

SECTION 6 - GENERAL REGULATIONS

- 6.1 Within the corporate limits of the municipality, no person or persons shall use any land or erect or use any building or structure for any purpose other than one or more of the uses listed under the heading "Permitted Uses" for the zoning category in which such land, building or structure is located.
- 6.2 Within the corporate limits of the municipality, no person or persons shall use any land or erect or use any building or structure which does not conform to the provisions set out in this Section and to the regulations set out under the heading "Regulations" for the zoning category in which such land, building or structure is located.

6.3 Reduction of Minimum Lot Areas Prohibited

No lot area shall be so reduced that the yards or other open spaces shall be smaller than those prescribed in this By-law.

When any part of a lot is required by this By-law to be reserved as a yard or other open space, it shall continue to be so used regardless of changes in the ownership of such land or part thereof and shall not be deemed to form a part of an adjacent lot for the purpose of computing the area thereof available for building purposes.

6.4 Accessory Buildings or Structures By-law 77-2005 passed November 22, 2005, By-law 42-2006 passed June 13, 2006

The following regulations shall apply to all accessory buildings and structures unless otherwise specified elsewhere in this By-law.

- 6.4.1 Detached Accessory Building or Structure Location and Setbacks:
- a) No accessory building or structure shall be located between any building line established by this By-law and the street;
 - b) No accessory building or structure to a residence shall be located on any residential/agricultural zoned lot without a principle residence;
 - c) No detached accessory building or structure shall be permitted in a front yard;
 - d) No person shall erect any accessory building or structure, any part of which is within three (3) metres of a window to a habitable room of any main building on an adjoining lot;
 - e) No person shall erect any accessory building or structure, other than a boundary fence, free-standing boundary wall or retaining wall, within one (1) metre of any interior or rear lot line;
 - f) Notwithstanding e) above, two adjoining property owners may erect private garages within a rear yard which have a common wall located on the lot line and extending from ground to the roof throughout the entire length of the structure; and
 - g) The housing, breeding or raising of animals for commercial purposes shall be prohibited. Accessory Building(s) may permit the keeping of ordinary domestic household pets, but not including horses, cattle, sheep, goats, chickens, ducks, geese or other fowl or any exotic pets identified in the Township of Woolwich's Exotic Pet By-law 86-95, as amended. (**By-law 83-2006 passed November 28, 2006 (General Amendment)**)

- 6.4.2 No accessory building shall:
- a) within any Residential or Agricultural zone, consist of, or be built of:
 - PODS (portable onsite storage containers), or
 - unlicensed truck body, vehicle body, trailer; or part thereof;
 - b) be used for human habitation except as specifically permitted in this By-law;
 - c) exceed 4.5 metres in height for any peaked roofed building;
 - d) exceed 3.7 metres in height for any flat roofed building; and/or
 - e) have a garage door exceeding 3.5 metres in height.
- 6.4.3 In any zone, no attached accessory building, or part thereof, shall exceed:
- a) 40% of the ground floor area of a 1 storey dwelling unit (including the attached garage); and
 - b) 50% of the ground floor area of a 2 storey dwelling unit (including the attached garage).
- 6.4.4 In any zone, the total lot coverage of any and all detached accessory building(s), or part thereof, shall be in accordance with the area as noted in the table below:

Total Maximum Allowable Accessory Building Size

| Zone | Detached Building Size |
|-------------|---|
| C-2 or C-3 | 10% of the lot area or 70 square metres, whichever is the lesser. Subject to meeting the total lot coverage |
| A | 112 sq. m. |
| R-1 | 100 sq. m. |
| R-2 | 70 sq. m. |
| R-2A to R-6 | 10% of the lot area or 70 square metres, whichever is the lesser. Subject to meeting the total lot coverage noted in Section 12.8 |
| R-7 | a maximum floor area of 15 square metres |

By-law 92-89 passed September 26, 1989

6.4.5 For Existing Accessory Buildings

For accessory buildings existing on the day of the passing of this By-law, the accessory building location requirement shall be a distance equal to the distance between the interior lot line, rear lot line and/or window to a habitable room of any main building on an adjoining lot and the closest point of the existing accessory building or as set out in Sub-section 6.4.2, whichever is less.

6.4.6 **Horses for Transportation**
By-law 83-2006 passed November 28, 2006 (General Amendment)

Notwithstanding the provisions in this Section, accessory buildings housing horses, which are used for primary transportation purposes are subject to the following regulations:

- Shall be fully enclosed;
- The manure storage area shall be contained inside a building or structure and be covered;
- The building must be a minimum distance of 4.5 metres from the neighbouring dwelling;
- Outdoor corral area shall be contained with a minimum 1.8 metre high sold fence and set back a minimum of 3 metres from the side or rear lot lines but shall not be located in the front yard.
- All other requirements in accordance with the Accessory Building regulations in this Section.

6.5 **Prohibited Obstructions**

6.5.1 Except as specifically permitted elsewhere in this By-law, no person in any zone shall obstruct in any manner whatsoever the area between the street line or lines and any building line established by this By-law. However, this provision shall not apply to the construction of boundary fences, freestanding boundary walls, retaining walls or to uncovered terraces, landings or steps provided that such terraces, landings or steps are not more than 1.2 metres above the finished ground level.

6.5.2 Except as specifically permitted elsewhere in this By-law, no person in any zone shall obstruct in any manner whatsoever any side yard established by this By-law. However, this provision shall not apply to the construction of boundary fences, freestanding boundary walls, retaining walls, or to uncovered terraces, landings or steps provided that such terraces, landings or steps are not more than 1.2 metres above ground level.

6.5.3 Notwithstanding the above, in any yard there may be erected or maintained the usual projections of windowsills, chimney breasts, belt courses, eaves, cornices and other architectural features provided, however, that no such feature shall project more than 0.3 metres into any required side yard and no more than 0.6 metres into any other required yard, except for open iron or steel fire escapes, one or more of which may be erected or maintained.

6.5.4 Except as specifically permitted elsewhere in this By-law, no person in any zone shall obstruct in any manner whatsoever any rear yard established by this By-law. However, this provision shall not apply to the construction of boundary fences, freestanding boundary walls, retaining walls, or to uncovered terraces, landings or steps provided that such terraces, landings or steps are not more than 1.2 metres above ground level. **(By-law 83-2006 passed November 28, 2006 (General Amendment))**

6.6 **Corner Lots**

6.6.1 **No Obstruction on Corners**

OMB decision - February 10, 1987

At the intersection of two streets and within the triangular space formed by joining the point of each street line distant 7.5 metres from the point of intersection of the said street line, no shrub, foliage, or structure including a permitted building shall be placed in a location or manner so as to obstruct the view of the driver of a vehicle approaching the intersection, and in no case shall such shrub, foliage or structure be maintained to a height of more than 0.75 metres above the finished grade of either abutting streets.

6.6.2 **Special Yard Provisions**

In any zone where a Residential Building - One Unit or a Residential Building - Duplex or a Residential Building - Semi-Detached is permitted, a side yard requirement may be substituted for a rear yard requirement when such Residential Building is located on a corner lot.

6.7 **One Residential Building**

Not more than one (1) Residential Building shall be erected, located or used on any one (1) lot except where specifically permitted elsewhere in this By-law.

6.8 **Frontage on a Public Street**

No lot shall be used nor shall any building or structure be erected thereon or used for any purpose in any zone unless the front line of such lot abuts upon a public street as defined by this By-law.

6.9 **Public Services and Utilities**

Notwithstanding anything contained in this By-law, the Township or any local board or commission thereof, the Regional Municipality of Waterloo, any telephone or telegraph company, a transportation system owned or operated by or for the Township or the Regional Municipality of Waterloo, a gas company holding a franchise under the provisions of the Municipal Franchise Act, R.S.O. c.M.55, as amended, and any department or Ministry of the Federal or Provincial Governments including Ontario Hydro or the Hydro-Electric Commission of Waterloo, Wellesley and Woolwich may, for the purpose of the public service, use any land or erect or use any building or structure in any zone, notwithstanding that such building or structure or proposed use does not conform to the provisions of this By-law for such zone. There shall be no exterior storage in yards of goods, materials or equipment in any Zone R-1, R-2, R-2A, R-3, R-4, R-5, R-6, R-7, C-4 or C-5. Outdoor storage in any other zone shall conform to the regulations of the zone relative to outdoor storage in the zone. Any buildings erected or used under the provisions of this sub-section within any Zone R-1, R-2, R-2A, R-3, R-4, R-5, R-6 or R-7 shall be designed and maintained in general harmony with Residential Buildings of the type permitted in the said zone.

6.10 **Building Line or Building Setback Requirements**

On all streets and roads within the area covered by this By-law, a building line or building setback requirement is hereby established as follows:

6.10.1 **For Existing Buildings**

For buildings existing on the day of the passing of this By-law, the building line or building setback requirement shall be a distance equal to the distance between the street line and the closest point of the existing building or as set out in paragraph 6.10.2 below, whichever is less.

6.10.2 **For New Buildings, Structures, or Additions to Existing Buildings**

By-law 86-89 passed September 26, 1989

OMB decision - February 10, 1987

- a) In Zone A and Zone E, the building line shall be 23 metres from the centre line of the road or 7.6 metres from any lot line abutting a street or road.

OMB Decision February 10, 1987

- b) In Zone C-1 or C-2, the building line shall be the front lot line.

By-law 45-88 passed May 24, 1989

- c) In Zone C-2A, the building line shall be 3 metres from any lot line abutting a street or road.

By-law 45-88 passed May 24, 1989

- d) In any zone other than Zones A, C-1, C-2, C-2A or E, the building line shall be 6 metres from any lot line abutting a street or road.

6.11 **Off-Street Parking and Off-Street Loading**

The entrances, driveways, service areas, off-street parking and off-street loading areas, if not paved, shall be properly leveled, drained and treated to prevent the escape of dust.

6.12 **Off-Street Loading Requirements**

In any zone where off-street loading spaces are required, no commercial, industrial or institutional building to which or from which regular deliveries are made by truck shall be erected or used unless there is space provided off a street or lane for the standing, loading or unloading of trucks in conformity with the following regulations:

6.12.1 Shall be located to the rear of the building line or lines.

6.12.2 Shall be so arranged to avoid interference with the movement of traffic on public streets or lanes.

6.12.3 Each off-street loading space shall have a minimum dimension of 3.5 metres by 10.5 metres and a minimum overhead clearance of 4.5 metres.

6.12.4 One off-street loading space shall be provided for each 2,300 square metres or part thereof of building floor area.

By-law 91-89 passed September 26, 1989

6.12.5 Each off-street loading space shall have an ingress to and egress from a driveway which shall have a minimum width of 3.5 metres and have access to a public street.

6.13 **Off-Street Parking Requirements**

6.13.1 Unless specifically permitted elsewhere in this By-law:

- a) All off-street parking areas required by this By-law shall be provided and maintained on the same lot and in the same zone as the lot requiring such area.

By-law 83-2006 passed November 28, 2006 (General Amendment)

- b) All off-street parking spaces shall be situated to the rear of the building line or lines, save and except properties that are zoned Industrial or C-3, C-4, C-5 C-6, C-7 and C-8, the minimum parking space setback from a lot line adjacent to a local road shall be 2 metres and the minimum parking space setback from a lot line adjacent to a regional road shall be 5 metres.

By-law 83-2006 passed November 28, 2006 (General Amendment)

- c) Each off-street perpendicular parking space shall have a minimum dimension of 2.75 metres by 6 metres and each off-street parallel parking space shall have a minimum dimension of 3 metres by 6 metres.

By-law 91-89 passed September 26, 1989

By-law 83-2006 passed November 28, 2006 (General Amendment)

- d) Each off-street aisle space for vehicles to ingress to and egress from a perpendicular parking space shall be a minimum 6 metres wide and the ingress/egress area for one-way traffic that does not serve as an aisle space for a perpendicular parking space shall be a minimum 3 metres wide.

6.13.2 Where, in accordance with the requirements of this By-law, any part of a lot is required to be reserved for off-street parking, such space shall continue to be so reserved.

6.13.3 When calculating the number of parking spaces required in accordance with the regulations of this By-law, any fraction or part of a parking space so calculated shall be considered to be a requirement for one (1) additional parking space.

6.13.4 In any zone where off-street parking is required, such off-street parking spaces shall be provided and maintained on the same lot in conformity with the following:

| Permitted Uses | Required Off-Street Parking Space |
|---|--|
| Arena By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space for each five (5) persons that can be accommodated on fixed seats or benches. |
| Auditorium, Community Centre, Stadium or any use involving assembly of persons | One (1) space for each three (3) persons that can be accommodated on fixed seats or benches or one (1) space for each five (5) square metres of floor area available to the public, whichever is greater |
| Auction By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space per 10 square metres of floor area devoted to the public. |
| Bank By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space per 20 square metres of GFA. |
| Car Washing Establishment By-law 83-2006 passed November 28, 2006 (General Amendment) | 2 parking spaces per property containing the use, but not including spaces required for stacking or spaces used to vacuum the vehicle. |
| Commercial Entertainment By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space per 23 square metres of GFA |
| Computer/Data Service By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space per 30 square metres GFA |
| Convenience Store By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space per 18.5 square metres of GFA |
| Church or Other Places of Worship By-law 87-89 Sept. 26, 1989 | One (1) space for each five (5) persons that can be accommodated on fixed seats or pews or one (1) space for each five (5) square metres of sanctuary floor area, whichever is greater |
| Clinic OMB February 10, 1987 | Six (6) spaces for the first practitioner plus four (4) spaces for each additional practitioner |
| Commercial Floor Area Devoted to Retail Sales or Merchandising | One (1) space for each 18.5 square metres of such floor area |
| Commercial Floor Area Not Devoted to Retail Sales or Merchandising By-law 87-89 passed Sept. 26/89 | One (1) space for each 30 square metres of such floor area |

| Permitted Uses | Required Off-Street Parking Space |
|--|---|
| Commercial Recreation By-law 73-91 passed Sept. 3/91 | One (1) space for each 23 square metres of floor area |
| Day Nursery | Five (5) spaces |
| Doctor's Office in Private Residence | Three (3) spaces plus one (1) space for the Residential Unit |
| Dwelling Unit or Units in a building, the street floor frontage of which is used for a permitted commercial or office use. By-law 83-2006 passed November 28, 2006 (General Amendment) | 1.5 spaces per unit. |
| Food Store By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space per 20 square metres of GFA |
| Fraternal Organization, Club or similar use | One (1) space for each 18.5 square metres of building floor area |
| Funeral Home | Twenty (20) spaces |
| Golf Course - 9 hole | 75 spaces |
| Golf Course - 18 hole | 125 spaces |
| Golf Driving Range/ Miniature Golf Course | Three (3) spaces for each two (2) tees or holes |
| Hospital, Rest Home, Nursing Home or Convalescent Home | One (1) space for each four (4) beds plus one (1) space for each four (4) employees |
| Hotel, Motel, Motor Hotel, Tourist Home, Cabins and similar uses providing sleeping accommodation for hire | One (1) space per rentable bedroom unit plus additional requirements for restaurant or place for dispensing refreshment to the public |
| Industry By-law 87-89 passed Sept. 26/89 | One (1) space for each 50 square metres of gross floor area |
| Industry-Warehouse or Indoor Storage By-law 87-89 Sept. 26, 1989 | One (1) space for each 500 square metres of gross floor area |
| Laboratories By-law 73-91 Sept. 3, 1991 | One (1) space for each 50 square metres of floor area |

| Permitted Uses | Required Off-Street Parking Space |
|---|---|
| Lodging, Rooming, Boarding House or Tourist Home | One (1) space for each dwelling unit plus one (1) additional space for each two (2) guest rooms |
| Massage Clinic By-law 83-2006 passed November 28, 2006 (General Amendment) | 3 spaces for each practitioner |
| Museum By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space per 23 square metres of GFA |
| Nursing Home By-law 83-2006 passed November 28, 2006 (General Amendment) | 1 space for every 2 beds plus the additional requirement for uses not directly associated with the nursing home |
| Office By-law 87-89 passed Sept. 26/89 | One (1) space for each 30 square metres of floor area |
| Other Permitted Uses | One (1) space for each 45 square metres of floor area |
| Personal Service By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space per 20 square metres of GFA |
| Pool By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space per 9 square metres of pool deck area. |
| Raising, training or boarding of horses not owned by the farmer By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space for every four (4) horse stalls |
| Research and Development By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space per 35 square metres of GFA |
| Residential Building - Apartment | One and one-half (1.5) spaces per dwelling unit |
| Residential Building - Duplex | One (1) space per dwelling unit |
| Residential Building - One Unit | One (1) space per dwelling unit |
| Residential Building - Row | One (1) space per dwelling unit |
| Residential Building - Semi-Detached | One (1) space per dwelling unit |
| Restaurant or Place for Dispensing Refreshment to the Public | One (1) space for each 4.5 square metres of floor area devoted to public use |

| Permitted Uses | Required Off-Street Parking Space |
|---|--|
| Riding Stable or Riding Academy By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space for every two (2) horse stalls |
| Schools - Elementary | One (1) space for each classroom plus the additional requirements for an auditorium |
| Schools - Secondary and Other | Three (3) spaces for each classroom plus the additional requirements for an auditorium |
| Service Station or Repair Garage | Four (4) spaces for each service bay |
| Studio By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space per 40 square metres of GFA |
| Theatre By-law 83-2006 passed November 28, 2006 (General Amendment) | One (1) space for each four (4) persons that can be accommodated on fixed seats or benches |
| Note: By-law 83-2006 passed November 28, 2006 (General Amendment) | GFA – Gross Floor Area or Floor Area |

Handicap Provisions (By-law 83-2006 passed November 28, 2006 (General Amendment))

6.13.5 Unless specifically permitted elsewhere in this By-law:

- a) The minimum size of a handicap parking space shall be:
 - (1) 5.2 metres by 6.0 metres for perpendicular parking that is not flush to a curb/sidewalk and is one stand-alone space,
 - (2) 3.9 metres by 6.7 metres for parallel parking that is flush to a curb/sidewalk, and
 - (3) 3.9 metres by 6.0 metres for two or more spaces that are side-by-side or one stand-alone space that is flush to a curb/sidewalk.
- b) The minimum number of handicap parking spaces for:
 - (1) a residential apartment building or multiple townhouse complex (minimum 6 units) or a commercial or an institutional use shall be 1 space for every 50 required parking spaces or portion thereof required,
 - (2) a medical use shall be 1 space for every 20 required parking spaces or portion thereof required; and
 - (3) an industrial use shall be 1 space for every 100 required parking spaces or portion thereof required.
- c) Handicap parking spaces shall:
 - (1) be located adjacent to the barrier-free entrance(s) of each building and connect with the barrier-free path of travel,
 - (2) have sufficient clearance around vehicles, light standards, waste receptacles, etc., and
 - (3) not conflict with designated fire routes, intersections, driveways, etc.

Stacking Provisions (By-law 83-2006 passed November 28, 2006 (General Amendment))

6.13.6 Unless specifically permitted elsewhere in this By-law:

- a) The minimum stacking spaces for a Drive-Thru Restaurant shall be 8 spaces at 2.5 metres by 6 metres.
- b) The minimum stacking spaces for a Drive-Thru Coffee Shop shall be 12 spaces at 2.5 metres by 6 metres.

Parking Impacting a Public Road (By-law 83-2006 passed November 28, 2006 (General Amendment))

6.13.7 All off-street parking shall be provided with adequate means of ingress to and egress from a street and shall be arranged so as to not interfere with the normal public use of a street. Any parking lot (not including a private residential driveway) shall provide for ingress and egress of vehicles to and from the street in a forward motion only.

Existing Parking Approval (By-law 83-2006 passed November 28, 2006 (General Amendment))

6.13.8 Development or use that has or will develop parking based on an approval received or a completed application received on or prior to November 28, 2006 for a Certificate of Occupancy required in Section 27.2 of By-law 55-86, as amended or a Site Plan approval in Section 41 of the Planning Act, as amended, is deemed to conform, except that any new development approval or use being established after November 28, 2006 shall comply to the applicable parking regulations in Section 6.13.

6.14 **Outdoor Storage and Display**

Except as specifically permitted elsewhere in this By-law, the outdoor storage or display of goods, materials, parts, machinery or finished products is prohibited.

6.15 **Buffer Strips**

In any zone where a buffer strip is required, such buffer strip shall:

- 6.15.1 Have a minimum width throughout of not less than 1.5 metres.
- 6.15.2 Be located abutting the zone or lot limit save and except that no buffer strip shall be located between the street line and any building line established by this By-law.
- 6.15.3 Be in addition to all other yards required in the said zone.
- 6.15.4 Be kept free of all parking, buildings or structures except for a legal boundary fence or wall.
- 6.15.5 Be used only for the planting of grass, flowers, shrubs or trees.

Sign By-law 80-92 passed September 15, 1992

6.16 **Lights and Signs**

- 6.16.1 Notwithstanding provisions pertaining to structures in this By-law, all signs shall be regulated by a separate Sign By-law adopted by the Township.
- 6.16.2 Lights shall not be erected in such a way as to be confused with traffic signals or otherwise hazardous to traffic.
- 6.16.3 Lights used to illuminate a building or premises, including a parking lot, shall be arranged to deflect light away from adjacent premises on streets.

6.17 **Parks/Recreation Areas/Conservation Areas - Publicly Owned**

Notwithstanding anything contained in this By-law, publicly owned parks, publicly owned recreation areas and facilities and publicly owned conservation areas shall be permitted uses in any zone as defined in this By-law.

6.18 **Regulations for a Home Occupation or Office, Base or Headquarters for the Occupant of a Permitted Dwelling Unit**

No person(s) shall use any part of a dwelling unit for a home occupation or an office, base or headquarters for the occupant of a permitted dwelling unit except in conformity with the following regulations:

- 6.18.1 That such home occupation or office, base or headquarters for the occupant of a permitted dwelling unit shall be located within a private dwelling unit or a permitted accessory building and shall be for the exclusive use of the occupants of the private dwelling unit only and that there shall be no employees operating in or from the premises at any time.
- 6.18.2 That an area equal to not more than thirty-five (35) square metres shall be used for such use.
- 6.18.3 That there shall be no outdoor storage of goods or materials.

Sign By-law 80-92 September 15, 1992

- 6.18.4 That there shall be no display material.
- 6.18.5 That no retail sales or wholesale merchandising or repair service shall be operated on the premises.
- 6.18.6 That no machinery or mechanical equipment of any kind other than normal household, hobby or office equipment shall be used on the premises in connection with such home occupation.
- 6.18.7 No home occupation shall be permitted until a Certificate of Occupancy has been issued by the Township. No change in use shall be made without the issuance of a new Certificate of Occupancy.
- 6.18.8 That no exterior alterations shall be made to the building or premises in connection with such home occupation or office, base or headquarters for the occupant of a permitted dwelling unit.

6.18.9 Any use which is or may become obnoxious, offensive or dangerous by reason of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter or water-carried wastes, is specifically prohibited.

By-law 83-2006 passed November 28, 2006 (General Amendment)

6.18.10 That any teaching operations shall be limited to no more than four (4) students at one time, and any clinics (massage, chiropractic, aesthetics) shall be limited to a maximum of one patient being treated at a time, for properties within a Residential zone.

6.19 Regulations for Hotel or Motel

No hotel or motel shall be erected or used except in conformity with the following regulations:

| | |
|--------|--|
| 6.19.1 | Minimum Lot Area - 2,000 square metres |
| 6.19.2 | Minimum Lot Width - 30 metres |
| 6.19.3 | Minimum Side Yard (Each Side) - 6 metres |
| 6.19.4 | Minimum Rear Yard - 7.5 metres |
| 6.19.5 | Notwithstanding the foregoing, where rentable rooms have direct access to a side or rear yard, the minimum width of such yard shall not be less than 9 metres |
| 6.19.6 | Off-Street Parking and Off-Street Loading: In conformity with the provisions of sub-sections 6.11, 6.12 and 6.13 |
| 6.19.7 | Lights: In conformity with the provisions of sub-section 6.16 Amended by Sign By-law 80-92 September 15, 1992 |
| 6.19.8 | Buffer Strips: In conformity with the provisions of sub-section 6.15 along all zone limits where such hotel or motel abuts a zone which permits a Residential Building |
| 6.19.9 | Accessory Uses: Accessory uses to a hotel or motel shall not be interpreted to include an automobile service station, a repair garage or gas bar |

6.20 Title Separation of Attached Dwellings

Nothing in this By-law shall be deemed to prevent the separate and distinct ownership of the individual dwelling units in Residential Buildings so long as all regulations are adhered to.

6.21 Pits and Quarries

Except by amendment to this By-law, the making or establishment of pits and quarries within the Township is hereby prohibited save and except for those areas located in Zone E and shown on the maps forming Schedule "C" to this By-law. Nothing in this By-law shall prevent the making or establishment of a wayside pit or wayside quarry as defined in this By-law.

6.22 **Regulations for On-Farm Businesses** By-law 93-97 passed November 11, 1997

6.22.1 On-Farm Businesses are limited to woodworking shops (any fabricating process which primarily involves wood, such as furniture-making, woodbending, pallet manufacturing) and farm-related, dry industrial or commercial activities providing a good or service primarily geared for farm operations, including blacksmithing.

6.22.2 On-Farm Businesses are limited to the following floor areas:

| Farm Size | Woodworking | Farm-Related |
|------------|-------------------|-------------------|
| 10-20 ha | 100 square metres | 150 square metres |
| 20.1-35 ha | 200 square metres | 250 square metres |
| 35.1+ ha | 300 square metres | 350 square metres |

6.22.3 On-Farm Businesses must be operated by the resident farmer, a resident member of the farm family or non-resident owner of the farm who farms the property.

6.22.4 On-Farm Businesses are not permitted until a Certificate of Occupancy has been issued by the Township. No change in use can be made without the issuance of a new Certificate of Occupancy.

6.22.5 All buildings/structures and storage, display, parking and loading areas used in connection with an On-Farm Business must be separated by at least 150 metres from buildings used for residential, recreational or institutional purposes located on an adjacent lot. New residences on an adjacent property must be a minimum of 180 metres from buildings housing an On-Farm Business for which a Certificate of Occupancy has been issued.

6.22.6 Accessory retailing areas are permitted for woodworking shops for goods produced on-site.

6.22.7 Outdoor storage for all On-Farm Businesses is limited to 25% of the operation's floor area and must be located to the rear of the On-Farm Business building(s). Notwithstanding this, the outdoor display of farm equipment/machinery for sale is permitted in front of the buildings but behind the Building Line Setback and is not subject to the 25% of floor area restriction.

6.22.8 The recycling of animal products, a rendering plant, the recycling or refining of petroleum products, a junk, scrap, salvage or wrecking yard or a use which is or may become offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter, water carried wastes or traffic is specifically prohibited.

6.22.9 Notwithstanding 6.22.5, any building or structure erected or used in connection with an On-Farm Business must be located behind the building line(s) and in close proximity to the cluster of existing farm buildings.

6.23 **Regulations for Trailer as a Second Dwelling Unit on a Lot**

In any zone where a trailer is permitted as a second dwelling unit on a lot, such trailer shall only be located provided that such trailer is licensed pursuant to the provisions of a by-law for the licensing of trailers and for prohibiting trailers being located in the Township without a license therefore and passed by the Township.

6.24 **Regulations for Conversion of an Existing Residential Building**

In any zone where conversion of an existing Residential Building is permitted, such conversion shall be permitted only in conformity with the following:

- 6.24.1 That the Residential Building was lawfully used as a Residential Building on the day of the passing of this By-law, and that such Residential Building had a floor area of not less than 140 square metres.
- 6.24.2 Where municipal sewage collection and treatment are not available, that private sewage disposal and/or treatment facilities have been approved by the Waterloo Regional Health Unit.
- 6.24.3 That the building when converted will conform to the requirements of all other by-laws of the municipality.
- 6.24.4 That each residential dwelling unit created shall be fully self-contained and shall have a floor area of not less than 50 square metres.
- 6.24.5 Except in Zone A, each residential dwelling unit shall have a direct means of access to a public street by means of halls or stairs.
- 6.24.6 That there shall be no exterior stairways except open metal fire escapes which shall be located only in a rear or side yard.
- 6.24.7 That not less than one (1) off-street parking space be provided for each residential dwelling unit.
- 6.24.8 That the property containing the dwelling conversion comply to the minimum lot requirements (i.e. lot area, frontage and width) of the applicable zone that the parcel lies within. (**By-law 83-2006 passed November 28, 2006 (General Amendment)**)

6.25 **Regulations for Hairdresser/Barber for the Occupant of a Residential Building - One Unit**

- 6.25.1 That such hairdressing or barbering facility be located within a Residential Building - One Unit and be operated only by the occupant of the private dwelling unit and there shall be no employees operating in or from the premises at any time.
- 6.25.2 That an area not exceeding twenty-five per cent (25%) of the ground floor area of the Residential Building - One Unit shall be used for the hairdressing or barbering facility.
Sign By-law 80-92 passed September 15, 1992
- 6.25.3 That there shall be no external evidence of the hairdressing or barbering facility.
- 6.25.4 That a minimum of two (2) off-street parking spaces shall be provided in addition to the parking space required for the Residential Building - One Unit.

6.26 **Distance Separation - Group Homes**

6.26.1 Within Zone A, no group home shall be located on any parcel of land, any part of which is within 300 metres of any part of a parcel which contains an existing group home.

6.26.2 Within any zone other than Zone A where group homes are a permitted use, no group home shall be located on any parcel of land, any part of which is within 150 metres of any part of a parcel of land abutting the same street and which parcel contains an existing group home.

By-law 88-89 passed September 26, 1989 and By-law 37-2001 passed June 12, 2001

By-law 83-2006 passed November 28, 2006 (General Amendment)

6.27 **Special Provisions for Automobile and Farm Machinery Sales**

Notwithstanding any other provisions of this By-law, in Zones C-1, C-3, C-7, M-1, M-2, M-5 and M-6 the outdoor display of new or used cars, trucks or farm machinery being offered for sale or rent is permitted in a front or side yard in accordance with:

That no such use be located:

- (a) between the street line and any building or setback line established by this By-law;
- (b) within 4.5 metres of the side lot line on the side of the lot on which vehicular access is provided to the rear yard.

6.28 **Television Dish Antennae**

6.28.1 A television dish antenna or facility appurtenant thereto, whether mounted on a structure or on a mobile platform, shall be considered to be a structure for the purposes of this By-law.

6.28.2 No television dish antenna or facility appurtenant thereto, whether mounted on a structure or on a mobile platform, shall be located between the street line and the front wall of the main building nor within any required side yard on any lot.

By-law 83-2006 passed November 28, 2006 (General Amendment)

6.29 **Use of Symbol (f) Following Zone or Map Symbol**

In any case where the Map Symbol for any zoning classification is followed by the letter "f" in brackets, the lands so designated shall be subject to the following regulations in additions to the regulations for the zone:

6.29.1 Any use permitted in the zone shall be permitted within existing building(s), save and except that no new residences or additional residential units shall be established on or below first floor level without Grand River Conservation Authority Approval.

6.29.2 No new building(s), structure(s) or addition(s), including above ground or in-ground swimming pool(s) shall be constructed without Grand River Conservation Authority Approval.

6.29.3 Notwithstanding the foregoing, in cases where a lot is divided into two zones and one of these zones contains the (f) symbol, then expansions or additions to existing buildings or structures shall be permitted without the approval of the Grand River Conservation Authority if the proposed addition or expansion is to be located on that part of the lot which does not contain the (f) symbol. In cases where the proposed addition or expansion to the existing building or structure is to be located in an area containing the (f) symbol, Grand River Conservation Authority approval is required prior to the granting of a building permit.

6.30 Recognizing Existing Side Yards and Rear Yards for Buildings Designed for and Used as a Residential Building

6.30.1 Existing Side Yards By-law 92-89 passed September 26, 1989

For buildings designed for and used as a residential building existing on the day of the passing of By-law 55-86, the side yard requirements shall be a distance equal to the distance between the interior lot line and the closest point of the existing buildings designed for and used as a residential building or as set out in the applicable side yard regulations of the zone in which the said building is located, whichever is lesser.

6.30.2 Existing Rear Yards By-law 92-89 passed September 26, 1989

For buildings designed for and used as a residential building existing on the day of the passing of By-law 55-86, the rear yard requirement shall be a distance equal to the distance between the rear lot line and the closest point of the existing building designed for and used as a residential building or as set out in the applicable rear yard regulations of the zone in which the said building is located, whichever is lesser.

6.31 Holding Provisions By-law 90-94 passed November 8, 1994

6.31.1 In any case where the zone or map symbol for any zoning classification or a particular use within a zoning classification has the suffix "H", the lands so identified shall be used for the following purposes only, until the "H" symbol has been removed by by-law:

- a) Uses existing at the date of passing of the Holding By-law unless otherwise specified in the site-specific by-law applying to the lands denoted in the site-specific zoning included in Section 26 of this By-law.
- b) Other uses listed in the site-specific By-law applying to the lands denoted by the site-specific zoning included in Section 26 of this By-law.

6.31.2 Prior to removal of the Holding Symbol "H", Council shall be satisfied that all requirements or conditions of the Township, Region or other public agencies, as set out in the Official Plan and identified as applying to the lands shown on zoning Schedules A, B and C included in this By-law, have been met.

6.32 **Regulations for Bed and Breakfast Establishments** By-law 99-96 passed November 12, 1996

- 6.32.1 That the operation be located within the residential building.
- 6.32.2 That a maximum four bedrooms be available for or used for the accommodation of guests.
- 6.32.3 That one off-street parking space be provided for each bedroom available to the public in addition to the space required for the residential unit. The parking spaces may be stacked.
- 6.32.4 Bed and Breakfast Establishments are not permitted until a Certificate of Occupancy has been issued by the Township. No change in use can be made without the issuance of a new Certificate of Occupancy.
- 6.32.5 Bed and Breakfast Establishments must be separated a minimum of 150 metres from adjacent residences.

6.33 **Food Vehicles and Outdoor Vendors** By-law 36-96 passed April 16, 1996

Notwithstanding provisions pertaining in this By-law, all food vehicles and street vendors shall be regulated by a separate Food Vehicles and Outdoor Vendors By-law adopted by the Township.

6.34 **Private Well Prohibition – Elmira** By-law 65-2005 passed October 25, 2005

Notwithstanding anything else in this By-law, a private well shall not be permitted as a primary, secondary or accessory structure on any lands within the Elmira Settlement as shown on Schedule D1 to this By-law where a municipal water distribution system is available within the road right-of-way abutting the property. This regulation shall not apply to a:

1. Well which legally existed prior to the date of the passing of this By-law;
2. Well which is established for the purposes of environmental site remediation, water monitoring or site dewatering.
3. Groundwater Heat Pump

Any well that is not being used shall be decommissioned in accordance with Regulation 903 of the Ontario Water Resources Act R.S.O. 1990 c.O.40, and any future amendments thereto.

6.35 **Accessory Windmills** By-law 77-2005 passed November 22, 2005

- 6.35.1 No windmill shall be located between any building line established by this By-law and the street.
- 6.35.2 Windmills shall be setback:
 1. a minimum of 1.5 times the height of the entire structure from any lot line; and
 2. no less than 30 metres (100 feet) from a neighbouring dwelling.
- 6.35.3 The minimum distance between the ground and any protruding blades shall be 4.5 metres (15 feet) measured from the lowest point in the arc of the blades to the ground.
- 6.35.4 No lighting shall be permitted on the structure unless required by Transport Canada for aviation purposes.

6.36 **Decks, Porches or Terraces** By-law 83-2006 passed November 28, 2006 (General Amendment)

The following regulations shall apply to all decks, porches or terraces unless otherwise specified elsewhere in this By-law:

- 6.36.1 The minimum building line setback for decks, porches or terraces shall be 3.5 metres from a lot line abutting a street or road.
- 6.36.2 The minimum side yard setback for decks, porches or terraces shall be the applicable side yard requirement in the zone within which the parcel lies.
- 6.36.3 The minimum rear yard setback for decks, porches or terraces, which are greater than 0.6 metres in height shall be 4 metres.
- 6.36.4 The minimum rear yard setback for uncovered decks, porches or terraces (i.e. no walls, roofs or supporting post), which are 0.6 metres or less in height shall be 1 metre.
- 6.36.5 Notwithstanding the above, a 1.5 metre wide uncovered walkway (i.e. no walls, roofs or supporting post) around an above ground pool that is greater than 0.6 metres in height shall have a minimum rear yard setback of 2 metres but shall maintain the required side yard setback.

6.37 **Building Line Setback on Curved Roads** By-law 83-2006 passed November 28, 2006 (General Amendment)

For the purpose of measuring the applicable Building Line Setback of a Front Lot Line that is curved, the Building Line Setback is measured from the applicable building/structure (i.e. garage, front wall or porch of the house) to a line that is tangent to the curvature of the Front Lot Line and parallel to the applicable building/structure.

6.38 **Commercial Vehicles in Residential Zones** By-law 83-2006 passed November 28, 2006 (General Amendment)

In any Residential R-1 to R-5 Zones, and Residential R-7 zone, the parking or storage of commercial vehicles is subject to the following regulations:

- a) No commercial vehicle shall be parked or stored, except within a fully enclosed building or structure.
- b) Notwithstanding clauses a) above, any commercial vehicle may temporarily attend a residential property while engaged in a service call or delivery for that residential property for no more than 10 hours in one day, or for the purpose of moving items for that residential property for no more than a 24 hour period.
- c) No parked or stored commercial vehicle shall obstruct the visibility or movement of vehicular or pedestrian traffic within a street, lane or sidewalk.
- d) Notwithstanding any of the above and the definition of a commercial vehicle, in the R-1 zone, a bus, tow truck, stake bed truck, step van would be permitted.

6.39 **Conflicting Regulations** By-law 83-2006 passed November 28, 2006 (General Amendment)

Notwithstanding any other provisions in this By-law, if a permitted use, building and/or structure is subject to two or more conflicting regulations required in the zone that the parcel lies, such permitted use, building and or structure shall be subject to the more restrictive regulation required in the applicable zone.

6.40 **Value Added Farm Uses** By-law 35-2007 passed April 24, 2007 (Agricultural Amendments)

The following regulations shall apply to Value Added Farm Uses:

6.40.1 Value Added Farm Uses are limited to the following maximum floor areas:

| Farm Size (ha.) | Value Added Use (sq. m.) |
|-----------------|--------------------------|
| 4 to 10 | 70 |
| 10.1 to 20 | 150 |
| 20.1 to 35 | 250 |
| 35.1 and up | 350 |

6.40.2 Accessory retailing of the value added products produced on the farm may be permitted as part of the maximum floor area, which shall not exceed 15% of the total floor area.

6.40.3 That the majority of the ingredient/component for the agricultural product or commodity used for the operation must be grown or raised on the subject farm, and in addition may include doing similar processing for other farms. Other such components including ingredients, packaging, and limited additional agricultural product or commodity acquired elsewhere, are permitted as part of the operation.

6.40.5 Value Added Farm Uses shall be permitted in addition to an On-Farm business in Section 6.22.

6.40.6 A Value Added Farm Use shall be operated by the resident farmer, a resident member of the farm family or non-resident owner of the farm who farms the property.

6.40.7 A Value Added Farm Use shall not be permitted until a Certificate of Occupancy has been issued by the Township. No change in use can be made without the issuance of a new Certificate of Occupancy.

6.40.8 All buildings/structures and storage, display, parking and loading areas used in connection with a Value Added Farm Use must be separated by at least 150 metres from buildings used for residential, recreational or institutional purposes located on an adjacent lot. New residences on an adjacent property must be a minimum of 180 metres from buildings housing a Value Added Farm Use for which a Certificate of Occupancy has been issued.

6.40.9 A rendering plant, the recycling or refining of petroleum products, a junk, scrap, salvage or wrecking yard or a use which is or may become offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter, water carried wastes or traffic is specifically prohibited.

6.40.10 Outdoor Storage for all Value Added Farm Uses is limited to 25% of the operations floor area and must be located to the rear of the Value Added Uses building(s).

6.40.11 Notwithstanding 6.40.8, any building or structure erected or used in connection with an Value Added Farm Use must be located behind the building line(s) and in close proximity to the cluster of existing farm buildings.

6.41 **Farm Produce Stand** By-law 35-2007 passed April 24, 2007 (Agricultural Amendments)

The following regulations shall apply to a Farm Produce Stand:

- 6.41.1 The total retail floor area for farm produce grown on site shall not exceed 100 square metres;
- 6.41.2 For farms being 10 hectares or greater the following additional regulations shall apply:
- i. A maximum of 50% or 37.5 square metres, whichever is the lesser, of the Farm Produce Stand may be devoted to the sale of products not grown or raised on the premises which is limited to the following only:
 - a. produce (being fruit and vegetables only),
 - b. baking and preserves both made from products grown on site, and
 - c. potted and cut flowers purchased from Woolwich farms or the Produce Auction, which:
 - i. shall not exceed a maximum of 10% of the gross floor area or 7 square metres whichever is the lesser, and
 - ii. is contained within and part of the 50% or 37.5 square metres of other off site products;
 - ii. The Farm Produce Stand must provide a minimum 6 metre wide driveway throat (throat being the first 9 metres);
 - iii. The Farm Produce Stand shall not be permitted until a Certificate of Occupancy has been issued by the Township. No change in use can be made without the issuance of a new Certificate of Occupancy;
 - iv. Shall not be in addition to any retail floor area permitted for a Greenhouse operation or Value Added operation.
- 6.41.3 All Outdoor sales of products grown on site may be permitted in addition to the maximum floor area, but shall not include the additional items which may be permitted in Section 6.41.2 (produce not grown on site, bakery, preserves) which shall be contained within the building and no outdoor sales of these items shall be permitted.
- 6.41.4 The Farm Produce Stand shall not be located within 100 metres of an adjacent residence.
- 6.41.5 The Farm Produce Stand shall be operated by the resident farmer, a resident member of the farm family or non-resident owner of the farm who farms the property;
- 6.41.6 The Farm Stand must be clustered with existing farm buildings except:
- a) if the building is less than 20 square metres, it can then be located by the road and outside of the cluster.
- 6.41.7 Shall provide parking is in accordance with Section 6.13, based on one (1) space for each 18.5 square metres of retail floor area. Notwithstanding Section 6.13.1b) the off-street parking shall be setback a minimum of 5 metres to a lot line adjacent to a public road.

6.42 **Agri-Tourism** By-law 35-2007 passed April 24, 2007 (Agricultural Amendments)

The following regulations shall apply to Agri-Tourism Uses:

- 6.42.1 Shall permit only those Agri-Tourism uses identified in the definition in Section 2.1b. Any Agri-Tourism use that is not listed in Section 2.1b shall require an amendment to this By-law.
- 6.42.2 Agri-Tourism operations shall be operated by the resident farmer, a resident member of the farm family or non-resident owner of the farm who farms the property.

- 6.42.3 The sale of Off Farm Products is limited to a maximum floor area of 1 square metre (10 square feet), Off Farm Products could include books and limited novelty gifts related to the farming operation on the premises, unless it is part of Farm Produce Stand or Greenhouse Sales Operation in which it shall then form part of the floor area permitted for those areas.
- 6.42.4 The sale of Off Farm Products shall not be established until the Township has issued a Certificate of Occupancy. No change in use can be made without the issuance of a new Certificate of Occupancy.

6.43 - Use of Symbol (FW) Following Zone or Map Symbol By-law 32-2008 passed May 20, 2008

In any case where the Map Symbol for any zoning classification is followed by the letter "FW" (Floodway) in brackets, the lands so zoned shall be subject to the following regulations in addition to the regulations for the zone that the parcel lies:

- 6.43.1 Any use or accessory use permitted in the zone that the parcel lies shall continue to be permitted within the existing buildings and/or structures erected on or before May 20, 2008,
- 6.43.2 Minor additions or passive non-structural uses, which do not affect flood flows or flood and erosion control works, as approved by the Grand River Conservation Authority shall be permitted.
- 6.43.3 Municipal infrastructure and public utilities not including associated buildings shall be permitted. Any new, modification, expansion and/or replacement of municipal infrastructure and public utilities may require Grand River Conservation Authority approval.
- 6.43.4 Notwithstanding Sub-section 6.43.1 above and Section 6.9 of this By-law, the following uses are prohibited in the Floodway (FW) zoned area:
- i) An institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools,
 - ii) No new residence or additional residential units created after May 20, 2008 shall be permitted,
 - iii) Funeral home and hotel/motel,
 - iv) An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations;
 - v) Uses associated with the dispensing, disposal, manufacture, treatment or storage of hazardous substances; and
 - vi) Industrial outdoor storage.
- 6.43.5 New buildings, structures (including above-ground and in-ground swimming pools), additions and/or placement of fill shall be prohibited, save and except when such buildings, structures, additions and/or placement of fill is required to implement flood or erosion control works or minor additions or passive non-structural uses which do not affect flood flows as approved by the Grand River Conservation Authority.
- 6.43.6 Temporary buildings or structures as defined by the Building Code (but not including a temporary residential unit), for uses permitted in the zone that the parcel lies, may be erected subject to the Grand River Conservation Authority approval. Temporary residential units are prohibited.

- 6.43.7 New parking for commercial and/or industrial uses may be permitted subject to Grand River Conservation Authority approval.
- 6.43.8. Notwithstanding the foregoing, in cases where a lot is divided in two, where one zone contains the (FW) suffix and the other zone contains only the symbol of the zoning classification (but not including the FF suffix symbol), then new buildings, structures, additions and/or placement of fill expansions may be permitted and shall not require the approval of the Grand River Conservation Authority, if the proposed new buildings, structures, additions and/or placement of fill is to be located on that part of the lot which does not contain the (FW) symbol. In cases where the proposed new buildings, structures, additions and/or placement of fill is to be located in an area containing the (FW) symbol, then applicable sections noted above shall apply.
- 6.43.9 Minor deviation of the Floodway (FW) zone boundary shall be permitted without an amendment to this By-law subject to Grand River Conservation Authority approval.

6.44 - Use of Symbol (FF) Following Zone or Map Symbol By-law 32-2008 passed May 20, 2008

In any case where the Map Symbol for any zoning classification is followed by the letter "FF" (Flood Fringe) in brackets, the lands so zoned shall be subject to the following regulations in addition to the regulations for the zone that the parcel lies:

- 6.44.1 Any use or accessory use permitted in the zone that the parcel lies shall continue to be permitted within the existing buildings and/or structures erected on or before May 20, 2008,
- 6.44.2 Minor additions or passive non-structural uses, which do not affect flood flows or flood and erosion control works, as approved by the Grand River Conservation Authority shall be permitted.
- 6.44.3 Municipal infrastructure and public utilities including associated buildings or structures shall be permitted. Any new, modification, expansion and/or replacement of municipal infrastructure and public utilities, including associated buildings or structures may require Grand River Conservation Authority approval.
- 6.44.4 Notwithstanding Sub-section 6.44.1 above and Section 6.9 of this By-law, the following new uses are prohibited in the Flood Fringe (FF) zoned area:
- i. An institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools,
 - ii. An essential emergency service such as that provided by fire, police and ambulance stations (but not including the Township emergency control centre), and electrical substations; and
 - iii. Uses associated with the dispensing, disposal, manufacture, treatment or storage of hazardous substances.
- 6.44.5 New buildings, structures (including above-ground and in-ground swimming pools), additions, parking facilities and/or placement of fill for uses permitted in the zone that the parcel lies may be permitted, subject to the following conditions:
- a) A permit is issued by the Grand River Conservation Authority under the "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulations;

- b) All development is suitably flood proofed to the Regulatory Flood elevation as determined by and to the satisfaction of the Grand River Conservation Authority and the Township;
 - c) All permitted habitable floor space is constructed at or above the Regulatory Flood elevation and all essential building services (i.e. electrical, telephone, heating, etc.) are constructed at or above or are protected to the Regulatory Flood elevation;
 - d) The creation of any uninhabitable floor space, such as basements, below the Regulatory Flood elevation where there is the possibility of conversion to habitable floor space is not permitted;
 - e) Notwithstanding d) above, the creation of uninhabitable floor space below the Regulatory Flood elevation may be permitted if it is associated with a permitted apartment building, commercial, industrial or other non-residential development. Such areas in an apartment building may include foyers, recreation rooms, communal storage areas, or other uninhabitable floor space that is normally associated with this type of development. All such floor space in any development must be flood proofed to the Regulatory Flood elevation with the maintenance of safe access ensured;
 - f) Access for all new permitted habitable buildings located in the flood fringe shall be such that emergency vehicular and pedestrian movement is not prevented during times of flooding in order that safe access/evacuation is ensured. The determination of "safe" access shall be made by the Grand River Conservation Authority based on the depth and velocity factors as they affect individual sites; and
- 6.44.6 Conversion, expansion or intensification of non-residential buildings in the flood fringe to residential use may be permitted provided that the requirements of (a) through (f) above are satisfied and the use conforms to the zone, in which the parcels lies.
- 6.44.7 Expansion or intensification of existing residential buildings in the flood fringe to create additional residential units may be permitted provided that the new unit is above the Regulatory Flood elevation, the existing unit is not relocated entirely below the Regulatory Flood elevation and approval is received from the Grand River Conservation Authority.
- 6.44.8 Accessory outdoor storage, permitted in the zone in which the parcel lies, may locate within the Flood Fringe, subject to the protection of such storage from flood related damages, to the Regulatory Flood elevation, all to the satisfaction of the Grand River Conservation Authority.
- 6.44.9 Notwithstanding Sub-section 6.44.6 above, any use requiring bulk storage of dangerous, flammable, explosive, toxic, corrosive or buoyant materials shall be prohibited.

- 6.44.10 Notwithstanding the foregoing, in cases where a lot is divided in two, where one zone contains the (FF) suffix and the other zone contains only the symbol of the zoning classification (but not including the FW suffix symbol), then new buildings, structures, additions and/or placement of fill expansions may be permitted and shall not require the approval of the Grand River Conservation Authority, if the proposed new buildings, structures, additions and/or placement of fill is to be located on that part of the lot which does not contain the (FF) symbol. In cases where the proposed new buildings, structures, additions and/or placement of fill is to be located in an area containing the (FF) symbol, then applicable sections noted above shall apply.
- 6.44.11 Minor deviation of the Flood Fringe (FF) zone boundary shall be permitted without an amendment to this By-law subject to Grand River Conservation Authority approval.