shall not consist of an occupation that results in traffic congestion, electrical interference, fire hazards or health hazards;
- i) shall not consist of an occupation that involves the salvage, repair, maintenance or sales of motor vehicles or motor vehicle engines or parts; and,
- j) shall not consist of an occupation that involves the sale of a commodity not produced on the premises, except that telephone or mail order sales of goods shall be permitted provided that customers do not enter the premises to inspect, purchase or take possession of the goods.

5.1.4 Regulations for Accessory Buildings

Private detached garages, detached accessory dwelling units and detached home occupations are permitted subject to the following provisions:

REGULATIONS FOR ACCESSORY BUILDINGS

Minimum setback from front lot line	6.0 metres
Minimum setback from exterior side lot line if garage is accessed by a driveway crossing the front lot line	3.0 metres
Minimum setback from exterior side lot line if garage is accessed by a driveway crossing the exterior side lot line	6.0 metres
Minimum setback from interior side and rear lot line if wall closest to and running parallel to lot line has no openings	0.5 metres
Minimum setback from interior side and rear lot line if wall closest to and running parallel to lot line has openings	1.2 metres
Minimum setback for a private detached garage from rear lot line if rear lot line abuts a public and private lane	0.3 metres
Maximum height	1.5 storeys

In no case shall an accessory building extend closer to the front or exterior side lot line than the principal building on the lot.

Notwithstanding the yards set out above, a private detached garage can be located within 0.5 metres of the interior side and / or rear lot line provided the private detached garage is to be attached to another private detached garage on an abutting lot.

5.1.5 Accessory Structure Encroachments

Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences, signs or similar uses which comply with this By-law are permitted in any required yard or in the area between the street line and the main building on the lot.

5.1.6 Fire Escapes

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed fire escapes may project into any required setback a maximum distance of 1.0 metre.

5.1.7 Ornamental Structures – Notwithstanding the yard and setback provisions of this By-law to the contrary, sills, chimneys, cornices, eaves, gutters, bay windows, parapets, or other ornamental structures may project into any required yard of the area between the street line and the required setback a maximum distance of 0.6 metres.

5.1.8 Decks, Steps, Balconies or Patios – Notwithstanding the yard and setback provisions of this By-law, to the contrary, decks, balconies, steps and patios, may project into any required yard. Where the floor of any balcony or deck is more than 1.0 metre above finished grade, the setback requirements for the principle use shall apply. For the purposes of calculating the required yards or lot coverage in any zone, these structures shall not be considered part of the building.

5.1.9 Unenclosed Porches – Unenclosed porches including those within below grade cellars, may be permitted within the required front and exterior side yards to within 3.0 metres of the exterior side or front lot line in all R1, R2 and RM1 zones.

5.2 DRIVEWAYS – Driveways used for the parking of motor vehicles are permitted in all Zones subject to the following provisions:

Maximum width -	<u>the lesser of 6.0 metres or 50% of the lot frontage</u>
Minimum setback from interior side lot line	1.0 metre
Minimum setback from exterior side lot line	3.0 metres

Notwithstanding the above requirements, a driveway can be located closer than 1.0 metre to the interior side lot line if the driveway is to be shared with a driveway on an abutting lot.

5.3 LOCATION AND NUMBER OF PRINCIPAL DWELLING UNITS

Unless specified elsewhere in this By-law, no more than one dwelling unit shall be permitted on a lot. Notwithstanding the total number of units shown in column 2 below, a maximum of 494 principal dwelling units are permitted on the lands covered by this By-law. The number of principal dwelling units permitted in each area, as shown on Schedule 'B' to this By-law, shall be in accordance with the table below:

1 AREA	2 Maximum # of Principal Dwelling Units	3 Maximum # of Principal Dwelling Units in the R1 Zone	4 Maximum # of Principal Dwelling Units not in the R1 Zone
1	100	60	60
2	150	91	74
3	120	96	36
4	179	71	139

5.4 FRONTAGE ON A STREET

No person shall erect any building or structure in any Zone unless the lot upon which such building or structure is to be erected has frontage upon a street.

The above provisions shall not apply to prevent the erection of a permitted building or structure on a lot in registered plan of subdivision where a properly executed Subdivision Agreement has been entered into with the Township, notwithstanding that the street or streets will not be assumed by the Township until the end of the maintenance period.

5.5 HEIGHT EXCEPTIONS

Notwithstanding the height provisions of this By-law to the contrary, nothing in this By-law shall apply to prevent the erection, alteration, or use of the following listed accessory buildings or structures, provided the main or principal use is permitted within the Zone in which it is located and provided all other applicable provisions of this By-law are complied with: a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a windmill, a radio or television tower or antenna or air conditioner duct, or similar structures.

5.6 HEIGHT OF DWELLING UNITS

Notwithstanding any other height requirement in this By-law, there shall be no more than a one storey difference in height between two adjacent principal buildings within the R1 and R2 Zones that both front on the same street or between two adjacent principal buildings that both front on the same street but are separated by any Zone line.

5.7 HOLDING PROVISION

In any Zone, where an (H) is attached to the Zone Symbol, the uses permitted in that Zone are restricted to the existing uses until the (H) is removed in accordance with the provisions of the Planning Act.

5.8 NOXIOUS TRADE

Except as may otherwise be specifically permitted under this By-law, no use shall be permitted which, from its nature or the materials used therein, is defined as a noxious trade, business or manufacture under the Health Protection and Promotion Act, S.O., 1983, as amended.

5.9 PARKING AREA REGULATIONS

- 5.9.1 Location of Required Parking – Parking spaces required by this By-law shall be provided on the same lot and in the same zone as the building or structure or use requiring the parking with the exception of the following:

(a) the required parking for retail and services uses may be located on a different lot and/or Zone than the use for which the parking is required provided such parking is located within 200 metres of the use and is signed and held exclusively for that use.

(b) the required parking for retail and services uses may be located on both sides of the streets which abut the lot on which the use is located.

5.9.2 Size of Parking Space – Each on-site parking space shall be 2.75 metres in width and 5.5 metres in length.

5.9.3 Parking Area Surface – Parking spaces, areas and driveways connecting the parking space or area with a street shall be paved or graded, drained and treated to prevent the escape of dust and erosion.

5.9.4 Parking Area Location on Lot – Notwithstanding the yard and setback provisions of this By-law, to the contrary, in the RMU2, RMU3, RM1 and C1 Zones, uncovered surface parking areas shall be set back a minimum of 1.0 metre from any lot line.

5.9.5 More Than One Use on a Lot – When a building or structure accommodates more than one type of use, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate types of use.

Notwithstanding the above paragraph, when a mix of residential and non-residential uses are accommodated on a lot in accordance with this By-law, the parking requirement shall be 75 percent of the requirement for the residential uses, plus the requirement for the non-residential uses provided there shall be no less parking than the amount that would have been required for the residential uses if the non-residential uses did not exist.

5.9.6 Parking Space Requirements – Parking shall be provided for various uses in accordance with the table below. If the calculation in the number of parking spaces required results in a fraction, the required number of spaces shall be rounded up to the next highest whole number.

PARKING SPACE REQUIREMENTS

Use	Parking Requirement
Accessory apartment	1 space
Single detached, semi-detached, duplex, block townhouse and street townhouse dwelling unit	2 spaces
Fourplex, triplex and apartment dwelling unit	1.33 spaces
Retail stores	1 parking space for each 28 sq. m. of floor area devoted to retail sales or merchandising
Service uses, with the exception of clinics	1 parking space for each 40 sq. m. of floor area devoted to the service use
Restaurants	1 parking space for each 9 sq. m. of the floor area accessible to the public, exclusive of public washroom areas
Places of worship, community centres, bandstands, theatres, stadiums or places of assembly	1 space for each four seats or 1 space for each 2.0 metres of bench space
Clinics	1 space for 25 sq. m. of floor area
Hospitals, rest homes, nursing homes	1 space for every two beds and 1 space for every two employees
Museums, art galleries, libraries	1 space for each 46.4 square metres of floor area devoted to public use

5.10 PUBLIC USES

5.10.1 Public Services

The provisions of this By-law shall not apply to prohibit the use of any lot or the erection or use of any building or structure for the purposes of public uses provided by the Township or County, or any Public Authority including any Department or Ministry of the Government of Canada or Ontario or any Conservation Authority established by the Government of Ontario and, for the purposes of this Section, shall include Ontario Hydro, any telephone, telegraph or cable TV company and any natural gas distribution system operated by a Company distributing gas to the residents of the Township, which company possesses all the necessary powers, rights, licences and franchises. A stormwater management facility shall be considered a public use.

5.10.2 Provisions for Public Uses

- a) no goods, materials or equipment shall be stored outside the building or structure located on the lot, except as may otherwise be permitted under this By-law;
- b) the Zone provisions of the Zone in which the use is located shall be complied with except as otherwise provided in Section 5.10.3 of this By-law;
- c) no building or structure erected in accordance with the provisions of this Section shall be used for the purposes of an office or maintenance or works depot; and
- d) that such building or structure is designed and maintained in general harmony with the uses permitted within the respective Zone.

5.10.3 Streets and Installations

Nothing in this By-law shall prevent land from being used as a street or highway, or prevent the installation of a watermain, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro, or communication line or high voltage and extra high voltage electrical facilities owned and operated and maintained by Ontario Hydro.

5.11 REDUCTION OF REQUIREMENTS

No person shall change the purpose for which any land, building or structure is used or erect any building, or structure, or construct an addition to any existing building or structure, or sever any lands, if the effect of such action is to cause the original adjoining, remaining or new building, structure or lot to be in contravention with this By-law.

5.12 SPECIAL USES PERMITTED

A tool shed, construction trailer, scaffold or other building or structure incidental to construction is permitted in all Zones on the lot where it is situated and only for so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this Section, abandoned shall mean the discontinuation of work for more than 120 consecutive days or the failure to maintain a current building permit.

5.13 TEMPORARY SALES USE

Nothing in this By-law shall prevent the use of land for a sales office for the sale of dwelling units or other units provided that the following criteria are met:

- a) the dwelling units or other units to be sold are within the limits of the area designated by this By-law; and,
- b) any sales office is removed within sixty days after completion of the last dwelling unit or other units as the case may be.

5.14 MODEL HOMES

Notwithstanding the definition of lot contained in Section 6.34 of this By-law, a model home is permitted on a lot shown on a Plan of Subdivision which has received Draft Approval.

SECTION 6 DEFINITIONS

6.1 ACCESSORY

A use, separate building or structure, which is clearly secondary and devoted to the permitted use, building or structure located on the lot. No accessory building or structure shall be used for human habitation except as specifically permitted in this By-law.

6.2 ACCESSORY APARTMENT

A second dwelling unit either in the principal building on the lot or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facility and with provision within the accessory apartment for cooking, eating, sanitation and sleeping. Such a dwelling is accessory to the principal dwelling on the lot.

6.3 ALTER

Any alteration in a bearing wall or partition, column, beam or structure or any increase in the area or cubic content of a building or structure.

6.4 APARTMENT BUILDING

A building containing five or more apartment dwellings.

6.5 ATTACHED

A building otherwise complete in itself, which depends, for structural support or complete enclosure, upon a division wall or walls shared in common with adjacent building or buildings.

6.6 BASEMENT

That portion of a building partially below ground level and which has at least one-half or more than one-half of the area of the exterior wall between finished grade and first floor level exposed. No part of the basement floor shall be used in calculating any minimum floor area as required in this bylaw, except as specifically permitted under the definition of 'Floor Area'.

6.7 BOARDING HOUSE

A dwelling in which meals are regularly serviced for a consideration to three or more persons other than the owner, lessee or tenant of the dwelling, or members of his immediate family.

6.8 BUILDING

Any structure having a floor area greater than 9.3 square metres consisting of a wall, roof and floor or any one or more of them or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto.

6.9 BUILDING HEIGHT

The vertical distance, between the finished grade of the centre of the front of the building; and

- a) In the case of a flat roof, the highest point of the roof's surface or parapet;
- b) In the case of a gable, hip, mansard or gambrel roof, the average height between the eaves and ridge.

6.10 CELLAR

That portion of a building which was more than one-half of the area of the exterior wall below grade. No part of the cellar floor shall be used in calculating any minimum floor area as required in this By-law.

6.11 CLINIC

A building within which a medical or related practice is carried on for the treatment of humans, by one or more practitioners.

6.12 CLUB

An association of persons, whether incorporated or not, united by some common interest, meeting periodically for co-operation or conviviality, but not for business or profit. Club shall also mean, where the context requires, a premises owned or occupied by the members of such association within which the activities of the club are conducted.

6.13 CORPORATION

The Corporation of the Township of Eramosa.

6.14 DRIVE-IN RESTAURANT

An establishment which is primarily engaged in serving food and beverages which are consumed on its premises by customers seated in motor vehicles parked on the site, or engaged in providing customers with take-out service of food and beverages for off-site consumption.

6.15 DRIVEWAY

An area used for the parking of motor vehicles and for accessing single detached, semi-detached, duplex, triplex, fourplex and street townhouse dwellings.

An area accessing block townhouses, apartment buildings, office buildings and grouped commercial uses are considered to be driveways leading to a parking area.

6.16 DWELLING

A building or portion of a building designed, intended or occupied as a residence for one or more persons.

6.17 DWELLING, APARTMENT

A dwelling unit located within an apartment building.

6.18 DWELLING, DUPLEX

The whole of a two or three storey building divided horizontally into two separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

6.19 DWELLING, FOURPLEX

The whole of a two or three storey building divided horizontally and/or vertically into four dwelling units each of which has an independent entrance either directly or through a common vestibule.

6.20 DWELLING, SEMI-DETACHED

The whole of a building divided vertically into two separate dwelling units.

6.21 DWELLING, SINGLE DETACHED

A detached building containing one dwelling unit.

6.22 DWELLING, STREET TOWNHOUSE

A building divided vertically and containing no less than three nor more than eight dwelling units attached by common walls extending from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade and having frontage on a public street.

6.23 DWELLING, BLOCK TOWNHOUSE

A building divided vertically and containing no less than three nor more than eight dwelling units attached by common walls extending from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade.

6.24 DWELLING UNIT

A room or rooms in which a kitchen, living quarters and sanitary conveniences are provided for the exclusive use of the residents and with a private entrance from outside the building or from a common hallway or stairway inside.

6.25 FINISHED GRADE

The average elevation of the finished surface of the ground at ground level on any one side of a building or structure.

6.26 FLOOR AREA

The interior area of all the floors within the building except for the normal space requirements for heating, laundry, mechanical equipment or inside parking and except for any area where the clear height between floor and ceiling is less than 1.3 metres.

6.27 GARAGE, ATTACHED

A private garage accessory to a dwelling on the same lot and attached thereto by a common wall and/or common roof structure.

6.28 GARAGE, PRIVATE DETACHED

A fully enclosed accessory building which is designed or used for the sheltering of one or more private motor vehicles and storage of household equipment incidental to the residential occupancy. A private detached garage may share common walls with other detached garages.

6.29 GARAGE, PUBLIC

A building designed, intended or used for the commercial repair, service or storage of motor vehicles.

6.30 HOME OCCUPATION

An occupation carried on by the occupant of a dwelling on his premises as a secondary use.

6.31 INSTITUTIONAL USE

The use of land, buildings or structure for a public or non-profit purpose and may include places of worship, indoor recreation facilities, day nurseries, community centres and government facilities.

6.32 LANDSCAPED OPEN SPACE

The percentage of a lot not covered by buildings, structures, driveways, walkways and parking areas.

6.33 LANE

A public or private right-of-way providing a means of access to a lot.

6.34 LODGING OR ROOMING HOUSE

A dwelling in which sleeping quarters are regularly let for a consideration to three or more persons other than the owner, lessee or tenant of the dwelling or members of his immediate family.

6.35 LOT

A parcel or tract of land which might be legally conveyed by way of deed, transfer, mortgage, charge or agreement of sale and purchase without consent under the provisions of the Planning Act.

6.36 LOT AREA

The total area of a lot contained within the boundaries of the lot.

6.37 LOT, CORNER

A lot situated at the intersection of and abutting upon two streets, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side lot lines), contain an angle of not more than 135 degrees. In the case of a curved corner, the corner of the building lot shall be deemed to be the point of the street line nearest to the point of intersection of the said tangents.

6.38 LOT COVERAGE

The area of the lot covered or to be covered by buildings or structures. For the purposes of calculating lot coverage, unenclosed porches, patios, decks, steps or balconies shall not be considered.

6.39 LOT FRONTAGE

The distance, measured along the front lot line, between the points where the street line is intersected by the side lot lines. On lots which do not have parallel side lot lines, the lot frontage shall be calculated by measuring the length of the line which runs 7.5 metres back and parallel to the line joining the points where the front lot line intersects with the side lot lines.

6.40 LOT LINE

Any line intended to define the boundary of the lot.

6.41 LOT LINE, EXTERIOR

The side lot line which abuts a street.

6.42 LOT LINE, FRONT

The line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting the street shall be deemed to be the front lot line and the longer lot line abutting the street shall be deemed to be the exterior lot line. In the case of a through lot, only one of the lot lines abutting the street shall be deemed to be the front lot line.

6.43 LOT LINE, INTERIOR

A lot line which does not abut a street

6.44 LOT LINE, REAR

The lot line farthest from or opposite to the front lot line.

6.45 MIXED USE BUILDING

A building containing one or more of the uses permitted in a Mixed Use or C1 zone other than block townhouses.

6.46 MODEL HOME

An unoccupied dwelling unit erected on a lot shown on a Plan of Subdivision which has received Draft Approval and used for the purpose of selling lots and/or dwelling units located in the area designated by this By-law.

6.47 MOTOR VEHICLE

An automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of The Highway Traffic Act, R.S.O., c.198, as amended.

6.48 NATURAL ENVIRONMENT AREA

Any open space area, intended to be left in its natural state and used only for public utilities and non-intensive outdoor recreation activities.

6.49 PARK, PUBLIC

Any open space or recreational area, owned or controlled by the Corporation of the Township of Eramosa or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, and special parks or areas and may include one or more athletic fields, field houses, fair grounds, cultural buildings, community centers or similar uses.

6.50 **PARKING AREA** – An area or areas or land or a building or part thereof which is provided and maintained upon the same lot or lots upon which the principal use is located, for the purpose of parking motor vehicles, and may include the area within a garage, driveway and/or carport. In any Residential Zone such parking area may include tandem parking within a garage, driveway and/or carport.

6.51 **PERSON** – An individual, association, firm, partnership, corporation, municipal corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

6.52 **PLACES OF WORSHIP**

A building dedicated to a religious worship, such as a church, a chapel, a temple, a parish hall and a synagogue.

6.53 **PRINCIPAL OR MAIN BUILDING**

Any building which is carried on the principal purpose for which the building lot is used.

6.54 **PUBLIC AUTHORITY**

Any Federal, Provincial, County or Municipal agencies, and includes an commission, board, authority or department established by such agency and shall include Ontario Hydro, and Bell Canada.

6.55 **RESTAURANT**

An establishment which is primarily engaged in serving food and beverages which are consumed on its premises by customers seated at tables and/or counters either inside or outside the building thereon, and as accessory use thereto may be engaged in providing customers with take-out service food and beverages for off-site consumption.

6.56 **RETAIL STORE**

A building where goods, wares, merchandise, substances or articles, are offered or kept for sale at retail or rental and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, or articles sufficiently only to service such stores. Convenience stores are considered to be retail stores.

6.57 **SERVICE USE**

A use whose function is to provide services to individuals, business or government establishments and similar organizations, including personal, business, health, legal, engineering, planning and other professional services, membership organizations, clubs and other miscellaneous services. A business or professional office is considered to be a service use.

6.58 SETBACK

The horizontal distance from the lot line, measured at right angles to such lot line, to the nearest part of any building or structure for which a setback is required by this By-law.

6.59 STOREY

That part of a building, not including a cellar, between a floor and the floor, ceiling or roof next above it.

Any portion of a building, or part of which is below the ground, shall be deemed a storey if its ceiling height is more than 1.2 metres above the finished grade at the centre of the front of the building.

6.60 STOREY, HALF

A storey which is located immediately under a sloping roof. In computing the floor area, that part of the roof over which the ceiling is less than 1.3 metres in height shall not be considered.

6.61 STREET

A public street, road or highway, providing the primary means of access to a lot. Notwithstanding the foregoing, a limited or controlled access highway shall be deemed to be a street for the purpose of this By-law.

6.62 STRUCTURE

Anything constructed or built, either permanent or temporary, which is fixed to or resting on or below the ground.

6.63 TOWNSHIP

The Corporation of the Township of Eramosa.

6.64 USE

The purpose for which a lot or a building or structure or any combination thereof, is designed, arranged, intended, occupied or maintained and "used" shall have a corresponding meaning.

6.65 YARD

A space open from the ground to the sky on the same lot upon which a building or structure is located.

6.66 YARD, EXTERIOR SIDE

A yard extending from the front yard to the rear yard between the exterior side lot line and the nearest wall of any building on the lot for which the yard is required.

6.67 YARD, FRONT

A yard extending from side lot line to side lot line, and from and parallel the street line, to nearest part of the main building or structure to the lot, disregarding open terraces or steps.

6.68 YARD, INTERIOR SIDE

A yard extending from the front yard to the rear yard between the interior side lot line and the nearest wall of any building on the lot for which the yard is required.

6.69 YARD, REAR

A yard extending from side lot line to side lot line, and from rear lot line (or from the apex of the side lot line if there is no rear lot line) to the nearest part of the main building or structure of the lot, disregarding open terraces or steps.

6.70 YARD, REQUIRED

A yard which this by-law requires to be provided and within which, unless specifically stated, no building or structure or any part of a building or structure or other obstruction except a lawful boundary wall or fence shall be located.

6.71 YARD, SIDE

A yard extending from the building line to the rear yard and from the side lot line to the nearest point of the main building or structure on the lot.

6.72 ZONE

The category of use or activity of land, buildings, structures or activities permitted by this By-law.

6.73 ZONE PROVISIONS

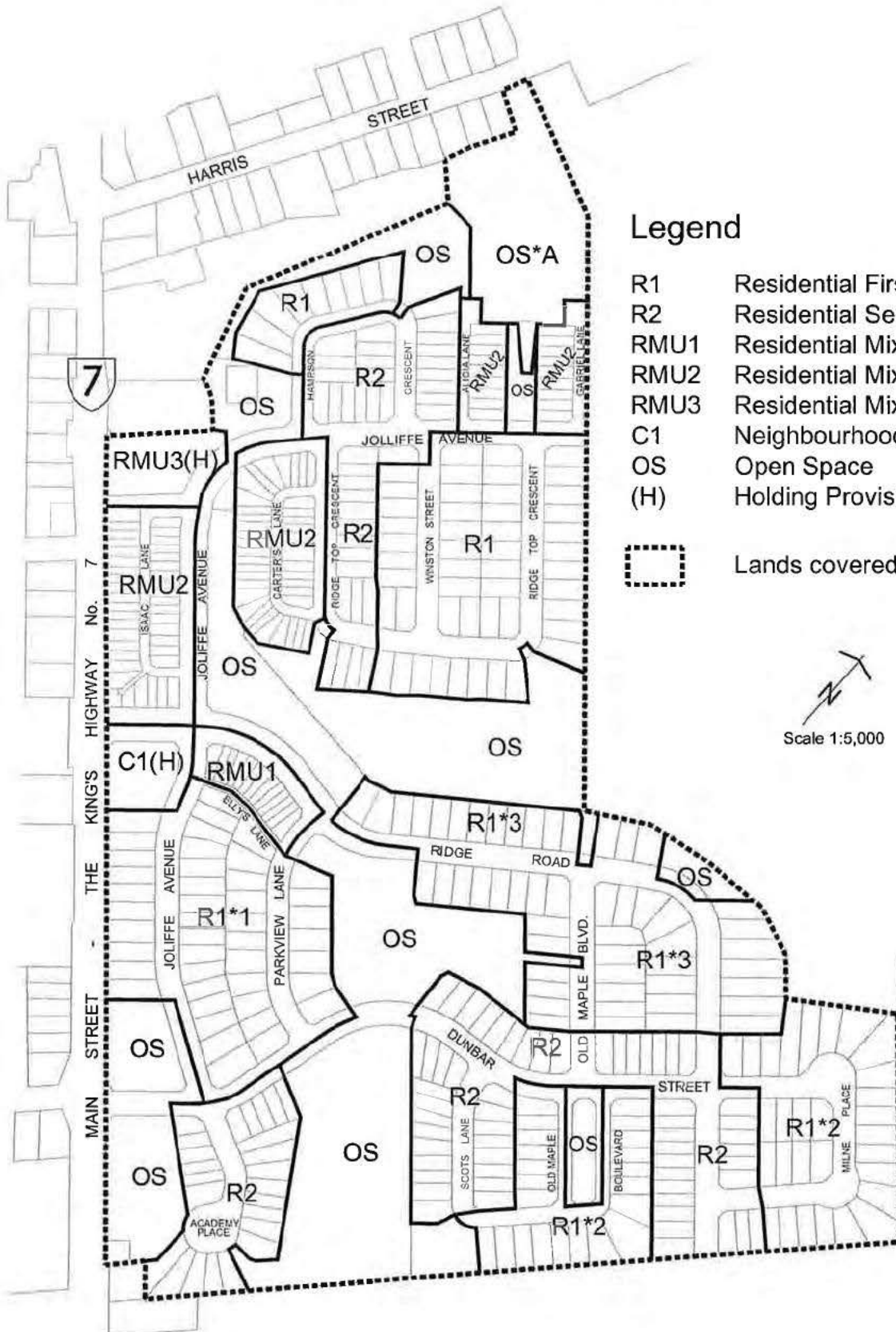
The permissible uses, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking requirements, and all other Zones provisions as are set out within the By-law for the respective Zones.

**SECTION 7
ENACTMENT**

APPROVED BY THE ONTARIO MUNICIPAL BOARD ON

SCHEDULE "A" ZONE MAP

Rockwood Ridge Subdivision By-law 34-95

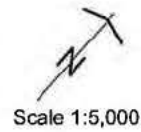


Legend

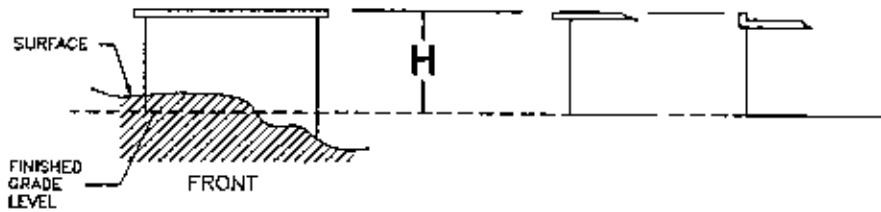
- R1 Residential First Density
- R2 Residential Secondary Density
- RMU1 Residential Mixed Use One
- RMU2 Residential Mixed Use Two
- RMU3 Residential Mixed Use Three
- C1 Neighbourhood Commercial
- OS Open Space
- (H) Holding Provision



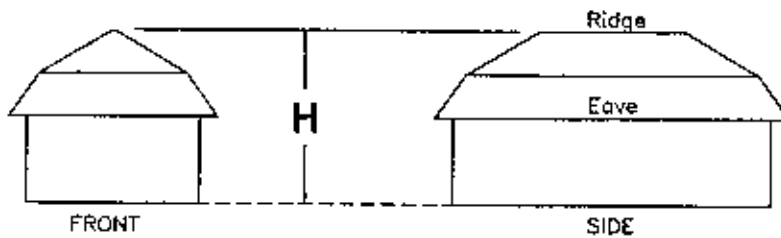
Lands covered by this By-law



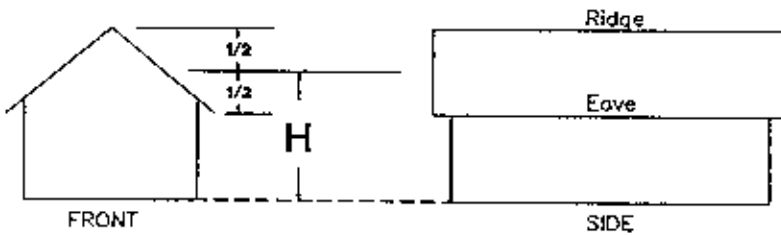
Building Height Definitions



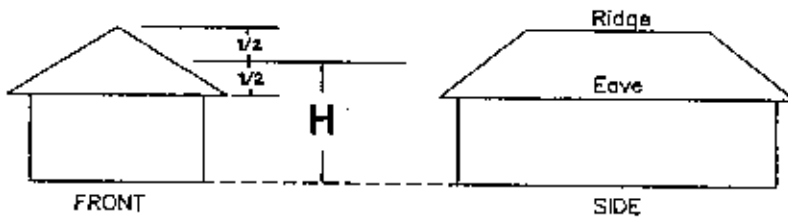
FLAT ROOF



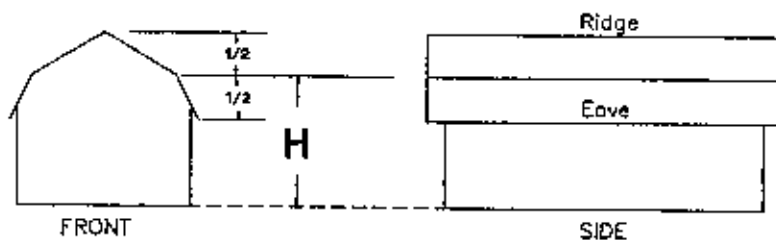
MANSARD ROOF



GABLE ROOF



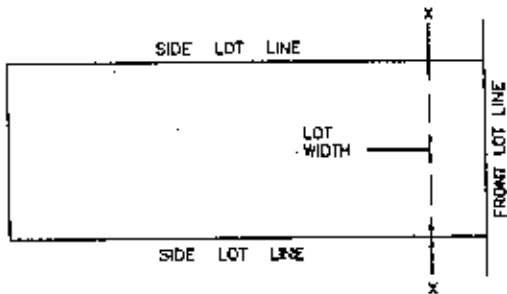
HIP ROOF



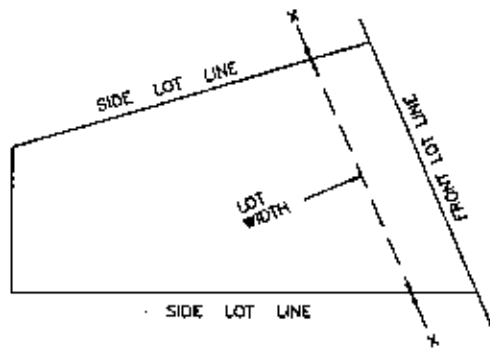
GAMBREL ROOF

H - HEIGHT OF BUILDING

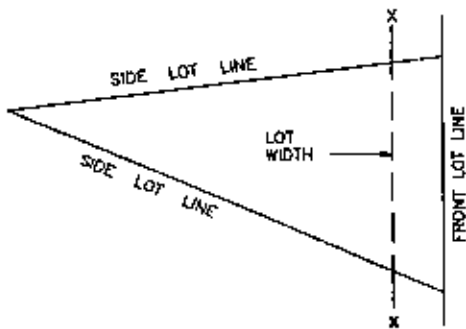
Lot Frontage



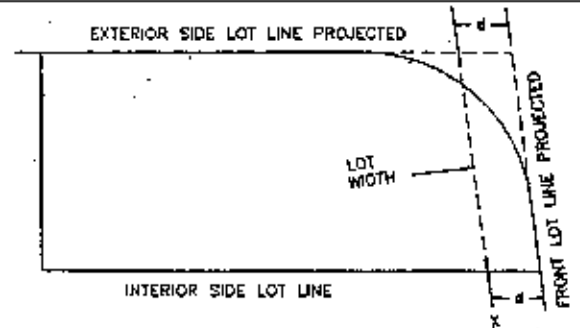
(A) SIDE LOT LINES ARE PARALLEL;
STREET IS STRAIGHT



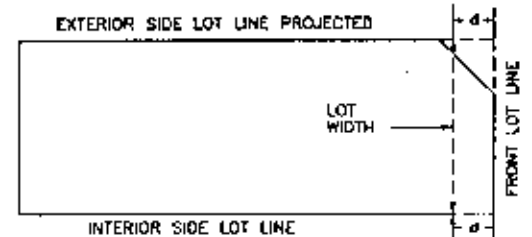
(B) FRONT AND REAR LOT LINES
ARE NOT PARALLEL



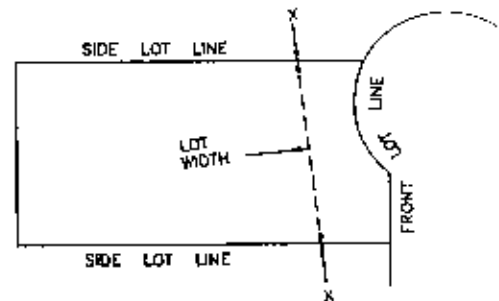
(C) NO REAR LOT LINE



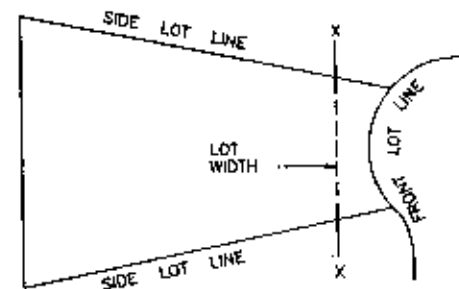
(D) CORNER LOT WITH A CURVE



(E) CORNER LOT WITH A DAYLIGHT
TRIANGLE



(F) LOT ON A CORNER EYEBROW



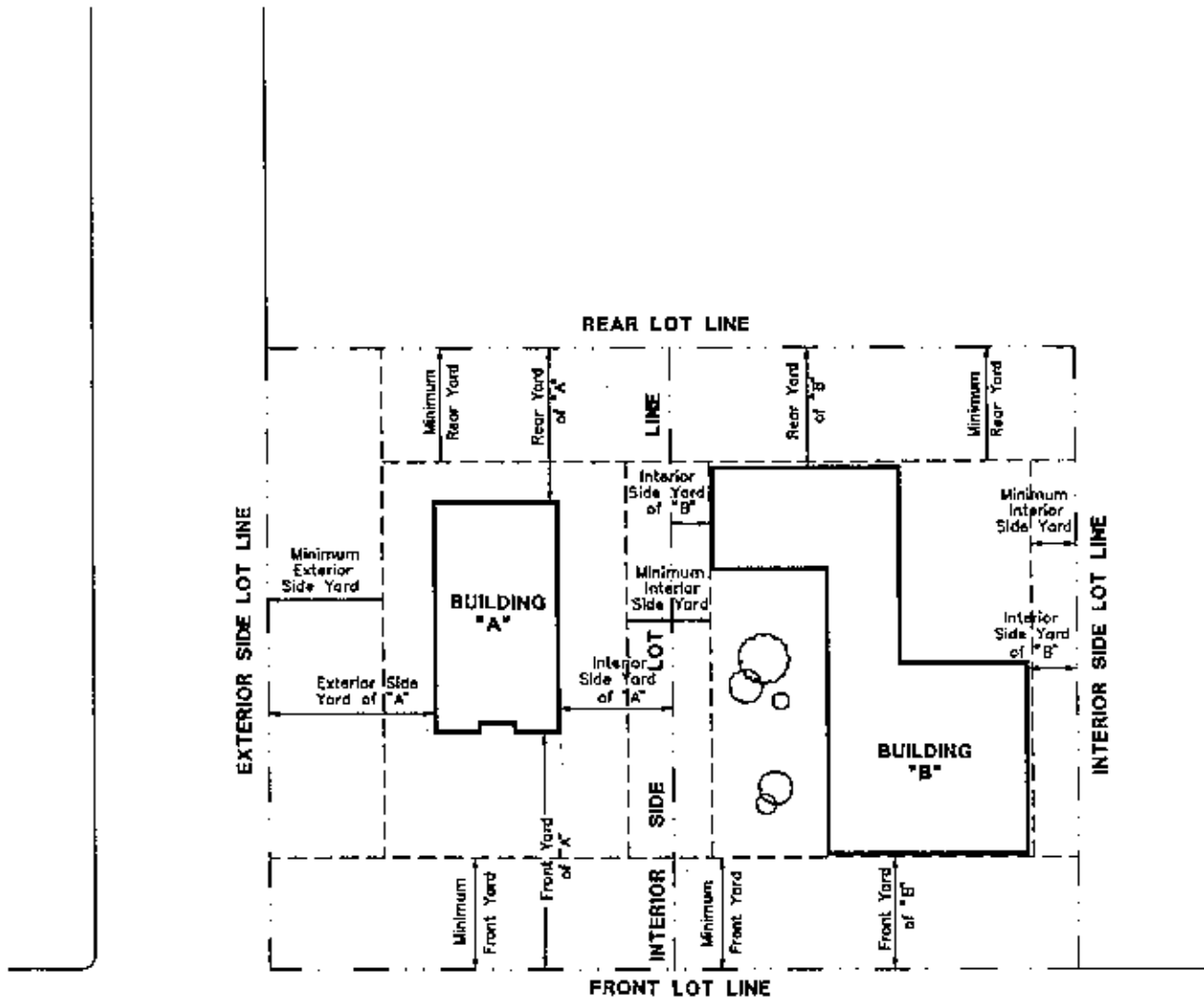
(G) LOT ON A CUL-DE-SAC

LEGEND

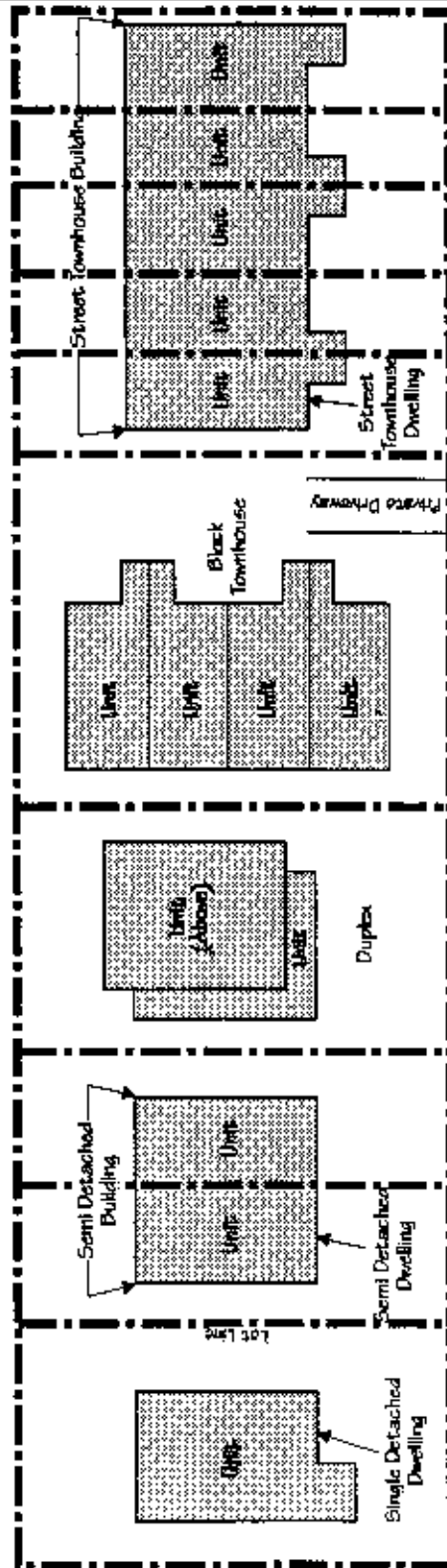
d = DISTANCE BETWEEN FRONT LOT LINE AND
INTERSECTION OF MINIMUM FRONT YARD WITH
INTERIOR SIDE LOT LINE

X = POINT OF INTERSECTION OF MINIMUM FRONT YARD
WITH INTERIOR SIDE LOT LINE(S)

Yard Definitions



Dwelling Unit Types



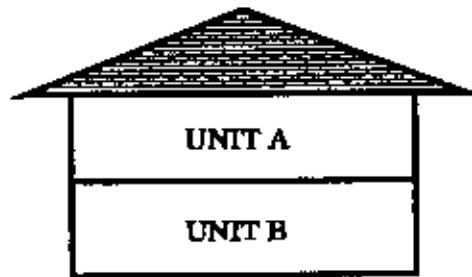
IMPROVED STREET

--- Lot Line

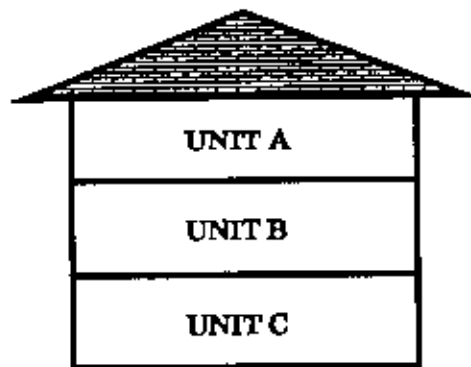
Dwelling Unit Types (continued)



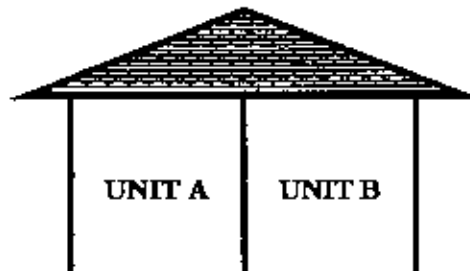
SINGLE DETACHED DWELLING



DUPLEX DWELLINGS

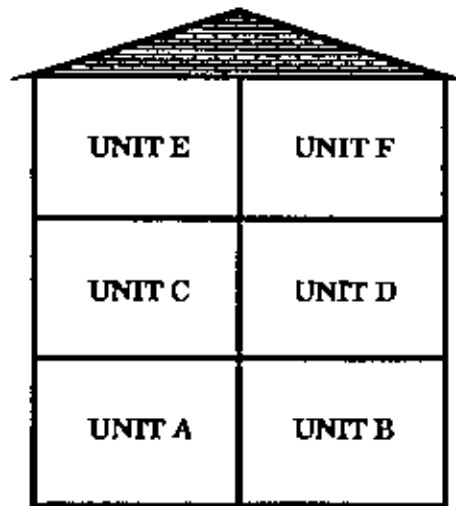


TRIPLEX DWELLINGS

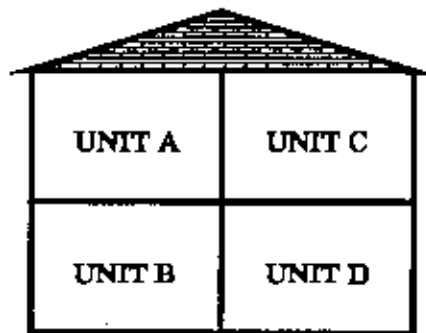


SEMI-DETACHED DWELLINGS

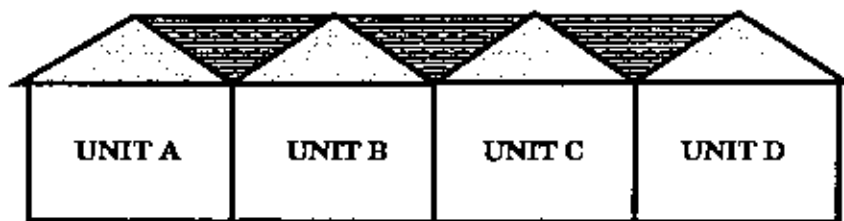
Dwelling Unit Types (continued)



APARTMENT DWELLINGS

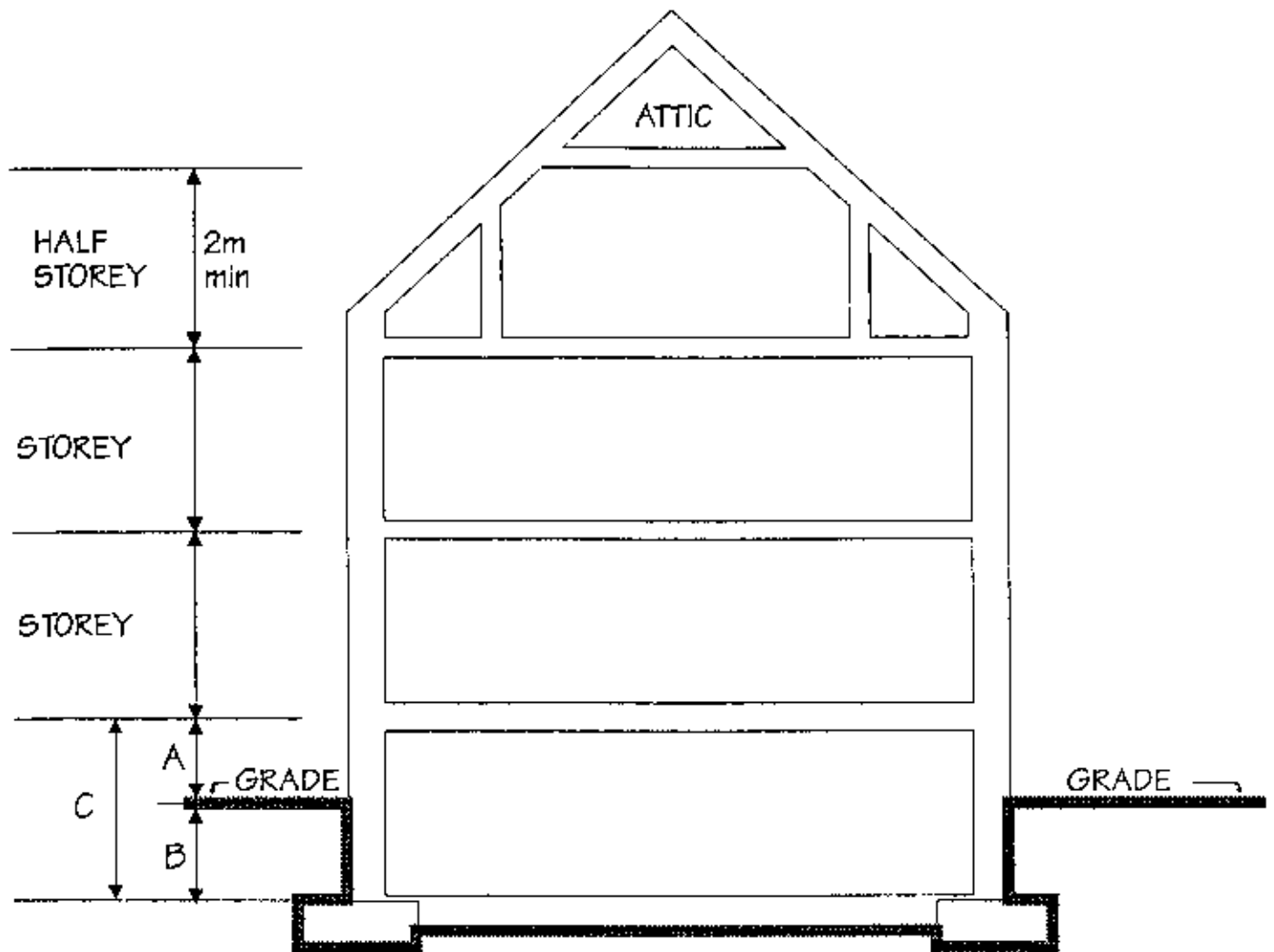


FOURPLEX DWELLINGS



TOWNHOUSE DWELLINGS

Cellar, Basement and Storey



When 'A' is less than 'B', 'C' is a cellar

When 'A' is greater than or equal to 'B', 'C' is a basement

'Grade' for the purpose of this illustration, means the average level of the finished ground adjoining a building or structure at all exterior walls

Lot Definitions

