



TOWNSHIP OF WILMOT

Amended Special Council Meeting Agenda

Monday, July 27, 2020

Special Council Meeting

7:00 P.M.

This is a Special Meeting of Council being held in accordance with the Township Procedural By-law 2019-25. This meeting is open to the public and is available through an online platform. Please subscribe to the [Township of Wilmot You Tube Channel](#) to watch the live stream or view after the meeting.

Delegations must register with the [Information and Legislative Services Department](#). The only matters being discussed at this meeting will be those on the Agenda.

1. MOTION TO CONVENE INTO CLOSED SESSION

THAT a Closed Meeting of Council be held on Monday, July 27, 2020 at 5:00 p.m. in accordance with Section 239(2), (f) and (k) for the purposes of:

- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality

2. MOTION TO RECONVENE IN OPEN SESSION

3. LAND ACKNOWLEDGEMENT

4. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT

5. PUBLIC MEETINGS

5.1 REPORT NO. DS 2020-013

Township Zoning By-law Update

RECOMMENDATION

THAT Report DS 2020-013 be received for information.

5.2 REPORT NO. DS 2020-016

Tri-County Mennonite Homes

Neville Street, New Hamburg

RECOMMENDATION

THAT Report DS 2020-016 be received for information.

Registered Delegations

- Brian Shantz
- Sam Head

5.3 Zone Change Application 05/20

Miller and Miller Auctions Ltd. / Dryden, Smith & Head

Planning Consultants Ltd.

59 Webster Street, New Hamburg

RECOMMENDATION

THAT Council approve Zone Change Application 05/20 by Miller and Miller Auctions Ltd. / Dryden, Smith & Head Planning Consultants Ltd. to permit, as a temporary use, live auctions to occur on the property, subject to the following:

1. That the temporary use by-law be limited to a period of 3 years
2. That all aspects of the auction (attendees and items to be auctioned) be located inside the existing building on the property
3. That auctions be limited to 8 occurrences per year, not exceeding one per month with a single auction occurring over a maximum of 2 consecutive days.
4. That attendee parking for auctions shall occur on private property with authorization from the private property owner and as approved by the Township of Wilmot

6. CONSENT AGENDA

6.1 REPORT NO. CK 2020-003

Quarterly Activity Report – April, May & June 2020

6.2 REPORT NO. FRS 2020-008

Parks, Facilities & Recreation Services Second Quarter Activity Reports

6.3 REPORT NO. DS 2020-014

2nd Quarter 2020 Building Statistics Summary

6.4 REPORT NO. ILS 2020-11

**Receipt of Petition for Drainage Works
Part Lot 10, Plan 532,
Township of Wilmot**

RECOMMENDATION

THAT Report Nos. CK 2020-003, FRS 2020-008, DS 2020-014 and ILS 2020-11 be received for information purposes.

7. REPORTS

7.1 PARKS, FACILITIES AND RECREATION SERVICES

7.1.1 REPORT NO. PFRS 2020-009

Permanent Off-leash Dog Park Construction Award

RECOMMENDATION

THAT RFP 2020-21 be awarded to 39 Seven Inc., for the design, supply and construction of the Permanent Dog Park on Site A (original pilot site) at William Scott Park, New Hamburg, as per their proposal dated July 15, 2020, in the amount of \$61,000.00 plus HST.

7.2 CORPORATE SERVICES

7.2.1 REPORT NO. COR 2020-027

Statement of Operations as of June 30, 2020 (un-audited)

RECOMMEDATION

THAT report COR 2020-027, Statement of Operations (un-audited) as of June 30, 2020, as prepared by the Manager of Finance / Deputy Treasurer, be received for information purposes.

7.2.2 REPORT NO. COR 2020-028

Capital Program Review as of June 30, 2020 (un-audited)

RECOMMENDATION

THAT Report FIN 2020-028, Capital Program Review as of June 30, 2020 (un-audited), as prepared by the Manager of Finance / Deputy Treasurer, be received for information purposes.

8. CORRESPONDANCE

8.1 Email from a resident Ron Kennell with a request to have his statement at the next council meeting.

RECOMMENDATION

That Correspondence 8.1 be received for information.

**8.2 Enhanced Broadband Connectivity
North Dumfries Resolution**

RECOMMENDATION

WHEREAS broadband is recognized as an essential utility and service by communities and jurisdictions;

AND WHEREAS the Government of Canada has published a blueprint document on the provision of enhanced broadband connectivity entitled High Speed Access for All: Canada's Connectivity Strategy;

AND WHEREAS the Province of Ontario has published Up to Speed: Ontario's Broadband and Cellular Action Plan as a strategy to improve the provision of expanded digital connectivity;

AND WHEREAS many rural and small urban communities in Ontario continue to be underserved by internet service providers;

AND WHEREAS the provision of internet service in rural and small urban communities is slower, has less bandwidth and is more expensive to purchase than services located within larger urban centres;

AND WHEREAS it is widely acknowledged and understood that to create vibrant communities, programs and initiatives must be leveraged to grow network-based technologies to strategically improve services to residents, enable businesses to become globally competitive, incubate a knowledge workforce and enhance social capacity;

AND WHEREAS the success of rural and small urban communities is reliant upon the availability of user cost effective, high speed, high capacity bandwidth internet connectivity;

AND WHEREAS business parks and downtown areas due to their nature of centralized commerce require additional internet capacity and speed to flourish and grow in the digital economy;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:

THAT the Government of Canada and the Province of Ontario accelerate and increase funding programs that are designed to serve rural and small urban communities to ensure affordable access to, or the development of, high speed, high capacity network infrastructure;

AND THAT the Government of Canada and the Province of Ontario design area specific funding programs for business parks and downtown areas as employment districts in rural and small urban communities to support at a minimum 100 Mbps high speed, high capacity bandwidth internet connectivity;

AND THAT this Resolution be forwarded to the Waterloo Economic Development Corporation, the Waterloo Regional Tourism Marketing Corporation, the Southwest Integrated Fibre Technology Board of Directors, the Cambridge Chamber of Commerce, the Kitchener-Waterloo Chamber of Commerce, the Region of Waterloo, and, the area Municipalities within Waterloo Region;

AND THAT this Resolution be forwarded to all of the Members of Parliament and Members of Provincial Parliament in Waterloo Region.

8.3 PDL-CAS-20-05, Regional Council Composition Review Options and Consultation Process

RECOMMENDATION

THAT the Director of Information and Legislative Services / Municipal Clerk be directed to prepare a report to provide feedback on the Regional Council Composition Review Options and Consultation Process.

9. BY-LAWS

**9.1 BY-LAW NO. 2020-024 Zone Change Application 05/20
58 Webster Street, New Hamburg**

RECOMMENDATION

THAT By-law No. 2020-024 be read a first, second and third time and finally passed in Open Council.

10. NOTICE OF MOTION

WHEREAS the Indigenous Peoples of Canada's emotional toll brought to light by the unbalanced historical representation within the Prime Ministers Path, and specifically the Sir John A. Macdonald statue located on Wilmot Township property on the lands of the traditional territory of the Neutral, Anishnaabeg, Haudenosaunee and Mississauga peoples, requires an open and transparent dialogue to address concerns, generational suffering and factual historical omissions.

AND WHEREAS all stakeholders and partners of the Prime Ministers Path Project, and specifically the Sir John A. Macdonald statue have a collective responsibility to uphold the Township's commitment to stand with all peoples who have, and continue to experience oppression and marginalization as per the Township's unified anti-racism statement issued in a Township newsletter on July 2, 2020 and a media release on June 23, 2020.

NOW THEREFORE the Council of the Township of Wilmot hereby directs staff of the Township of Wilmot to immediately pause any further investment and expansion of the Prime Ministers Path until a sufficient, thorough, respectful and transparent consultation process is completed with accountability that adheres to the calls to action set out in the Truth and Reconciliation Commission of Canada's Principles of Reconciliation. The consultation process must create a safe place for all to have constructive discussions that do not infringe upon anyone's rights stipulated in The Canadian Charter of Rights and Freedoms.

AND FURTHER to Wilmot Township's commitment to the wellbeing, health and safety of all Wilmot residents, visitors and township staff being of the highest priority, security cameras will be installed and capable of high definition day and night time recording.

WHEREAS given the responsibility we have as elected officials, in the Township of Wilmot to listen and respect all residents, and specifically Indigenous peoples on this matter to demonstrate an unwavering commitment to remedy past wrongs and to dutifully commit to a path of reconciliation, be it resolved that an Indigenous consultant, who will be provided an honorarium for contributing their expertise to this report, will be contracted and two(2) members of Wilmot Council will be part of the Indigenous consultant appointment process.

AND, Wilmot Township staff will meet as required with the consultant and Indigenous groups of the community and other identified marginalized group and a member of the Prime Ministers Path Project Committee in a transparent consultation process that is implemented with accountability and where all members have equal rights, privileges, and obligations to have a beneficial dialogue to discuss concerns, generational suffering and factual historical omissions.

AND, to efficiently aid the process and to prevent further trauma to the Indigenous community who previously provided input on these statues, the comments and reports from the University of Wilfrid Laurier and the City of Kitchener will be entered as relevant material for inclusion in the final report along with transcripts of Indigenous delegates' presentations to council during the July 13, 2020 Township of Wilmot Council Meeting and all presentations from Createscape Waterloo Region.

AND FURTHER that all Wilmot Township data gathered from Prime Ministers Path school group post-visit surveys tracking usage and educational value, tourism impact surveys assessing benefits to local businesses, donated-land asset financial reports ensuring continued return on investment to Wilmot Township's residents as well as overall tourism and educational benefits cited as the fundamental basis for installing the Prime Ministers Path Project, and specifically the Sir John A. Macdonald statue be submitted as relevant material for inclusion in the Indigenous consultant's presentation and staff's final report to council.

FURTHER, that all Indigenous groups who accept the invitation will be provided an honorarium for contributing their expertise to the resulting report.

AND WHEREAS, the Indigenous consultant will conduct and carry out sufficient research, then present their findings in open council outlining any recommendations at the March 1, 2021 Council meeting, unless council is notified in advance of the need for an extension, that includes following the Truth and Reconciliation Commission of Canada's Principles of Reconciliation upon which staff will be directed to produce a report for council's consideration for action.

Registered Delegations

- Robert Roth
- Kate Laing
- Cheyanne Thorpe
- Lori Campbell
- Rachel Gordon

11. CONFIRMATORY BY-LAW**11.1 By-law No. 2020-025****RECOMMENDATION**

THAT By-law No. 2020-025 to Confirm the Proceedings of Council at its Meeting held on July 27, 2020 be introduced, read a first, second, and third time and finally passed in Open Council.

11. ADJOURNMENT**RECOMMENDATION**

THAT we do now adjourn to meet again at the call of the Mayor.



REPORT NO: DS 2020-013

TO: COUNCIL

SUBMITTED BY: Harold O’Krafka, MCIP RPP
Director of Development Services

PREPARED BY: Andrew Martin, MCIP RPP, Manager of Planning/EDO

REVIEWED BY: Grant Whittington, CAO

DATE: July 27, 2020

SUBJECT: Township Zoning By-law Update

RECOMMENDATION:

THAT Report DS 2020-013 be received for information.

SUMMARY:

This report provides a summary of the proposed updates to the Township Zoning By-law. It includes public and agency comments received through the consultation process leading up to the Public Meeting and how those comments were addressed.

The draft by-law update is included as Attachment A. The document shows modified or deleted text with a ~~strike through~~ symbol. New text, modifications and re-ordering are shown in **red** text.

The summary of public consultation leading up to the preparation of the draft document is included as Attachment B.

BACKGROUND:

The scope of the zoning by-law review and update process was established through report DS 2019-09 endorsed by Council in March of 2019.

The scope was further vetted through public engagement opportunities in the form of an online survey and two open houses in April 2019. The intent was to ensure the scope included areas

that members of the public felt would be important to consider. The initial consultation confirmed that the review was on the right track, but highlighted four key subjects as being of most importance to the review: backyard chickens, regulations for accessory structures, parking, and second units.

A second survey was made available and two additional open houses were held in June 2019 focusing specifically on the keeping of backyard chickens, regulations for accessory buildings, and regulations for secondary units. Report DS 2019-18, considered by Council in July 2019, provided a summary of all of the comments received through the two surveys and four open houses.

Taking into account the public and agency comments received through initial consultation, staff prepared a comprehensive update to the existing zoning by-law including updates to terminology and definitions, revisions to accessory building regulations, updated parking regulations, regulations for additional dwelling units (apartments in homes and accessory buildings), and the consideration for the keeping of backyard chickens on large residential properties.

The draft updated zoning by-law was made available on the Township website on March 6, 2020 at which time an additional request for comments was made along with notice of a Public Meeting to have been held on April 6, 2020. This notice was provided in the New Hamburg Independent and by mail/email to neighbouring municipalities and prescribed agencies to meet the minimum Planning Act requirement. Additional notice was given by posting online, in the Township News Feed, on Twitter and by email notification to all individuals who had been involved in the process to date and who had requested to receive notice. All comments were requested to be submitted by April 3, 2020.

With the COVID-19 pandemic placing a pause on public meetings, the April 6, 2020 meeting was cancelled, however the commenting period continued with the document remaining available for review.

The following is a summary of comments received as result of the March 6, 2020 circulation for comments:

Public:

Pam Whiteside – email regarding concerns with the parking of RV's in driveways and proximity to property lines.

Karen Kokkelink – pleased to see the by-law moving forward.

Mother Celeste, Carmelite Monastery – pleased with proposed amendments to permit additional agricultural activities including the keeping of chickens on the monastery property.

Agencies:

Grand River Conservation Authority (GRCA) – seeking clarification on some references within the text of the document and identifying that the GRCA regulation limits are likely to change as a result of potential changes by the Province to Conservation Authorities.

Region of Waterloo – highlighting changes to categorization of environmental features that should be considered through future mapping updates.

Township of Perth East – no comments or objections to the draft updates.

Comments received leading up to the drafting of the updated by-law are included in report DS 2019-18 which is contained in this report as Attachment B.

On July 3, 2020 this report was made available on the Township website along with the updated draft by-law. Formal notice of the Public Meeting to be held on July 27, 2020 was provided in the New Hamburg Independent and by mail/email to neighbouring municipalities and prescribed agencies (minimum Planning Act requirement). Additional notice was given by posting online, in the Township News Feed, on Twitter and by email notification to all individuals who had been involved in the process to date and who had requested to receive notice.

REPORT:

The following summarizes the major areas of update and revisions within the zoning by-law.

Definitions

Although there have been additions and modifications to the definitions section of the zoning by-law since 1983, a number of the definitions contained within the zoning by-law required rephrasing to update references to other legislation and acts, as well as to use socially acceptable language. Additionally, changes have been made for clarity and some redundant definitions have been removed.

In considering new and revised definitions, staff reviewed comparable definitions of similar sized municipalities in Ontario as well as the other area municipalities in Waterloo Region to maintain consistency wherever possible. As most new definitions relate to other changes within the by-law, more information is provided under those associated sections.

Accessory structures

The forms and densities of development have changed since 1983, but little modification has occurred to the general regulations of the by-law as they pertain to accessory structures.

Presently, accessory structures such as sheds have a static maximum floor area, height, and setback regardless of the geographic location or parcel size of a residential property. For

example, under the current zoning, the same size and height restrictions apply to a privately serviced lot of 3100m² in Haysville as they do to a fully serviced urban residential property of 354m² in New Hamburg.

Through the public consultation, and specifically the survey, 80% of the 47 responders indicated that changes needed to be made to floor area restrictions of accessory buildings. There was no decisive indicator of what size would be appropriate, but the most number of responses were “25% of the ground floor area of the dwelling on the property” and “more than 20% [lot coverage with no maximum]”.

With respect to maximum height, responses were evenly distributed between the range of heights that should be permitted as well as whether or not second storeys should be permitted.

With respect to minimum setbacks for accessory structures, 16 responses indicated that the existing 1.0m setback to a side or rear property line is appropriate. Respondents did clearly suggest that within flankage yards (side yards abutting a street), the current setback of 6.0m for accessory structures should be reduced to coincide with the standard side yard setback for an accessory structure.

The proposed updated regulations for accessory buildings are contained within subsection 6.3 of the updated by-law. The regulations propose to modify how maximum coverage of accessory buildings is calculated. Instead of a one size fits all approach, the regulations propose a percentage of either the lot size of main building. The maximum combined lot coverage of all accessory buildings and structures would be 10 percent of the lot or 75 percent of the lot coverage of the main building, whichever is less.

In this regard, on smaller residential properties, the size of a garden shed permitted would be proportionally smaller than what would be permitted on a large residential property. This change is not anticipated to impact the size of structures we see on a typical lot in a subdivision, but it should provide additional flexibility on larger residential properties where staff receive the most inquiries, and minor variances are most frequently sought, to increase the maximum size of an accessory building. By introducing a cap of 75% of the coverage of the main building, the intent is to ensure that accessory buildings remain smaller and secondary to the home.

Another common concern staff receive is that the minimum setback to side, rear, and exterior side yards is too restrictive. Presently the minimum setback to a side or rear property line is 1.0m in a residential zone. When a structure is located at 1.0m, the roof is permitted to encroach into that setback by 0.3m. The draft regulations would reduce the minimum setback to 0.6m, but remove the ability for a roof to extend into this required setback. In this way, smaller structures that may not have a roof overhang could in theory be located closer to the property line than presently permitted. This setback is also consistent with several other area municipalities and provides sufficient room for maintenance of the building without encroachment onto neighbouring properties.

On a corner lot, the longer side abutting the street is referred to as an exterior side yard (formerly flankage yard). The present zoning by-law prohibits any buildings or structures, except an inground pool, to be located within a 6.0m distance from the exterior side yard lot line. It is a frequent occurrence in newer neighbourhoods to see small garden sheds within this area, but technically their location is not compliant with the zoning. The proposed regulations would allow small sheds that do not require building permits (10m² or less in area) to be located within this 6.0m area. Larger accessory buildings that may create conflict in terms of massing, site lines etc. along a street line would still be required to be outside of the required flankage yard.

In 2005 the regulation for accessory buildings were modified to clarify that decks were accessory structures despite being attached to the house. The distinction was made when the deck was covered by a roof structure at which time it was considered to be part of the main building and had to achieve the main building setbacks. Recently, further consideration has been given to what is considered to be a roof structure, when a building permit is required, and what the appropriate setbacks should be. The proposed regulations include that a roof structure that contains overhead coverage of less than 50% (typically associated with pergola structures) is considered to be an accessory structure and further that a deck located under one of these structures is not considered to be a covered deck. This clarification in the by-law will allow pergolas, or other decorative structures to be located on decks, or attached to houses while maintaining setbacks applicable to accessory structures.

Off-street parking

Typical parking concerns that staff receive are with respect to either requiring too many or not enough spaces, parking in front yards, and a lack of regulation with respect to commercial parking lots and drive-through facilities. The current by-law also does not include required regulations for accessible parking spaces.

The draft regulations related to parking are contained in subsection 6.12 (off-street parking), 6.13 (garage and driveway widths in residential zones), and 6.14 (stacking regulations).

Key changes within the off-street parking regulations include further defining where parking can occur – within a garage or a defined driveway, not simply on a grass or landscaped area. The subsection also clarifies that where the by-law requires more than one space to be provided for a residential use, one of the spaces may be provided within a driveway within a front or flankage yard. This regulation specifically addresses parking for additional dwelling units in a tandem configuration as required by the *Planning Act*.

Subsubsection 6.12.5 adds barrier-free accessible off-street parking requirements to the by-law. These requirements are primarily taken from the Accessibility for *Ontarians with Disabilities Act*, and reflect legislated requirements.

Subsection 6.13 is new to the zoning by-law and speaks to minimum and maximum widths for garages (when provided) as well as driveways. The draft regulations are intended to ensure that,

on smaller residential lots reflective of newer neighbourhoods, entire front yards are not hard surfaced for parking and that garages do not dominate the entire street line.

The current zoning by-law does not contain regulations with respect to stacking lanes and spaces for drive-through facilities. In years past, through the site plan approval process, staff have worked with proposed developments to achieve acceptable requirements, but applicants often seek clarification from the zoning by-law. The standards proposed are based on options that have worked in the past with the Township along with standards derived from area municipalities.

Additional dwelling units

Additional dwelling units, formerly referred to as secondary suites and secondary units, are apartment units accessory to single detached, semi-detached or townhouse dwellings. The *Planning Act* requires municipalities to adopt policies permitting an additional dwelling unit within both the dwelling and an accessory building on these residential properties. Enabled by policies already contained within the Township Official Plan, subsections 6.26 and 6.27 were added to the draft updated by-law to introduce regulations for additional dwelling units within main and accessory buildings.

Through the initial public consultation process, 50 individuals provided comments on additional dwelling units. Less than half of the respondents indicated that they had concerns with the creation of these units. The top three concerns expressed were the need to provide adequate parking, increased density within existing neighbourhoods and impact on property values.

Proposed additional dwelling unit regulations are divided into two subsections. Subsection 6.26 is related to additional dwelling units (attached), which is one additional unit within a single detached, semi-detached or townhouse dwelling. Subsection 6.27 is related to additional dwelling units (detached), which is one additional dwelling unit within a building accessory to a single detached, semi-detached or townhouse dwelling.

The draft regulations for attached units reflect the intent that these units are integrated within the home and outwardly do not change the appearance of the dwelling. Access to the units would only be permitted from the side or rear of the dwelling so as to avoid more than one front door in a dwelling.

The draft regulations for units within accessory buildings ensure that the units remain smaller and secondary to the main dwelling, they remain located in close proximity to the home on the property, and that the units are not able to be severed from the lot containing the main dwelling.

The updated off-street parking regulations reference additional dwelling units to ensure that sufficient off-street parking is provided for both the main dwelling as well as any additional dwelling unit.

Backyard chickens and urban agriculture

Backyard chickens

Presently the zoning by-law restricts the keeping of any livestock (including chickens) to agriculturally zoned properties of 1.2ha or greater. As identified at the outset of the zoning by-law review, consideration was to be given to regulations for the keeping of backyard chickens on residential properties as well as agricultural properties of less than 1.2ha.

Through the public consultation process, and specially the survey regarding keeping of backyard chickens, there were only 64 responses. There was no overwhelming majority in favour of, or opposition to, expanding the opportunity to keep chickens on residential and undersized agricultural properties. 29 of 64 individuals responded that chickens should be permitted on all residential and agricultural properties regardless of size, while 20 responders stated that regulations should remain the status quo. Additionally, 24 responders stated that the maximum number of hens should be based on the size of the property. 37 responders indicated that if backyard chickens were permitted, they should require registration with the Township. 32 responders opted to provide additional comments on the keeping of chickens with 14 supportive of backyard chickens, 16 in opposition and 2 with general suggestions. Of the concerns raised, the most common were noise and odour.

Staff completed a fulsome review of municipal regulations within the Region of Waterloo as well as other jurisdictions in Ontario and other parts of Canada. Within the Region of Waterloo, municipalities such as Kitchener and North Dumfries currently permit a maximum of four hens to be kept on residential properties; Cambridge, Waterloo, Wellesley and Woolwich do not allow backyard chickens. A review of municipalities that regulate the keeping of backyard chickens found that while their keeping is permitted by respective zoning by-laws, they are licensed through Animal Control By-laws, or similar. If permitted, enforcement, licensing and regulation of backyard chickens would therefore be carried out by the Township's Information and Legislation Services Department.

Due to concerns of noise and odour associated with the keeping of backyard chickens, subsection 6.32 of the draft by-law update establishes a minimum lot size, introduces additional setbacks to coops, and limits the maximum number of hens to four, in an attempt to minimize perceived land use conflicts. The draft regulations propose a minimum lot size of 0.2ha, in combination with setbacks for a coop of 15 metres to buildings intended for human habitation and a minimum of 3.0m from a side or rear property line.

In a rural settlement area such as Shingletown or Haysville, which are characterized by large residential lots of greater than 0.2ha, the draft regulations would create the ability to keep chickens on residential properties where there is significantly greater ability to minimize conflicts between neighbouring properties. In the urban areas of Baden and New Hamburg most properties are much smaller and the density of housing increases the potential for conflict. The proposed 0.2ha minimum lot size would continue to restrict the keeping of chickens from

occurring in most residential areas within these communities except on larger lots such as those on Shade and Fairview Street in New Hamburg backing onto the Nith River.

An analysis of residentially zoned properties within Township rural settlements and urban areas revealed that the introduction of a minimum lot size of 0.2ha for the keeping of chickens would allow approximately 13% of residentially zoned properties in those areas to contain backyard chickens. With that said, the introduction of regulations within the zoning by-law would provide the opportunity for individuals to apply for a minor variance to allow chickens on smaller properties or where setbacks cannot be achieved. These applications would be reviewed case by case and would involve individual public consultation processes. Presently there is no opportunity to apply for a minor variance as the keeping of chickens within residential zones is prohibited.

While the draft zoning update contains regulations to permit backyard chickens, the by-law proposes that the keeping of chickens be subject to licensing. This framework is the same as dog kennels, wherein the zoning by-law permits kennels on certain agriculturally zoned properties, but the kennel itself must be licensed. Licensing will provide the opportunity to look at conditions of the coop, storage of feed, confirmation of adequate setbacks etc. As well, licensing provisions can more effectively be enforced vs. the cumbersome process of enforcement of the zoning by-law under the *Planning Act*. Should the proposed backyard chicken regulations be adopted, within their 2020 work plan, the Information and Legislative Services Department has planned to consider licensing provisions.

Urban beekeeping

Through the public consultation process, there was some interest in beekeeping within the Urban and Rural settlement areas. A review of applicable legislation revealed that the keeping of bees is regulated by the *Bees Act*, which establishes setbacks to properties containing dwellings, community centres and parks as well as roadways. The 30m setback from abutting residential properties, community centres and parks, established by the *Bees Act*, significantly restricts the ability to keep bees within most residential areas.

As regulations are contained within existing legislation, there was no benefit in introducing additional regulations or specific policies within the zoning by-law.

Conformity

The zoning by-law update brings the current zoning by-law into conformity with the Township Official Plan updated in 2019 with respect to definitions, additional dwelling unit polices and updated references to the Province's Minimum Distance Separate calculations. Future conformity updates and mapping updates may be required upon completion of the municipal comprehensive review being undertaken by the Region of Waterloo, changes with respect to source water protection regulations, and updates to regulations of the Grand River Conservation Authority.

Other updates

Since its approval in 1983, there have been more than 400 amendments to the zoning by-law as well as close to 600 minor variances. Staff reviewed these amendments and variances and consolidated regulations, removed redundant references, and updated some areas (such as accessory structures) to minimize future need for additional minor variance applications.

One specific area of consolidation was related to the numerous site specific regulations for lot area, width and frontage. Subsection 4.1 has been updated such that the size and configuration of all lots that exist as of the time that this update by-law is passed are recognized as complying with the provisions of the by-law.

A number of updates were made throughout the by-law based on comments received from the GRCA. More specifically the GRCA regulated area is now a defined term within the by-law and the “f” suffix definition contained in subsection 6.31 was updated to broaden the scope to reflect all GRCA regulated features (floodplain, slope erosion, steep slopes and valleys) as opposed to the former singular reference to flood susceptible lands. References to public parks and recreation areas within the by-law no longer include public conservation areas at the request of the GRCA in order to distinguish between municipal facilities and areas under conservation authority jurisdiction.

With decreased lot sizes, there is an increased demand by property owners to maximum backyard space. Hard surfacing in rear yards for patios and pool surrounds becomes problematic for grading on properties when installed up to property lines. To minimize the frequency of grading related issues as a result of the removal of swales along property lines, subsubsection 6.46 was added to the by-law. The draft regulations, formulated in consultation with the Township Public Works & Engineering Department, would prohibit all hard surfacing and retaining walls from being installed within 0.6m of a property line. The intent of this setback is to ensure that property line swales are protected from alteration.

Through the public consultation process, the Carmelite Monastery requested that they be able to keep chickens on their property. Their 8ha property is located on Carmel-Koch Road and is surrounded by agriculturally zoned parcels, but is zoned Zone 12 (Institutional). Subsection 22.290 of the updated by-law extends the ability for farming activity to occur on the Carmelite property, which would include the keeping of chickens, consistent with other neighbouring properties.

The current zoning by-law restricts veterinary clinics to industrial properties and agricultural properties at least 1.2ha in size. In 2007 a site specific amendment was approved to permit the Baden Veterinary Clinic to be located within Zone 5 (Commercial). This approval excluded a kennel, pound, and unsupervised or unleashed outdoor run/walk areas. Both the Baden Veterinary Clinic as well as the Nith Valley Animal Hospital have operated without known compatibility issues within commercial zones and as such, the proposed updated by-law adds a veterinary clinic into all of by-law's core commercial zones (Zone 5, 6 and 7) with the preclusion of kennels, pounds and unsupervised outdoor run/walk areas.

Next Steps

Staff will work through any additional comment received following the circulation of this report as well as the Public Meeting on July 27 and anticipate returning to Council at its August 24, 2020 meeting with a final recommendation on the by-law.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Updates to the Township zoning by-law, and the public input processes used in considering these updates, serve to ensure that all four goals of the Wilmot Township Strategic Plan are met. Those goals are that we are an engaged community; that we have a prosperous economy; that we protect our natural environment; and, that we enjoy our quality of life.

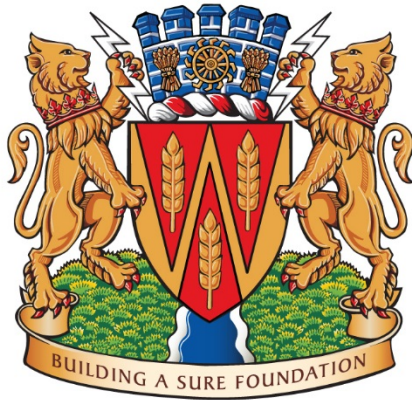
FINANCIAL CONSIDERATIONS:

The Zoning By-Law Update was included within the 2018 Capital Program with funding derived from the General Levy and Development Charges. The Junior Planner contract which assisted in providing department capacity to work through the update, was funded from this capital project, and was extended from September 2019 until December 31, 2019 with funding continued from the Capital Program. Any overage in project costs will be funded proportionately from General Levy and Development Charges.

ATTACHMENTS:

Attachment A	Draft by-law update text
Attachment B	Report DS 2019-18

ATTACHMENT A: Draft updated Zoning By-law text



TOWNSHIP OF WILMOT

ZONING BY-LAW 83-38, as amended by By-Law 2020-(not yet assigned) DRAFT

This document has been prepared to assist the reader in viewing the changes in the context of the current Township Zoning By-law. Any text shown in **red text** illustrates new regulations, wording or corrections of errors or omissions. Any text shown in ~~strike through~~ illustrates deleted text.

Development Services Department
519-634-8444
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While every effort has been made to ensure accuracy of this document, the Township of Wilmot is not responsible for any errors or omissions and you are advised to contact the Development Services Department regarding any Zoning related matters.

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**THE CORPORATION
OF THE
TOWNSHIP OF WILMOT**

BY-LAW NO. 83-38, AS AMENDED

A Restricted Area By-law for the Corporation of the Township of Wilmot

The Council of the Corporation of the Township of Wilmot enacts as follows:

SECTION 1: SHORT TITLE

This By-law may be cited as the Zoning By-law.

SECTION 2: DEFINITIONS

The following definitions shall apply to terms used in this By-law.

~~In that the act of defining imposes restrictions, regulations or controls, such restrictions, regulations and controls are adopted as restrictions, regulations and controls imposed by this By-law.~~

In this By-law, unless the context requires otherwise:

2.1 **“Accessory”** when used to describe a use, building or structure means a use, building or structure that is clearly secondary and devoted to the permitted use, building or structure located on the lot. ~~Notwithstanding, in any residential zone (Zone 2, Zone 2a, 2b, Zone 2c, Zone 3, Zone 4, Zone 4a, Zone 13, Zone 15) the parking or storage of commercial vehicles is prohibited except when considered to be accessory to residential use subject to the following regulations:~~

- ~~a) — No commercial vehicle exceeding a vehicle weight (as contained on the vehicle registration), of 4,500 kilograms shall be parked or stored, except within a fully enclosed building or structure;~~
- ~~b) — Notwithstanding clause a) above, no commercial trailer, cube van, tow truck, tilt/n/load, dump truck, tractor trailer, semi trailer, or any component thereof, or a bus exceeding 10 passenger seats shall be parked or stored, except within a fully enclosed building or structure;~~
- ~~c) — Notwithstanding clauses a) or b) above, any commercial vehicle may temporarily attend residential properties for the purpose of deliveries or service calls; and,~~
- ~~d) — No parked or stored commercial vehicle shall obstruct the visibility or movement of vehicular or pedestrian traffic within a street or lane or encroach on same.~~

2.2 **“Additional Dwelling Unit (Attached)”** see “Dwelling Unit (Attached), Additional”

2.3 **“Additional Dwelling Unit (Detached)”** see “Dwelling Unit (Detached), Additional”

- 2.4 **“Adult Entertainment Parlour”** means any premises or part thereof, used in pursuance of any trade, calling, business or occupation, for the purpose of a live performance, exhibition or activity designed to appeal to erotic or sexual appetites or inclinations, of which a principal feature or characteristic is the nudity or partial nudity of any person, and in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “erotic”, or “sexy”, or any other word, picture, symbol or representation having like meaning or implication may be used on any sign, advertisement, or advertisement device, and without limiting the generality of the foregoing includes any performance, exhibition, or activity involving striptease dancers, exotic dancers, wet clothing contests, or best body part contests.
- 2.5 **“Amenity Area”** means that area of the lot not occupied by buildings, parking and driveway areas and may include patios and landscaped areas on the site, swimming pools and other areas which can be used for recreational purposes.
- ~~2.3 **“Ancillary Use”** means a use that is located within a permitted building and in conjunction with a permitted use. An ancillary use is clearly secondary to a permitted use, and is not allowed to exist on its own apart from a permitted use.~~
- 2.6 **“Apartment Building”** – see “Residential Building – Apartment”.
- 2.7 ~~“Attic” means the space between the roof and the ceiling of the top storey, or between a dwarf wall and a sloping roof. Any floor area with a clearance of less than 2.1 metres between the floor and ceiling shall be considered as attic space.~~ Means the uninhabitable portion of a building or structure that is immediately below the roof and wholly or partially within the roof framing, having an interior height of 1.8 metres or less. A habitable or finished attic, or an uninhabitable or unfinished attic with an interior height greater than 1.8 metres, is considered to be a storey.
- 2.8 **“Automobile Service Station”** means a building or place where automotive fuel is kept for sale and where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed and where minor parts or products required for such repairs may be stored or kept for sale. This definition shall not be deemed to include a public garage, body shop, the sale of motor vehicles, or a wrecking establishment. The washing of vehicles may be conducted within a service station building as a use accessory to the main use.
- 2.9 **“Basement”** means one or more storeys of a building located below the first storey. ~~that portion of a building partially below ground level and which has 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 area shall be used in calculating any minimum floor area as required by this By-law, except as specifically permitted under the definition of “Floor Area”.
- 2.10 **“Bed and Breakfast”** means a home occupation that provides sleeping quarters (in a maximum of 2 bedrooms) and meals to the travelling public, but does not include a hotel, motel, group home or lodging house.
- 2.11 **“Boarding House”** ~~means a Residential Building within which sleeping quarters and meals are regularly let for a consideration to three (3) or more persons other than the owner, lessee, or tenant of the dwelling unit. see “Lodging, Rooming or Boarding House”.~~

- 2.12 “Body Shop”** means a building or portion of a building used for the repair or painting of motor vehicle bodies or frames.
- 2.13 “Building”** means any structure having a building floor area greater than ~~9.3~~ **10** 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.
- 2.13.1 “Building – One Storey”** means a building which has nothing more than attic and roof area above the first storey.
- 2.13.2 “Building – Two Storey”** means a building which has a second storey above all or part of the first storey.
- 2.13.3 “Building – Three Storey”** means a building which has a second and third storey above all or part of the first storey.
- 2.13.4 “Building – Four Storey”** means a building which has a second, third and fourth storey above all or part of the first storey.
- 2.14 “Building By-law”** means the Building By-law of the ~~Corporation of the Township of Wilmot~~ as amended from time to time.
- 2.15 “Building Floor Area”** – see “Floor Area”.
- 2.16 “Building Height”** means the vertical distance of the front or rear wall, whichever is greater measured between the finished grade of the yard abutting the wall and the highest point of the said wall. The highest point shall be determined as follows:
- 2.16.1** In the case of a flat roof, the highest point of the roof surface.
- 2.16.2** In the case of a mansard roof, the deck roof line.
- 2.16.3** In the case of a gable, cottage or gambrel roof, the average height between the eaves and the ridges.
- Chimneys, towers, spires, cupolas, grain elevators or other similar structures shall be disregarded in calculating the height of a building.
- Finished grade shall be the average of grades along the wall used to determine building height.**
- ~~2.14 “Building Line” means a line, the location of which is established in Section 6.9 of this By-law and the purpose of which is to establish the closest points to a road or street at which a building or structure may be located, other than a legal fence or wall.~~
- 2.17 “Building – Non-Residential”** means a building designed, intended or used for purposes other than those of a dwelling unit or units.
- ~~2.16 “Carport” – see “Garage – Private”~~

- 2.18 ~~“Car Washing Establishment”~~ **“Car Wash”** means a building, structure or facility designed, intended or used exclusively for the washing of motor vehicles but shall not include a facility contained within a permitted automobile service station building so long as such facility is accessory to the primary automobile service station use. **An automatic car wash is considered a drive-through facility and shall include a stacking lane.**
- ~~2.18 “Cellar” means that portion of a building wholly or partially below grade level and which has less than one half of the area of the exterior wall between finished grade and first floor level exposed.~~
- 2.19 **“Chickens, Backyard”** means the keeping of a maximum of four (4) hens as a use accessory to a Residential Building – Single Detached, Semi-Detached or Townhouse. The keeping of Backyard Chickens is required to be licensed by the Township of Wilmot.
- ~~2.19 “Church” means a building designed for and within which a religious ceremony is conducted for a congregation on a regular basis.~~
- 2.20 **“Clinic”** for the purpose of this by-law means a building within which one or more practitioners carry on a medical or related practice for the treatment of humans, but in no case shall it include a veterinary clinic.
- ~~2.21 “Club – Commercial” means any club other than a “Club – Private”.~~
- 2.21 **“Club – Private”** means 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.
- ~~2.22.1 “Commercial Greenhouse Operation” means a building or structure used for the growing of flowers, plants, shrubs, trees, and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse but are sold directly from such lot at wholesale or retail.~~
- ~~2.23 “Communal Water” – see “Water Supply”.~~
- 2.22 **“Community Centre”** means a building or structure owned and operated by the municipality that provides social, recreational and other facilities for the general public.
- 2.23 **“Conforming”** when used to describe a use, building or structure means a use, building or structure which falls within the uses permitted in and conforms to all the requirements set out in this By-law for the zone in which such use, building or structure is located.
- 2.24 **“Construct”** means to do anything in the erection, installation or extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere and “Construction” has a corresponding meaning.
- 2.25 **“Convalescent Home”** – see “Nursing or Convalescent Home”.
- 2.26 **“Corner Visibility Triangle”** means a triangular area formed within a corner lot by the intersecting street lines or the projections thereof, and a straight line connecting them from their point of intersection.

- 2.27 **“Day Care Facility-Nursery”** means ~~the use of a premises licensed under Provincial legislation to operate a facility for the~~ that receive more than five children who are not of common parentage primarily for the purpose of providing temporary care ~~for children or guidance, or both temporary care and guidance for a continuous period of time not exceeding twenty-four hours. where the children are:~~
- 2.28.1 ~~under eighteen years of age in the case of day nursery for children with a developmental handicap;~~
- 2.28.2 ~~under ten years of age in all other cases;~~
- but does not include:
- 2.28.3 ~~part of a public school, separate school, private school or school for trainable retarded children under The Education Act, 1974;~~
- 2.28.4 ~~a place that is used for recreation and that is supervised by a municipal recreation director;~~
- 2.28.5 ~~children’s mental health centre.~~
- 2.28 **“Dog Kennel”** means a building or buildings and/or area of land that is provided for the purpose of breeding, raising, keeping or boarding of dogs for a monetary consideration. **A Dog Kennel is required to be licensed by the Township of Wilmot.**
- 2.29 **“Drive Aisle”** means an internal vehicle route immediately adjacent to off-street parking and/or loading spaces, which provides direct vehicular access to and from off-street parking and/or loading spaces, but shall not include a driveway.
- 2.30 **“Drive-Through Facility”** means the use of a premises including stacking lanes and an order station with or without voice communication, where products or services are provided through a service window or an automated machine to patrons remaining in their motor vehicle.
- 2.31 **“Driveway”** means that portion of a lot used for the passage of a motor vehicle from a street or lane to an off-street parking or loading space.
- 2.32 **“Driveway Visibility Triangle”** means a triangular area formed within a lot by the intersection of an edge of a driveway and a lot line, or the projections thereof, and a straight line connecting them from their point of intersection.
- 2.33 **“Dry Industry”** means any permitted industrial use provided that the applicant for a building permit and/or occupancy permit can provide the municipality with written confirmation ~~from the Waterloo Regional Health Unit~~ indicating that the site and on-site sewage treatment facility proposed can adequately and satisfactorily accommodate the effluent which the proposed use will generate in a manner satisfactory to the **Township Health Unit**.
- 2.34 **“Duplex”** – see “Residential Building – Duplex”.
- 2.35 **“Dwelling”** – see “Residential Building”.
- ~~2.33 **“Dwelling – Conversion”** means a Residential Building which may be converted to dwelling units in accordance with the provisions of this By-law.~~

- ~~2.34 “Dwelling – Converted Farm Related” means a Residential Building containing one only farm-related dwelling unit which may be converted to dwelling units in accordance with the provisions of this By-law.~~
- ~~2.35 “Dwelling – Farm Related” means a Residential Building containing one only dwelling unit used as the primary residence for an active and operating farmer or a dwelling unit for a full time farm employee of an active farm on which the dwelling unit is located.~~
- 2.36 **“Dwelling – Principal”** means a dwelling unit which is the permanent residence of the owner or occupant thereof, and the address of which is the normal permanent address of the said owner or occupant for governmental records such as a driver’s licence.
- 2.37 **“Dwelling – Seasonal”** means a Residential Building containing one only dwelling unit used as a secondary place of residence, for seasonal vacations and recreational purposes and not as the principal dwelling of the owner or occupant thereof.
- 2.38 **“Dwelling Unit”** means a room or group of rooms occupied or designed to be occupied for human habitation, which provides cooking, sleeping and sanitation facilities for one or more persons living as an independent and separate housekeeping establishment and which may include those accessory ~~and/or~~ accessory uses specifically permitted by this By-law.
- 2.39 **“Dwelling Unit (Attached), Additional”** means the use of a Residential Building - Single Detached, Semi-Detached or Townhouse where a separate self-contained dwelling unit is located within the main building.
- 2.40 **“Dwelling Unit (Detached), Additional”** means the use of a building where a separate self-contained dwelling unit is located in an accessory building on the same lot as an associated Residential Building - Single Detached, Semi-Detached or Townhouse.
- ~~2.39 “Dwelling Unit – Private” means a room or group of rooms occupied or designed to be occupied for human habitation which provides cooking sleeping and sanitation facilities for one or more persons living as an independent and separate housekeeping establishment and which may include those accessory and/or ancillary uses specifically permitted by this By-law and within which no service, accommodation or care is provided for a monetary consideration to more than two persons.~~
- ~~2.40 “Emergency Care Facility” means any type of group living facility other than a group home as defined by this By-law.~~
- 2.41 **“Erect”** – see “Construct”.
- 2.42 **“Existing”** means existing legally on the day of the passing of this By-law.
- 2.43 **“Farm”** means a parcel of land on which the predominant activity is farming.
- 2.44 **“Farmer”** means an individual, family, association or corporation engaged in farming.
- 2.45 **“Farming/Production of Food”** means the production of plants and animals useful to man including the breeding, raising or maintaining of livestock, fur farming, fruit growing, the keeping of bees, fish farming, greenhouse farming, vegetable growing, Christmas tree growing ~~and sod farming~~. Farming shall not include a dog kennel, **garden centre, or sod farming**.

- 2.46 **“Farm-Related Occupation”** means a trade, occupation or service which is oriented primarily toward the needs of the agricultural community and which is located on a parcel of land having an area of not less than 35 hectares as a use clearly secondary to the main use of farming.
- 2.47 **“Financial Establishment”** means the use of a building which provides financial services in which money is deposited, kept, lent, or exchanged, and can include a bank, trust company, credit union, or other similar banking service.
- 2.48 **“Floor Area”** means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions but not including exits and vertical service spaces that pierce the storey. No private garage, breezeway, porch, veranda or sunroom balcony, space requirements for heating and laundry facilities, mechanical equipment or attic area may be used to calculate minimum floor areas as required in this By-law.
- 2.49 **“Floor Area – Ground”** means that area of a lot covered or intended to be covered by a building exclusive of uncovered porches, accessory buildings, terraces, steps, indoor parking areas and normal building projections.
- 2.50 **“Frontage”** – see “Lot Frontage”.
- 2.51 **“Garage – Private”** means an accessory building ~~or that part~~, a portion of a main building, or a carport used for the storage of a motor vehicle or vehicles of the owner, tenant or tenants, occupant or occupants of the lot upon which such garage is located and wherein neither servicing nor repairing is carried on for a monetary consideration.
- 2.52 **“Garage – Public”** means a building or place where motor vehicles are kept for hire, stored for remuneration, or repaired. This definition shall not include an automobile service station, a car wash ~~washing~~ establishment, a car sales lot, a body shop or wrecking yard.
- 2.53 **“Garden Centre”** means the use of lands, buildings or structures for the purpose of buying, selling and raising of all plants, shrubs and trees and includes the storage and sale of accessory products generally used for landscaping and gardening purpose including fertilizers, gardening equipment, furnishings and other similar products not raised or grown on the premises.
- 2.54 **“Garden Suite”** see “Mobile Home”
- 2.55 **“Gas Bar”** means a building or place where automotive fuel is kept for sale but where no other service of an ~~Automotive~~ Automobile Service Station” or ~~“Public Garage”~~ is provided.
- 2.56 **“Golf Course”** means a parcel of land which is open to the public upon payment of a fee or other admission charge, and which is used for the playing of the game of golf but shall not include miniature golf courses or golf driving ranges. Golf course may include such accessory uses as a clubhouse and other associated recreation uses normally and naturally accessory to a golf course.
- 2.57 **“Grade”** means the elevation of the finished ground or land immediately surrounding a building or structure.
- 2.58 **“Grand River Conservation Authority Regulated Area”** means lands regulated by the Grand River Conservation Authority pursuant to Ontario Regulation 150/06 and any successor regulation and includes floodplains, watercourses, steep slopes, wetlands and any allowances.

- 2.59 **“Gravel Pit”** – see “Pit”.
- 2.60 **“Greenhouse Farming”** means the use of any building or structure in an agricultural zone for the production of fruits, vegetables, flowers, and plants within a controlled temperature and/or humidity, but not including a garden centre or retail sales of products not raised or grown on the premises.
- 2.61 **“Group Home”** means a Residential Building – ~~One Unit Single Detached~~ in which three to six residents (excluding staff or the receiving family) lives as a single housekeeping unit under responsible supervision consistent with the requirements of its residents. The home is licensed or funded under a Federal or Provincial statute and is in compliance with municipal by-laws.
- 2.61.1 **“Group Home A”** means a group home, but does not include a Group Home B.
- 2.61.2 **“Group Home B”** means a group home that provides housing and rehabilitation for persons on probation, parole, early or re-release, or any other form of executive, judicial or administrative release from a penal institution.
- ~~2.55.1 **“Group Home A”** means a “Group Home” having three to six residents (excluding staff or the receiving family) and shall include and be limited to the following residential facilities provided for in any general or specific Act (as amended from time to time) and regulations made thereunder:~~
- ~~2.55.1.1 accommodation services for developmentally disabled and an approved children’s home approved under the authority of the Development Services Act, R.S.O. 1980, C.118;~~
- ~~2.55.1.2 a satellite home approved under the authority of the Homes for the Aged and Rest Homes Act, R.S.O. 1980, C.203;~~
- ~~2.55.1.3 a children’s residence licensed under the authority of the Child and Family Services Act;~~
- ~~2.55.1.4 a home for special care licensed under the authority of the Homes for Special Care Act, R.S.O. 1980, C. 202.~~
- ~~2.55.2 **“Group Home B”** means a “Group Home” having three to six residents (excluding staff or the receiving family) and shall include and be limited to the following residential facilities provided for in any general or specific Act (as amended from time to time) and regulations made thereunder:~~
- ~~2.55.2.1 an approved home licensed under the authority of the Mental Hospitals Act, R.S.O. 1980, C.263;~~
- ~~2.55.2.2 a community resource centre approved under the authority of the Ministry of Correctional Services Act, R.S.O. 1980, C.275;~~
- ~~2.55.2.3 a halfway house approved under the authority of the Charitable Institutions Act, R.S.O. 1980, C.64;~~
- ~~2.55.2.4 a group home funded through the Community Mental Health Services Program: Supportive Housing Program under the authority of the Ministry of Health Act.~~

- ~~2.56 “Group Multiple Housing Development” means a development containing two or more Residential Buildings Apartment or Row on the same lot.~~
- 2.62 **“Habitable Room”** means any room used or intended for human habitation except a bathroom, hallway, stairwell, laundry or storage room.
- 2.63 **“Home Occupation”** means an occupation for gain or support ~~conducted~~ within a dwelling unit or a permitted accessory building as a secondary use and **conducted** only by those residing on the premises. **For clarity, a home occupation may include, but is not limited to, an office, hairdresser or barber, personal training, massage therapist or similar uses.**
- 2.64 **“Hotel or Motel”** means a building or group of buildings used for the purpose of catering to the needs of the public by providing accommodation for transient lodgers, with or without meals.
- 2.65 **“Household Pet”** means any ~~form of livestock~~ **animal** which could normally be purchased in a pet store, which would normally spend all or part of its life within a dwelling unit, which is owned by a resident of the dwelling unit and which is not kept for profit or gain, **but not including livestock.**
- ~~2.61 “Institution” means any group, organization or society organized for the promotion of a public project or scientific, educational, literary or similar objective. Institution shall also mean when the context requires, premises owned or occupied by the members of such association within which the activities of the institution are conducted.~~
- 2.66 **“Lane”** means a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.
- 2.67 **“Livestock”** means chickens, turkeys, cattle, swine, horses, mink, rabbits, sheep, goats, or any other domestic animal used for consumption, **but does not include “Backyard Chickens”.**
- 2.68 ~~“Lodging or Rooming House”~~ **“Lodging, Rooming or Boarding House”** means a Residential Building within which sleeping quarters are regularly let for a consideration to ~~three (3) or more~~ **more than four** persons ~~other than the owner, lessee or tenant of the dwelling unit~~ **and where kitchen and other facilities are shared amongst the persons occupying the Residential Building**, but shall not include hotel, motel, rest home, hospital, ~~institution~~ **group home**, or similar use.
- 2.69 **“Lot”** means a parcel of land the whole of which may be legally conveyed.
- See “Recognized Lot”.
- 2.70 **“Lot Area”** means the total horizontal area of a lot contained within the boundaries of the lot.
- 2.71 **“Lot – Corner”** means a lot situated at the intersection of and abutting upon two streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, an angle of not more than one hundred and thirty-five (135) degrees. In the case of a curved corner, the corner of the building lot shall be deemed to be the point on the street line nearest to the point of intersection of the said tangents.
- 2.72 **“Lot Coverage”** means the area of the lot covered or to be covered by buildings or structures.

- 2.73 **“Lot Depth”** means the average distance between the front and rear lot lines, or in the case of a triangular lot, from the front line to the apex of the side lot lines.
- 2.74 **“Lot Frontage”** means the distance, measured along the street line, between the points where the street line is intersected by the side lot lines.
- 2.75 **“Lot Interior”** means a lot other than a corner lot.
- 2.76 **“Lot Line”** means any line intended to define the boundary of the lot.
- 2.76.1 **“Front Lot Line”** means the line ~~dividing the lot from the~~ **abutting a 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 line abutting the street shall be deemed to be the side lot line~~. **Where such lot lines are of equal length, the Township may deem any of the lot lines abutting a street as the front 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.
- 2.76.2 **“Rear Lot Line”** means the lot line farthest from and opposite to the front lot line.
- 2.76.3 **“Side Lot Line”** means a lot line other than a front, ~~or rear~~ **or exterior side** lot line.
- 2.76.4 **“Exterior Side Lot Line”** means a lot line **abutting a street other than a front or rear lot line**.
- 2.77 **“Lot – Through”** means a lot bounded on two opposite sides by streets, but not a corner lot.
- 2.78 **“Lot Width”** means the distance, measured in a straight line, between the points where the side lot lines are intersected by the ~~building line~~ **front yard setback**.
- 2.79 **“Main Building”** means the building or buildings used, designated and/or intended to accommodate the principal use(s) permitted by this By-law.
- 2.80 **“Mobile Home”** means a Residential Building that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons, **including a modular or manufactured home, but not including a Recreational Trailer or Vehicle**. ~~does not include a trailer~~.
- ~~2.77 **“Mobile Home – Double Width”** means a mobile home consisting of two sections, separately towable, but designed to be joined together into one integral unit.~~
- 2.81 **“Mobile Home Site”** means a parcel of land within a Mobile Home Subdivision having an area of lot less than 372 square metres and having a width of not less than 12 metres at the point where the closest part of the Mobile Home is situated in respect to the public road or highway or approved private road which gives access to the Mobile Home and to which approved water supply and approved sewage disposal system are available and is intended for the location of one mobile, modular or manufactured home for the exclusive use of the occupants.
- 2.82 **“Mobile Home Subdivision”** means a development zoned, designed and intended to accommodate mobile, modular or manufactured homes and may include uses accessory thereto including commercial, social and recreational facilities and such buildings, structures and facilities required to provide an approved water supply and approved sewage disposal system all designed and intended for the exclusive use of the residents of the Mobile Home Subdivision.

- ~~2.80 “Mobile or Motor Hotel” see “Hotel or Motel”.~~
- ~~2.81 “Motor Home” means any motor vehicle so constructed as to be a self-contained, self-propelled unit, capable of being utilized for the living, sleeping or eating accommodation of persons.~~
- 2.83 “Motor Vehicle” means an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric, steam or diesel railways or other motor vehicles running only upon rails, traction engine, farm tractor, self-propelled implement of husbandry or road building machine.
- ~~2.83 “Municipal Sewage” see “Sewage Collection and Treatment”.~~
- ~~2.84 “Municipal Water” see “Water Supply”.~~
- 2.84 “Municipal Drain” means drainage works as defined by the [Drainage Act, R.S.O. 1990](#).
- 2.85 “Non-Complying” means a use, building or structure which does not conform, comply or agree with the Regulations for the zone within which such use, building or structure is located, but which does conform, comply and agree with the Permitted Uses for the zone within which it is located.
- 2.86 “Non-Conforming” means a use, building or structure which does not conform, comply or agree with the Permitted Uses for the zone within which such use, building or structure is located.
- 2.87 “Non-Residential” – see “Building – Non-Residential”.
- ~~2.88 “Nursery School” see “Day Nursery”.~~
- 2.88 “Nursing or Convalescent Home” means any building or portion of a building other than a private or public hospital where persons are housed or lodged and furnished with meals and nursing care for hire.
- 2.89 “Off-Street Loading Space” means a space on a lot on which a truck may be parked for standing, loading or unloading services, ~~having minimum dimensions of not less than 3.0 metres by 10.6 metres.~~ Such space shall have adequate means of ingress and egress to and from a public street or lane, shall be located to the rear of the building line **front yard setback** as established by this By-law and shall be arranged so as to avoid undue interference with public use of streets or lanes.
- 2.90 “Off-Street Parking Space” means a space ~~to the rear of the building line or lines~~ on which a motor vehicle may be parked and **which has access by way of a drive aisle or driveway to a street or lane.** ~~having dimensions of not less than 2.75 metres by 6.0 metres. Each off street parking space shall have an adequate means of ingress and egress to and from a public street or lane.~~
- 2.90.1 “Off-Street Parking Space, Barrier-Free Accessible” means a parking space provided for the use of persons with disabilities pursuant to the [Accessibility for Ontarians with Disabilities Act, 2005](#).
- 2.91 “Parking Lot – Commercial” means a lot, building or structure, on or in which motor vehicles are parked for compensation and which is not ~~ancillary or~~ accessory to another use or other uses on the same lot.

- 2.92 **“Person”** means any association, partnership, corporation, Municipal Corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context may apply according to law.
- 2.93 **“Pit”** means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit.
- 2.94 **“Place of Worship”** means the use of a building by any religious organization and involving the regular gathering of people for faith based ceremonies and teaching.
- 2.95 **“Private Home Day Care”** means the temporary care for reward or compensation of five children or less who are under ten years of age where such care is provided in a ~~private residence~~ **maximum of one dwelling unit per lot**, ~~other than the home of a parent or guardian of any such child,~~ for a continuous period not exceeding twenty-four hours **and where the caregiver resides in the dwelling unit in which the private home day care is located.**
- ~~2.96 **“Private Sewage Treatment”** – see “Sewage Collection and Treatment”.~~
- ~~2.97 **“Private Water Supply”** – see “Water Supply”.~~
- 2.96 **“Province”** means the Province of Ontario or one or more of its ministries or other agencies that exercise delegated authority on behalf of one or more ministries.
- 2.97 **“Public Street or Public Road”** – see “Street or Road”.
- 2.98 **“Quarry”** means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial, or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.
- 2.99 **“Recognized Lot”** means a parcel or tract of land:
- 2.99.1 which is the whole of a lot on a plan of subdivision which has been registered pursuant to the provisions of The Planning Act and which has not been deemed not to be a Registered Plan of Subdivision under the provisions of The Planning Act; or
 - 2.99.2 which comprises all the land described in a conveyance by way of deed, transfer, mortgage, charge or agreement of sale and purchase to which consent has been given under the provisions of The Planning Act as from time to time amended; or
 - 2.99.3 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 as from time to time amended, and which contains a lot area of not less than 1,390 square metres and a lot width of not less than 30 metres, provided however that no parcel or tract of land ceased to be a Recognized Lot by reason only of the fact that a part of parts of it has or have been conveyed to or acquired by the Township, the ~~Region~~ **Regional Municipality of Waterloo**, Her Majesty in the Right of Ontario or Her Majesty in the Right of Canada.
- 2.100 **“Recreational Trailer or Vehicle”** means any **motor vehicle, or trailer** constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle,

capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle may be jacked up or that its running gear may be removed, **but not including a mobile home.**

- 2.101 **“Refreshment Cart”** means any vehicle, other than a motorized vehicle, from which refreshments are sold for consumption by the public which has a valid annual license to operate as a refreshment cart issued by the Township.
- 2.102 **“Refreshment Vehicle”** means any vehicle which is propelled or driven by any kind of power, excluding muscular power, from which refreshments are sold for consumption by the public which has a valid annual license to operate as a refreshment vehicle issued by the Township.
- 2.103 **“Region”** means the Corporation of the Regional Municipality of Waterloo.
- 2.104 **“Residential Building”** means a separate building designed, intended or used to contain a dwelling unit or units.
- 2.104.1 **“Residential Building – ~~One Unit~~ Single Detached”** means a Residential Building containing only one dwelling unit and which is the principal dwelling of the owner or occupant thereof.
- 2.104.2 **“Residential Building – Duplex”** means a Residential Building divided horizontally to contain two dwelling units.”
- 2.104.3 **“Residential Building – Semi-Detached”** means a separate building divided vertically into two dwelling units by a solid common wall extending from the base of the foundation to the roof line and said common wall shall have a horizontal distance of not less than fifty percent (50%) of the horizontal depth of the building.
- 2.104.4 **“Residential Building-Triplex”** means a Residential Building divided so as to contain three dwelling units, each of which has a separate entrance and where one unit or more is located above another unit.
- 2.104.5 **“Residential Building – Apartment”** means a Residential Building **divided horizontally and vertically to contain** containing more than ~~three (3)~~ **four** dwelling units. ~~that share common hall or halls and common entry at grade.~~
- ~~2.101.6 “Residential Building – Multiple” – see “Residential Building – Apartment”.~~
- 2.104.6 **“Residential Building – Fourplex”** means a Residential Building divided horizontally or divided both horizontally and vertically into four (4) dwelling units, each of which has an independent entrance to the outside or through a common vestibule or a combination of both, but does not include a Residential Building – Semi-Detached with accessory Additional Dwelling Units (Attached).
- 2.104.7 **“Residential Building – ~~Row~~ Townhouse”** means a Residential Building **divided vertically containing into** three (3) or more dwelling units **by common walls which prevents internal access between dwelling and includes the following:** ~~each of which has a separate entrance at grade level and is separated from its neighbour by a continuous vertical party wall without opening and extending from the base of the foundation to the roof.~~

- a) “Residential Building – Back-to-Back Townhouse” means a Residential Building – Townhouse with a common rear wall.
- b) “Residential Building – Cluster Townhouse” means a Residential Building – Townhouse, but is not a Residential Building – Back-to-Back Townhouse or Residential Building – Street Townhouse.
- c) “Residential Building – Street Townhouse” means a Residential Building – Townhouse where each unit is designed to be on a separate lot, but is not a Residential Building – Cluster Townhouse.

2.105 “**Restaurant**” means a business establishment, the primary function of which is to prepare and serve food and/or drink for consumption on or off-site. ~~the premises and within an enclosed building.~~

~~2.103 “**Restaurant – Drive In**” means a restaurant where food and/or drink are served for consumption within a vehicle, and on the site.~~

2.106 “**Retail**” means the selling of articles to the general public for its use.

2.107 “**Riding Academy or Stable**” means a stable for the housing of horses for hire or boarding or for a private riding club which may include a building where equestrian skills are practised.

2.108 “**Road**” – see “Street or Road”.

2.109 “**Rooming House**” – see “Lodging, **Rooming** or **Boarding Rooming House**”.

~~2.108 “**Row**” – see “Residential Building – Row”.~~

2.110 “**Sand or Gravel Pit**” – see “Pit”.

2.111 “**School**” means **a public, private, or separate** ~~an~~ elementary **school**, ~~or~~ secondary school **or post-secondary institution regulated by the Province.** ~~under the jurisdiction of a County Board of Education or School Board or a private school under Provincial Charter.~~

~~2.111 “**School – Nursery**” – see “Day Nursery”.~~

2.112 “**Semi-Detached**” – see “Residential Building – Semi-Detached”.

2.113 “**Service Station – Automobile**” – see “Automobile Service Station”.

~~2.114 “**Set Back Line**” – see “Building Line”.~~

~~2.115 “**Sewage Collection and Treatment**”~~

~~2.115.1 “**Municipal Sewage Collection and Treatment**” means a sewage collection and treatment system owned and operated by a municipal authority (or authorization) that is capable of providing a sewage collection system and sewage treatment facilities to a Settlement or portion thereof.~~

~~2.115.2 “**Private Sewage Treatment**” means a sewage treatment facility provided by means of individual septic tank installations on each lot. Approval for each such septic tank installation~~

~~shall be obtained from the Waterloo Regional Health Unit. Private Sewage Treatment also means other means of collection Provincial authorities having jurisdiction, including the Township or by a combination of the above.~~

~~2.116 “Sewer” means a part of a sewage disposal system owned and operated by a municipality.~~

2.114 “Sign” means any letters, words or figures used or intended to advertise, identify, announce or to draw attention to anything or to give directions **refer to Township Sign By-law 2002-68, or its successor.**

~~2.117.1 “Sign, Accessory” means a sign identifying, advertising or directing attention to a business, profession, commodity, service or entertainment which is conducted, sold or offered on the lot upon which the sign is located.~~

~~2.117.2 “Sign, Non Accessory” means a sign identifying, advertising or directing attention to a business, profession, commodity, service or entertainment which is conducted, sold or offered elsewhere than on the lot upon which the sign is located and shall include a billboard or poster panel.~~

2.115 “**Stacking Lane**” means a continuous on-site queuing lane that includes stacking spaces for motor vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings, or signs, and from which an off-street parking space may not be directly accessed.

2.116 “**Stacking Space**” means a rectangular space that may be provided in succession and is designed to be used for the temporary queuing of a motor vehicle in a stacking lane.

2.117 “**Storey**” means that portion of a building that is situated between the top of any floor and the top of the floor next above it and if there is no floor above it, that portion between the top of such floor and the ceiling above it, **but not including an attic.**

2.118 “**Storey – First**” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.

2.119 “**Street Line**” means the lot line abutting a street or road.

2.120 “**Street or Road**” means a public thoroughfare other than a lane, which is maintained by a public road authority and which is open and passable during all seasons of the year.

2.121 “**Structure**” means anything constructed or built, either permanent or temporary, and which is fixed to or resting on or below the ground.

~~2.122 “Tourist Home” – see “Lodging or Rooming House”.~~

2.122 “**Township**” means The Corporation of the Township of Wilmot.

~~2.123 “Trailer” means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle may be jacked up or that its running gear may be removed.~~

2.123 “**Triplex**” – see “Residential Building – Triplex”.

- 2.124 **“Use”** means the purpose for which a lot, building or structure or any combination thereof is designed, arranged, intended, occupied or maintained and “Used” shall have a corresponding meaning.
- 2.125 **“Vehicle”** means a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the cars of electric, steam or diesel railways, running upon rails. (see also “Motor Vehicle”)
- 2.126 **“Veterinary Clinic”** means a building or part thereof wherein animals of all kinds are treated or kept for treatment by a registered veterinarian, and where such animals can be temporarily boarded. For additional clarity, a veterinary clinic located in Zone 5, Zone 6, Zone 7 or Zone 10 shall not include a kennel, pound, or outdoor dog run/walk areas. An outdoor dog run/walk area means an area located outside of the main building used for the unsupervised or unleashed keeping or exercising of dogs.
- 2.127 **“Video/Pinball Game Amusement Centre”** means an establishment where three (3) or more video or pinball game machines are available for use. Up to two (2) video or pinball game machines are deemed to be permitted as an accessory use to any establishment in any Zones 5, 6, 7, 8 or 9 or to a ‘Commercial Recreation’ use in any zone permitting said use.
- ~~2.129 **“Water Supply”**~~
- ~~2.129.1 **“Communal Water Supply”** means a water supply and distribution system built and operated in accordance with the statutory provisions of the Ontario Water Resources Act and in accordance with the standards for such systems adopted by the Regional Municipality of Waterloo.~~
- ~~2.129.2 **“Municipal Water Supply”** means a water supply and distribution system owned and operated by a municipal authority (or authorities) which is capable of providing a water supply to a Settlement or to a proposed development within a Settlement.~~
- ~~2.129.3 **“Private Water Supply”** means a water supply provided by means of privately owned wells. Approval for each such well shall be obtained from the Waterloo Regional Health Unit or the Ministry of the Environment where required.~~
- 2.128 **“Wayside Pit” or “Wayside Quarry”** means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract or road construction and not located on the road right-of-way.
- 2.129 **“Wholesale”** means the selling of articles to persons in the trade.
- 2.130 **“Yard”** means a space open from the ground to the sky on the same lot with a building, unoccupied except for such accessory buildings as are specifically permitted in this By-law.
- 2.130.1 **“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 part of the main building or structure on the lot, disregarding open terraces or steps. The closest point at which a building or structure may be located is defined in the zoning category under the heading “Minimum Front Yard Setback”.
- 2.130.2 **“Yard – Rear”** means a yard extending across the full width of the lot from side lot line to side lot line and extending from the rear lot line (or, in the case of a triangular lot, between the apex of the triangle formed by the intersection of the side lot lines) to the rear wall of the main

building located on the lot. The depth of the rear yard, measured horizontally from the rear lot line (or, in the case of a triangular lot, from the apex of the triangle formed by the intersection of the side lot lines) to the closest point at which a main building may be located is defined in the zoning category under the heading “Minimum Rear Yard **Setback**”.

- 2.130.3 “**Yard – Side**” means a yard adjacent to the side lot lines and extending from the ~~building line~~ **front yard setback** to the rear yard. The width of the side yard (from side lot line to the closest point at which a building may be located) is defined in each zoning category under the heading “Minimum Side Yard **Setback**”.
- 2.130.4 “**Yard – Flankage Exterior Side**” means a yard **adjacent to the exterior side lot line** ~~on a corner lot lying adjacent to that street line which by definition is a side lot line and~~ which extends from the said ~~street~~ **lot** line to the **to the nearest part of the main building or structure on the lot** ~~building line~~. The closest part at which a building **or structure** may be located is defined in the zoning category under “Minimum ~~Flankage~~ **Exterior Side** Yard **Setback**”.

SECTION 3: INTERPRETATION

- 3.1 In this By-law, unless the context otherwise requires, the expression “use” or “used” shall include anything done or permitted by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant or agent acting for or with the knowledge and consent of such owner or occupant, for the purpose of making use of the said land, building or structure.
- 3.2 In this By-law, unless the contrary intention appears, words importing the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one and females as well as males and the converse.
- 3.3 In this By-law, the word “shall” shall be construed as always mandatory.
- 3.4 Where in Section 2 the act of defining imposes, restrictions, regulations or controls, such restrictions, regulations or controls are adopted as restrictions, regulations and controls imposed by this By-law.
- 3.5 When determining the minimum side yard requirements for a Residential Building, these requirements shall be determined by the number of storeys in the building and not by the height of the wall adjacent to the yard.
- 3.6 If, subsequent to the construction of a building or structure, a setback regulation contained within this By-law is determined to be deficient to meet the requirements of this By-law, 0.1 metres is the factor within which it is deemed that the regulations of this By-law are met within a reasonable tolerance.
- 3.7 Where any legislation or portion thereof is referenced herein, it is intended that such references should be interpreted to include any subsequent legislation and related regulations that may amend or replace the specific statute.
- 3.8 In this By-law, the notation “%” shall mean percent, the notation “m” shall mean metres, the notation “m²” shall mean square metres, and the notation “ha” shall mean hectares.

SECTION 4: APPLICATION OF THE BY-LAW

All of the provisions of this By-law shall apply throughout all of the areas of the Township of Wilmot

From and after the effective date of this By-law, no building or structure shall be erected or altered and no change of occupancy of any building, structure, land or premises shall be made in whole or in part except in conformity with the provisions of this By-law.

4.1 Lots Under Size

Where a Recognized Lot does not comply with the minimum lot area, width or frontage of the zone in which the Recognized Lot is located or as contained within a subsection of Section 22 of this By-law, the minimum lot area, width and frontage shall be the lot area, width and frontage of the Recognized Lot as existed on the day of passing By-law 2020-(not yet assigned). ~~Where in any zone on the day of the passing of this By-law, the total area or width of any lot including abutting lots registered in the name of one person is insufficient to meet the requirements of this By-law, or which any lot as indicated on a draft plan of proposed subdivision which has been approved pursuant to the provisions of The Planning Act prior to the day of the passing of this By-law has been subsequently registered in conformity with such approved draft plan, such lot may, notwithstanding the requirements of this By-law, have erected upon it a permitted building or structure provided that:~~

~~4.1.1 A minimum side yard of 1.0 metres shall be maintained on each side, except in any case where the required off-street parking is to be provided in a side or rear yard, on side yard shall be increased to not less than 3.0 metres.~~

~~4.1.2 All requirements for such zone are observed, other than the lot width and lot area requirements.~~

4.2 Non-Conforming Uses

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

4.2.2 Nothing in this By-law shall apply to prevent the erection or use for a purpose prohibited by the By-law of any building or structure the plans for which have, prior to the day of the passing of the By-law, been approved by the municipal architect or building inspector, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the erection of such building or structure is commenced within two years after the day of the passing of the By-law and such building or structure is completed within a reasonable time after the erection thereof is commenced.

4.2.3 Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part of any building or structure provided the strengthening or restoration will not change the use of the building or structure.

4.2.4 A building destroyed by fire or natural disaster, ~~flood or any act of God~~ may be restored and reconstructed on the same lot provided the yard depths existing at the time prior to the destruction are maintained or are not reduced to a depth lesser than required by this By-law,

provided that a building permit for such reconstruction is issued within one (1) year of the date of destruction.

4.2.5 Notwithstanding anything contained in this subsection, where, on the day of the passing of this By-law, a building exists which was designed for and is used as a Residential Building – ~~One Unit~~ **Single Detached**, nothing in this By-law, regardless of the zone in which the building is located, shall prevent:

- (a) The construction of a building or structure for a use accessory to a Residential Building in accordance with the regulations for accessory buildings in the zone within which such Residential Building is located.
- (b) The enlarging or extension of the existing Residential Building by not more than twenty-five percent (25%) of the total floor area of the building on the day of the passing of this By-law, so long as such Residential Building when enlarged or extended will conform with the General Regulations contained in Section 6 of this By-law and the specific regulations covering side yards contained in Zone 2 ~~—Z2~~ of this By-law.

4.3 Discontinued Non-Conforming Uses

Where for any reason the use of any land, building or structure for a use not permitted by this By-law, but which was in existence on the day of the passing of this By-law, has ceased, such non-conforming use shall not be resumed and any future use of the land, building or structure shall be in conformity with the regulations covering the zone in which the land, building or structure is located.

SECTION 5: ZONES

5.1 Classification of Zones

For the purpose of this By-law, the following zones are established and the lands included in each zone are shown on the Zoning Maps forming Schedule “A” to this By-law.

<u>Zone</u>	<u>Map Symbol</u>
Zone 1 (Agricultural)	Z1
Zone 2 (Residential)	Z2
Zone 2a (Residential)	Z2a
Zone 2b (Residential)	Z2b
Zone 2c (Residential)	Z2
Zone 3 (Residential)	Z3
Zone 4 (Residential)	Z4
Zone 4a (Residential)	Z4a
Zone 5 (Commercial)	Z5
Zone 6 (Commercial)	Z6
Zone 7 (Commercial)	Z7
Zone 8 (Commercial)	Z8
Zone 8a (Commercial)	Z8a
Zone 9 (Commercial)	Z9
Zone 10 (Industrial)	Z10
Zone 10a (Light Industrial)	Z10a
Zone 11 (Open Space)	Z11
Zone 12 (Institutional)	Z12
Zone 13 (Residential)	Z13
Zone 14 (Extractive Industrial)	Z14
Zone 15 (Residential)	Z15

5.2 Zoning Maps

The extent and boundaries of all the said zones are shown on the Zoning Maps forming Schedule “A” to this By-law, which Zoning Maps, together with all notations, references and other information shown thereon are hereby incorporated in and declared to form part of this By-law to the same extent as if fully described herein. Any lands not indicated on the zoning maps as being within another zoning category are hereby included in Zone 1 ~~(Z1)~~.

5.3 Boundaries of Zones

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:

- 5.3.1 Where the boundaries are indicated as following approximately the centre lines of streets or lanes or their productions, such centre line shall be deemed to be the boundary.
- 5.3.2 Where the zone boundaries are indicated as approximately following a lot line or property boundary, such lot line or property boundary shall be deemed to be the said boundary.

- 5.3.3 Where the zone boundaries are indicated as approximately parallel to any street and the distance from such street is not indicated, such zone boundaries shall be construed as being parallel to such street and the distance therefrom shall be determined by the use of the scale of the said Zoning Maps.
- 5.3.4 Where the boundaries follow railway lines, such boundaries shall be deemed to be located at the boundaries of the railway right-of-way.
- 5.3.5 If a zone boundary cannot be otherwise located, it shall be located by measurement using the scale as shown on the said Zoning Map.
- 5.3.6 Where within a single lot, the boundary of Zone 11 abuts another zone, the boundary between Zone 11 and the abutting zone shall be determined based on the furthest extent of development that the Grand River Conservation Authority may support on the lot. For further clarity, this approval may result in either the increase or decrease in the portion of the property zoned Zone 11.

5.4 Closed Streets

Where any street or lane or portion thereof as shown on the Zoning Maps is hereafter closed or diverted, or where any land included in any railway right-of-way shall hereafter cease to be used for railway purposes, the lands formerly included in such street, lane or railway right-of-way shall be included within the “use” zone or zones as shown on the Zoning Maps.

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 lands 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 Accessory Buildings**
- 6.3.1 No person shall erect any accessory building or structure, including an uncovered deck, any part of which is within 3.0 metres of any main building on an adjoining lot, ~~and in no case shall any accessory building or structure, including an uncovered deck, be located~~ within the required front yard or exterior side yard for the main building to which the building or structure is accessory, or closer than ~~1.0~~ 0.6 metres from any side or rear lot lines, other than a legal fence or wall.
- 6.3.2 Notwithstanding subsection 6.3.1, an accessory building or structure with a maximum lot coverage of 10 square metres and a maximum height (measured to the tallest part of the building) of 2.5 metres as well as an inground pool (measured to the coping) may be located no closer than 0.6m to an exterior side lot line.
- 6.3.3 Accessory buildings or structures in a residential zone shall be subject to the following regulations:
- 6.3.2.1 The maximum height shall be 4.5 metres, but not more than one storey.
- 6.3.2.2 The maximum combined lot coverage of all accessory buildings and structures shall be 10 percent of the lot or 75 percent of the lot coverage of the main building, whichever is less.
- ~~6.3.2 Notwithstanding the above, two adjoining property owners may erect any accessory building which has a common wall located on the lot line and extending from ground to roof throughout the entire length of the structure.~~
- 6.3.4 No dwelling unit or habitable room may be established within, on, above or attached to any accessory farm building which is designed, intended or used for the keeping of animals.
- 6.3.5 No accessory building shall be used in any zone for the housing, breeding or raising of livestock of any kind for commercial purposes unless such use is specifically permitted within the zone.
- 6.3.6 No accessory building shall be used for human habitation unless such use is specifically permitted within the zone.
- 6.3.7 A building connected to a main building by only an attachment consisting of a roof with no walls, windows or doors separating the space below the roof from the outside, shall be considered to be an accessory building. The lot coverage of an accessory building in this

subsection shall include the area below the roof that attaches the accessory building to the main building.

- 6.3.8 For the purposes of Subsection 6.3, a building or structure with a roof attached to a main building is considered to be an accessory building or structure where the overhead members or roofing cover no more than 50 percent of the footprint of the building or structure and there are no walls, windows or doors except where the structure abuts the main building.
- 6.3.9 Where a building or structure described in Subsubsection 6.3.8 is situated on top of a deck, the deck below said building or structure shall be considered uncovered.

6.4 Prohibited Obstructions

- 6.4.1 Except as specifically permitted elsewhere in this By-law, no person shall construct or locate any building or structure ~~between the street line or lines and any building line~~ within a front yard or exterior side yard established by this By-law, but this provision shall not apply to the construction or location of uncovered landings, terraces or steps provided that such landings, terraces or steps are not more than 1.2 metres above the finished ground level.
- 6.4.2 No person in any zone shall construct or locate any building or structure in any side yard required to be provided under this By-law, but this provision shall not apply to the construction or location of uncovered terraces or steps provided that such terraces or steps are not more than 0.6 metres above the finished ground level.
- 6.4.3 Notwithstanding the above, in any yard there may be erected or maintained the usual projections on main buildings of windowsills, chimney breasts, belt courses, cornices, eaves and other architectural features, provided however that no such feature shall project more than 0.3 metres into any required side yard or 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.
- ~~6.4.4 Notwithstanding the above, inground pools shall be permitted to encroach into required flankage yards, required to be provided by this By-law, to the extent that the coping of the inground pool remains a minimum of 1 metre from any property line.~~
- 6.4.4 On any vacant infilling lot created by severance between two existing buildings which are not more than 60.0 metres apart and both of which are between the street line and the building line established by this subsection front yard or exterior side yard setback established by this By-law, a building may be erected, the front wall of which is in line with the front wall of the existing building closest to the required building line front yard or exterior side yard setback.
- 6.4.5 On any vacant infilling lot created by severance between two existing buildings which are not more than 60.0 metres apart and both of which are farther from the street line than the building line established by this by-section front yard or exterior side yard setback established by this By-law, the line of the front wall of the building closest to the street line shall be deemed to be the building line front yard or exterior side yard setback.
- 6.4.6 No person shall construct or locate a building or structure, alter any finished ground level, or introduce any asphalt, concrete, interlocking stone, permeable paver, patio stone, retaining

wall or other hard-surfaced material within 0.6m of any lot line, except a driveway where it abuts a street line, a shared driveway permitted by the Township, when specifically permitted elsewhere in this By-law, or unless authorized through a lot grading and drainage plan approved by the Township.

6.5 — No Obstructions On Corners

~~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 other than a permitted building shall be maintained in such 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 street.~~

6.5 Corner Visibility Triangles and Driveway Visibility Triangles

- 6.5.1 No tree, shrub, foliage, sign, building, structure or other impediments shall be maintained in such a location or manner so as to obstruct visibility within a corner visibility triangle or driveway visibility triangle. An obstruction shall not include objects 0.75 metres or less in height above the ground.
- 6.5.2 A corner visibility triangle is required in all zones and shall be measured at 7.5 metres from the point of intersection of the street lines.
- 6.5.3 A driveway visibility triangle is required in all zones and shall be measured at 4.5 metres from the point of intersection of a street line and the edge of a driveway.

6.6 One Residential Building Per Lot

No person or persons shall be permitted to have more than one Residential Building on any one lot, except where more than one Residential Building is specifically permitted elsewhere in this By-law.

6.7 Frontage on 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 a public street other than a lane or private thoroughfare.

6.8 Public Services and Utilities

Notwithstanding anything contained in this By-law, the Township or any local board or commission thereof, the ~~Region~~ ~~Regional Municipality of Waterloo~~, any telephone or telegraph company, a transportation system owned or operated by or for the Township or the ~~Region~~ ~~Regional Municipality of Waterloo~~, ~~Kitchener-Wilmot Hydro Inc.~~, ~~Hydro One Networks Inc.~~, a gas company holding a franchise under the provisions of The Municipal Franchise Act, as amended and any department or Ministry of the Federal or Provincial Government ~~including Ontario Hydro or the Kitchener-Wilmot Hydro Commission~~ 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.

6.9 — Building Lines

~~Except as specifically provided elsewhere in this By-law, on all streets and roads within the municipality, building lines are hereby established as follows:~~

~~6.9.1 In any Zone 1, the building line shall be 10 metres from the front lot line.~~

~~6.9.2 In any Zone 6, the building lines shall be the front lot line.~~

~~6.9.3 In any zone other than Zone 1 or Zone 6, the building line shall be 7.6 metres from the front lot line.~~

~~Notwithstanding the foregoing:~~

~~6.9.4 On any vacant infilling lot created by severance between two existing buildings which are not more than 60.0 metres apart and both of which are between the street line and the building line established by this subsection, a building may be erected, the front wall of which is in line with the front wall of the existing building closest to the required building line.~~

~~6.9.5 On any vacant infilling lot created by severance between two existing buildings which are not more than 60.0 metres apart and both of which are farther from the street line than the building line established by this by section, the line of the front wall of the building closest to the street line shall be deemed to be the building line.~~

6.9 Obnoxious, Offensive or Dangerous Uses

In any zone, unless specifically permitted by this By-law, any use that is or may become obnoxious, offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter, or water carried wastes, shall be prohibited.

6.10 Off-Street Parking and Off-Street Loading Areas

~~The~~ Entrances, driveways, **drive aisles**, service areas, off-street parking and off-street loading areas **shall be provided and maintained with stable surfaces free of dust such as asphalt, concrete, interlocking stone, permeable pavers, or other hard-surfaced material as approved by the Township,** ~~if not paved, shall be properly levelled, drained and treated to prevent the escape of dust.~~

6.11 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 used or erected unless there is provided space off a street or lane for the standing, loading or unloading of trucks in conformity with the following regulations:

6.11.1 Shall be located to the rear of the **front yard or exterior side yard setback** ~~building line or lines.~~

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

6.11.3 Each off-street loading space shall have a minimum dimension of 3.0 metres by 10.6 metres and a minimum overhead clearance of 4.2 metres.

- 6.11.4 One off-street loading space shall be provided for each 2,322 square metres or part thereof of building floor area.

6.12 Off-Street Parking Requirements

- 6.12.1 Unless specifically permitted elsewhere in this By-law, the following regulations shall apply to all zones:

- (a) All off-street parking ~~areas~~ spaces required by this By-law shall be provided and maintained on the same lot and in the same zone as the use requiring such area;
- ~~(b) All off-street parking areas shall be situated to the rear of the building line or lines.~~
- (b) All off-street parking spaces shall have direct access from a street or lane via a driveway or drive aisle.
- (c) A drive aisle shall have a minimum width of 6.0 metres.
- (d) Any motor vehicle, recreational vehicle, recreational trailer or trailer parked or stored in either a front yard or flankage yard, shall be parked or stored within an off-street parking space, off-street loading space or driveway.
- (e) The minimum dimension of a parking space shall be 2.75 metres x 6.0 metres.

- ~~6.12.2 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.~~

- 6.12.2 Unless specifically permitted elsewhere in the By-law, the following regulations shall apply to residential zones:

- (a) All off-street parking spaces required by this By-law shall be situated to the rear of the front yard or exterior side yard setback.
- (b) Despite clause (a) above, on a lot containing a residential building single detached, semi-detached, or street townhouse, parking may be located on the driveway within the front yard or flankage yard as follows:
 - (i) one space where two or more parking spaces are required;
 - (ii) one space per additional dwelling unit (attached); and,
 - (iii) one space per additional dwelling unit (detached).
- (c) In any residential zone that permits a residential building other than a residential building – apartment, residential building – back-to-back townhouse, or residential building – cluster townhouse, no parking space provided in a front yard or exterior side yard shall be located in an area beyond the side limits of a driveway.

(d) In any residential zone (~~Zone 2, Zone 2a, 2b, Zone 2c, Zone 3, Zone 4, Zone 4a, Zone 13, Zone 15~~) the parking or storage of commercial vehicles is prohibited except when considered to be accessory to residential use subject to the following regulations:

- (i) No commercial vehicle exceeding a vehicle weight (as contained on the vehicle registration), of 4,500 kilograms shall be parked or stored, except within a fully enclosed building or structure;
- (ii) Notwithstanding clause (i) above, no commercial trailer, cube van, tow truck, tilt/n/load, dump truck, tractor trailer, semi-trailer, or any component thereof, or a bus exceeding 10 passenger seats shall be parked or stored, except within a fully enclosed building or structure;
- (iii) Notwithstanding clauses (i) or (ii) above, any commercial vehicle may temporarily attend residential properties for the purpose of deliveries or service calls; and,
- (iv) No parked or stored commercial vehicle shall obstruct the visibility or movement of vehicular or pedestrian traffic within a street or lane or encroach on same.

~~6.12.3 No off street parking area designed to contain more than four (4) off street parking spaces shall be located within 1.5 metres of any lot line.~~

6.12.3 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 additional parking space.

6.12.4 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 Use	Required Off Street Parking Space
Residential Building- One Unit Single Detached, Duplex Semi-Detached, and Street Townhouse Triplex	One (1) space 2 spaces per dwelling unit
Additional dwelling unit (attached) and additional dwelling unit (detached)	1 space per dwelling unit
Residential Building – Duplex, Triplex or Fourplex	1.5 spaces per dwelling unit

Residential Building – Back-to-Back Townhouse or Cluster Townhouse	2.5 spaces per dwelling unit
Residential Building - Row Apartment	One and one-half (1 1/2) 1.5 spaces per dwelling
Home Occupation	1 space for every 2 customers or clients attending the property plus the parking spaces required for the dwelling unit. Parking spaces required for a home occupation may be provided in a driveway within the front yard or exterior side yard.
Golf Course 18 Hole 9 Hole	125 spaces 75 spaces
Golf Driving Range / Miniature Golf Course	3 spaces for each 2 tees or holes
Doctor's Office in Private Residence	3 spaces plus 1 space for the residential unit
Medical Clinic and Veterinary Clinic	6 spaces for each physician or practitioner
Funeral Home	1 space for each 100 square metres of such floor area, but not less than Twenty (20) spaces
Church Place of Worship	One (1) space for every 7 seats or eight (8) 8 spaces for each 100 square metres of floor area available to the public, whichever is greater
Church , Auditorium, Community Centre, Stadium or any similar use involving assembly of persons	One (1) space for every 7 seats or eight (8) 8 spaces for each 100 square metres of floor area available to the public, whichever is greater
Commercial Floor Area devoted to retail sales or merchandising	1 space for each 18.5 square metres of such floor area
Commercial Floor Area Not devoted to retail sales or merchandising	1 space for each 30 square metres of such floor area
Schools - Elementary Secondary	1 space for each classroom plus the additional requirement for an auditorium. 3 spaces for each classroom plus the additional requirements for an auditorium
Hospital, Rest Home or Nursing Home	1 space for every 4 beds plus 1 space for every 4 employees
Hotel, Motel, Motor Hotel , Tourist Home , Cabins and similar uses providing sleeping	1 space per rentable bedroom unit plus additional requirements for restaurant or place for dispensing refreshment to the public

quarters and meals to the travelling public sleeping accommodation for hire	
Restaurant or place for dispensing Refreshment to the public	1 space for each 4.6 square metres of floor area devoted to public use
Drive-Through Facility	0, but provide stacking spaces in accordance with subsection 6.14
Industry	1 space for each 100 square metres of Floor area used for industrial purposes. A minimum of 4 spaces shall be required
Service Station or Repair Garage	4 spaces for each service bay
Gas Bar	0, but provide stacking spaces in accordance with subsection 6.14
Fraternal Organization, or similar use	One (1) space for each 4.6 square metres of building floor area devoted to public use
Car Wash Washing Establishment	Five (5) spaces per bay but a minimum of fifteen (15) spaces per cash wash establishment 0, but provide stacking spaces required in accordance with subsection 6.14
Drive-In Restaurant	Fifteen (15) spaces per 100 square metres of building floor area
Lodging, Rooming or Boarding House Boarding House or Rooming House	1 space for each dwelling unit with 1 additional space for each 2 guest rooms
Day Care Facility Nursery	1 space per 30 square metres of floor area, minimum of 5 spaces
Private Home Day Care	1 space plus the parking spaces required for the dwelling unit. Parking spaces required for a private home daycare may be provided in a driveway within the front yard or exterior side yard.
Office, or Office Space Within Industrial Building	1 space for each 30 square metres of such floor area.
Warehouse, or Warehouse space in an Industrial Building	1 space for each 200 square metres of Space in an Industrial Building floor area used for warehousing purposes. Any warehouse building shall have a minimum of 4 spaces.
Other Permitted Uses	1 space for each 46.4 square metres of floor space

6.12.5 Barrier-Free Accessible Off-Street Parking Requirements shall be provided as follows:

- (a) Type A barrier-free accessible parking spaces must be a minimum of 3.4 metres in width and a minimum of 6.0 metres in length.

- (b) Type B barrier-free accessible parking spaces must be a minimum of 2.4 metres in width and a minimum of 6.0 metres in length.
- (c) Where one barrier-free accessible parking space is required, it shall be a Type A barrier-free accessible parking space.
- (d) Where an even number of barrier-free accessible parking spaces are required, an equal number of Type A and Type B barrier-free accessible parking spaces shall be provided.
- (e) Where an odd number of barrier-free accessible parking spaces are required, an equal number of Type A and Type B barrier-free accessible parking spaces shall be provided, where the additional parking space may be a Type B barrier-free accessible parking space.
- (f) Access aisles shall be provided for all barrier-free accessible parking spaces, may be shared between two spaces, and shall meet the following requirements:
 - (i) shall be a minimum of 1.5 metres in width;
 - (ii) shall extend the full length of the parking space; and,
 - (iii) shall be marked with high tonal contrast diagonal lines, which discourage parking in them, where the surface is asphalt, concrete or similar hard surface.
- (g) Barrier-free accessible parking spaces shall be provided in accordance with the following and rounding up to the nearest whole number:

Number of Required Parking Spaces	Number of Barrier-Free Accessible Parking Spaces Required
1 to 12	1 of total required parking spaces
13 to 100	4% of total required parking spaces
101 to 200	1, plus 3% of total required parking spaces
201 to 1000	2, plus 2% of total required parking spaces
More than 1000	11, plus 1% total required parking spaces

- (h) barrier free accessible parking spaces are not required on a lot where there is no barrier free accessible building.

6.13 Garage and Driveway Widths in a Residential Zone

In any residential zone, other than a lot within Zone 2 and Zone 2a having a lot area of 0.2 hectares or greater, that permits a residential building, other than a residential building – apartment, residential building – back-to-back townhouse, or residential building – cluster townhouse, the following regulations shall apply:

- 6.13.1 A maximum of one driveway with one access from a street or lane shall be permitted on a lot, except:

(a) in the case of a residential building – semi-detached or street townhouse, where each dwelling unit, not including an additional dwelling unit (attached) or (detached), may have one driveway; and,

(b) when otherwise authorized by the Region or Township.

6.13.2 A driveway shall have a minimum width of 3.0 metres.

6.13.3 A driveway shall have a maximum width as follows, but in no case wider than 8.25 metres:

Permitted Use	Maximum Driveway Width	Maximum Attached Garage Width
Residential Building - Single Detached, Duplex, Triplex, or Fourplex	50% of the lot width, or the driveway may be as wide as the attached garage if one is provided on the lot.	65% of the width of the residential building at grade adjacent to the front yard.
Residential Building – Semi-Detached or Street Townhouse	50% of the lot width, or 5.5 metres, whichever is less, or the driveway may be as wide as the attached garage if one is provided on the lot. Notwithstanding subsection 6.4.6, no setback shall be required for a driveway located along the common lot line of the same residential building.	60% of the width of the residential building at grade adjacent to the front yard.

6.13.4 Any asphalt, concrete, interlocking stone, permeable paver, patio stone, or other hard-surfaced material abutting a driveway shall be considered part of the driveway for the purposes of this subsection.

6.14 Stacking Regulations

In any zone where stacking spaces or stacking lanes are required, the following regulations shall apply:

6.14.1 Stacking spaces shall not be located within 3 metres of a street line.

6.14.2 A stacking space shall be a minimum of 2.75 metres in width and a minimum of 6 metres in length.

6.14.3 Stacking spaces and stacking lanes shall be provided on the same lot as the building that they serve.

- 6.14.4 A waste receptacle providing for the separate containment of recycling, compostables, and other waste, shall be provided along and within 0.6 metres of a stacking lane and accessible by patrons while in their motor vehicle within the stacking lane associated with a restaurant.
- 6.14.5 A stacking lane shall be independent from a driveway or drive aisle.
- 6.14.6 The number of required stacking spaces shall be as follows:

Use	Minimum number of Stacking Spaces
Car Wash (automatic)	10
Car Wash (self service)	2 per washing bay
Gas Bar or Automobile Service Station	2 per fueling area
Restaurant with a drive-through facility	20
Retail or Financial Establishment with a drive-through facility	3

6.15 Outdoor Storage and Display

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

6.16 Buffer Strips

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

- 6.16.1 Have a minimum width throughout of not less than 1.5 metres.
- 6.16.2 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
- 6.16.3 Be in addition to all other yards required in the said zone.
- 6.16.4 Be kept free of all parking, building or structures except for legal boundary fence or wall.
- 6.16.5 Be used only for the planting of grass, flowers, shrubs or trees.

6.17 Setbacks to Municipal Drains

In any zone, no building or structure may be erected or enlarged nearer to any municipal drain, than specified as follows:

- 6.17.1 In any non-residential zone, 9.0 metres from top of bank to an open drain and where the top of bank is not definable, 9.0 metres from the centre-line of the drain. In the case of an enclosed drain, 4.5 metres from the centre-line of the drain;
- 6.17.2 In any residential zone, 4.5 metres from the top of bank of an open drain and where the top of bank is not definable, 4.5 metres from the centre-line;
- 6.17.3 Subsection 6.17 shall not apply to existing buildings or structures;

- 6.17.4 If the working area described in a municipal drainage by-law is greater than the setbacks established in Subsection 6.17, the working area shall apply.

~~6.15~~ ~~Lights and Signs~~

6.18 Exterior Lights

No person shall erect ~~a sign or~~ outside lighting except in conformity with the following regulations:

~~6.15.1~~ ~~Accessory signs only shall be permitted.~~

~~6.15.2~~ ~~Deleted~~

~~6.15.3~~ ~~Illuminated signs of the flashing or animated type are prohibited.~~

6.18.1 Signs or lights **Lights** shall not be erected in such a way as to be confused with traffic lights or be otherwise hazardous to traffic.

6.18.2 Lights used to illuminate a sign, building or premises, including a parking area, shall be arranged to deflect light away from adjacent premises or streets.

~~6.15.6~~ ~~The maximum height for a freestanding pylon sign shall be 10.0 metres.~~

~~6.16~~ ~~Public Parks, Public Recreation Areas and Public Conservation Areas~~

6.19 Public Parks and Public Recreation Areas

Notwithstanding anything contained in this By-law, public parks, **and** public recreation areas ~~and public conservation areas~~ shall be permitted uses in any zone as defined in this By-law and within the Municipal Limits of the Township.

6.20 Regulations for a Home Occupation

No person or persons shall have, conduct or establish a home occupation except in conformity with the following regulations:

6.20.1 That such home occupation shall be located entirely within ~~a private dwelling unit~~ **or an accessory building.**

~~6.17.2~~ ~~Notwithstanding clause 6.17.1, above, in conjunction with a Residential Building – One Unit, only, a home occupation may be located within a permitted accessory building on the subject property.~~

6.20.2 That the maximum floor area ~~per dwelling unit~~ devoted to a home occupation shall be as follows:

Residential Building – One Unit Single Detached	50m ² , or 25 percent of the floor area of the dwelling unit, whichever is lesser
Residential Building – Semi-Detached	35m ² , or 25 percent of the floor area of the dwelling unit, whichever is lesser

Residential Building – Duplex, Triplex, Fourplex, Apartment and Townhouse	25m ² , or 25 percent of the floor area of the dwelling unit, whichever is lesser
Residential Building – Triplex	25m², or 25 percent of the floor area of the dwelling unit, whichever is lesser
Residential Building – Apartment	25m², or 25 percent of the floor area of the dwelling unit, whichever is lesser
Residential Building – Row	25m², or 25 percent of the floor area of the dwelling unit, whichever is lesser

- 6.20.3 That such home occupation shall **only** be conducted by the permanent residents of the ~~private~~ dwelling unit **to which the use is accessory only**, and that there shall be no employees operating in or from the premises at any time.
- 6.20.4 That there shall be no display material visible from a public street.
- 6.20.5 That **the type, location, size and number of signs shall be regulated by the Township Sign By-law 2002-68, or its successor.** ~~a single sign to identify the home occupation measuring no more than 0.6 m. shall be located to the rear of the required building line, except in Zone 1.~~
- 6.20.6 That there shall be no outdoor storage of goods or materials.
- 6.20.7 That no retail sales or wholesale merchandising shall take place from the premises.
- 6.20.8 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.
- 6.20.9 That no machinery or mechanical equipment of any kind other than household, hobby or office equipment shall be used on the premises in connection with such home occupation.
- 6.20.10 That no exterior alterations shall be made to the building or premises in connection with a home occupation which would change the character of the building or premises as a residential building or lot.
- 6.20.11 That repair of vehicles, or the operation of an auto body repair shop is expressly prohibited as a home occupation.
- 6.20.12 **That off-street parking shall be provided in accordance with Section 6.12.**
- 6.20.13 **A home occupation shall not include more than three customers or clients in attendance on a lot at any one time.**

6.21 Regulations for a Hotel or Motel

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

6.21.1	Minimum Lot Area	2,000 square metres or the area of a Recognized Lot.
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6.21.2	Minimum Lot Width and Minimum Lot Frontage	30.0 metres
6.21.3	Minimum Side Yard (each side)	6.0 metres
6.21.4	Minimum Rear Yard	7.5 metres
6.21.5	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 9.0 metres.	
6.21.6	Off Street-Parking and Off-Street Loading	Off-street parking and off-street loading shall be provided in conformity with the regulations contained in subsections 6.10, 6.11 and 6.12 of this By-law.
6.21.7	Exterior Lights and Signs	Exterior Lights and signs shall only be permitted in conformity with the regulations contained in subsection 6.18 of this By-law.
6.21.8	Buffer Strips	A buffer strip in conformity with the regulations contained in subsection 6.16 of this By-law shall be provided along all zone limits where such hotel or motel use abuts a zone that permits a Residential Building.
6.21.9	Accessory Uses	Accessory uses to a hotel or motel shall not be interpreted to include an automobile service station, a service garage, a gas bar or a retail store.

6.22 Title Separation of Attached Dwellings

Nothing in this By-law shall be deemed to prevent separate and distinct ownership of the individual dwelling units in Residential Building - Semi-detached or Residential Building-~~Row~~ **Street Townhouse** so long as the total aggregate requirements set forth in this By-law for each such building lot are maintained and so long as the following regulations are adhered to for each separated parcel:

- (a) have a frontage on a public street;
- (b) have a lot area of not less than 270 square metres;
- (c) no side yard **setback** shall be required; and,
- (d) provide off-street parking space in conformity with the regulations contained in subsections 6.10 and 6.12 of this By-law.

6.23 Wayside Pits and Quarries

Nothing in this By-law shall be deemed to prohibit the making or establishment of a “wayside pit or wayside quarry” as defined in this By-law.

6.24 Regulations for Farm-Related Occupations

In any zone where a farm-related occupation is a permitted use, such occupation shall be established only in conformity with the following:

- 6.24.1 All buildings, structures, storage, parking and loading areas used in connection with a farm-related occupation shall not occupy a lot area exceeding 0.2 hectares.

- 6.24.2 The farm occupation shall be for the exclusive use of the occupant of the farm to which it is an ~~ancillary~~ **accessory** use, and **only occupants of the farm and employees engaged in the farming use to which the farm occupation is accessory are to be permitted** ~~there shall be no employees to operate~~ ~~operating in or~~ from the premises at any time.
- 6.24.3 No farm-related 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.
- 6.24.4 Any building or structure erected or used in connection with a farm-related occupation shall be located to the rear of the ~~building line or lines~~ **front yard or exterior side yard setback** established by this By-law and in no case closer to the road than the wall of the existing building closest to the road.
- 6.24.5 Specific uses permitted as a farm-related occupation, shall include those manufacturing, fabricating, assembly, storage or repair enterprises, and/or those retail, wholesale or service enterprises which conform to the definition of a "Farm-Related Occupation" contained in this By-law, except that the following uses are specifically prohibited:
- ~~(a) a use designated as an offensive trade, business or manufacture by The Public Health Act, R.S.O. 1980 and amendments thereto;~~
 - ~~(b) a use which is or may become obnoxious, offensive or dangerous by reasons of the presence, emissions or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter or water carried wastes;~~
 - (a) a use which would require for its operation a standard of services (particularly water supply and waste disposal) which the municipality is unable or unwilling to provide;
 - (b) the recycling of animal products or a rendering plant;
 - (c) the recycling or refining of petroleum products;
 - (d) a junk, scrap, salvage or wrecking yard.

6.25 Regulations for a Mobile Home as an Accessory Dwelling Unit to a Farm

In any zone where a mobile home is permitted as an accessory dwelling unit on a farm, such mobile home shall only be located and/or constructed in accordance with the following regulations.

~~6.22.1 The minimum floor area of the mobile home shall not be less than 65 square metres.~~

- 6.25.1 The mobile home shall conform to all requirements of the Ontario Building Code.
- 6.25.2 Water supply and sewage disposal services shall be approved by the ~~Waterloo Regional Health Unit and the Township.~~
- 6.25.3 The mobile home shall be located in conjunction with the existing buildings on the farm in such a way so as to not require a new road access.

- 6.25.4 A mobile home shall not be permitted where the property contains an additional dwelling unit (detached).

6.23 Regulations for Conversion of a Residential Building

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

- ~~6.23.1 That the Residential Building has a floor area of not less than 140 square metres.~~
- ~~6.23.2 Where municipal sewage collection and treatment are not available, that private sewage treatment facilities have been approved by the Waterloo Regional Health Unit.~~
- ~~6.23.3 That any dwelling unit created by such conversion has a minimum floor area of not less than 70 square metres.~~
- ~~6.23.4 That there are not exterior stairs with the exception of a metal fire escape providing access to a side of rear yard only.~~
- ~~6.23.5 That not less than one (1) off street parking space for each dwelling unit be provided in conformity with the regulations contained in subsections 6.10 and 6.12 of this By law.~~

6.26 Regulations for Additional Dwelling Unit (Attached)

One additional dwelling unit (attached) may be permitted in association with a Residential Building - Single Detached, Semi-Detached or Townhouse in accordance with the regulations specified by the zone category in which an additional dwelling unit (attached) is permitted, the dwelling type in which the additional dwelling unit (attached) is located, and as amended by the following:

- 6.26.1 One additional dwelling unit (attached) shall only be located in the same building as a Residential Building - Single Detached, Semi-Detached or Townhouse;
- 6.26.2 A direct entrance to the additional dwelling unit (attached), from the exterior of the Residential Building in which the additional dwelling unit (attached) is located, shall be provided from a rear yard or side yard only;
- 6.26.3 An additional dwelling unit (attached) shall be connected to municipal water and sanitary sewer services;
- 6.26.4 Notwithstanding subsection 6.26.3, where municipal services are not available, an additional dwelling unit (attached) may be connected to private services at the discretion of the Township; and,
- 6.26.5 The additional dwelling unit (attached) shall conform to all requirements of the Ontario Building Code.

6.27 Regulations for Additional Dwelling Unit (Detached)

One additional dwelling unit (detached) may be permitted in association with a Residential Building - Single Detached, Semi-Detached or Townhouse in accordance with the regulations specified by the zone category in which an additional dwelling unit (attached) is permitted, and as amended by the following:

- 6.27.1 One additional dwelling unit (detached) shall only be permitted on the same lot as a Residential Building - Single Detached, Semi-Detached or Townhouse;
- 6.27.2 An additional dwelling unit (detached) shall not be severed from the lot containing the Residential Building - Single Detached, Semi-Detached or Townhouse;
- 6.27.3 No more than one additional dwelling unit (detached) is permitted on a lot;
- 6.27.4 An additional dwelling unit (detached) shall be subject to the setback, height and lot coverage regulations for accessory buildings set out in the zone in which the additional dwelling unit (detached) is located, except as follows:
 - (a) On a lot zoned Zone 1 having a lot area of 1.2 hectares or greater, the maximum lot coverage of the accessory building containing the additional dwelling unit (detached) shall not exceed 75% of the lot coverage of the Residential Building on the lot;
 - (b) An additional dwelling unit (detached) shall not be located in the front yard or exterior side yard;
- 6.27.5 An unobstructed walkway that is a minimum width of 1.2 metres and is setback a minimum of 0.6 metres from a lot line, shall be provided from a driveway, street or lane to the additional dwelling unit (detached);
- 6.27.6 An additional dwelling unit (detached) shall be located in the general area of, and share vehicular access with, the Residential Building to which it is accessory;
- 6.27.7 An additional dwelling unit (detached) shall be connected to municipal water and sanitary sewer services;
- 6.27.8 Notwithstanding subsection 6.27.7, where municipal services are not available, an additional dwelling unit (detached) may be connected to private services at the discretion of the Township;
- 6.27.9 On a lot zoned Zone 1, no additional dwelling unit (detached) shall be permitted where the property contains a mobile home as an accessory dwelling unit on a farm.
- 6.27.10 The additional dwelling unit (detached) shall conform to all requirements of the Ontario Building Code.

6.28 Extension of Non-Complying Buildings or Structures

In any zone where, on the day of the passing of this By-law, a building or structure exists legally, the use of which conforms and complies with the uses permitted in the zone within which such building or structure is located, but which building or structure does not comply with the regulations for such zone, extension or addition to such building or structure may be permitted subject to the following:

- 6.28.1 That the lot or parcel on which the non-complying building or structure exists conforms to the minimum lot area, width and a frontage requirement for the zone within which such lot is located.
- 6.28.2 That the extension or addition will conform to all of the requirements and regulations for the said zone including all yard, set back, off-street parking and off-street loading requirements.
- 6.28.3 That the combined existing building plus the extension or addition will not exceed the Maximum Lot Coverage or the Maximum Building Height established for the zone.

~~6.26 Regulations for a Hairdresser or Barber as Ancillary Use to a Residential Building – One Unit~~

- ~~6.26.1 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.~~
- ~~6.26.2 That an area not exceeding twenty five percent (25%) of the ground floor area of the Residential Building – One Unit shall be used for the hairdressing or barbering facility.~~
- ~~6.26.3 That there shall be no external evidence of the hairdressing or barbering facility except for an identification sign which is not to exceed 0.2 square metres in area. No sign shall be located between the front lot line and the building line as established by this By-law.~~
- ~~6.26.6 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.~~
- ~~6.26.7 No hairdresser or barber shall be permitted until a Certificate of Occupancy has been issued by the Township. No changes in use shall be made without the issuance of a new Certificate of Occupancy.~~

~~6.27 Regulations for Group Homes~~

~~In any zone where a “Group Home A” is permitted, such “Group Home A” shall only be established in accordance with the following regulation:~~

- ~~6.27.1 a minimum distance of 120m shall be maintained between any lot containing a “Group Home A” from any other lot containing any other “Group Home A” or “Group Home B”, said distance to be measured from property boundary to property boundary in a straight line.~~

~~6.28 Regulations for a Rooming or Boarding House as an Accessory Use to a Residential Building – One Unit~~

6.29 Regulations for a Lodging, Rooming or Boarding House as an Accessory Use to a Residential Building – Single Detached

- 6.29.1 No person or persons shall have, conduct or establish a **lodging**, rooming or boarding house until the Township has issued a Certificate of Occupancy.
- 6.29.2 **Off-street parking shall be provided in accordance with subsection 6.12.**

6.30 Regulations for Automobile Service Station and Gas Bar

In any zone where an automobile service station or gas bar is a permitted use, or where the sale of motor vehicle fuel is a permitted accessory use, such uses shall be permitted ~~only~~ in conformity with **the regulations of the zone in which the use is located and** the following:

6.30.1 Service Pumps

Service pumps shall not be located closer than 4.5 metres to any street line or within a radius of 15.0 metres of the corner of intersecting streets.

6.30.2 Storage Tanks

~~(a) Storage tanks for gasoline shall be underground and shall not be placed closer than 4.5 metres to a street line, side lot line or rear lot line.~~

~~(b)~~ Above ground storage tanks for propane or natural gas shall not be placed closer than 4.5 metres from any side or rear lot line, shall not be located ~~between the front lot line and the building line~~ **within the front yard**, and shall be located in accordance with ~~all Province of Ontario regulations~~ **all other governing regulations**.

6.30.3 Outside Storage

No automotive parts or equipment or disabled vehicles or trash shall be stored outside the service station building except within areas shielded from the public view by a solid wall or fence having a minimum height of 1.8 metres.

6.30.4 Dwelling Units as Accessory Uses

No dwelling unit shall be permitted as an accessory use to an Automobile Service Station or a Gas Bar in any zone.

6.30.5 Canopy

Notwithstanding the regulations for accessory buildings contained in the zone in which the use is located, the maximum height for a canopy structure above a fuel pump shall be 6.0 metres.

~~6.30 Use of Symbol (f) Following Zone or Zone Symbol~~

6.31 Grand River Conservation Authority Regulated Area

Where on the Zoning Maps the symbol (f) is added as a suffix to the zone symbol, it is to indicate areas that have been identified in co-operation with the Grand River Conservation Authority as containing ~~Flood Susceptible lands~~ **Floodplain, Slope Erosion Hazard, Steep Slopes, and Valleys.**

In any case where the Zone Symbol is followed by the symbol (f), the lands so designated are **regulated by the Grand River Conservation Authority**. The use of the symbol (f) on the zoning maps may not be inclusive of all lands within the Township of Wilmot that contain Floodplain, Slope Erosion Hazard, Steep Slopes, and Valleys. Reference should be made to regulations and mapping available from the **Grand River Conservation Authority**. ~~subject to site plan control pursuant to Section 40 of the Planning Act and to the Grand River Conservation Authority Regulations for Fill, Construction and Alteration to Waterways.~~

Notwithstanding any other provision of this By-law, no building or structure shall be constructed on any lands within the Township of Wilmot that are within the Grand River Conservation Authority Regulated Area without a permit or written consent from the Grand River Conservation Authority.

6.32 Regulations for Backyard Chickens

In any zone where Backyard Chickens are a permitted use, the following regulations shall apply:

- 6.32.1 A maximum of four hens (no roosters), not less than 4 months old, may be permitted on a property of 0.2 hectares or larger.
- 6.32.2 Backyard chickens must be kept within an enclosure that ensures the hens are contained on the same lot as the Residential Building to which their keeping is accessory.
- 6.32.3 Any building or structure or enclosure used to house or contain backyard chickens is prohibited
 - (a) between a Residential Building and the front lot line and within any an exterior side yard, and side yard; and
 - (b) within 15 metres of any part of a building used for human habitation on an adjoining lot and within 3.0 metres of any lot line.
- 6.32.4 The keeping of Backyard Chickens may only occur if licensed by the Township of Wilmot.

SECTION 7: ZONE 1

Within a Zone 1, no land shall be used and no building or structure shall be erected or used, except for the permitted uses listed in Column 1 of subsections 7.1, 7.2, 7.3 and 7.4.

7.1 Permitted Uses

7.1 Lots Having an Area of 35 Hectares or More

~~Within a Zone 1, no land shall be used and no building or structure shall be erected or used, except for the permitted uses listed in Column 1 below.~~

In addition to the regulations set forth in subsection 7.5, the regulations listed in Column 2 below shall apply to the specific use listed in Column 1.

	Column 1 Permitted Use	Column 2 Additional Regulations
7.1.1	Farming, but not including (a) sod farming (b) garden centre florist or commercial greenhouse operation	
7.1.2	Uses accessory to farming including (a) any barn, shed building or structure required as part of the farm operation (b) sale of products grown or raised on the premises	
	(c) a second dwelling unit by conversion of a residential building or by use of a mobile home	In conformity with subsection 6.25 and 6.23
7.1.3	A farm related occupation as an ancillary accessory use to a farm	In conformity with subsection 6.24
7.1.4	Residential Building – One Unit Single Detached, including the following ancillary accessory uses:	
	(a) a Group Home A	In conformity with subsection 6.27
	(b) a private home day care	
	(c) a home occupation	In conformity with subsection 6.20
	(d) hairdresser or barber	In conformity with subsection 6.26
	(d) lodging, rooming or boarding house	Subject to the parking requirements under Section 6.12; and in conformity with Section 6.28 6.29
	(e) bed and breakfast	In conformity with subsection 6.20
	(f) an additional dwelling unit (attached)	In conformity with subsection 6.26
	(g) an additional dwelling unit (detached)	In conformity with subsection 6.27

7.1.5	A veterinary clinic	
7.1.6	A dog kennel	
7.1.7	The raising, training or boarding of horses including riding stable or riding academy	
7.1.8	Uses accessory to the foregoing permitted uses	

7.2 Regulations

~~Within a Zone 1, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations in Section 6 – General Regulations and the following:~~

7.2.1	Minimum Lot Area	35 hectares
7.2.2	Minimum Lot Frontage	230 metres
7.2.3	Minimum Side Yard (each side)	
	(a) Residence	3.0 metres
	(b) Other Permitted and/or Accessory Buildings	Equal to one-half (1/2) building height but in no case less than 3.0 metres
7.2.4	Minimum Rear Yard	7.5 metres
7.2.5	Minimum Ground Floor Area – Residential Building	
	(a) 1 storey	100 square metres
	(b) More than 1 storey	70 square metres

~~7.2.6 Off-Street Parking~~

~~Shall be provided in conformity with the regulations contained in subsections 6.10 and 6.12 of this By-law.~~

~~7.2.7 Minimum Distance Separations~~

- ~~(a) No new farm building or structure designed or intended for the housing of livestock, nor any building or structure intended for the keeping or storage of manure shall be erected within 900 metres of any zone limit established by this By-law unless the applicant can provide a letter issued by the Ministry of Agriculture and Food which indicates that the proposed structure will comply with the Minimum Distance Separation Formula devised by that Ministry.~~
- ~~(b) No new farm building or structure designed or intended for the housing of livestock, nor any building or structure intended for the keeping or storage of manure shall be erected within 300 metres of a non-farm Residential Building located on an adjacent lot unless the applicant can provide a letter issued by the Ministry of Agriculture and Food which indicates that the proposed structure will comply with the Minimum Distance Formula devised by that Ministry.~~

~~(c) No new farm building or structure designed or intended for the housing of livestock, nor any building or structure intended for the keeping or storage of manure shall be erected within 60 metres of the limit of any street or road.~~

7.2 Recognized Lot – 1,390 Square Metres to 1.2 Hectares

Notwithstanding anything contained in the foregoing, any Recognized Lot which contains an area of not less than 1,390 square metres and an area of ~~not more~~ **less** than 1.2 hectares may be used for the permitted uses listed in Column 1 below, in conformity with the applicable regulations contained in Section 6 – General Regulations and in conformity with the additional regulations for the specific use listed in Column 2 below:

	Column 1 Permitted Uses	Column 2 Additional Regulations
7.2.1	Residential Building – One Unit Single Detached including the following ancillary accessory uses:	In conformity with subsection 7.5 except for Minimum Lot Area and Frontage Requirements
	(a) a Group Home A	
	(b) private home day care	
	(c) a home occupation	In conformity with subsection 6.20
	(d) hairdresser or barber	In conformity with subsection 6.26
	(d) lodging , rooming or boarding house	Subject to the parking requirements under Section 6.12; and in conformity with Section 6.28 6.29
	(e) bed and breakfast	In conformity with subsection 6.20
	(f) an additional dwelling unit (attached)	In conformity with subsection 6.26
	(g) an additional dwelling unit (detached)	In conformity with subsection 6.27
	(h) keeping of backyard chickens	In conformity with subsection 6.32
7.2.2	Uses accessory to the foregoing permitted uses	In conformity with Section 7.5 except for Minimum Lot Area and Frontage Requirements.

7.3 Recognized Lot – 1.2 Hectares to 4.0 Hectares

Notwithstanding anything contained in the foregoing, any Recognized Lot which contains an area of not less than 1.2 hectares and an area of ~~not more~~ **less** than 4.0 hectares may be used for the permitted uses listed in Column 1 below, in conformity with the applicable regulations contained in Section 6 – General Regulations and in conformity with the additional regulations for the specific use listed in Column 2 below:

Column 1 Permitted Use	Column 2 Additional Regulations
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7.3.1	Farming, but not including the keeping or raising of livestock for commercial purposes (a) sod farming (b) the keeping or raising of livestock for commercial purposes, except as specifically permitted below (c) garden centre, florist or commercial greenhouse operation (d) a second dwelling unit (e) a farm related occupation	In conformity with subsection 7.5 except for Minimum Lot Area and Minimum Lot Frontage requirements
7.3.2	Uses accessory to farming including (a) any building or structure required as part of the farm operation (b) sale of products grown or raised on the premises	In conformity with subsection 7.2 7.5 except for Minimum Lot Area and Minimum Lot Frontage requirements
7.3.3	Residential Building – One Unit Single Detached , including the following ancillary accessory uses:	In conformity with subsection 7.2 7.5 except for Minimum Lot Area and Minimum Lot Frontage requirements
	(a) a Group Home A	
	(b) a private home day care	
	(c) a home occupation	In conformity with subsection 6.20
	(d) hairdresser or barber	In conformity with subsection 6.26
	(d) lodging , rooming or boarding house	Subject to the parking requirements under Section 6.12; and in conformity with Section 6.28 6.29)
	(e) bed and breakfast	In conformity with subsection 6.20
	(f) an additional dwelling unit (attached)	In conformity with subsection 6.26
	(g) an additional dwelling unit (detached)	In conformity with subsection 6.27
7.3.4	A Veterinary Clinic	In conformity with subsection 7.5 except for Minimum Lot Area and Minimum Lot Frontage requirements
7.3.5	Uses accessory to the foregoing permitted uses	In conformity with subsection 7.5 except for Minimum Lot Area and Minimum Lot Frontage requirements

7.4 Recognized Lot – 4.0 Hectares to 35 Hectares

Notwithstanding anything contained in the foregoing, any Recognized Lot which contains an area of not less than 4.0 hectares and an area of ~~not more~~ **less** than 35 hectares may be used for the permitted uses listed in Column 1 below, in conformity with the applicable regulations contained in Section 6 – General Regulations and in conformity with the additional regulations for the specific use listed in Column 2 below:

Column 1	Column 2
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	Permitted Use	Additional Regulations
7.4.1	Farming, but not including (a) Sod farming (b) garden centre, florist or commercial greenhouse operation (c) a second dwelling unit	In conformity with subsection 7.5 except for Minimum Lot Area and Minimum Lot Frontage requirements
7.4.2	Uses accessory to farming including (a) any building or structure required as part of the farm operation (b) sale of products grown or raised on the premises	In conformity with subsection 7.5 except for Minimum Lot Area and Minimum Lot Frontage requirements
7.4.3	Residential Building – One Unit Single Detached, including the following ancillary accessory uses:	In conformity with subsection 7.5 except for Minimum Lot Area and Minimum Lot Frontage requirements
	(a) a Group Home A	
	(b) a private home day care	
	(c) a home occupation	In conformity with subsection 6.20
	(d) hairdresser or barber	In conformity with subsection 6.26
	(d) lodging, rooming or boarding house	Subject to the parking requirements under Section 6.12; and in conformity with Section 6.28 6.29
	(e) bed and breakfast	In conformity with subsection 6.20
	(f) an additional dwelling unit (attached)	In conformity with subsection 6.26
	(g) an additional dwelling unit (detached)	In conformity with subsection 6.27
7.4.4	A Veterinary Clinic	In conformity with subsection 7.5 except for Minimum Lot Area and Minimum Lot Frontage requirements
7.4.5	A Dog Kennel	In conformity with subsection 7.5 except for Minimum Lot Area and Minimum Lot Frontage requirements
7.4.6	The raising, training or boarding of horses including Riding Stable or Riding Academy	In conformity with subsection 7.5 except for Minimum Lot Area and Minimum Lot Frontage requirements
7.4.7	Uses accessory to the foregoing permitted uses	In conformity with subsection 7.5 except for Minimum Lot Area and Minimum Lot Frontage requirements

7.5 Regulations

Within a Zone 1, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations in Section 6 – General Regulations and the following:

7.5.1	Minimum Lot Area	40 hectares
7.5.2	Minimum Lot Frontage	230 metres

7.5.3	Front Yard Setback (all buildings)	10 metres
7.5.4	Minimum Side Yard Setback (each side) on lots with an area of less than 1.2 hectares	
	(a) Residential Building	2.0 metres
	(b) Accessory Buildings	1.0 metre
7.5.5	Minimum Side Yard Setback (each side) on lots with an area of 1.2 hectares or greater	
	(a) Residential Building	3.0 metres
	(b) Buildings Accessory to a Residential Building when the Accessory Building has a lot coverage not exceeding 10% of the lot area or 75% of the lot coverage of the Residential Building on the lot, whichever is lesser	1.0 metre
	(c) All other Buildings	Equal to one-half (1/2) building height but in no case less than 3.0 metres
7.5.6	Minimum Exterior Side Yard Setback (all buildings)	10 metres
7.5.7	Minimum Rear Yard Setback	
	(a) Buildings Accessory to a Residential Building when the Accessory Building has a lot coverage not exceeding 10% of the lot area or 75% of the lot coverage of the Residential Building on the lot, whichever is lesser	1.0 metre
	(b) Other Permitted and/or Accessory Buildings	7.5 metres
7.5.8	Minimum Ground Floor Area – Residential Building	
	(a) 1 storey	100 square metres
	(b) More than 1 storey	70 square metres
7.5.9	Maximum Lot Coverage on lots with an area less than 1.2 hectares	
	(a) Residential Building	25%
	(b) All Accessory Buildings	10% of the lot area or 75% of the lot coverage of the Residential Building on the lot, whichever is lesser
7.5.10	Maximum Building Height on lots with an area of less than 1.2 hectares	
	(a) Residential Building	10.5 metres
	(b) All Accessory Buildings	4.5 metres, but not more than one (1) storey

7.5.11 Off-Street Parking

Shall be provided in conformity with the regulations contained in subsections 6.10 and 6.12 of this By-law.

7.5.12 Minimum Distance Separations

- (a) No new farm building or structure designed or intended for the housing of livestock, nor any building or structure intended for the keeping or storage of manure shall be erected ~~within 900 metres of any zone limit established by this By-law unless the applicant can provide a letter issued by the Ministry of Agriculture and Food which indicates that the proposed structure will comply with the~~ **unless the location of said building or structure conforms with the regulations contained within Section 7.5 of this By-law or the Minimum Distance Separation II setbacks derived from the Province of Ontario's Minimum Distance Separation (MDS): Overview and the MDS Document - Publication 853, or its successor, whichever is more restrictive. Minimum Distance Separation Formula devised by that Ministry.**
- (b) **No new Residential Building, Additional Dwelling Unit (Attached) contained within a new Residential Building, or Additional Dwelling Unit (Detached) shall be erected unless the location of said building or structure conforms with the regulations contained within Section 7.5 of this By-law or the Minimum Distance Separation I setbacks derived from the Province of Ontario's Minimum Distance Separation (MDS): Overview and the MDS Document - Publication 853, or its successor, whichever is more restrictive.**
- ~~(b) No new farm building or structure designed or intended for the housing of livestock, nor any building or structure intended for the keeping or storage of manure shall be erected within 300 metres of a non farm Residential Building located on an adjacent lot unless the applicant can provide a letter issued by the Ministry of Agriculture and Food which indicates that the proposed structure will comply with the Minimum Distance Formula devised by that Ministry.~~
- ~~(c) No new farm building or structure designed or intended for the housing of livestock, nor any building or structure intended for the keeping or storage of manure shall be erected within 60 metres of the limit of any street or road.~~

SECTION 8: ~~ZONE 2, ZONE 2a, ZONE 2b and ZONE 2c~~**SECTION 8: ZONE 2, ZONE 2a, ZONE 2b, ZONE 2c, and ZONE 3****8.1 Permitted Uses**

Within a Zone 2, Zone 2a, Zone 2b, ~~or~~ Zone 2c, **and Zone 3**, no land shall be used and no building or structure shall be erected or used except for the permitted uses listed in Column 1 below. In addition to the regulations set forth in subsection 8.2 the regulations listed in Column 2 below shall apply to the specific use listed in Column 1.

	Column 1 Permitted Uses in Zone 2, 2a, 2b, Zone 2c	Column 2 Additional Regulations
8.1.1	Residential Building – One Unit Single Detached including the following ancillary accessory uses:	
	(a) a Group Home A	
	(b) private home day care	
	(c) home occupation	In conformity with sub-section 6.17
	(d) hairdresser or barber	In conformity with sub-section 6.26
	(c) lodging , rooming or boarding house (not permitted within Zone 2b and 2c)	Subject to the parking requirements under Section 6.12; and in conformity with Section 6.28 6.29 .
	(d) bed and breakfast	In conformity with subsection 6.20
	(e) an additional dwelling unit (attached)	In conformity with subsection 6.26
	(f) an additional dwelling unit (detached)	In conformity with subsection 6.27
	(g) keeping of backyard chickens	In conformity with subsection 6.32
8.1.2	Additional Permitted Uses in Zone 2a only	
	(a) Residential Building – Duplex or Triplex	In conformity with sub-section 8.3
	(b) Conversion of Residential Building	In conformity with sub-section 6.23
8.1.3	Additional Permitted Uses in Zone 3 only	
	(a) Residential Building – Semi-Detached including the following accessory uses	
	(i) an additional dwelling unit (attached)	In conformity with subsection 6.26
	(ii) an additional dwelling unit (detached)	In conformity with subsection 6.27
	(b) Residential Building – Duplex	
	(c) Residential Building - Triplex	
	(d) Residential Building - Fourplex	
8.1.4	Uses accessory to the foregoing permitted uses	
8.1.5	Home occupation	In conformity with subsection 6.20

8.1.6	Private home daycare	
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8.2 Regulations

Within a Zone 2, Zone 2a, Zone 2b, ~~or~~ Zone 2c, **or Zone 3**, no land shall be used and no building shall be erected or used except in conformity with the following regulations:

- 8.2.1 All the applicable regulations contained in Section 6 – General Regulations of this By-law.
- 8.2.2 The regulations set forth in Table 1, Subsection 8.3

Subsection 8.3 – Table 1									
		ZONE 2 and 2a			ZONE 2b	ZONE 2c	ZONE 3		
Regulations		Individual Well and Private Sewage Disposal	Municipal or Communal Water Supply, and Private Sewage Disposal	Municipal or Communal Water Supply, and Municipal Sewers	Municipal or Communal Water Supply, and Municipal Sewers	Municipal or Communal Water Supply, and Municipal Sewers	Residential Building -		
							Single Detached	Semi-Detached	Duplex, Triplex, or Fourplex
8.3.1	Minimum Lot Area	2,000 sq. m. or area of a Recognized Lot	700 sq. m. or area of a Recognized Lot	600 sq. m.	464 sq. m.	380 sq. m.	500 sq. m.	560 sq. m.	560 sq. m.
8.3.2	Minimum Lot Width	30 m	22.5 m	18 m	13.5 m	11 m	15 m	18 m	18 m
8.3.3	Minimum Lot Frontage								
	Interior Lot	18 m	18 m	15 m	12 m	11 m	12 m	18 m	12 m
	Corner Lot	30 m	22.5 m	19.5 m	16.5 m	16 m	18 m	24 m	19.5 m
8.3.4	Regulations for Main Building								
8.3.4.1	Minimum Ground Floor Area								
	One Storey	93 sq. m.	83 sq. m.	93 sq. m.	83 sq. m.	75 sq. m.	93 sq. m.	93 sq. m.	93 sq. m.
	More than One Storey	69 sq. m.	69 sq. m	69 sq. m	56 sq. m	56 sq. m.	56 sq. m.	56 sq. m.	56 sq. m.
8.3.4.2	Maximum Lot Coverage	25%	25%	40%	40%	40%	40%	40%	40%
8.3.4.3	Maximum Building Height	10.5m							

Subsection 8.3 – Table 1 continued								
	ZONE 2 and 2a			ZONE 2b	ZONE 2c	ZONE 3		
Regulations	Individual Well and Private Sewage Disposal	Municipal or Communal Water Supply, and Private Sewage Disposal	Municipal or Communal Water Supply, and Municipal Sewers	Municipal or Communal Water Supply, and Municipal Sewers	Municipal or Communal Water Supply, and Municipal Sewers	Residential Building -		
						Single Detached	Semi-Detached	Duplex, Triplex, or Fourplex
8.3.4.4 Front Yard Setback	7.6m							
8.3.4.5 Exterior Side Yard Setback	6.0m							
8.3.4.6 Rear Yard Setback	7.5m On a corner lot, a side yard requirement may be substituted for a rear yard requirement for all permitted uses except for a Residential Building – Semi-Detached							
8.3.4.7 Minimum Side Yard Setback (each side)								
One Storey	1.5 m	1.5 m	1.5 m	1.0 m	1.0 m	1.5 m	1.5 m	1.5 m
More than One Storey	2.0 m	2.0 m	2.0 m	1.5 m	1.5 m	2.0 m	2.0 m	2.0 m
	For all residential buildings except for a Residential Building – Semi Detached, where the required off-street parking is to be provided in a side or rear yard, one side yard shall be a minimum of 3.6 metres in width. For a Residential Building – Semi-Detached, if the required off-street parking is to be provided in a side or rear yard, each side shall be a minimum of 3.6 metres in width.							
8.3.5 Accessory Buildings	In conformity with the regulations contained in this subsection 6.3 of this By-law.							
8.3.6 Off-Street Parking	In conformity with the regulations contained in this subsection 6.10 and 6.12 of this By-law.							

Subsection 8.3 — Table 1								
	ZONE 2 and 2a			ZONE 2b	ZONE 2c	ZONE 3		
Regulations	Individual Well and Private Sewage Disposal	Municipal or Communal Water Supply, and Private Sewage Disposal	Municipal or Communal Water Supply, and Municipal Sewers	Municipal or Communal Water Supply, and Municipal Sewers	Municipal or Communal Water Supply, and Municipal Sewers	One unit	Two Units as Semi-Detached	Up to Three Units as Duplex or Triplex
8.3.1 Minimum Lot Area	2,000 sq. m. or area of a Recognized Lot	700 sq. m. or area of a Recognized Lot	600 sq. m.	464 sq. m.	380 sq. m.	500 sq. m.	560 sq. m.	560 sq. m.
8.3.2 Minimum Lot Width	30 m	22.5 m	18 m	13.5 m	11 m	15 m	18 m	18 m
8.3.3 Minimum Lot Frontage (Interior Lot)	18 m	18 m	15 m	12 m	11 m	12 m	18 m	12 m
8.3.4 Minimum Lot Frontage (Corner Lot)	30 m	22.5 m	19.5 m	16.5 m	16 m	18 m	24 m	19.5 m
8.3.5 Minimum Side Yard*—each side 1 storey	1.5 m	1.5 m	1.5 m	1.0 m	1.0 m	1.5 m	1.5 m	1.5 m
More than one storey (each side)	2.0 m	2.0 m	2.0 m	1.5 m	1.5 m	2.0 m	2.0 m	2.0 m
* For all residential buildings except for a “Residential Building—Semi-Detached”, where the required off-street parking is to be provided in a side or rear yard one side yard shall be a minimum of 3.0 metres in width. For a “Residential Building—Semi-Detached”, if the required off-street parking is to be provided in a side or rear yard, each side shall be a minimum of 3.0 metres in width.								
8.3.6 Minimum Rear Yard**	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m
** On a corner lot, a side yard requirement may be substituted for a rear yard requirement for all permitted uses except for a “Residential Building—Semi-Detached”.								

Subsection 8.3 — Table 1								
	ZONE 2 and 2a			ZONE 2b	ZONE 2c	ZONE 3		
Regulations	Individual Wells and Private Sewage Disposal	Municipal or Communal Water Supply, and Private Sewage Disposal	Municipal or Communal Water Supply, and Municipal Sewers	Municipal or Communal Water Supply, and Municipal Sewers	Municipal or Communal Water Supply, and Municipal Sewers	One unit	Two Units as Semi-Detached	Up to Three Units as Duplex or Triplex
8.3.7 Minimum Ground Floor	93 sq. m.	83 sq. m.	93 sq. m.	83 sq. m.	75 sq. m.	93 sq. m.		
—— More than one storey***	69 sq. m.	69 sq. m.	69 sq. m.	69 sq. m.	56 sq. m.	69 sq. m.***		
*** In any Zone 2b or Zone 3, the Minimum Ground Floor Area for a two storey “Residential Building — One Unit” shall be 56 square metres.								
8.3.8 Minimum Floor Area							83 sq. m. per dwelling unit	83 sq. m. per dwelling unit
8.3.9 Maximum Lot Coverage Main Building	25%	25%	40%	40%	40%	40%	40%	40%
—— All Accessory Buildings	69 sq. m.	69 sq. m.	69 sq. m.	69 sq. m.	59 sq. m.	69 sq. m.	69 sq. m.	69 sq. m.
8.3.10 Maximum Building Height Main Building	10.5 m	10.5 m	10.5 m	10.5 m	10.5 m	10.5 m	10.5 m	10.5 m
—— All Accessory Buildings	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m
8.3.11 Off-Street Parking shall be provided in conformity with the regulations contained in this sub-section 6.10 and 6.12 of this By-law.								
8.3.12 Minimum Flankage Yard	6 m	6 m	6 m	6 m	6 m	6 m	6 m	6 m

SECTION 9: ~~ZONE 3~~**9.1 ~~Permitted Uses~~**

~~Within a Zone 3, no land shall be used and no building or structure shall be erected or used and no building or structure shall be erected or used except for the permitted uses listed in Column 1 below. In addition to the regulations set forth in subsection 9.2 the regulations listed in Column 2 below shall apply to the specific use listed in Column 1.~~

	Column 1 Permitted Uses	Column 2 Additional Regulations
9.1.1	Residential Building — One Unit including the following ancillary uses:	In conformity with Table 1, subsection 8.3
	(a) a “Group Home A”	In conformity with subsection 6.27
	(b) private home day care	
	(c) home occupation	In conformity with sub-section 6.17
	(d) hairdresser or barber	In conformity with sub-section 6.26
	(e) rooming or boarding house	Subject to the parking requirements under Section 6.12; and in conformity with Section 6.28.
9.1.2	Residential Building — Duplex	In conformity with Table 1, subsection 8.3
9.1.3	Residential Building — Triplex	In conformity with Table 1, subsection 8.3
9.1.4	Residential Building — Semi-Detached	In conformity with Table 1, subsection 8.3
9.1.5	Conversion of a Residential Building	In conformity with subsection 6.23
9.1.6	Uses accessory to the foregoing permitted uses	
9.1.7	Home Occupation	In conformity with subsection 6.17

9.2 ~~Regulations~~

~~Within a Zone 3, no land shall be used and no building or structure shall be erected or used except in conformity with the following regulations:~~

~~9.2.1 — All the applicable regulations contained in Section 6 — General Regulations of this By-law.~~

~~9.2.2 — The regulations set forth in Table 1, subsection 8.3.~~

SECTION 10: ~~ZONE 4 AND ZONE 4A~~**SECTION 9: ZONE 4****~~10.1 Zone 4 Permitted Uses~~****9.1 Zone 4 Permitted Uses**

Within a Zone 4, no land shall be used and no building or structure shall be erected or used except for the permitted uses listed below:

- 9.1.1 Residential Building – Apartment
- 9.1.2 Uses accessory to the foregoing permitted use
- 9.1.3 Home occupation in conformity with subsection 6.20

~~10.2 Regulations~~**9.2 Regulations**

Within a Zone 4, no land shall be used and no building or structure shall be erected or used except in conformity with the following regulations:

9.2.1	All the applicable regulations contained in Section 6 – General Regulations of this By-law.	
9.2.2	Minimum Lot Area	740 square metres for the first unit plus, an additional 92 metres for each additional unit
9.2.3	Minimum Lot Frontage	30 metres
9.2.4	Minimum Lot Width	30 metres
9.2.5	Front Yard Setback	7.6 metres
9.2.6	Minimum Side Yard Setback (each side)	3 metres or one half (1/2) building height, whichever is greater
9.2.7	Minimum Rear Yard Setback	7.5 metres
10.2.7	Minimum Floor Area per Dwelling Unit	
	(a) Bachelor	37 square metres
	(b) 1 bedroom	55 square metres
	(c) More than 1 bedroom	83 square metres
9.2.8	Maximum Lot Coverage Main Building	
	(a) Main Building With Attached Garage or Carport	Equal to 40% of total lot area
	(b) Main Building Without Attached Garage or Carport	Equal to 30% of total lot area
	(c) Accessory Building	Equal to 10% of total lot area
9.2.9	Maximum Building Height Main Building	10.5 metres or three (3) storeys, whichever is greater

	(a) Main Building	10.5 metres or three (3) storeys, whichever is greater
	(b) Accessory Building	4.5 metres but not more than one (1) storey
9.2.10	Accessory Buildings	In conformity with the regulations contained in subsection 6.3 of this By-law.
9.2.11	Off-Street Parking	In conformity with the regulations contained in subsections 6.10 and 6.12 of this By-law

SECTION 10: ZONE 4A

10.1 Zone 4a Permitted Uses

Within a Zone 4a, no land shall be used and no building or structure shall be erected or used except for the permitted uses listed below:

- 10.1.1 Residential Building – ~~Row~~ **Townhouse**
- 10.1.2 Uses accessory to the foregoing permitted use
- 10.1.3 Home occupation in conformity with subsection 6.20
- 10.1.4 **Private Home Daycare**

10.2 Regulations

Within a Zone 4a, no land shall be used and no building or structure shall be erected or used except in conformity with the following regulations:

10.2.1	Maximum Density	35 Units per hectare
10.2.2	Minimum Lot Frontage	30 metres
10.2.3	Minimum Lot Width	30 metres
10.2.4	Minimum Flankage Exterior Side Yard Setback	6 metres
10.2.5	Front Yard Setback	7.6 metres
10.2.6	Minimum Side Yard Setback (each side)	3 metres or one half (1/2) building height, whichever is greater
10.2.7	Minimum Rear Yard Setback	7.5 metres
10.2.8	Maximum Lot Coverage Main Building(s)	
	(a) Main Building(s) With Attached Garage	Equal to 40% of total lot area
	(b) Main Building(s) Without Attached Garage	Equal to 30% of total lot area
	(c) Accessory Building	Equal to 10% of total lot area
10.2.9	Maximum Building Height Main Building(s)	10.5 metres
	(a) Main Building	10.5 metres
	(b) Accessory Building	4.5 metres but not more than one (1) storey
10.2.10	Accessory Buildings	In conformity with the regulations contained in subsection 6.3 of this By-law.
10.2.11	Off-Street Parking	In conformity with the regulations contained in subsections 6.10 and 6.12 of this By-law
10.2.12	All the applicable regulations contained in Section 6 – General Regulations of this By-law.	
10.2.13	Where a project has been approved as a condominium in accordance with Section 50 of the Condominium Act 1980 and amendments thereto, and with Section 50 of the Planning Act 1983, and amendments thereto, individual parcels of land created for the purpose of	

phasing the registration of the condominium shall be exempt from Section 10.2 and the requirements for yard setbacks, lot coverage and parking provided however, that the whole of the project is in full compliance with this By-law including the requirements for yard setbacks, lot coverage and parking.

SECTION 11: ZONE 5

11.1 Permitted Uses

Within a Zone 5, no land shall be used and no building or structure shall be erected or used except for the permitted uses listed below:

- 11.1.1 Residential Building or dwelling units existing at the time of the passing of this By-law
- ~~11.1.2 Conversions in conformity with the regulations contained in subsection 6.23.~~
- 11.1.2 Dwelling units may be situated above a permitted use (except an automobile service station or repair garage) and not more than one dwelling unit ~~may be~~ situated at ground level and attached to a permitted use
- 11.1.3 Commercial establishment where goods are sold or services rendered, **including the sale of automotive fuel as an accessory use**, but not including the sale of motor vehicles or farm machinery.
- 11.1.4 Car wash**
- 11.1.5 Hotel or motel
- 11.1.6 Offices
- 11.1.7 Financial institution **Establishment**
- 11.1.8 ~~Churches.~~ **Place of Worship**
- 11.1.9 Service club or fraternal organization
- 11.1.10 Commercial or trade school
- 11.1.11 Parking lot
- 11.1.12 Restaurant and/or tavern
- 11.1.13 Laundromat or dry cleaning establishment
- 11.1.14 Hairdresser or barber
- 11.1.15 Clinic or laboratory
- 11.1.16 Veterinary Clinic**
- 11.1.17 Commercial printing and office services
- 11.1.18 Studio
- 11.1.19 Repair shop, but not including the repair of motor vehicles or farm machinery

- 11.1.20 Commercial entertainment and recreating establishment within an enclosed building but not including a video/pinball game amusement centre
- 11.1.21 Day **Care Facility** ~~nurseries~~
- 11.1.22 Funeral home
- 11.1.23 Storage within an enclosed building
- 11.1.24 Light fabricating, assembly or manufacturing
- ~~11.1.24 Signs as an accessory use to the foregoing permitted uses and in conformity with the regulations contained in subsection 6.15 of this By-law~~
- 11.1.25 **Drive-Through Facility**
- 11.1.26 Uses accessory to the foregoing permitted uses
- 11.1.27 One refreshment vehicle or refreshment cart

11.2 Regulations

Within a Zone 5, no land shall be used and no building or structure shall be erected or used except in conformity with the following regulations:

11.2.1	All the applicable regulations contained in Section 6 – General Regulations of this By-law.	
11.2.2	Minimum Lot Area	
	(a) Without Municipal Sewer	2,000 square metres or the area of a Recognized Lot
	(b) With Municipal Sewer	464 square metres
11.2.3	Minimum Lot Frontage and Minimum Lot Width	
	(a) Without Municipal Sewer	30 metres
	(b) With Municipal Sewer	15 metres
11.2.4	Front Yard Setback (all buildings)	7.6 metres
11.2.5	Exterior Side Yard Setback (all buildings)	6.0 metres
11.2.6	Minimum Side Yard Setback (each side)	
	(a) Main Building	Equal to one-half (1/2) building height but in no case less than 3 metres
	(b) Accessory Buildings	1.0 metre
11.2.7	Minimum Rear Yard Setback	
	(a) Main Building	7.5 metres
	(b) Accessory Buildings	1.0 metre
11.2.8	Off-Street Parking and Off-Street Loading	In conformity with the regulations contained in subsections 6.10, 6.11 and 6.12 of this By-law

11.2.7	Floor Area Regulations	
	The following minimum dwelling unit floor area regulations shall apply to all dwelling units in Zone 5 permitted under subsection 11.1.3	
	(a) Bachelor Unit	37 square metres
	(b) 1 bedroom	55 square metres
	(c) More than 1 bedroom	70 square metres
11.2.9	Maximum Building Height	
	(a) Main Building	Three storeys
	(b) Accessory Building	One (1) storey but not more than 4.5 metres
11.2.10	Maximum Lot Coverage (all buildings)	
		50% of lot area

SECTION 12: ZONE 6

12.1 Permitted Uses

Within a Zone 6, no land shall be used and no building or structure shall be erected or used except for the permitted uses listed below:

- 12.1.1 Retail or wholesale commercial establishment, but not including the sale of motor vehicles or farm machinery
- 12.1.2 Offices
- 12.1.3 Financial institutions **Establishment**
- 12.1.4 Hotel
- 12.1.5 Service club or fraternal organization
- 12.1.6 Commercial or trade school
- 12.1.7 Dwelling units may be situated above a permitted use (except an automobile service station or repair garage) and not more than one dwelling unit may be situated at ground level and attached to a permitted use
- 12.1.8 Parking lot
- 12.1.9 Restaurant and/or tavern
- 12.1.10 Laundromat or dry cleaning establishment
- 12.1.11 Hairdresser or barber
- 12.1.12 Clinic or laboratory
- 12.1.13 Veterinary Clinic**
- 12.1.14 Drive-through facility**
- 12.1.15** Commercial printing and office services
- 12.1.16** Studio
- 12.1.17** Repair shop (but not including the repair of motor vehicles or farm machinery)
- 12.1.18** Commercial entertainment and recreating establishment within an enclosed building but not including a video/pinball game amusement centre
- 12.1.19** Day **Care Facility** ~~nursery~~
- 12.1.20** Funeral home

12.1.21 ~~Church.~~ **Place of Worship**

12.1.22 ~~Uses and buildings accessory to the foregoing permitted uses, including signs as accessory uses in conformity with the regulations contained in subsection 6.15 of this By-law~~

12.1.23 One refreshment vehicle or refreshment cart

12.2 Regulations

Within a Zone 6, no land shall be used and no building or structure shall be erected or used except in conformity with the following regulations:

12.2.1	All the applicable regulations contained in Section 6 – General Regulations of this By-law.	
12.2.2	Minimum Lot Area	464 square metres
12.2.3	Minimum Lot Frontage and Minimum Lot Width	15 metres
12.2.4	Front Yard Setback	
	(a) Main Building	0 metres
	(b) Accessory Buildings	No closer to the lot line than the main building
12.2.5	Exterior Side Yard Setback	
	(a) Main Building	0 metres
	(b) Accessory Buildings	No closer to the lot line than the main building
12.2.6	Minimum Side Yard Setback	
	(a) Main Building	
	(a) —There shall be a minimum side yard of 3.5 metres on one side if there is no access to the lot from a second street or a public lane. Where access is available from a second street or a public lane, no side yard shall be required.	
	(b) —Notwithstanding anything contained in this By-law, wherever a Zone 6 abuts a Zone 2, Zone 2a, Zone 2b, Zone 2c, Zone 3, or Zone 4, or Zone 4a , a minimum side yard of 4.5 metres shall be provided on the abutting side or sides.	
	(b) Accessory Buildings	1.0 metre
12.2.7	Minimum Rear Yard	
	(a) Main Building	7.5 metres
	(b) Accessory Buildings	1.0 metre
12.2.8	Maximum Building Height	
	(a) Main Building	Four (4) storeys
	(b) Accessory Building	One (1) storey but not more than 4.5 metres
12.2.9	Maximum Lot Coverage (all buildings)	50% of lot area
12.2.10	Notwithstanding anything contained in this By-law, parking spaces may be provided in the front and flankage exterior side yards in a Zone 6 in accordance with the following regulation:	

	(a) That a landscaped strip of flowers, grass or shrubs, a minimum of 1.0 metres wide, shall be provided and maintained along and abutting the street, except at the location of the ingress and egress ramps.						
12.2.9	Floor Area Regulations						
	The following minimum dwelling unit floor area requirements shall apply to all dwelling units in Zone 6 permitted under subsection 12.1.7						
	<table> <tr> <td>(a) Bachelor Unit</td><td>37 square metres</td></tr> <tr> <td>(b) 1 bedroom</td><td>55 square metres</td></tr> <tr> <td>(c) More than 1 bedroom</td><td>70 square metres</td></tr> </table>	(a) Bachelor Unit	37 square metres	(b) 1 bedroom	55 square metres	(c) More than 1 bedroom	70 square metres
(a) Bachelor Unit	37 square metres						
(b) 1 bedroom	55 square metres						
(c) More than 1 bedroom	70 square metres						
12.2.11	Off-Street Parking and Off-Street Loading						
	In conformity with the regulations contained in sub-sections 6.10, 6.11 and 6.12 of this By-law for Residential Uses and at a rate of 50% of the required spaces for non-residential uses.						

SECTION 13 ZONE 7

13.1 Permitted Uses

Within a Zone 7, no land shall be used and no building or structure shall be erected or used except for the permitted uses listed below:

- 13.1.1 Retail or wholesale commercial establishment, but not including the sale of motor vehicles or farm machinery
- 13.1.2 Offices
- 13.1.3 Financial institution **Establishment**
- 13.1.4 Dwelling units may be situated above a permitted use (except an automobile service station or repair garage) and not more than one dwelling unit may be situated at ground level and attached to a permitted use
- 13.1.5 Restaurant and/or tavern
- 13.1.6 Laundromat or dry cleaning establishment
- 13.1.7 Hairdresser or barber
- 13.1.8 Clinic or laboratory ~~but not including veterinary clinic~~
- 13.1.9 Veterinary Clinic**
- 13.1.10 Car wash**
- 13.1.11 Drive-through facility**
- 13.1.12** Repair shop but not including the repair of motor vehicles or farm machinery
- 13.1.13** Commercial entertainment and recreation establishment within an enclosed building but not including a video/pinball game amusement centre
- 13.1.14** ~~Uses and buildings accessory to the foregoing permitted uses, including signs as accessory uses in conformity with the regulations contained in subsection 6.15 of this By-law~~
- 13.1.15** One refreshment vehicle or refreshment cart

13.2 Regulations

Within a Zone 7, no land shall be used and no building or structure shall be erected or used except in conformity with the following regulations:

13.2.1	All the applicable regulations contained in Section 6 – General Regulations of this By-law.	
13.2.2	Minimum Lot Area	464 square metres

13.2.3	Minimum Lot Frontage and Minimum Lot Width	15 metres
13.2.4	Front Yard Setback (all buildings)	7.6 metres
13.2.5	Exterior Side Yard Setback (all buildings)	6.0 metres
	(a) Main Building	
	(a) Equal to one-half (1/2) building height but not less than 3.5 metres. (b) Notwithstanding anything contained in this By-law, wherever a Zone 7 abuts a Zone 2, Zone 2a, Zone 2b, Zone 2c, Zone 3, or Zone 4, or Zone 4a , a minimum side yard of 4.5 metres shall be provided on the abutting side or sides.	
	(b) Accessory Buildings	1.0 metre
13.2.6	Minimum Rear Yard	
	(a) Main Building	7.5 metres
	(b) Accessory Buildings	1.0 metre
13.2.7	Buffer Strips	
	A buffer strip in conformity with the regulations contained in subsection 6.16 of this By-law shall be provided along all lot lines that abut a Zone 2, Zone 2a, Zone 2b, Zone 2c, Zone 3, or Zone 4 or Zone 4a .	
13.2.8	Maximum Building Height	
	(a) Main Building	Two (2) storeys
	(b) Accessory Building	One (1) storey but not more than 4.5 metres
13.2.9	Maximum Lot Coverage (all buildings)	50% of lot area
13.2.10	Off-Street Parking and Off-Street Loading	In conformity with the regulations contained in subsections 6.10, 6.11 and 6.12 of this By-law
13.2.11	Notwithstanding anything contained in this By-law, parking spaces may be provided in the front and flankage exterior side yards in a Zone 7 in accordance with the following regulation:	
	(a) that a landscaped strip of flowers, grass or shrubs, a minimum of 1.0 metres wide, shall be provided and maintained along and abutting the street, except at the location of the ingress and egress ramps.	
13.2.11	Dwelling Unit Floor Area Requirements	
	The following minimum dwelling unit floor area requirements shall apply to all dwelling units in Zone 7 permitted under subsection 13.1.4	
	(a) Bachelor Unit	37 square metres
	(b) 1 bedroom	55 square metres
	(c) More than 1 bedroom	70 square metres

SECTION 14 ZONE 8 AND ZONE 8a

14.1 Permitted Uses Zone 8 and Zone 8a

Within a Zone 8 or Zone 8a, no land shall be used and no building or structure shall be erected or used except for the permitted uses listed below:

- 14.1.1 Motor vehicle sales, service and repair, including the sale of motor vehicle fuel as an accessory use
- 14.1.2 Farm and garden equipment sales and service, including the sale of motor vehicle fuel as an accessory use
- 14.1.3 Motel or tourist accommodation including not more than one permanent dwelling unit
- 14.1.4 Motor vehicle accessories sale
- 14.1.5 Car wash including the sale of motor vehicle fuel as an accessory use
- 14.1.6 Restaurant including not more than one permanent residential unit
- 14.1.7 Contractor, building supplies dealer
- 14.1.8 Drive-Through Facility
- 14.1.9 Uses and buildings accessory to the foregoing permitted uses, including signs as accessory uses in conformity with the regulations contained in subsection 6.15 of this By-law
- 14.1.10 One refreshment vehicle or refreshment cart

14.2 Permitted Uses Zone 8a only

- 14.2.1 Within Zone 8a a retail or wholesale commercial establishment shall be a permitted use in addition to the uses permitted in Zone 8.

14.3 Regulations

Within a Zone 8 or Zone 8a, no land shall be used and no building or structure shall be erected or used except in conformity with the following regulations:

14.3.1	All the applicable regulations contained in Section 6 – General Regulations of this By-law.	
14.3.2	Minimum Lot Area	
	(a) Without Municipal Sewer	2,000 square metres or the area of a Recognized Lot
	(b) With Municipal Sewer	464 square metres
14.3.3	Minimum Lot Frontage and Minimum Lot Width	
	(a) Without Municipal Sewer	30 metres
	(b) With Municipal Sewer	15 metres

14.3.4	Front Yard Setback (all buildings)	7.6 metres
14.3.5	Exterior Side Yard Setback (all buildings)	6.0 metres
14.3.6	Minimum Side Yard Setback (each side)	
	(a) Main Building	Equal to one-half (1/2) building height but in no case less than 3 metres
	(b) Accessory Buildings	1.0 metre
14.3.7	Minimum Rear Yard Setback	
	(a) Main Building	7.5 metres
	(b) Accessory Buildings	1.0 metre
14.3.8	Buffer Strips	
	A buffer strip in conformity with the regulations contained in subsection 6.16 of this By-law shall be provided along all lot lines that abut a Zone 2, Zone 2a, Zone 2b, Zone 2c, Zone 3 or Zone 4 Residential zone.	
14.3.9	Maximum Building Height	
	(a) Main Building	Two (2) storeys
	(b) Accessory Building	One (1) storey but not more than 4.5 metres
14.3.10	Maximum Lot Coverage (all buildings)	50% of lot area
14.3.11	Off-Street Parking and Off-Street Loading	In conformity with the regulations contained in subsections 6.10, 6.11 and 6.12 of this By-law
14.3.12	Notwithstanding anything contained in this By-law, parking spaces may be provided in the front and flankage exterior side yards in any Zone 8 or Zone 8a in accordance with the following regulation:	
	(a) that a landscaped strip of flowers, grass or shrubs, a minimum of 1.0 metres wide, shall be provided and maintained along and abutting the street, except at the location of the ingress and egress ramps.	
14.3.13	The sale of motor vehicle fuel as an accessory use shall be in accordance with the regulations contained in subsection 6.29 6.30 of this By-law.	
14.3.14	Outdoor Storage	
	(a) All outdoor storage areas shall be located in the side or rear yard and shall not be located within 4.5 metres of any lot line.	
	(b) All outdoor storage areas shall be enclosed within a solid wall or fence with a minimum height of 1.8 metres in order to shield such areas from public view.	

SECTION 15 ZONE 9

15.1 Permitted Uses

Within a Zone 9, no land shall be used and no buildings or structures shall be erected or used except for the permitted uses listed below:

15.1.1 Automobile Service Station

15.1.2 Gas Bar

~~15.1.3 Signs as accessory uses to the foregoing permitted uses and in conformity with the regulations contained in subsection 6.15 of this By-law~~

15.1.3 Uses and buildings accessory to the foregoing permitted uses including a restaurant or snack bar, car wash and drive-through facility

15.1.4 One refreshment vehicle or refreshment cart

15.2 Regulations

Within a Zone 9, no land shall be used and no building or structure shall be erected or used except in conformity with the following regulations:

15.1.1	All applicable regulations contained in Section 6 – General Regulations of this By-law, and specifically in accordance with subsection 6.29 6.30 of this By-law.	
15.1.2	Minimum Lot Area	2,000 square metres or the area of a Recognized Lot
15.2.3	Minimum Lot Frontage and Minimum Lot Width	30 metres
15.2.3	Front Yard Setback (all buildings)	7.6 metres
15.2.4	Exterior Side Yard Setback (all buildings)	6.0 metres
15.2.5	Minimum Side Yard Setback (each side)	
	(a) Main Building	6.0 metres
	(b) Accessory Buildings	1.0 metre
15.2.6	Minimum Rear Yard Setback	
	(a) Main Building	7.5 metres
	(b) Accessory Buildings	1.0 metre
15.2.7	Maximum Building Height	
	(a) Main Building	Two (2) storeys
	(b) Accessory Building	One (1) storey but not more than 4.5 metres
15.2.8	Maximum Lot Coverage (all buildings)	50% of lot area

15.2.9	Off-Street Parking and Off-Street Loading	In conformity with the regulations contained in subsections 6.10, 6.11 and 6.12 of this By-law
15.2.10	Buffer Strips	A buffer strip in conformity with the regulations contained in subsection 6.16 of this By-law shall be provided along all lot lines that abut a Zone 2, Zone 2a, Zone 2b, Zone 2c, Zone 3 or Zone 4 Residential zone.

SECTION 16 ZONE 10 AND ZONE 10a

16.1 Permitted Uses in Zone 10

Within a Zone 10, no land shall be used and no building or structure shall be erected or used except for the permitted uses listed below:

16.1.1 Any manufacturing, fabricating, processing, repair, storage, distribution or transportation operation, except for the following:

- ~~(a) a use designated as an offensive trade, business or manufacture by The Public Health Act, R.S.O. 1980 and amendments thereto;~~
- ~~(b) a use which is or may become obnoxious, offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter or water carried wastes;~~
- (a) a use which would require for its operation a standard of services (particularly water supply and waste disposal) which the municipality is unable or unwilling to provide
- (b) the recycling of animal products or a rendering plant
- (c) the recycling or refining of petroleum products

16.1.2 Veterinary Clinic

~~16.1.3 In connection with an industrial use, the residence of caretaker, supervisor or other such employee whose residence on the premises is essential, provided that the location of such residence shall have the approval of the Regional Medical Officer of Health and provided that such residence shall be an apartment, fully self contained within a main building occupied by a permitted use, having a floor area of not less than 37 square meters and having a direct means of access by stairs and/or hallways.~~

~~The floor area of the residence shall not exceed the lesser of 100 square metres or 25% of the gross floor area of the building in which the residence is to be situate.~~

16.1.3 Contractor, building supplies dealer/outlet or sawmill

16.1.4 Trade School

~~16.1.6 Signs as accessory uses to the foregoing permitted uses in conformity with the regulations contained in subsection 6.15 of this By law.~~

16.1.5 Uses accessory to the foregoing permitted uses, including:

- (a) outdoor storage
- (b) retail sale of goods produced or stored on site

16.1.6 One refreshment vehicle or refreshment cart

16.1.7 Motor Vehicles sales, service and repair

16.1.8 Car Wash

16.2 Permitted Uses in Zone 10a

Within a Zone 10a, no land shall be used and no building or structure shall be erected or used except for the permitted uses listed below:

16.2.1 Any repair, storage, distribution or transportation operation, except for the following:

- ~~(a) a use designated as an offensive trade, business or manufacture by The Public Health Act, R.S.O., 1980 and amendments thereto;~~
- ~~(b) a use which is or may become obnoxious, offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, smoke noise, fumes, vibration, refuse matter or water carried wastes;~~
- (a) a use which would require for its operation a standard of services (particularly water supply and waste disposal) which the municipality is unable or unwilling to provide
- (b) the recycling of animal products or a rendering plant;
- (c) the recycling or refining of petroleum products;
- (d) metal stamping.

~~16.2.2 Signs as accessory uses to the foregoing permitted uses in conformity with the regulations contained in subsection 6.15 of this By-law.~~

16.2.2 Car wash

16.2.3 Uses accessory to the foregoing permitted uses, including:

- (a) outdoor storage

16.2.4 One refreshment vehicle or refreshment cart

16.3 Regulations

Within a Zone 10 or Zone 10a, no land shall be used and no building or structure shall be erected or used except in conformity with the following regulations:

16.3.1	All of the applicable regulations contained in Section 6 – General Regulations of this By-law.	
16.3.2	Minimum Lot Area	
	(a) Without Municipal Sewer	2,000 square metres or the area of a Recognized Lot
	(b) With Municipal Sewer	695 square metres

16.3.3	Minimum Lot Width	
	(a) Without Municipal Sewer	30 metres
	(b) With Municipal Sewer	22.5 metres
16.3.4	Front Yard Setback	7.6 metres
16.3.5	Exterior Side Yard Setback	6.0 metres
16.3.6	Minimum Side Yard (each side)	
	Equal to one-half (1/2) building height but in no case less than 4.5 metres. On any side where a Zone 10 or Zone 10a abuts a Zone 2, Zone 2a, Zone 2b, Zone 2c, Zone 3 or Zone 4 Residential zone, the minimum side yard shall be 7.5 metres.	
16.3.7	Minimum Rear Yard	
	Equal to the building height but in no case less than 7.5 metres. In any zone where the rear yard of a Zone 10 or 10a abuts a Zone 2, Zone 2a, Zone 2b, Zone 2c, Zone 3, or Zone 4 Residential zone, no building, structure, outdoor storage or parking shall be permitted within 7.5 metres of the rear lot line. Where any rear yard abuts a railway right-of-way, no rear yard is required.	
16.3.8	Buffer Strips	
	A buffer strip in conformity with the regulations contained in subsection 6.16 of this By-law shall be provided along lot lines that abut a Zone 2, Zone 2a, Zone 2b, Zone 2c, Zone 3 or Zone 4 Residential zone.	
16.3.9	Maximum Building Height	Four (4) storeys
16.3.10	Maximum Lot Coverage (all buildings)	50% of total lot area
	A buffer strip in conformity with the regulations contained in subsection 6.16 of this By-law shall be provided along lot lines that abut a Zone 2, Zone 2a, Zone 2b, Zone 2c, Zone 3 or Zone 4 Residential zone.	
16.3.11	Off-Street Parking and Off-Street Loading	
	Off-street parking and off-street loading shall be provided in conformity with the regulations contained in subsections 6.10, 6.11 and 6.12 of this By-law.	
16.3.12	Notwithstanding anything contained in this By-law, parking spaces may be provided in the front and flankage exterior side yards in a Zone 10 or Zone 10a in accordance with the following regulation:	
	(a) that a landscaped strip of flowers, grass or shrubs, a minimum of 1.0 metres in width, shall be provided and maintained along and abutting the street, except at the location of the ingress and egress ramps.	
16.3.13	Outdoor Storage	
	All outdoor storage shall be located in the rear or side yard and shall not be located within 4.5 metres of any lot line.	
16.3.14	Main and Accessory Buildings	
	Notwithstanding any other provisions in this By-law, more than one main building shall be permitted on any lot in this zone and all buildings in Zone 10 or Zone 10a shall be considered to be main buildings.	

16.3.15	Notwithstanding any other provisions in this By-law, only those uses which qualify as “dry industry” shall be permitted where municipal sewers are not available to the subject property.
16.3.16	Retail Sale as Accessory Use
	Retail sales space shall be limited in size to 25% of the building area occupied by the permitted use to which it is accessory. Only one accessory retail outlet shall be permitted for each permitted use.

SECTION 17: ZONE 11

17.1 Permitted Uses

Within a Zone 11, no land shall be used and no building or structure shall be erected or used except for the permitted uses listed below:

17.1.1 Public Parks

17.1.2 Public Playgrounds

~~17.1.3 Public Conservation Areas~~

17.1.3 Public Recreation Areas

17.1.4 Arboretum

17.1.5 Wildlife Sanctuary

17.1.6 Golf Course

17.1.7 Farming, but not including:

~~(a) sod farming~~

~~(b) garden centre, florist, or commercial greenhouse operation~~

17.1.8 Uses accessory to the foregoing permitted uses

17.1.9 One refreshment vehicle or refreshment cart

17.2 Regulations

Within Zone 11, no land shall be used and no building or structure shall be erected or used except in conformity with the following regulations:

17.2.1 All of the applicable regulations contained in Section 6 – General Regulations of this By-law.

17.2.2 Off Street Parking

Off-street parking shall be provided in conformity with the regulations contained in subsections 6.10 and 6.12 of this By-law.

17.2.3 No building or structure shall be erected on any lands within a Zone 11.

SECTION 18 ZONE 12

18.1 Permitted Uses

Within a Zone 12, no land shall be used and no building or structure shall be erected or used except for the permitted uses listed below:

18.1.1 ~~School under the jurisdiction of a County Board of Education or School Board or a private school or a private school under Provincial Charter~~

18.1.2 ~~Church~~ **Place of Worship**

18.1.3 Cemetery

18.1.4 Golf Course

18.1.5 Senior Citizen Residence

~~18.1.6 Monastery~~

~~18.1.7 Convent~~

~~18.1.8 Home for the mentally retarded~~

18.1.6 Group Home A

18.1.7 Hospital or clinic

18.1.8 Orphanage or similar institutional residence

18.1.9 Day **Care Facility** ~~nursery~~

18.1.10 Nursing or convalescent home

18.1.11 Community centre or arena

18.1.12 Uses accessory to the foregoing permitted uses

18.1.13 One refreshment vehicle or refreshment cart

18.2 Regulations

Within a Zone 12, no land shall be used and no building or structure shall be erected or used except in conformity with the following regulations:

18.2.1	Minimum Lot Area	
	(a) Without Municipal Sewer	2,000 square metres or the area of a Recognized Lot
	(b) With Municipal Sewer	1,390 square metres
18.2.2	Minimum Lot Width and Minimum Lot Frontage	

	(a) Without Municipal Sewer	30 metres
	(b) With Municipal Sewer	30 metres
18.2.3	Front Yard Setback	7.6 metres
18.2.4	Exterior Side Yard Setback	6.0 metres
18.2.5	Minimum Side Yard (each side)	Equal to one-half (1/2) building height but not less than 4.5 metres
18.2.6	Minimum Rear Yard	7.5 metres
18.2.7	Maximum Lot Coverage (all buildings)	50% of total lot area
18.2.8	Off-Street Parking and Off-Street Loading	
	Off-street parking and off-street loading shall be provided in conformity with the regulations contained in subsections 6.10, 6.11 and 6.12 of this By-law.	
18.2.9	Main and Accessory Buildings	
	Notwithstanding any other provisions in this By-law, more than one main building shall be permitted on any lot in this zone and all buildings in Zone 12 shall be considered to be main buildings.	

SECTION 19 ZONE 13

19.1 Permitted Uses

Within a Zone 13, no land shall be used and no building or structure shall be erected or used except for the permitted uses listed below:

- 19.1.1 a mobile home subdivision containing not more than three hundred (300) mobile, modular or manufactured homes together with uses accessory thereto and having a total occupancy in the subdivision of not more than six hundred (600) persons
- 19.1.2 accessory uses to the foregoing which may include service, recreational, community and commercial facilities designed intended and operated for the exclusive use of the residents of the mobile home subdivision
- 19.1.3 home occupation in conformity with subsection 6.20

19.2 Regulations

Within a Zone 13, no land shall be used and no building structure shall be erected or used except in conformity with the following regulations and those contained within Subdivision Agreement registered as Instrument 889143 and any amendments to said agreement:

- 19.2.1 All the applicable regulations contained in Section 6 – General Regulations of this By-law.
- 19.2.2 No building or structure shall be located within 20 metres of any public road or highway.
- 19.2.3 No building or structure shall be located within 7.6 metres of any limit of the lands identified as Z13 on the map forming Part 1 of Schedule 'A'.
- 19.2.4 Each mobile, modular or manufactured home shall have a minimum floor area of not less than 69.5 square metres.
- 19.2.5 Each mobile, modular or manufactured home shall be located on a mobile home site.
- 19.2.6 No less than 1.25 off street parking spaces shall be provided for each mobile home site with a minimum of one space located on each site.

SECTION 20 ZONE 14

Within a Zone 14, no land shall be used and no building or structure shall be erected or used except for one or more of the permitted uses listed in Column 1 below.

20.1 Permitted Uses

20.1.1 Farming, ~~but not including~~

~~(a) Sod Farming~~

~~(b) Commercial Greenhouse Operation~~

20.1.2 All classes of pits and quarries as defined and licensed by the Pits and Quarries Control act

20.1.3 The processing of extracted materials from the site including crushing, screening, washing, sorting and storage of materials, but not including any temporary or permanent asphalt hot mix plant or ready mix concrete plant

20.2 Prohibited Uses

20.2.1 Residential Building

20.3 Accessory Uses

20.3.1 An office and service building or structure

20.3.2 Storage and maintenance building or structure

20.3.3 Any building or structure required for farming

20.3.4 Accessory building or structures, accessory to the permitted uses

20.4 Regulations

20.4.1	Minimum Lot Area	No minimum lot area
20.4.2	Building Line Front and Exterior Side Yard Setback	15 metres
20.4.3	Minimum Side Yard	15 metres
20.2.4	Minimum Rear Yard	15 metres
20.2.5	Maximum Lot Coverage	10 percent
20.2.6	Maximum Building Height	12 metres
20.2.7	No pit or quarry shall be extracted or expanded within 30 metres of any road limit or within 15 metres of any property line.	

SECTION 21 ZONE 15

21.1 Permitted Uses

21.1.1 Residential Building – Single Detached

21.1.2 Residential Building – Townhouse

21.2 Regulations

Within a Zone 15, no land shall be used and no building or structure shall be erected or used except in conformity with the following regulations **and those contained within Subdivision Agreement registered as Instrument LT92955 and any amendments to said agreement:**

21.2.1 All the applicable regulations contained in Section 6 – General Regulations of this By-law.

21.2.2 No building or structure shall be located within 72 metres of the centre line of Highway 7 and 8.

21.2.3 No building or structure shall be located within 15.2 metres of Haysville Road (Township Road 12).

21.2.4 No building or structure shall be located within 7.6 metres of the limits of the entire area of land zoned Zone 15 identified on the map forming Part 1 of Schedule 'A'.

21.2.5 Each single detached dwelling or townhome unit shall be located on a residential home site.

21.2.6 Not less than two (2) off-street parking spaces, including garage and driveway space, shall be provided for each residential home site.

21.2.7 Notwithstanding any other provisions by this By-law, not more than forty-eight (48) single detached dwellings or townhome units may be erected on Units 1-48, Waterloo Vacant Land Condominium Plan 372.

SECTION 22 EXCEPTIONS

Except as amended by this Section, the lands illustrated on the maps forming Schedule B to this By-law and described in the subsections below shall be subject to all other applicable regulations in this By-law. The maps forming Schedule B of this By-law are numbered to correspond with the numbering of the subsections below, and are considered to form part of this Section 22.

Where, in any subsection below, the word “Deleted” appears, the regulations of that subsection no longer apply.

22.1 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.1 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) a truck depot

subject to the following:

- (b) Minimum Street Frontage

The minimum street frontage shall be the street frontage of the lands illustrated on the map forming paragraph 22.1 of this By-law.

- (c) Minimum Lot Area

The minimum lot area shall be the area of the lands illustrated on the map forming paragraph 22.1 of this By-law.

22.2 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.2 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies.

- (a) a carpentry shop
- (b) a photography studio

subject to the following:

- (c) that off-street parking be provided in accordance with the regulations contained in sub-sections 6.10 and 6.12 of this By-law.
- (d) that any buildings erected on the aforesaid lands may be located not closer than 18.2 metres from the centre line of Township Road Number 2 (Berlett’s Road).

22.3 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.3 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) a hairdressing facility within the one-family detached dwelling that exists on the said lands and is used by the operator as his or her private residence.

subject to the following:

- (b) that not more than one operator shall practice or be engaged in this facility.
- (c) that not more than twenty-five percent (25%) of the ground floor or basement area of the residence is used for such facility.
- ~~(d) that not more than one identification sign not exceeding 0.2 square metres in size be permitted and that such sign be subject to the regulations contained in subsection 6.15 of this By-law.~~
- (d) that all electrical or mechanical equipment used in such facility shall be installed and operated so that it will in no way be objectionable to adjacent property owners.

22.4 Deleted.

22.5A ~~Deleted. Notwithstanding any other provisions of this By-law, the lands illustrated as Part "A" on the map forming paragraph 22.5 of this By-law may be used in accordance with and subject to the regulations of Section 7 – Zone 1 of this By-law, except that the Minimum Lot Frontage and Minimum Lot Width requirement shall be 10 metres.~~

22.5B Notwithstanding any other provisions of this By-law, the lands illustrated as Part "B" on the map forming paragraph 22.5 of this By-law may be used in accordance with and subject to the regulations of Section 7 – Zone 1 of this By-law and the following additional regulations:

- (a) that no direct means of access be permitted to Regional Road Number 4 (Bleams Road) from the subject property.
- (b) that access to the subject property shall be by means of the existing land adjacent to the easterly boundary of the subject lands (see the map forming paragraph 22.5 of this By-law).

22.6 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.6 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) a Residential Building - Single Detached family dwelling

subject to the following:

- (b) that any such Residential Building - Single Detached family dwelling and/or any permitted accessory building shall not be located and erected on any part of the subject property save and except within the area identified as the "Buildable Area" on the map forming paragraph 22.6 of this By-law.

22.7 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 21, Concession South of Snyder's Road, being Parts 1 and 2, Plan 58R-1063 and identified on the map forming Part 1 of Schedule 'A' as Zone 4 shall be subject to the following regulations:

(a)	Minimum Frontage	17.53m
(b)	Building Line Front Yard Setback	17.53m

(c)	Minimum Side Yard	37.00m
(d)	Minimum Rear Yard	7.50m
(e)	Maximum Lot Coverage	Greater of 3m or ½ building height
(f)	Maximum Building Height	3 spaces/unit
(g)	Maximum Number of Units	11

22.8 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.8 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) a communications tower together with necessary appurtenances for the receiving and distributing of television, radio and microwave signals;

subject to the following:

- (b) that the proposed tower be located in the approximate location as illustrated on the map forming paragraph 22.8 of this By-law;
- (c) the height of the proposed communication tower shall not exceed 336 metres.
- (d) that no more than two (2) buildings accessory to the permitted use may be erected for the purpose of housing supporting electronic equipment and servicing the permitted use provided that said building or buildings are not located in a manner which would violate any side, rear or front yard requirements of this By-law;
- (e) as long as the lands shown on the map forming paragraph 22.8 of this By-law are used for a communications tower, no building or buildings shall be constructed or maintained on the said lands except the buildings referred to in the preceding sub-paragraph (d) of this By-law and no residential use of the said lands shall be permitted.

22.9 Notwithstanding any other provisions of this By-law, the lands described as Parts 1 and 3, Deposited Plan 58R-602 and identified on the map forming Part 2A of Schedule 'A' shall have a minimum side and rear yard requirement of 3.0 metres.

22.10 Deleted.

22.11 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.11 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) bus parking, bus fuelling and repair, and the erection of a garage and storage facilities for buses;
- (b) the retail sale of propane as an accessory use.

subject to the following:

- (c) any structure permitted as an additional use by this By-law shall be located within the area marked "Buildable Area" on the map forming paragraph 22.11 of this By-law;

- (d) no bus parking, bus fuelling or repair shall be permitted ahead of the front wall of the garage and storage building for buses permitted as an additional use by this By-law.
- (e) access to this property shall be limited to one only combined entrance and exist onto Regional Road Number 1 (Snyder's Road) and that the design and location of such combined entrance and exit shall be to the satisfaction of the ~~Region~~ **Regional Municipality of Waterloo**.

22.12 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 16, Concession South of Erb's Road, being Parts 3, 4, 5 and 6 on 58R-10846 and illustrated on the map forming paragraph 22.12 may be used for the following specific uses:

- (a) a mobile home development containing not more than two hundred and fifteen (215) mobile, modular or manufactured homes together with the uses accessory thereto and having a total occupancy in the development of not more than four hundred and thirty (430) persons; and,
- (b) accessory uses which for the purpose of this By-law may include service, recreation, community and commercial facilities designed, intended and operated for the exclusive use of the residents of the mobile home development.

Subject to the following **regulations and those contained within Development Agreement registered as Instrument 1234636 and any amendments to said agreement:**

- (i) no building or structure shall be located within 15.2 metres of any public road or highway or within 7.6 metres of any limit of the land illustrated on the map forming paragraph 22.12 of this By-law;
- (ii) each mobile, modular or manufactured home shall be a double-wide unit and have a minimum floor area of not less than 69.5 square metres;
- (iii) each mobile, modular or manufactured home shall be located on a mobile home site;
- (iv) not less than 1.25 off-street parking spaces shall be provided for each mobile home site and one of the 1.25 total shall be located within each mobile home site.

22.13 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.13 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) farm implement sales and service

subject to the following:

- (b) the existing shed on the property may be used in connection with the additional uses permitted by this By-law;
- (c) any new building or structure erected in connection with the additional uses permitted by this By-law shall be located to the rear of the existing buildings on the lot;

- (d) no new building or structure erected in connection with the additional uses permitted by this By-law shall be erected within 3.0 metres of the limits of the lands as shown on the map forming paragraph 22.13 of this By-law on which additional uses are permitted;
- (e) all outdoor storage of goods, materials or machinery shall be located to the rear of the existing building;
- (f) no outdoor storage of goods, materials or machinery shall be permitted within 3.0 metres of the limits of the lands as shown on the map forming paragraph 22.13 of this By-law on which additional uses are permitted;
- (g) the limits of the lands as shown on the map forming paragraph 22.13 of this By-law on which additional uses are permitted to the rear of the ~~building line~~ **front yard setback** shall be fenced with a 1.2 metre woven wire and post fence.

22.14 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.14 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) an asphalt plant
- (b) gravel washing plant
- (c) shop for maintenance of vehicles and equipment used in connection with the gravel pit operation taking place on the property and the proposed asphalt plant
- (d) office devoted to the gravel pit operation taking place on the property and the proposed asphalt plant
- (e) off-street parking in connection with the above permitted uses

The foregoing permitted uses are subject to the following:

- (f) all additional uses permitted by this By-law shall be located within the area designated as "Buildable Area" on the map forming paragraph 22.14 of this By-law;
- (g) no building or structure shall be permitted within 45.5 metres of any limit of the lands illustrated on the map forming paragraph 22.14 of this By-law;
- (h) the location of all new entrances or exits to and from Regional Road Number 12 shall be approved by the **Region** ~~Regional Municipality of Waterloo~~;
- (i) an earthen berm having a height of not less than 1.2 metres above the level of the travelled portion of Regional Road Number 12 shall be constructed along the entire frontage of the lands illustrated on the map forming paragraph 22.14 of this By-law where such lands abut Regional Road Number 12 with the exception of those portions of the frontage approved for entrance or exit locations;
- (j) the above required earthen berm shall be graded, seeded or sodded to prevent erosion and shall be planted with trees or shrubs of a type and quantity satisfactory to the Township of Wilmot;

- (k) a chain link fence having a height of not less than 1.5 metres shall be constructed along the entire frontage of the lands illustrated on the map forming paragraph 22.14 of this By-law where such lands abut Regional Road Number 12 with the exception of that portion of the frontage approved for exit and entrance locations. Gates that can be securely locked shall be located at the points of approved entrance and exit to Regional Road 12;
- (l) a buffer strip shall be provided and maintained where the limits of the lands illustrated on the map forming paragraph 22.14 of this By-law abut the lands of the private property located at the intersection of Regional Road Number 12 and Township Road Number 6 and in the locations shown on the map forming paragraph 22.14 of this By-law. Such buffer strips shall have a minimum width of not less than 3.0 metres throughout its entire length and shall be used for no other purpose than the planting of trees and shrubs and grass of a type and quantity satisfactory to the Township of Wilmot.

22.15 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.15 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which parcel lies:

- (a) the construction and operation of a retail and wholesale building supplies outlet and uses normally and naturally accessory thereto.

Subject to the following:

- (b) that all buildings must be placed and erected on and within the area designated as “Buildable Area” on the map forming paragraph 22.15 of this By-law except that open storage sheds may be constructed to the rear of the “Buildable Area” provided that minimum side and rear yards of 4.5 metres are maintained;
- (c) That outdoor storage of goods and materials shall be permitted on the subject property, provided such storage is located to the rear of the “Parking Area” as shown on the map forming paragraph 22.15 and provided that a minimum side yard and rear yard of 4.5 metres is maintained clear and free of such storage.
- (d) that off-street parking and off-street loading facilities shall be provided on the subject property in conformity with the regulations contained in subsections 6.10, 6.11 and 6.12 of this By-law and such off-street parking shall be located to the rear of the ~~building line~~ **front yard setback** as established by this By-law.
- (e) access to the subject property shall be limited to the two (2) locations so indicated on the map forming paragraph 22.15 of this By-law. Any additional points of access shall only be permitted with the written permission of the Council of the ~~Township Corporation of the Township of Wilmot~~ **Township** and of the ~~Region Regional Municipality of Waterloo~~ **Region**;
- (f) that the use of the area designated as “Parking Area” on the map forming paragraph 22.15 of this By-law shall be prohibited from all uses except for the parking of vehicles, for the provision of loading spaces and for the planting of grass, trees and other normal landscaping features;
- (g) that no residential use shall be permitted as an accessory or main use on the subject property as illustrated on the map forming paragraph 22.15 of this By-law.

22.16 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.16 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) the establishment and operation of a silo construction company

subject to the following:

- (b) that all buildings or structures and all outdoor storage and parking areas shall be located to the rear of the ~~building line~~ **front yard setback** as established by this By-law;
- (c) that no outdoor storage areas or parking areas shall be located in any required side or rear yard;
- (d) that all buildings or structures and all outdoor storage and parking areas shall be located on Part 1, Plan 58R-2393;
- (e) that the manufacture of silo slabs, concrete or concrete products of any nature or kind whatsoever shall not be permitted as either a main use or as an accessory use on the lands illustrated on the map forming paragraph 22.16 of this By-law;
- (f) that no residential use shall be permitted on the lands illustrated on the map forming paragraph 22.16 of this By-law.

22.17 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.17 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) a residential care facility

For the purpose of this ~~By-law~~ **subsection**, a "Residential Care Facility" shall mean a residence for the accommodation of not more than ten (10) persons, exclusive of staff, who by reason of their emotional, mental, social or physical condition or legal status require a group living arrangement for their well-being, and

- (b) such facility is supervised by, or the members of the group are referred to the residence by, a hospital, court or government agency; or
- (c) such facility is funded wholly or in part by any government, other than funding provided solely for capital purposes; or
- (d) such facility is regulated or supervised under any general or special Act;

but does not include any use otherwise classified or defined in this By-law, subject to the following condition:

- (e) that the residential care facility shall be established within a permitted **Residential Building - Single Detached** ~~family dwelling~~ located on the lands illustrated on the map forming paragraph 22.17 of this By-law.

22.18 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.18 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) detached dwelling and for uses normally and naturally accessory thereto.

Subject to the following:

- (b) that all buildings or structures shall be located to the rear of "Property Line A" as shown on the map forming paragraph 22.18 of this By-law.
- (c) that the minimum lot area and minimum lot width shall be the property as illustrated on the map forming paragraph 22.18 of this By-law.
- (d) that no enlargement of the existing dwelling on the subject lands and no new buildings or structures shall be permitted on the subject lands without the express written approval of the Grand River Conservation Authority.

22.19A Notwithstanding any other provisions of this By-law, the lands illustrated on the maps forming paragraphs 22.19.1, 22.19.2 and 22.19.4 inclusive of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) a group home

subject to the following:

- (b) the group home shall be established within the permitted ~~family dwelling~~ **Residential Building - Single Detached** located on the following lands:

- (i) Part Lot 7, Concession South of Bleams Road, Township of Wilmot, said lands being illustrated on the map forming paragraph 22.19.1 of this By-law.
- (ii) Part of the West Half of Lot 8, Concession North of Bleams Road, Township of Wilmot, said lands being illustrated on the map forming paragraph 22.19.2 of this By-law.
- (iii) Part of the East Half of Lot 9, Concession North of Bleams Road, Township of Wilmot, said lands being illustrated on the map forming paragraph 22.19.2 of this By-law.
- (iv) Part of the West Half of Lot 9, Concession North of Bleams Road, Township of Wilmot, said lands being illustrated on the map forming paragraph 22.19.2 of this By-law.

~~(v) Deleted~~

- (v) Part of Lots 13 and 14, Concession 2, Block "A", Township of Wilmot, said lands being illustrated on the map forming paragraph 22.19.4 of this By-law.

22.19B Notwithstanding the provisions of this By-law, on the lands identified in paragraph 22.19A (b) (v) of this By-law, a school and general office may be established as an accessory use to the group home, subject to the following conditions:

- (a) that the school and general office shall serve the occupants of the group homes permitted under paragraph 22.19A of this By-law;
- (b) that the said school and general office shall comply with all other applicable regulations for such uses in this By-law.

22.20 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 6, Concession North of Snyder's Road and identified on the map forming Part 4 of Schedule 'A' of this By-law shall have a minimum lot width of 13 metres.~~

22.21 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.21 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies;

- (a) the operation of a private recreational club and uses normally and naturally accessory thereto.

Subject to the following:

- (b) the use of the subject site for recreational trailering and camping shall be hereby expressly prohibited and no onsite use or storage of trailers shall be permitted;
- (c) the minimum lot area for a private recreational club shall be the area of the property as shown on the map forming paragraph 22.21 of this By-law;
- ~~(d) any sign erected on the property illustrated on the map forming paragraph 22.21 of this By-law shall be in accordance with the provisions of subsection 6.15 of this By-law.~~

22.22 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 15, Concession South of Snyder's Road and identified on the map forming Part 2A of Schedule 'A' of this By-law may be used for the following specific uses in addition to those uses permitted within the zone within which the parcel lies:

- (a) any manufacturing, processing, assembly, storage, packaging or repair enterprise except for:
 - (i) a junk, scrap, salvage or wrecking yard;
 - ~~(ii) a use defined as an "offensive trade" by The Public Health Act, R.S.O. 1980;~~
 - ~~(iii) a 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, radiation, refuse matter or water carried wastes;~~
 - (ii) a use which would require for its operation a standard of services (particularly water supply and sewage disposal) which the Township is unable or unwilling to provide;
 - (iii) the recycling of animal products or a rendering plant;
 - (iv) the recycling or refining of petroleum products.
- (b) food catering or vending establishment, but not including a sit-down or take-out restaurant.

- (c) a wholesale business.
- (d) frozen food locker service and cold storage plant.
- (e) truck transportation terminal and warehouse.
- (f) commercial printing establishment.
- (g) uses accessory to the foregoing permitted uses including:
 - (i) signs;
 - (ii) a retail or wholesale outlet or showroom, provided that it is clearly accessory to and incidental to the above-mentioned permitted use;
 - (iii) outdoor storage;
 - (iv) accessory buildings.

The lands described as Part of Lot 15, Concession South of Snyder's Road and identified on the map forming Part 2A of Schedule 'A' of this By-law shall be subject to the following regulations in addition to the general regulations contained in Section 6 of this By-law.

(a)	Minimum Frontage	20 metres
(b)	Minimum Lot Width	23 metres
(c)	Minimum Lot Depth	60 metres
(d)	Minimum Setback from Street	7.5 metres
(e)	Minimum Side Yard (each side)	
	If the lot frontage is 75 metres or less, minimum side yard shall be 10% of the lot frontage or 3.6 metres whichever is greater. If the lot frontage is greater than 75 metres, the minimum side yard shall be 7.5 metres.	
(f)	Minimum Rear Yard	7.5 metres
(g)	Off Street Parking	
	Shall be provided in accordance with the provisions of subsection 6.10 and 6.12 of this By-law.	
	A maximum of 10 parking spaces may be located in a required front yard provided that a minimum of 4.5 metres is maintained between the parking area and the street line, and the area between the parking area and the street line is suitably landscaped with fences, hedges, trees, shrubs or other suitable ground cover to provide adequate landscaping of the land or protection to adjoining lands.	
	All parking areas shall be provided with vehicle bumper guards to define the parking area and to ensure that all vehicles parked will be confined to that area.	
(h)	Off- Street Loading	
	Shall be in accordance with the provisions contained in subsections 6.10 and 6.11 of this By-law.	
(i)	Signs	
	Shall be in accordance with the provisions contained in subsection 6.15 of this By-law.	

(i)	Outdoor Storage		
	Shall be located in a rear yard only, and shall be enclosed from public view by a solid fence or wall or suitable tree planting. Outdoor storage shall not be located within 4.5 metres of any property line.		
(j)	<table border="1"> <tr> <td data-bbox="321 365 954 415">Maximum Lot Coverage (all buildings)</td> <td data-bbox="954 365 1531 415">50% of lot area</td> </tr> </table>	Maximum Lot Coverage (all buildings)	50% of lot area
Maximum Lot Coverage (all buildings)	50% of lot area		

22.23 Notwithstanding any other provisions of this By-law, the land described as Part 3, Plan 58R-3061 and identified on the map forming Part 3 of Schedule 'A' of this By-law may be used for any use permitted in the zone within which the parcel lies, subject to the following:

(a) Minimum Lot Area and Minimum Lot Width

The lands identified as 22.23 on the map forming Part 3 of Schedule 'A' of this By-law.

(b) No building shall be located within 6 metres of the municipal drain as shown on Reference Plan 58R-3061.

22.24 Notwithstanding any other provisions of this By-law, the lands illustrated as "Parcel A" on the map forming paragraph 22.24 of this By-law may be used for any permitted use in the zone within which the parcel lies, subject to the following:

(a) the minimum frontage for the lands illustrated as "Parcel A" on the map forming paragraph 22.24 of this By-law shall be 33 metres.

(b) on the property illustrated as "Parcel A" on the map forming paragraph 22.24 of this By-law, no building designed and intended for the raising or accommodation of livestock shall be located within 457 metres of the limits of the zone forming the north-westerly boundary of the subject property.

22.25 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 12, Concession South of Snyder's Road and identified on the map forming Part 2B of Schedule 'A' of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

(a) motor vehicle sales, service and repair including as accessory uses the sale of motor vehicle fuel and the sale of motor vehicle accessory products,

subject to the following:

(b) no residential uses shall be permitted on the subject property if it is used for the establishment of motor vehicle sales, service and repair, including as accessory uses the sale of motor vehicle fuel and motor vehicle accessory products.

(c) that the minimum ~~flankage~~ exterior side yard shall be 7.6 metres.

(d) that no building or structure shall be located within the ~~flankage~~ exterior side yard.

- (e) no motor vehicle parts or equipment or disabled vehicles or trash shall be stored outside a building except within areas shielded from public view by a solid wall or fence having a minimum height of 1.8 metres.

22.26 Deleted

22.27 Deleted

22.28 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 7, Concession South of Snyder's Road, being Part 1, Plan 58R-1096 and illustrated on the map forming paragraph 22.28 of this By-law may be used for the following specific uses in addition to those uses permitted in Section 7 of this By-law:

- (a) the storage, reworking and assembly of lumber into pallets and containers

subject to the following:

- (i) all outdoor storage, as permitted by subsection 22.28(a) shall be screened from the view of motorists on Regional Road No. 12.

22.29 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.29 of this By-law shall be used only for the following uses:

- (a) a seasonal recreational trailering and camping area
- (b) a Residential Building – ~~One Unit~~ **Single Detached**
- (c) uses accessory to the above permitted uses. Accessory uses shall only include uses designed to serve or complement the above permitted uses, but shall not include uses designed to attract or to serve members of the general public.

The lands illustrated on the map forming paragraph 22.29 of this By-law shall be subject to the following regulations in addition to the general regulations contained in Section 6 of this By-law.

- (d) Minimum Lot Area and Minimum Lot Frontage shall be the property as illustrated on the map forming paragraph 22.29 of this By-law
- (e) no building or structure shall be located within 4.5 metres of any side or rear lot line;
- (f) no Residential Building – ~~One Unit~~ **Single Detached** shall be located within 14 metres of the front lot line;
- (g) no building or structure other than a Residential Building – ~~One Unit~~ **Single Detached** shall be located within 61 metres of the front lot line;
- (h) no more than a total of 100 trailering and camping sites shall be permitted on the subject property.
- (i) no trailering or camping sites shall be located within 14 metres of the front lot line.

22.30A Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.30 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) a residential apartment building with a maximum of 26 dwelling units

subject to the following:

(b)	Minimum Lot Area	The lands illustrated on the map forming paragraph 22.30 of this By-law
(c)	Minimum Setback from Snyder's Road (Regional Road Number 1)	4 metres
(d)	Minimum setback from Brubacher Street	6.7 metres
(e)	Minimum Rear Yard	7.5 metres
(f)	Off-Street Parking	1 space per dwelling unit
(g)	Minimum Floor Area	
	1 Bedroom Unit	42.5 square metres
	2 Bedroom Unit	55 square metres
(h)	there may be parking spaces provided between the limit of Brubacher Street and a residential apartment building provided that these parking spaces maintain a minimum setback from the limit of Snyder's Road (Regional Road Number 1) of 7.5 metres.	

22.30B Notwithstanding the provisions of this By-law, the location of the existing residence as illustrated on the map forming paragraph 22.30 of this By-law is hereby permitted and the said building may be maintained, renovated and enlarged so long as any addition or expansion of this building and any reconstruction of the building or any other building or structure erected on the site, shall be in accordance with all the requirements of this By-law for the subject property.

22.30C Notwithstanding the provisions of this By-law, and the above regulations, all buildings or structures to be constructed on the lands illustrated on the map forming paragraph 22.30 of this By-law shall be constructed within the "Buildable Area" as illustrated on the map forming paragraph 22.30 of this By-law.

22.31 Notwithstanding any other provisions of this By-law, the owner and occupier of the lands illustrated on the map forming paragraph 22.31 of this By-law may construct and use a one-storey addition to the existing building on the lands, which said addition is shown cross-hatched on the map forming paragraph 22.31 of this By-law, subject to the following conditions:

- (a) that the location and size of the said addition shall be as shown on the map forming paragraph 22.31 of this By-law;
- (b) that a 2.4-metre-high brick screening fence be erected along the south-east border of the subject property extending for a distance of 12.1 metres measured easterly from the most easterly end of the proposed new addition and as shown on the map forming paragraph 22.31 of this By-law;
- (c) that no exterior storage of any merchandise or containers be permitted on the subject property;

- (d) that the said addition shall be used for storage purposes only, and that the use of any of the said addition for retail commercial sales shall be prohibited.

22.32 Notwithstanding any other provisions of this By-law, the lands described as Lots 260 and 261, Plan 532A and Part of Webster Street closed by By-law 749, and identified on the map forming Part 1 of Schedule 'A' of this By-law may have a minimum front yard setback of 3.35 metres from the limit of Webster Street and a minimum rear yard setback of 3.65 metres.

22.33 Deleted

22.34 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.34 of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) a warehouse

subject to the following:

- (b) that the written approval of the Grand River Conservation Authority for the said warehouse be filed with the Township prior to the issuance of a building permit.
- (c) that the said warehouse shall not be more than one storey in height, and the said warehouse shall be located within the "Buildable Area" as identified on the map forming paragraph 22.34 of this By-law.
- (d) that the said warehouse shall have a maximum ground floor area of 420 square metres.
- (e) that off-street parking shall be provided in accordance with the provisions contained in subsections 6.10 and 6.12 of this By-law.
- (f) that off-street loading facilities shall be provided in accordance with provisions contained in subsections 6.10 and 6.11 of this By-law.
- (g) that no residential use shall be permitted as an accessory use to the said warehouse.

22.35 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 4 and Lot 12, Plan 885 and identified on the map forming Part 1 of Schedule 'A' of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) a hospital or sanatorium
- (b) a rest home or nursing home
- (c) senior citizen housing
- (d) housing for the mentally and/or physically handicapped
- (e) uses normally and naturally accessory to the above mentioned uses including required accommodation for administrative and support staff employed on the site.

subject to the following:

(f)	Minimum Lot Area	The lands identified on Part 1 of Schedule 'A' of this By-law
(g)	Minimum Setback from the Street Line	7.5 metres
(h)	Minimum Side or Rear Yard	½ building height but in no case less than 3.0 metres
(i)	Maximum Building Height	3 storeys
(j)	Maximum Lot Coverage	50% of lot area
(k)	Off-street parking shall be provided in accordance with the provisions contained in subsection 6.10 and 6.12 of this By-law.	

22.36 Notwithstanding any other provisions of this By-law, the location of the building as illustrated on the map forming paragraph 22.36 of this By-law is hereby permitted and the said building may be maintained and renovated as long as the height, size and volume are not changed provided, however that any reconstruction of the present building or any other building or structure erected on the site shall be in accordance with all requirements of the zone within which the parcel lies.

22.37 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Blocks D and E, Smith's Plan North of CNR, and identified on Part of Schedule 'A' of this By-law may be used for any use permitted in the zone within which the parcel lies in accordance with the regulations of that zone except as amended by the following:~~

- ~~(a) the minimum side yard requirements along the southwesterly side shall be 9 metres;~~
- ~~(b) the minimum off-street parking requirements for a food store shall be one (1) space for each 18.5 square metres of sales floor area;~~
- ~~(c) a 3.1 metre buffer strip shall be required along the south-westerly limit of the lands as illustrated on the map forming paragraph 22.37 of this By-law.~~

22.38 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 2, 3 and 8 South of Boullee Street, Smith's Plan and identified on the map forming Part 1 of Schedule 'A' of this By-law may be used for the following uses in addition to the uses permitted in the zone within which the parcel lies:

- (a) a club or fraternal organization

subject to the following:

(b)	Minimum Lot Area and Minimum Lot Width	The lands identified on the map forming Part 1 or Schedule 'A' of this By-law
(c)	Minimum Side Yard	1.2 metres on the west side and 12 metres on the east side
(d)	Minimum Rear Yard	6 metres
(e)	Minimum Front Yard	4.5 metres
(f)	A minimum of 14 off-street parking spaces shall be provided on the subject property.	

- | | |
|-----|--|
| (g) | A maximum building height of one storey shall apply to any building constructed or located on the subject property. |
| (h) | All buildings or structures to be constructed or located on the subject lands shall be subject to the requirements of the Grand River Conservation Authority in addition to the requirements of this By-law. |

22.39 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands comprising Lots 25 to 87 inclusive, Registered Plan 982, and Lots 1 to 6 inclusive, Registered Plan 941 and identified on the map forming Part 1, Schedule 'A', shall be subject to all regulations for the zone in which the lands are located, except as amended by the following:~~

~~(a) Minimum Lot Width shall be 17.6 metres.~~

22.40 Notwithstanding any other provisions of this By-law, the ~~lands described as Part of Lot 12, Concession South of Snyder's Road, being Part 2, Plan 58R-3702 and identified on the map forming Part 2B of Schedule 'A', may be used for any use permitted by Section 16 — Zone 10 of this By-law except that the following uses are specifically prohibited:~~

~~(a) a use designated as an offensive trade, business or manufacture by the Public Health Act, R.S.O. 1980, and amendments thereto;~~

~~(b) a use which is or may become obnoxious, offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter or water-carried waste;~~

~~(c) a use which would require for its operation a standard of service (particularly water supply and waste disposal) which the municipality is unable or unwilling to provide;~~

~~(d) a metal stamping operation;~~

~~(e) the recycling of animal products or a rendering plant.~~

~~The use of the lands described as Part of Lot 12, Concession South of Snyder's Road, being Part 2, Plan 58R-3702 and identified on the map forming Part 2B of Schedule 'A' shall be in accordance with the regulations for the zone in which the parcel lies except as amended by the following:~~

(a) that there shall be no outdoor storage of goods or materials other than the parking of motor vehicles;

(b) that the minimum setback from the limit of Township Road Number 16 shall be 50 metres, and that no buildings or structures or vehicle parking areas shall be located within this setback area except for one free standing accessory sign;

(c) that the minimum lot width and the minimum lot area shall be the property described as Part of Lot 12, Concession South of Snyder's Road, being Part 2, Plan 58R-3702 and identified on the map forming Part 2B of Schedule 'A'.

22.41 Notwithstanding any other provisions of this By-law, the uses of the lands illustrated on the map forming paragraph 22.41 of this By-law and zoned Zone 2 shall be limited to the following:

- (a) for the lands known as Parts 26, 27, 29, 31, 37, 61, 62, and 63, Plan 58R-3682 and Part 1 and 2, Plan 58R-16560 the permitted uses shall be limited to one of the following:
- (i) A Residential Building – ~~One Unit~~ **Single Detached** in the form of a “Dwelling-Principal”, and uses normally and naturally accessory thereto;
 - (ii) A Residential Building – ~~One Unit~~ **Single Detached** in the form of a “Dwelling-Seasonal”, and uses normally and naturally accessory thereto.
- (b) for all the lands illustrated on the map forming paragraph 22.41 except for the lands identified in paragraph (a) above, the permitted uses shall be limited to the following:
- (i) A Residential Building – ~~One Unit~~ **Single Detached** in the form of a “Dwelling – Seasonal”, and uses normally and naturally accessory thereto.

The lands illustrated on the map forming paragraph 22.41 of this By-law shall be subject to the following regulations in addition to the general regulations contained in Section 6 of this By-law.

(c)	the conversion of a “Dwelling – Seasonal” to a “Dwelling – Principal” shall not be permitted.	
(d)	no building or structure shall be erected or constructed on any lot unless it abuts an opened public street, or has direct access to an opened public street by means of a private right-of-way.	
(e)	Minimum Setback from a Public Street	7.5 metres
(f)	Minimum Setback from any Side or Rear Lot Line	2.0 metres
(g)	Maximum Building Height	2 storeys
(h)	Off-street parking shall be provided in accordance with the provisions of subsections 6.10 and 6.12 of this By-law.	
(i)	that subsection 6.7 and subsection 6.9 of this By-law shall not apply to the lands illustrated on map 22.41.	
(j)	the lands known as Parts 26 and 27, Plan 58R-3682 shall be subject to the following regulations:	
	(1)	The maximum lot coverage of all accessory buildings shall be 142m ²
	(2)	The maximum height of one accessory building shall be 9.5m
	(i)	for the purpose of this subsection, building height shall mean the vertical distance of the front or rear wall, whichever is greater measured between the finished grade of the yard abutting the wall and the highest point of the roof surface
	(ii)	the maximum height of any or all other accessory buildings shall be in conformity with Sections 2.13 and 8.3.10 of By-law 83-38, as amended.
	(3)	The minimum side yard setback for an accessory building existing prior to the passing of this By-law shall be 0m.

22.42 Notwithstanding any other provisions of this By-law, the lands described as Lot 74, Compiled Plan 1400 and identified on the map forming Part 1 of Schedule ‘A’ of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:

- (a) a hair dressing business within the owner/operator's private residence.

subject to the following

- (b) that no expansion of the existing residence on the subject property shall be permitted for the purpose of the hair styling business.
- (c) that a minimum of five (5) off-street parking spaces shall be provided on the subject property for the hair styling business.
- (d) that no signs shall be permitted on the subject property except for one accessory identification sign not to exceed 0.2 square metres in size.

22.43 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 10, Plan 885 being Part 2, Plan 58R-1765 and identified on the map forming Part 1 of Schedule 'A' of this By-law may be used for any use permitted in the zone within which the parcel lies in accordance with the regulations of that zone except as amended by the following:

- (a) "motor vehicle sales, service and repair" is added as an additional permitted main use on the subject property.
- (b) "automobile service station or gas bar" is added as an additional accessory use on the subject property.
- (c) any use of the property for an automobile service station or gas bar shall be in accordance with subsection ~~6.29~~ 6.30 of this By-law.

22.44 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.44 of this By-law may be used for any use permitted in the zone within which the parcel lies in accordance with the regulations for that zone except as amended by the following:

- (a) the location of the existing buildings as illustrated on the map forming paragraph 22.44 of this By-law are hereby permitted and the said buildings may be maintained, renovated and enlarged so long as any additions or expansions of the buildings, and any reconstruction of the buildings, or any other buildings or structures erected on the site shall be in accordance with all requirements of this By-law.
- (b) the minimum side yard shall be one-half (1/2) the building height but in no case less than 4.5 metres.
- (c) all outdoor storage areas shall be located to the rear of existing buildings on the site and shall be visually screened from properties to the east and south.

22.45 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.45 of this By-law may be used for any use permitted in the zone within which the parcel lies in accordance with the regulations for that zone except as amended by the following:

- (a) a metal stamping operation, an auto body repair shop, and an auto wrecker or scrap metal dealer are all expressly prohibited on the subject property.

- (b) a buffer strip with a minimum width of 4.5 metres shall be provided in the location as illustrated on the map forming paragraph 22.45 of this By-law.

22.46 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 6, Concession 3, Block A and identified on the map forming Part 6 of Schedule 'A' of this By-law may be used for any use permitted in the zone within which the parcel lies in accordance with the regulations for that zone except as amended by the following:

- (a) Minimum Setback from the front lot line shall be 3 metres.
- (b) Minimum Setback from any side or rear lot line shall be 1.5 metres.
- (c) Minimum Lot Size shall be the lots as shown on Registered Plan 1462.
- (d) Maximum Building Height shall be 2 storeys.
- (e) Subsection 6.7 of this By-law is hereby repealed as it affects Lot 10, Registered Plan 1462, and the said Lot 10, Registered Plan 1462 may have a permitted use constructed on it provided that all buildings or structures maintain a minimum setback of 1.5 metres from all lot lines.
- (f) there shall be no minimum ground floor area or minimum floor area requirement for the lands illustrated on the map forming paragraph 22.46 of this By-law.

22.47 Notwithstanding any other provisions of this By-law, a bachelor apartment, office, studio and agency may be established as permitted uses on the main floor of the existing building on the property described as Part Lot 13, Smith's Plan, being Part 2, Plan 58R-715, and identified on the map forming Part 1 of Schedule 'A' of this By-law, subject to the following regulations:

- (a) That the minimum floor area for the bachelor apartment shall be 37 square metres.
- (b) That the maximum floor area for the office, studio and agency shall be 60 square metres.

22.48 ~~Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 41, Plan 532A and Part of Webster Street closed, and identified on the map forming Part 1 of Schedule 'A' of this By-law may be used for the following specific uses in addition to those uses permitted in the zone within which the parcel lies:~~

- ~~(a) a tourist home~~

~~subject to the following:~~

- ~~(b) that a maximum of three (3) bedrooms within the existing residence on the subject property may be rented as part of the tourist home business;~~
- ~~(c) that off-street parking shall be provided in the flankage and/or rear yard of the rear of the existing residence, and shall be provided in the ratio of one space for the residence, plus one space for each room rented for the tourist home business.~~

22.49 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.49 of this By-law may be used for any use permitted in the zone within which the parcel lies in accordance with the regulations for that zone except as amended by the following:

- (a) that a minimum side yard of 3.65 metres be provided along the northerly lot boundary, in addition to the buffer strip required in subsection 16.3.6 of this By-law.
- (b) that the applicant receives the approval of the Township Council relative to the proposed building over the sewage easement, said approval to be received prior to the issuance of a building permit.

22.50 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 7, Concession North of Snyder's Roads and identified on the map forming Part 4 of Schedule 'A' of this By-law may be used for any use permitted in the zone within which the parcel lies in accordance with the regulations for that zone except as amended by the following:

- (a) that a minimum lot width requirement shall be 28.1 metres.

22.51 Notwithstanding any other provisions of this By-law, the lands described as Lots 1-18, Plan 1578 and identified on the map forming Part 5 of Schedule 'A' of this By-law may be used for any use permitted in the zone within which the parcel lies in accordance with the regulations for that zone except as amended by the following:

- (a) the rear yard requirement for the individual lots shall be as follows:

(i)	Lots 1, 2, 3, 4, 13, 14, 15, 16, 17, 18	8 metres
(ii)	Lot 12	10 metres
(iii)	Lots 6, 10, 11	15 metres
(iv)	Lots 5, 7, 8, 9	20 metres

- (b) no buildings or structures shall be constructed or located within the rear yard requirement as specified in paragraph (a) above for lots 5 to 14, both inclusive.
- (c) the minimum side yard for Lot 4 shall be 10 metres on the side of Lot 4 that abuts Part 3, Reference Plan 58R-3633.
- (d) the minimum side yard for Lot 5 shall be 10 metres on the side of Lot 5 that abuts Part 3, Reference Plan 58R-3633.
- (e) The external design of all permitted buildings or structures on the lots specified in this paragraph shall ensure that external openings of any building or structure shall not be permitted below the elevations set out below for each such lot:

Lot 4	337.05 metres ASL (CGD)
Lot 5	336.90 metres ASL (CGD)
Lot 6	336.55 metres ASL (CGD)
Lot 7	336.40 metres ASL (CGD)
Lot 8	336.20 metres ASL (CGD)

Lot 9	336.10 metres ASL (CGD)
Lot 10	336.05 metres ASL (CGD)
Lot 11	335.90 metres ASL (CGD)
Lot 12	335.50 metres ASL (CGD)
Lot 13	335.25 metres ASL (CGD)
Lot 14	334.70 metres ASL (CGD)
For the purpose of this paragraph, ASL means Above Sea Level and (CGD) means Canadian Geodetic Datum.	

22.52 Notwithstanding any other provisions of this By-law, the lands illustrated on the map forming paragraph 22.52 of this By-law, may be used for any use permitted in the zone within which the parcel lies in accordance with the regulations for that zone except as amended by the following:

- (a) all buildings must be placed and erected on and within the area designated as “Buildable Area” on the map forming paragraph 22.52 of this By-law, except that any concrete manufacturing plant shall be located no closer than 91 metres from the front lot line.
- (b) outdoor storage of goods and materials shall be permitted on the subject property to the rear of the ~~building line~~ **front yard setback** as established by this By-law, but not within 7.6 metres of any side or rear lot line.
- (c) no residential use shall be permitted on the subject property.

22.53A Notwithstanding any other provisions of this By-law, the lands described as Part Lot 19, Concession North of Bleams Road and illustrated on the map forming paragraph 22.53 as Parcel A may be used only for a Residential Building – ~~one unit~~ **Single Detached**, and uses normally accessory thereto and the minimum lot area and the minimum lot width shall be the property as illustrated on the map forming paragraph 22.53.

22.53B **Deleted.** ~~Notwithstanding any other provisions of this By-law, for lands described as Part Lot 19, Concession North of Bleams Road and illustrated on the map forming paragraph 22.53 as Parcel B the minimum lot area and the minimum lot width shall be the property as illustrated on the map forming paragraph 22.53.~~

22.54 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 12, Concession 2, Block B and illustrated on the map forming paragraph 22.54 of this By-law may be used for the following permitted uses:

- (a) Residential Building – One Unit Single Detached including private home day care as an ancillary accessory use.
- (b) A greenhouse operation for the growing of vegetables, but not including a garden centre or florist.
- (c) Uses accessory to the foregoing permitted uses.

Notwithstanding any other provisions of this By-law, for the lands described as Part Lot 12, Concession 2, Block B and illustrated on the map forming paragraph 22.54 the minimum lot area and minimum lot

width shall be the property as illustrated on the map forming paragraph 22.54 and the following regulations shall apply:

- (d) Maximum lot coverage (all buildings) shall be 40% of the lot area
- (e) Minimum off-street parking shall be 5 spaces

22.55 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 6, Concession South of Bleams Road, being Parts 1, 2, and 3 on 58R-4044 and illustrated on the map forming paragraph 22.55 may be used for a “garden centre, florist and commercial greenhouse operation” in addition to the uses now permitted under Section 7 (Zone 1) of this By-law, subject to the following regulations:

- (a) the minimum lot area and the minimum lot width of the property known as Part of Lot 6, Concession South of Bleams Road shall be the property as illustrated as Parts 2 and 3, Plan 58R-4044 on the map forming paragraph 22.55;
- (b) no residential use shall be permitted on the property known as Part of Lot 6, Concession South of Bleams Road shall be the property as illustrated as Parts 2 and 3, Plan 58R-4044 on the map forming paragraph 22.55;
- (c) all buildings and structures, all signs and all off-street parking and loading areas for the “garden centre, florist and commercial greenhouse operation” shall be located within that part of the property as illustrated as Part 3, Plan 58R-4044 on the map forming paragraph 22.55;
- (d) the minimum lot area and the minimum lot width of the property known as Part of Lot 6, Concession South of Bleams Road shall be the property as illustrated as Part 1, Plan 58R-4044 on the map forming paragraph 22.55.

22.56 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 20, Concession South of Bleams Road and illustrated on the map forming paragraph 22.56 may be used for a “farm related occupation as an ~~ancillary~~ accessory use to a farm” in addition to the uses now permitted under Section 7 – Zone 1 of this By-law subject to the following regulations:

- (a) any use of the subject property for “a farm related occupation as an ~~ancillary~~ accessory use to a farm” shall be subject to the regulations contained in Section 6.24 of this By-law.
- (b) any building constructed on the subject property shall be located within the “Buildable Area” as shown on the map forming paragraph 22.56.

22.57 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 8 and 9, Concession I, Block A and illustrated on the map forming paragraph 22.57 are hereby designated as “Area within which the Making or Establishment of Pits and Quarries is Not Prohibited” and is subject to all other applicable regulations of this By-law.

22.58 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 10, Concession North of Erb’s Road and illustrated on the map forming paragraph 22.58 may only be used for the operation of a private recreational club open to members only, and uses normally and naturally accessory thereto; and in accordance with the following regulations:

- (a) minimum lot area and the minimum lot width shall be the property as described on the map forming paragraph 22.61
 - (i) minimum side yard shall be 3 metres
 - (ii) the minimum rear yard shall be 7.5 metres
 - (iii) the maximum lot coverage including the total of all buildings shall not exceed 375 square metres.
- (b) the following uses are expressly prohibited on this property:
 - (i) camping and trailering
 - (ii) the storage of campers or trailers
 - (iii) commercial recreation activities and/or facilities, or amusement rides.

22.59 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 17 and 18, Concession IV, Block A and illustrated as "Subject Lands" on the map forming paragraph 22.59 may be used for "a farm machinery repair, welding shop and machine shop business as an ~~ancillary~~ accessory use to a farm" in addition to the uses now permitted on the site, subject to the following regulations:

- (a) that the "farm machinery repair, welding shop and machine shop business as an ~~ancillary~~ accessory use to a farm" shall be located totally within the existing steel building on the subject property which is 18.2 metres by 46.3 metres in size.
- (b) that there shall be no retail sales of new farm machinery from the subject property.

22.60 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 8, Concession 3, Block B and illustrated as "Subject Property" on the map forming paragraph 22.60 may be used for "a motor vehicle oil spraying business as an ~~ancillary~~ accessory use to a farm" in addition to the uses now permitted on the site, subject to the following regulations:

- (a) that the "motor vehicle oil spraying business as an ~~ancillary~~ accessory use to a farm" shall be located totally within the existing building on the "Subject Property" which is 9.1 metres by 12.2 metres in size.
- (b) that there shall be no outdoor storage of goods or materials as part of the "motor vehicle oil spraying business" as an ~~ancillary~~ accessory use to a farm.

22.61 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 13, Concession II, Block A, and illustrated as "Subject Property" on the map forming paragraph 22.61 may be used for "a greenhouse operation for the growing of vegetables, flowers, and bedding plants" in addition to the uses now permitted on the site, subject to the following regulations:

- (a) that the retail sale of products raised or grown on the "Subject Property" be permitted as an accessory use, but the operation of a garden centre or the sale of products or materials brought to the site for re-sale is hereby expressly prohibited.

- 22.62 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 11, Concession South of Snyder's Road, being Parts 1 and 2 on 58R-1642 and identified on the map forming Part 47 of Schedule 'A' may be used for a counselling centre, with a dwelling unit or units as an accessory use for staff employed on the subject property, in addition to the uses permitted within Zone 12.
- 22.63 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 18, Concession 1, Block B, and illustrated as "Subject Property" on the map forming paragraph 22.63, may be used for "a warehouse and office for a livestock feed supplement business as an ~~ancillary~~ **accessory** use to a farm" in addition to the uses now permitted on the site, subject to the following regulations:
- (a) that any building or addition to an existing building constructed for the additional ~~ancillary~~ **accessory** use permitted have a maximum ground floor area of 155 square metres and a maximum height of two storeys.
 - b) that there be no manufacturing or processing of feed or feed supplements on the subject property.
- 22.64 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 19, Concession South of Snyder's Road and identified on the map forming Part 1 of Schedule 'A' and illustrated on the map forming paragraph 22.64 are subject to the following regulations:
- (a) the minimum lot area and the minimum lot width shall be the property as illustrated on the map forming paragraph 22.64, except that the minimum sizes may be reduced by the amount of land required by the ~~Region~~ **Regional Municipality of Waterloo** for road widening purposes.
 - (b) all buildings and structures, all outdoor storage areas, and all off-street parking and loading areas shall be located within the "Buildable Area" as illustrated on the map forming paragraph 22.64.
- 22.65 Notwithstanding any other provisions of this By-law, the lands described as Lot 1, Part of Lot 2 and Part of the lane closed by By-law No. 821, Registered Plan No. 632, Part of Lots 7 and 8, Concession I, Block A and illustrated on the map forming paragraph 22.65 are hereby designated as an "Area Within Which the Making or Establishment of Pits and Quarries is Not Prohibited.
- 22.66 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 12, Concession III, Block A, and illustrated on the map forming paragraph 22.66 may be used for "a motor vehicle oil spraying business" in addition to the uses permitted in the zone in which the subject property is located, and subject to the following regulations:
- (a) all building and driveway areas shall be located within the "Buildable Area" as illustrated on the map forming paragraph 22.66.
 - (b) the maximum ground floor area for the building shall be 115 square metres.
 - (c) maximum building height shall be one storey.
 - (d) minimum side yard for the building shall be 15 metres.
 - (e) minimum front yard for the building shall be 18 metres.
 - (f) the motor vehicle oil spraying business shall be located totally within an enclosed building.

- (g) there shall be no outdoor storage of goods or materials as part of the motor vehicle oil spraying business.

22.67 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 14, Concession North of Snyder's Road and identified on the map forming Part 2B of Schedule 'A' may be used for a Residential Building ~~One Unit~~ **Single Detached** or a Residential Building-Duplex in addition to the uses now permitted under Section 11 - Zone 5 (Commercial), subject to the following regulations:

- (a) the minimum lot area and lot width shall be the property identified on the map forming Part 2B of Schedule 'A',
- (b) the minimum side yard for a Residential Building ~~One Unit~~ **Single Detached** or a Residential Building-Duplex shall be as follows:
 - (i) Minimum Side Yard (each side 1 storey) shall be 1.5 metres
 - (ii) Minimum Side Yard more than one storey (each side) shall be 2.0 metres
 - (iii) Where the required off street parking is to be provided in a side or rear yard, one side shall be a minimum of 3.0 metres in width.

22.68 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 8, Concession 2, Block B (Part 1 on 58R-2289) and illustrated on the map forming paragraph 22.68 may be used for "a sandblasting and commercial paint spraying business" in addition to the uses permitted in the zone in which the subject property is located and subject to the following regulations:

- (a) that the "sandblasting and commercial paint spraying business" and all uses accessory to the business shall be located within the "Area of Operation" as illustrated on the map forming paragraph 22.68.
- (b) that sandblasting shall occur within an enclosed building.

22.69 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 7, Concession South of Erb's Road and identified on the map forming Part 3 of Schedule 'A' may be used for the sale and service of cars in addition to the uses now permitted on the subject property.

22.70 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 21, Concession 2, Block A and identified on the map forming Part 7 of Schedule 'A' may be used for two apartment units in addition to the uses now permitted under Section 8 – Zone 2 subject to the following regulations:

- (a) that the two apartment units shall be located on the upper floor of the existing house.
- (b) that each apartment unit shall have a minimum floor area of 49 square metres.

22.71A ~~Deleted. Notwithstanding any other provisions of this By-law, the minimum lot area and minimum lot width of the lands described as Part of Lot 16, Concession South of Erb's Road being Part 2, Plan 58R-5049 and Part 1, Plan 58R-4566, shall be as illustrated on the map forming Part 42, Schedule 'A'.~~

22.71B The lands described as Part of Lot 16, Concession South of Erb's Road and illustrated on the map forming Part 42, Schedule 'A' may be used for a "caretaker's residence as an ~~ancillary~~ accessory use to a golf course" in addition to the uses now permitted under Section 18 – Zone 12 subject to the following regulations:

- (a) The caretaker's residence shall be located within the "Buildable Area" as illustrated on the map forming Part 42.

22.72 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 17 and 18, Concession 4, Block A, and illustrated as "Subject Property" on the map forming paragraph 22.59 may be used for a third dwelling unit as a use accessory to farming in addition to the uses now permitted on the site. The third dwelling unit shall be a mobile home in conformity with Section 6.2.2.

22.73 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 25, Concession South of Bleams Road and illustrated on the map forming paragraph 22.73 may be used for "a motel" in addition to the uses permitted in the zone in which the subject property is located, subject to the following:

- (a) The motel shall be located within the "Buildable Area" as illustrated on the map forming paragraph 22.73.

22.74 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 20 and 21, Concession South of Bleams Road and identified on the map forming Part 1, Schedule 'A', may be used for a "private recreation area" for the exclusive use of the residents of the mobile home subdivision" in addition to the uses permitted in Zone 11.

22.75 ~~Deleted. Notwithstanding any other provisions of this By-law, the minimum lot area and the minimum lot width for the property described as Part of Lots 13 and 14, Concession North of Erb's Road, shall be described as Parts 1 and 2, Plan 58R-5597 illustrated on the map forming paragraph 22.75.~~

22.76 Notwithstanding any other provisions of this By-law, the lands described as Lots 1 to 14 on Plan 1706 and identified on the map forming Part 1, Schedule 'A' shall be subject to the following regulations:

- (a) the rear yard requirement for the individual lots shall be as follows:

Lots 14, 11	14 metres
Lot 13	16 metres
Lot 12	17 metres)
Lot 8	18 metres
Lots 9, 10	20 metres

- (b) no buildings or structures shall be constructed or located within the rear yard requirement as specified in paragraph (a) above for lots 8 to 14 inclusive.

22.77 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 5 and 6, Concession North of Snyder's Road, being Part 1, Plan 58R-3907 and illustrated on the map forming paragraph 22.77 shall be used in accordance with the following regulations:

- (a) two main buildings shall be permitted
- (b) that the main buildings shall be located within the “Buildable Area” as illustrated on the map forming paragraph 22.77.

22.78 Notwithstanding any other provisions of this By-law, the lands described as Lot 53, Plan 628 and identified on the map forming Part 6, Schedule ‘A’ may be used for “dwelling units located on the ground floor” in addition to the uses permitted in the zone in which the subject property is located and shall be subject to the following regulations:

- (a) that a maximum of four dwelling units shall be permitted on the ground floor.
- (b) that the dwelling units shall be located within the existing buildings on the property.

22.79 ~~Deleted. Notwithstanding any other provisions of this By-law, the minimum lot area and the minimum lot width for the property described as Part of Lot 19, Concession North of Bleams Road, being Parts 1 and 3, Plan 58R-5696, shall be as illustrated on the map forming paragraph 22.79.~~

22.80 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 18, Concession North of Snyder’s Road and illustrated on the map forming paragraph 22.80 may be used for a “wood working business” in addition to the uses now permitted under Section 7 – Zone 1 of this By-law subject to the following regulations:

- (a) any building used for a “wood working business” on the subject property shall be located within the “Buildable Area” as shown on the map, forming paragraph 22.80.

22.81 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 3, Concession 2, Block B and illustrated on the map forming paragraph 22.81 may be used for a “Second Residential Building-Mobile Home on the lot” in addition to the uses now permitted under Section 7 – Zone 1.

22.82 ~~Deleted. Notwithstanding any other provisions of this By-law, the minimum lot area and the minimum lot width for the property described as Part of Lot 5, Concession South of Erb’s Road, being Part 1 Plan 58R-5739, shall be as described on the map forming paragraph 22.82 ‘Subject Property’.~~

22.83 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 23, Concession South of Bleams Road, being Part 1, Plan 58R-5731 and identified on the map forming Part 1, Schedule ‘A’ shall be in accordance with the following regulations:

- (a) that the minimum ~~flankage~~ exterior side yard shall be 14 metres.
- (b) no buildings or structures shall be located within the ~~flankage~~ exterior side yard.

22.84 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 7, Concession 4, Block A, Being Part 1, Plan 58R-2684 and identified on the map forming Part 6, Schedule ‘A’ may be used for “a residential Building-Apartment and a maximum of two medical offices as ~~ancillary~~ accessory uses to the Residential Building-Apartment” in addition to the uses now permitted on the site, subject to the following regulations:

- (a) that the maximum number of units in the apartment building shall be 40.

- (b) that the minimum side yard shall be 3 metres.
- (c) that the maximum lot coverage shall be equal to 40%.
- (d) that the maximum building height shall be 3 storeys.
- (e) that a minimum of 1.25 parking spaces shall be provided for each dwelling unit
- (f) that the medical offices shall be located on the ground floor in the residential building-apartment.
- (g) that a minimum of 3 parking spaces shall be provided for each medical office.
- (h) that the maximum floor area to be occupied by the two medical offices shall be 93 square metres.

22.85 Notwithstanding the provisions of this By-law, the minimum lot area and lot width for the lands described as Part of Lots 2 and 3, Concession South or Erb's Road, and identified as "Area A" on the map forming paragraph 22.85, shall be as illustrated on the map forming paragraph 22.85.

Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 2 and 3, Concession South or Erb's Road, and illustrated on the map forming paragraph 22.85 may be used for "the sale of fruits and vegetables and ancillary accessory products as an ancillary accessory use to the sale of products grown or raised on the premises" in addition to the uses permitted, within the zone in which the property is situate, subject to the following:

- (a) that all building, parking and driveway areas shall be located within the "Buildable Area" as illustrated on the map forming paragraph 22.85;
- (b) that off-street parking shall be provided in accordance with Section 6.12;
- (c) that the total retail sales area shall be a maximum of 323.3m²;
- (d) that the retail sales area devoted to the sale of ancillary accessory products shall be limited to 109.2m²;
- (e) that one main building shall be permitted in the area shown as "Buildable Area" on the map forming paragraph 22.85.

22.86 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 1 and 2, Concession South of Bleams Road identified on the map forming Part 5, Schedule 'A' shall be subject to the following regulations:

- (a) the minimum rear yard setback shall be 15.2 metres.
- (b) the minimum side yard setback shall be 12.19 metres.
- (c) that no parking or off-street loading spaces shall be located in the rear yard.
- (d) that the maximum building height shall be one storey.

22.87 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Block 2, Registered Plan 1450, being Parts 5, 6 and 7, Plan 58R-2440 and identified on the map forming Part 1, Schedule 'A'~~

~~may be used for “Motor Vehicle Sales, Service and Repair” in addition to the uses now permitted under Section 17 – Zone 10 (Industrial).~~

- 22.88A Notwithstanding any other provisions of this By-law, the lands described as Lot 52, Registered Plan 628 and identified on the map forming Part 6, Schedule ‘A’ may be used for “dwelling units located on the ground and basement floors” in addition to the uses permitted in the zone in which the subject property is located subject to the following regulations:
- (a) a maximum of five dwelling units consisting of one bachelor unit, two 3-bedroom units and two 2-bedroom units shall be permitted on the ground and basement floor.
 - (b) the dwelling units shall be located within the existing building on the property.
 - (c) Section 11.2.7 shall apply to all dwelling units created under this section
- 22.88B Notwithstanding any other provisions of this By-law, on the lands described as Lot 52, Registered Plan 628 and identified on the map forming Part 6, Schedule ‘A’, the dwelling units permitted under Section 11.1.3 shall be restricted to four bachelor units subject to the following regulation:
- (a) two of the four units shall have a minimum floor area of 29.5 square metres.
- 22.89 Notwithstanding any other provisions of this By-law, the lands described as Lots 24 and 25, Plan 1694 and identified on the map forming Part 2A of Schedule ‘A’ shall be subject to the following regulation:
- (a) the minimum frontage for two units as semi-detached shall be 16 metres.
- 22.90 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 5, Concession 3, Block A, being Parts 1 and 2, Plan 58R-2331 and identified on the map forming Part 6 of Schedule ‘A’ may be used for “medical offices” in addition to the uses now permitted under Section 8 – Zone 2 subject to the following regulations:
- (a) any medical offices shall be located within the existing building on the subject lands.
- 22.91 ~~Deleted. Notwithstanding any other provisions of this By-law, the minimum lot area and the minimum lot width for the property described as Part of Lot 5, Concession South of Erb’s Road being Parts 1 and 2, 58R-6426, shall be described as illustrated on the map forming paragraph 22.91.~~
- 22.92 Notwithstanding any other provisions of this By-law, on the lands described as Part of Lot 21, Concession South of Bleams Road, identified on the map forming Part 1, Schedule ‘A’, the minimum front yard requirement shall be 20 metres.
- 22.93 Notwithstanding any other provisions of this By-law, the minimum lot area and the minimum lot width for the property described as Part of Lot 19, Concession 2, Block A, being Part 1, 58R-6574 shall be as illustrated on the map forming paragraph 22.93, and the minimum rear yard setback shall be 36 metres.
- 22.94 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 2, Concession North of Snyder’s Road, being Part 9, Plan 58R-3037, and illustrated on the map forming paragraph 22.94:

1. may be used for the following use in addition to the uses permitted, within the zone in which the property is situate, by this By-law, as amended:
 - (a) manufacturing, fabricating, processing, repair, and interior storage except for the following:
 - (i) motor vehicle repair;
 - (ii) storage of lumber for retail or wholesale
 - ~~(iii) a use designated as an offensive trade, business or manufacture by The Public Health Act, R.S.O. 1980 and amendments thereto;~~
 - (iii) a use which is or may become obnoxious, offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter or water carried wastes;
 - (iv) the recycling of animal products or a rendering plant;
 - (v) the recycling, refining, or storage of petroleum products.
 - (b) office space
 - (c) one retail outlet accessory to a permitted use and not exceeding 10% of the ground floor area of the building in which the use is located
 - (d) fenced outdoor storage excluding storage of lumber for retail or wholesale

subject to the following regulations:

 - (e) all parking, access routes, building(s) and outdoor storage associated with a use permitted by Section 22.94.1 (a) to (d) of this By-law, shall be located within the "Buildable Area 1" illustrated on the map forming paragraph 22.94.
 - (f) outdoor storage, shall be limited to "Area A" illustrated on the map forming paragraph 22.94 of this By-law.
2. may be used for an access route to the extractive industrial operation located to the north in addition to the uses permitted within the zone in which the property is situate along with the following uses accessory to the access route:
 - (a) a weigh scale;
 - (b) an office trailer;
 - (c) parking of equipment used in the extractive industrial operation;
 - (d) a maintenance building for storage and maintenance of equipment used in the extractive industrial operation; and,
 - (e) storage and distribution of aggregate material from the extractive industrial operation.

subject to the following regulations:

- (f) that all building, parking and storage areas shall be located within the 1.5ha "Buildable Area 2" as illustrated on the map forming paragraph 22.94;
 - (g) that a 24m buffer area be provided between any building, parking, or storage area and the east property line;
 - (h) that the required buffer area include a landscaped earth berm having a minimum height of 3.0m; and,
 - (i) that the height of stockpiles of aggregate materials not exceed 3.0m.
3. may be used for a church in addition to the uses permitted, within the zone in which the property is situate, subject to the following:
- (a) the following uses shall be subject to the (H) symbol indicating that these uses are prohibited until such time as a Record of Site Condition is completed:
 - (i) any day care facilities where children are in attendance long enough to provide a required or prescribed rest or nap time;
 - (ii) any overnight accommodations associated with the church, including, but not limited to, any new housing for church officials or members; and
 - (iii) any temporary overnight accommodations associated with the church, including, but not limited to offering facilities to serve as overnight shelters.
 - (b) the Council of the Corporation of the Township of Wilmot will remove the holding provision at such time as a clearance letter is received from the Region of Waterloo indicating their receipt of two copies of the Record of Site Condition and the acknowledgement of receipt of the Record of Site Condition by the Ministry of the Environment.

22.95 ~~Deleted. Notwithstanding any other provisions of this By-law, the minimum lot area and the minimum lot width and frontage for the property described as Part of Lot 19, Concession 4, Block B, being Part 1, Plan 58R-6727, shall be as illustrated on the map forming paragraph 22.95.~~

22.96 Notwithstanding any other provisions of this By-law, the lands Part of Lots 5, 6, 16, 17, and Part of Lots 7 and 18, Registered Plan 629, being Part 5, Plan 58R-6854 and illustrated on the map forming Part 6 of Schedule 'A' may be used for the manufacture of hot and cold air balloons in addition to the uses now permitted in Zone 2a, subject to the following regulation:

- (a) That the manufacture of hot and cold air balloons shall take place within the existing building on the property.

22.97 ~~Deleted. Notwithstanding any other provisions of this By-law, the minimum lot area and the minimum lot width for the property described as Part of Lot 12, Concession 2, Block B being Part 1 on 58R-6970 shall be as illustrated on the map forming paragraph 22.97.~~

- 22.98 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 23, Concession North of Bleams Road and identified on the map forming Part 1 of Schedule 'A', a variety store may be permitted in addition to the uses now permitted under Section 15 – Zone 9.
- 22.99 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 15, Concession South of Snyder's Road and identified on the map forming Part 2B of Schedule 'A' may be used for offices in addition to the uses permitted in the zone within which the parcel lies, subject to the following:
- (a) That the permitted office uses shall take place within an existing building on the property.
- 22.100 Notwithstanding any other provisions of this By-law, one employee may be permitted in conjunction with a farm-related occupation on the lands illustrated on the map forming paragraph 22.253.
- 22.101 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 10, Registered Plan 885, being Parts 1, 2 and 5, Plan 58R-7075 and identified on the map forming Part 1 of Schedule 'A' may be used for a restaurant, gas bar, convenience store, doughnut shop and offices in addition to the uses now permitted under Section 16, subject to the following:
- (b) Section 16.3.14 shall not apply to the additional permitted uses identified above.
- 22.102 Notwithstanding any other provisions of this By-law, the lands described as Lot 1, Plan 1769 and identified on the map forming Part 1 of Schedule 'A' shall have a minimum ~~building line~~ **front yard setback** of 3.13 metres; and the minimum rear yard shall be 3.178 metres.
- 22.103 Notwithstanding any other provisions of this By-law, the lands described as Lots 17, and 18 and Part of Lots 19, 22, Registered Plan 12 and Lot 4, Smith Plan and identified on the map forming Part 1 of Schedule 'A' may be used for the following permitted uses, subject to the indicated maximum floor area, in addition to the uses permitted in the zone in which the subject property is located.
- (a) Dance School – Maximum floor area 202 m².
- (b) Offices, excluding a Doctor's Office, – Maximum floor area 886 m².
- (c) Retail establishments – Maximum floor area 383 m².
- The minimum number of parking spaces for the permitted uses on the subject property shall be 44.
- 22.104 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 12, Concession South of Snyder's Road, being Part 1, Plan 58R-5881 and identified on the map forming Part 2B of Schedule 'A' may be used for motor vehicle sales, service and repair in addition to the uses now permitted under Section 16 – Zone 10.~~
- 22.105 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 27, Concession South of Bleams Road, being Part 1, Plan 58R-7387 and forming Part 23 of Schedule 'A' may be used for a Residential Building – ~~one unit~~ **Single Detached** and accessory use in addition to the uses now permitted under Section 14, Zone 8.

- 22.106 ~~Deleted. Notwithstanding any other provisions of this By-law, the minimum lot area and the minimum lot width for the property described as Part Lot 12, Concession 3, Block A, being Part 1, 58R-7376 shall be as illustrated on the map forming paragraph 22.106.~~
- 22.107 Notwithstanding any other provisions of this By-law, an additional use of an asphalt plant and accessory uses shall be permitted on the lands located north of the CNR right-of-way described as Part of Lots 2 and 3, Concession North of Snyder's Road and illustrated on the map forming Parts 30 and 31.
- 22.108 Notwithstanding any other provisions of this By-law, the lands described as the east half of Part Lot 6, Concession North of Bleams Road and illustrated on the map forming paragraph 22.108 may be used for "a farm feed processing and milling operation" in addition to the uses permitted in the zone in which the subject property is located, subject to the following regulations:
- (a) that the "farm feed processing and milling operation" and all uses accessory to the business shall be located within the "Buildable Area" as illustrated on the map forming paragraph 22.108.
 - (b) that a minimum distance of 19.5 metres shall be maintained between any building used for the farm feed processing and milling operation and the residential building located to the south.
- 22.109 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 3, West of Mill Street, Smith's Plan and Part of Lot 1, Registered Plan 635, being Part 1, Plan 58R-6257 and Part 1 on Plan 58R-3959 and identified on the map forming Part 1 of Schedule 'A', shall be subject to the following:
- (a) The lands placed in Zone 6(f) shall be subject to a minimum rear yard of 0 metres.
 - (b) An additional use in the form of a parking lot shall be permitted on the lands that remain in Zone 11.
- 22.110 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 5 and 6, Concession 1, Block A and illustrated on the map forming paragraph 22.110 shall be used only for the following uses:
- (a) a seasonal trailer and camping area with a maximum of 270 sites for either recreational trailers or camping;
 - (b) residential building – one residential unit;
 - (c) bingo hall attached to the residential building;
 - (d) mini-golf course – 18 holes;
 - (e) propane sales;
 - (f) restaurant;
 - (g) uses accessory to the above permitted uses. Accessory uses shall only include uses designed to serve or complement the above permitted uses, but shall not include uses designed to attract or to serve members of the general public.

The minimum lot area and lot width shall be as illustrated on the map forming paragraph 22.110.

- 22.111 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 25, Concession South of Bleams Road, being Part 1, Plan 58R-5072 and identified on the map forming Part 1 of Schedule 'A' may be used for a "gas bar" in addition to the uses permitted in the zone in which the subject property is located and shall be subject to the regulations contained in Section ~~6.29~~ 6.30.
- 22.112 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 6, Concession North of Snyder's Road, being Part 1, 58R-7312 and illustrated on the map forming paragraph 22.112 may be used for a whitewashing business and the sale and repair of trucks, farm equipment and other agricultural equipment in addition to the uses permitted in Section 7 subject to the following regulations:
- (a) the minimum lot area and the minimum lot frontage shall be as illustrated on the map forming paragraph 22.112;
 - (b) no residential use shall be permitted.
- 22.113 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 5, Concession 3, Block A, being Part 2, Plan 58R-7052 and identified on the map forming Part 6 of Schedule 'A' may be used only for the following uses:
- (a) motor vehicle, including farm tractors, self propelled implements of husbandry and road building machines, sales, service and repair, including the sale of motor vehicle fuel as an accessory use;
 - (b) convenience store;
 - (c) uses and buildings accessory to the above permitted uses, ~~including signs as accessory uses in conformity with the regulations contained in subsection 6.15.~~
- 22.114 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described Part of Lot 7, Concession North of Snyder's Road and identified on the map forming Part 4 of Schedule 'A' may be used for a gas bar in addition to the uses permitted under Section 11, Zone 5.~~
- 22.115 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 18, Concession 4, Block A, being Parts 1 and 2, Plan 58R-8052 and illustrated on the map forming paragraph 22.115 may be used for the following uses in addition to the uses permitted in Section 7 (Zone 1):
- (a) a farm-related machine shop and repair facility
 - (b) a seed storage business
 - (c) uses accessory to the above permitted uses

That a residential use shall be prohibited on the lands illustrated on the map forming paragraph 22.115.

- 22.116 ~~Deleted. Notwithstanding any other provisions of this By-law, the minimum lot area and lot width for the lands described as Part of Lot 24, Concession 1, Block A, being Part 1, Plan 58R-8181, shall be as illustrated on the map forming paragraph 22.116.~~

22.117 ~~Deleted.~~ Notwithstanding any other provisions of this By-law, the minimum lot area and lot width for the lands described as Part Lot 24, West of Perth Street, Smith's Plan, being Part 1, Plan 58R-8248 and illustrated on the map forming paragraph 22.117 shall be as illustrated on the map forming paragraph 22.117.

22.118 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 19, Concession 4, Block A, being Part 1, Plan 58R-8268 and illustrated on the map forming paragraph 22.118 may be used for the following uses in addition to the uses permitted in Zone 1, Section 7:

- (a) a farm-related grain storage and shipping business;
- (b) a beef feed lot;
- (c) uses accessory to the above permitted uses, including an existing Residential Building – ~~one-unit~~ **Single Detached**.

A setback of 15 metres from the southerly lot line shall be required for any new buildings or structures on the lands illustrated on the map forming paragraph 22.118.

22.119 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 7, Concession 2, Block B and illustrated on the map forming paragraph 22.119 may be used for the following uses in addition to the uses permitted in Section 7 – Zone 1:

- (a) a private club;
- (b) meeting hall facilities that may be rented to private groups for special occasions, and for training facilities for private groups;
- (c) rifle range, target practice and fowl shoots in association with a private club;
- (d) recreational uses including: picnicking, horseshoe facilities, shuffleboard facilities, fishing, and summer camp activities for children, trail activities;
- (e) conservation uses including harvesting and management of wooded areas in accordance with sound forest management practices, and stock ponds with fish;
- (f) uses, buildings and structures accessory to the above permitted uses.

All buildings and structures for the uses permitted above, shall be located within the buildable area identified on the map forming paragraph 22.119.

22.120 Notwithstanding any other provisions of this By-law, the lands described as Lot 20, Registered Plan 16 and identified on the map forming Part 2A of Schedule 'A' may be used for a use described as the storage of antique and classic automobiles and accessory uses in addition to the uses in addition to the uses permitted in Section 8. The following regulations shall apply to any new buildings or structures for the uses described above:

(a)	minimum building line front yard setback	6 metres
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(b)	minimum rear yard	5.4 metres
(c)	minimum side yard	1.5 metres
(d)	parking requirements:	parking shall be permitted within the required building line front yard setback.
(e)	minimum number of parking spaces	3

22.121 Notwithstanding any other provisions of this By-law, the lands described as Part of Mill Property, Registered Plan 628, being Part 1, Plan 58R-5865 and identified on the map forming Part 6 of Schedule 'A' may be used for a two-unit residential building in addition to the uses identified in Section 11.

22.122 Notwithstanding any other provisions of this By-law, on the lands described as Part of Lot 5, Concession 4, Block A and identified on the map forming Part 6 of Schedule 'A', an additional use, described as an existing Residential Building – ~~one unit~~ Single Detached, is recognized as permitted on the lands.

22.123 ~~Deleted. Notwithstanding any other provisions of this By-law, the minimum lot area and lot width for the lands described as Part of Lot 26, Concession 2, Block A, being Part 1, Plan 58R-8869 shall be as illustrated on the map forming paragraph 22.123.~~

22.124 Notwithstanding any other provisions of this By-law, the lands described as Lots 9 and 10, Registered Plan 177 and Part of Lot 11, Rear of Lots West of Wilmot Street, Smith's Plan and identified on the map forming Part 1 of Schedule 'A' that are zoned Zone 3(f) are subject to the following regulations:

(a)	minimum southerly side yard:	
	residential building – one unit Single Detached	1 metre
	outdoor deck area	0 metres
(b)	minimum rear yard:	
	outdoor deck area	0 metres

22.125 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 21, Concession 3, Block B, being Part 4, Plan 58R-5244 and identified on the map forming Part 11 of Schedule 'A' may be used for a two-unit residential building in addition to the uses identified in Section 8.1

22.126 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 6 and 8, Plan 885, being Parts 1 – 8, Plan 58R-2143 and identified on the map forming Part 1 of Schedule 'A' may be used for motor vehicle sales, including car wash and the sale of motor vehicle fuel as accessory uses; restaurant; and offices, in addition to the uses permitted in the zone in which the subject property is located. The sale of motor vehicle fuel shall be subject to the regulations contained in Section ~~6.29~~ 6.30 of this By-law.

22.127 ~~Deleted. Notwithstanding any other provisions of this By-law, the minimum lot area and lot width for the lands described as Part of Lot 15, Concession North of Erb's Road, being part of Part 1, Plan 58R-9117 shall be as illustrated as "Subject Lands" on the map forming paragraph 22.127.~~

22.128 Notwithstanding any other provisions of this By-law, the area identified as Section 22.128 on the map forming paragraph 22.1 may be used for a truck depot in conjunction with the lands identified by Section 22.1 in addition to the uses permitted in Zone 1.

- 22.129 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 7, Concession South of Erb's Road, being Part 3, Plan 58R-9978 and identified on the map forming Part 3 of Schedule 'A', shall not be used for burial plots.
- 22.130 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 20, Concession South of Snyder's Road and illustrated on the map forming paragraph 22.130 may be used for the sale of farm produce not grown on-site in addition to the uses permitted in Section 7. The floor area of the building used for retailing produce shall not exceed 28 square metres.
- 22.131 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 22, Concession 2, Block A and illustrated on the map forming paragraph 22.131 labeled as "No Extraction Area", the following shall be prohibited:
- (a) for the purpose of all classes of pits and quarries as defined and licensed by the Aggregate Resources Act; and,
 - (b) for the purposes of the process of extracted materials from the site including crushing, screening, washing, sorting and storage of materials, and also prohibited for the purpose of temporary or permanent asphalt hot mix plant or ready mix concrete plant.
- 22.132 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 4, Concession 1, Block B and illustrated on the map forming paragraph 22.132 may be used for an abattoir, excluding the recycling of animal products or a rendering plant, in addition to the uses now permitted in Section 7 and subject to the following regulations:
- (a) the maximum floor area shall be 1858m².
 - (b) the minimum distance to a residential building on an adjacent property shall be 95m.
- 22.133 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 7, Concession North of Erb's Road and identified on the map forming Part 3 of Schedule 'A' may be used for a triplex in addition to the uses permitted in Section 11.
- 22.134 Notwithstanding any other provisions of this By-law, on the lands described as Part Lot 7, Concession North of Snyder's Road and identified on the map forming paragraph 22.134, no habitable buildings or structures shall be located in the area denoted as "MDS Area" on the map forming paragraph 22.134.
- 22.135A ~~Deleted. Notwithstanding the provisions of Section 7 of this By-law, on the lands described as Part Lot 1, Concession North of Bleams Road, being Parts 1, 2, 3 and 4, Plan 58R-10306 and illustrated on the map forming paragraph 22.135A, the minimum lot area shall be 26.36 hectares.~~
- 22.135B ~~Deleted. Notwithstanding the provisions of Section 7 of this By-law, on the lands described as Part Lot 2, Concession North of Bleams Road, being Part 1, Plan 58R-10588 and illustrated on the map forming paragraph 22.135B, the minimum lot frontage and lot width shall be 22.37 metres.~~
- 22.136 ~~Deleted. Notwithstanding the provisions of Section 7 of this By-law, on the lands described as Part Lot 5, Concession South of Bleams Road, being Part 1, Plan 58R-10583 and illustrated on the map forming paragraph 22.136, the minimum lot area shall be 0.4 ha and the minimum lot frontage and lot width shall be 30m.~~

- 22.137 ~~Deleted. Notwithstanding the provisions of Section 7, as amended, the minimum lot area and the minimum lot width for the lands as described as Part Lots 13 and 14, Concession 3, Block A, being Part 2, Plan 58R-10666 and illustrated on the map forming paragraph 22.137 shall be as illustrated on the map forming paragraph 22.137.~~
- 22.138 ~~Deleted. Notwithstanding the provisions of Section 7, as amended, on the lands described as Part Lot 1, Concession 2, Block A and illustrated on the map forming paragraph 22.138, the minimum lot area shall be 2.26ha and the minimum lot frontage and lot width shall be 30m.~~
- 22.139 ~~Deleted. Notwithstanding the provisions of Section 7, on lands described as Part Lot 27, Concession 3, Block A, being Part 1, Plan 58R-10781, and illustrated on the map forming paragraph 22.139 the minimum lot area shall be 2.025ha and the minimum lot frontage and lot width shall be 138.158m.~~
- 22.140 Notwithstanding any other provisions of this By-law, the lands described as Part Lots 25 and 26, Concession South of Bleams Road, being Part 1, Plan 58R-605 and illustrated on the map forming paragraph 22.140 may be used as follows:
- (a) Those lands zoned Zone 11 (Open Space), below the elevation of the regulatory floodline, may be used for the seasonal rental of non-motorized watercraft in addition to the uses permitted in Section 17; and
 - (b) Those lands zoned Zone 1 (Agricultural) above the elevation of the regulatory floodline may be used for the purpose of providing access to those lands zoned Zone 11 (Open Space), where the rental of non-motorized watercraft is permitted in addition to the uses permitted in Section 7.
- 22.141 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 13, Concession North of Snyder's Road and identified on the map forming Part 2B of Schedule 'A' may be used for an autobody repair shop. The following standards shall apply to an autobody repair shop:
- (a) the maximum floor area shall be 371.6m², and,
 - (b) the autobody repair shop shall be located to the rear of the residential dwelling unit.
- 22.142 ~~Deleted. Notwithstanding the provisions of Section 7 of this By-law, the minimum lot area of the lands described as Part Lot 12, Concession 3, Block A, being Parts 1, 2 and 3, Plan 58R-7376 and illustrated on the map forming paragraph 22.142 shall be 19.75 hectares.~~
- 22.143 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 6, Concession South of Erb's Road, being Part 2, Plan 58R-3061 and identified on the map forming Part 3 of Schedule 'A' may be used for the following additional uses in addition to the uses permitted in the zone in which the property is located:
- (a) one apartment dwelling on the main floor of the building; and
 - (b) one apartment dwelling in the basement of the building.
- 22.144 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 2, Concession North of Snyder's Road, and illustrated as 'Area A' on the map forming paragraph 22.144 may be used for the following use in addition to the uses permitted, within the zone in which the property is located:

- (a) A cement batching plant located a minimum of 100m north of the CNR corridor, located on the pit floor having an elevation of approximately 346masl, and contained within Cement Batching Plant Building Envelope identified on the map forming paragraph 22.144.
- (b) the importation of broken concrete and asphalt for recycling, subject to the following
 - (i) keeping of materials associated with this use shall be limited to an area contained on the pit floor
- (c) aggregate washing

Notwithstanding the provisions of this By-law, as amended, the following shall be prohibited on the lands described as Part of Lot 9, Concession 1, Block A, and illustrated as 'Area A' on the map forming paragraph 22.144:

- (a) the storage of fuel;
- (b) the repair of equipment;
- (c) the importation of materials for resale; and,
- (d) aggregate washing operations

22.145 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 22, Concession South of Snyder's Road, being Block 90, Plan 1705 and illustrated on the map forming paragraph 22.145 may be used for the Residential Building – ~~One Unit~~ **Single Detached** in addition to the uses permitted under Section 10.3, subject to the following regulations:

(a)	Maximum Number of Units	12
(b)	Minimum Lot Width	10m
(c)	Minimum Lot Frontage	8.0m
(d)	Maximum Lot Coverage	40% of Total Lot Area
(e)	Maximum Building Height	10.5m
(f)	Minimum Off-Street Parking	1.5 spaces per dwelling

All residential Buildings – ~~One Unit~~ **Single Detached** shall be located within 'Area A' as illustrated on the map forming paragraph 22.145.

22.146 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 15, Concession South of Snyder's Road, being Lots 2-8 on Registered Plan 18 and identified on the map forming Part 2A of Schedule 'A' and zoned Zone 5f (commercial) may only be used for a professional office.

22.147 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part Lot 14, Concession North of Snyder's Road, being Part 5, Plan 58R-10684 and identified on the map forming Part 2A of Schedule 'A' may be used for an accessory use comprising one accessory apartment, self-contained within an accessory structure in addition to the uses permitted within the zone in which the property is located. The minimum floor area for the accessory apartment shall be 53.4m².~~

- 22.148 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 21, Concession 2, Block A, being Part 2, Plan 58R-6656 and identified on the map forming Part 7 of Schedule 'A', may be used for an accessory use comprising of a second dwelling unit, self-contained within the main residential building in addition to the uses permitted within the zone in which the property is located. The following standards shall apply to the accessory dwelling unit:
- (a) the minimum floor area shall be 70m², and,
 - (b) the maximum floor area shall be 49% of the floor area of the main residential building.
- 22.149 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 6, Concession North of Snyder's Road, being Parts 1, 2 and 3, Plan 58R-448 and identified on the map forming Part 4 of Schedule 'A' may be used for light manufacturing in addition to those uses permitted in Section 16.2 of this By-law. The subject lands shall be prohibited for the purpose of a transportation operation and shall not be used for truck depot purposes. The following regulations shall apply to the subject lands:
- (a) The minimum required lot width shall be 16.75m; and
 - (b) All outdoor storage shall be fenced using materials that will visually screen and act as a sound attenuation barrier between the outdoor storage and adjoining residents.
- 22.150 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 22, Concession North of Bleams Road, being Part 2, Plan 58R-11456 and identified on Part 1 of Schedule 'A' may be used for motor vehicle sales and/or leasing in addition to the uses permitted in the zone in which the property is situate. The following standards shall apply to the subject lands:
- (a) outdoor storage areas shall be fenced with a 1.8m solid wood fence as to visually screen the storage area.
- 22.151 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 17 and 18, Concession 3, Block A and illustrated on the map forming paragraph 22.151 may be used for an on-farm business consisting of the parking of three (3) milk tanker trucks and an accessory office in addition to the uses permitted within the zone in which the property is located and subject to the following regulations:
- (a) The on-farm business may be operated by a non-resident of the subject lands and have a maximum of three (3) employees operating from the subject lands at any one time;
 - (b) The office shall have a maximum floor area of 37.16m²; and,
 - (c) The office and parking area shall be limited to the area identified in cross-hatching on the map forming paragraph 22.151.
- 22.152 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part Lot 12, Concession 1, Block A and illustrated on the map forming paragraph 22.152 may be used for a second dwelling unit by conversion of a residential building.~~
- 22.153 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 9, Concession North of Bleams Road, being Part 1, Plan 58R-3100 and identified on the map forming Part 8 of Schedule 'A' may be used for the sale of produce, not including products which have been manufactured or processed,

in addition to the uses permitted in the zone in which the property is located, and shall be subject to the following standards:

- (a) The sale of produce shall only be permitted between May 1 and October 31 in any calendar year;
- (b) A minimum of two off-street parking spaces shall be provided for the patrons of the produce stand;
- (c) The sale of produce shall not occur from any permanent structure; and,
- (d) An accessory sign having a maximum size of 0.6m by 1.2m shall be permitted on-site during the season of operation.

22.154 ~~Deleted. Notwithstanding the provisions of Section 7, the following minimum standards shall apply to the lands described as Part Lot 11, Concession 1, Block A and illustrated on the map forming paragraph 22.154:~~

- ~~a) a minimum lot area of 6080m²~~
- ~~b) a minimum lot frontage of 99.65m.~~

22.155 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part Lot 19, Concession North of Erb's Road, identified on the map forming Part 10 of Schedule 'A' and zoned Zone 2 shall be subject to the following regulations:~~

- ~~a) Minimum Frontage shall be 27.4m~~
- ~~b) Minimum Lot Width shall be 27.4m~~

22.156 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 14, Concession South of Snyder's Road and illustrated on the map forming Part 2A of Schedule 'A' may be used only for a maximum of twelve (12) residential buildings – semi-detached; uses accessory to the foregoing subject to the following regulations:

(a)	building line Front Yard Setback	6.0m
(b)	Minimum Side Yard	7.5m
(c)	Minimum Rear Yard	24.0m
(d)	Off-Street Parking	3 spaces/unit.

22.157 Notwithstanding any other provisions of this By-law, the lands described as Part Lots 7 and 8 Concession South of Erb's Road and illustrated on the map forming paragraph 22.157 may be used for a second permanent dwelling in addition to the uses permitted in Section 7 and shall be located within the 'Buildable Area' identified in the map forming paragraph 22.157. The following minimum standards shall apply to the subject lands:

- (a) a minimum lot area of 48.97ha
- (b) a minimum frontage of 3.429m.

- 22.158 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 6, Concession South of Erb's Road, being Part 1, Plan 58R-4486 and identified on the map forming Part 3 of Schedule 'A' may be used for automotive sales, service and repair, in addition to the uses permitted in the zone in which the property is located, subject to the following regulations:
- (a) Buffer strips of a width not less than 1.5m shall be provided along all lot lines that abut a Zone 2, Zone 2a, Zone 2b, Zone 3, and/or Zone 4.
 - (b) Outdoor storage shall be located in the side or rear yard and shall not be located within 4.5 metres of any lot line.
 - (c) Outdoor storage shall be enclosed within a solid wall or fence with a minimum height of 1.8 metres in order to shield such areas from public view.
- 22.159 Notwithstanding any other provisions of this By-law, on the lands described as Part of Lot 5, Concession North of Bleams Road and illustrated on the map forming Part 26 of Schedule 'A', Part 2 may be used for accessory uses to a church, not including buildings in addition to the uses permitted in the zone in which the property is located.
- 22.160 Notwithstanding any other provisions of this By-law, on the lands described as Part of Lot 20, Concession South of Snyder's Road and Part of Lot 1 Municipal Compiled Plan 885, identified on the map forming Part 1 of Schedule 'A', the following regulations shall apply to lands zoned Zone 2b (Residential):
- (a) ~~the building-line~~ **front yard setback** shall be 6.0 metres save and except that where the front wall of the garage of any dwelling unit is located 7.0 metres or greater from the front lot line, the ~~building-line~~ **front yard setback** for the habitable portion of the dwelling unit, including a porch, shall be 5.0 metres.

The following regulation shall apply to Lots 1 – 24 and Lots 54 – 76 inclusive of Plan 58M-203:

- (b) That no main building or accessory structure shall be located within 15.0 metres of any rear lot line.
- 22.161 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 1 and 2, Concession North of Bleams Road and identified on the map forming Part 5 of Schedule 'A' the following regulations shall apply to Lot 1, Plan 58M-206:
- (a) the minimum setback of any habitable building or structure from the Trussler Road right-of-way shall be 21.0m.

Notwithstanding any other provisions of this By-law, the following regulation shall apply to Lots 22-27, Plan 58M-206:

- (b) residential buildings shall not be greater than one storey in height.
- 22.162 Notwithstanding any other provisions of this By-law, the lands described as Part Lot 7, Concession 4, Block A and identified on the map forming Part 6 of Schedule 'A' shall be subject to the following restrictions:

- (a) That the use of the subject lands for the construction of a primary residence shall not be permitted; and
- (b) That any accessory structure on the subject lands shall be set back a minimum of ½ the building height or 3.0m, whichever is greater, from the nearest side or rear lot line.

22.163 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 22, Concession North of Bleams Road, being Parts 4, 5, and 11, Plan 58R-10176 and identified on the map forming Part 1 of Schedule 'A' may be used for repair, sale and storage of lawnmowers, snowmobiles and watercraft in addition to the uses permitted in the zone in which the property is situate. Outdoor storage of non-retail goods shall be fenced with a 1.8m solid wood fence so as to visually screen the storage area.

22.164 Notwithstanding any other provisions of this By-law, on the lands described as Part of Lots 14 and 15, Concession North of Snyder's Road and identified on the map forming Part 2A of Schedule 'A', the following shall apply:

- (a) on the lands zoned Zone 3, semi-detached and triplex dwellings shall not be permitted;
- (b) the lands zoned Zone 2b, Zone 3c, and Zone 3 shall be subject to the following regulations:
 - (i) the ~~building line~~ **front yard setback** for the habitable and uninhabitable (garage) portion of any **Residential Building - Single Detached family dwelling** shall be a minimum of 6.0 metres notwithstanding:
 - (a) that at no point shall the uninhabitable (garage) portion of the dwelling be closer to the front lot line than the habitable portion of the dwelling unit;
 - (b) that the habitable portion of the dwelling, for the purposes of this section, shall include a useable front porch with a minimum depth of 1.9 metres; and,
 - (c) that reduction of the minimum ~~building line~~ **front yard setback** for the habitable portion of the dwelling unit to 5.0 metres shall be permitted if the uninhabitable (garage) portion of the dwelling unit is located 7.0 metres or greater from the front lot line
- (c) the lands zoned Zone 5 shall be subject to the following regulations:
 - (i) off-street parking is permitted to be located ~~between the building line and the front lot line~~ **within the front yard**;
 - (ii) off-street parking is permitted to be located ~~between the building line and the flankage of lot line~~ **within the exterior side yard**;
 - (iii) no off-street loading spaces shall be required: and,
 - (iv) off-street parking shall be permitted within 1.0m of the westerly and easterly property lines

22.165 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 13 and 14, Concession South of Snyder's Road, being Lots 39-53, Plan 58M-220, Lots 1-31, Plan 58M-264, and Lots

1-38 and Block 39, Plan 58M-289 and identified on the map forming Part 2B of Schedule 'A' are subject to the following regulations:

- (a) the ~~building line~~ **front yard setback** shall be 6.0m save and except that where the front wall of the garage of any dwelling unit is located 7.0m or greater from the front lot line, the ~~building line~~ **front yard setback** for the habitable portion of the dwelling unit, including a porch, shall be 5.0m; and
- (b) the lot width shall be calculated at a distance of 7.6m from the front lot line.

22.166 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 13 and 14, Concession South of Snyder's Road, being Lots 1-18 and 21-33, Plan 58M-219 and Lots 1-7 and 19-24, Plan 58M-237 and identified on the map forming Part 2B of Schedule 'A', shall be subject to the following regulations:

- (a) That the ~~building line~~ **front yard setback** shall be 6.0m save and except that where the front wall of the garage of any dwelling unit is located 7.0m or greater from the front lot line, the ~~building line~~ **front yard setback** for the habitable portion of the dwelling unit, including a porch, shall be 5.0m; and
- (b) That the lot width shall be calculated at a distance of 7.6m from the front lot line.

22.167 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 7 and 8, Concession South of Snyder's Road, being Part 1, Plan 58R-4036 save an except Parts 1 and 2, Plan 58R-12985 and illustrated on the map forming paragraph 22.167, the lands zoned Zone 11, may be used for the following additional uses:

- (a) a Clubhouse Facility
- (b) Structures accessory to the operation of a golf course, including water stations and rain shelters and maintenance buildings.

22.168 Notwithstanding any other provisions of this By-law, on the lands described as Part of Lot 22, Concession South of Snyder's Road, being Lots 1-97, 100-193 and Blocks 98, and 194-198, Plan 58M-414 and identified on the map forming Part 1 of Schedule 'A', the following shall apply:

- (a) on the lands zoned Zone 2b, Zone 2c and Zone 3 the ~~building line~~ **front yard setback** for the habitable and uninhabitable (garage) portion of any **Residential Building - Single Detached family dwelling** shall be a minimum of 6.0 metres notwithstanding:
 - (i) that at no point shall the uninhabitable (garage) portion of the dwelling be closer to the front lot line than the habitable portion of the dwelling unit;
 - (ii) that the habitable portion of the dwelling, for the purposed of this section, shall include a useable front porch with a minimum depth of 1.8 metres;
 - (iii) that reduction of the minimum ~~building line~~ **front yard setback** for the habitable portion of the dwelling unit to 5.0 metres shall be permitted if the uninhabitable (garage) portion of the dwelling unit is located 7.0 metres or greater from the front lot line;

~~iv) that the minimum lot width be calculated based on the required building line as set out in section 6.9.~~

- (b) the Minimum Lot Frontage for Block 98 and Part of Block 198 shall be 26.0 metres.
- (c) that no building or structure shall be located within 15.0 metres of any rear lot line on lots 10 to 21 inclusive.

22.169 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 10, Concession North of Snyder's Road and illustrated on the map forming paragraph 22.169 may be used for the keeping of a maximum of two horses subject to meeting Minimum Distance Separation requirements in addition to the uses permitted in Section 7. ~~The minimum lot area and the minimum lot frontage shall be as illustrated on the map forming paragraph 22.169.~~

22.170 Notwithstanding the regulations of Table 1, sub-section 8.3, on the lands described as Lots 138, 139 and 140, Plan 627 and identified on the map forming Part 2A of Schedule 'A', the total area of all accessory structures shall not exceed 150 square metres and the construction of said accessory structures may occur without the construction of a primary dwelling.)

22.171 Notwithstanding any other provisions of this By-law, the lands described as Lot 6, Concession North of Erb's Road and identified on the map forming Part 3 of Schedule 'A' shall be subject to the following regulations:

- (a) on the lands zoned Zone 12, being Block 19, Registered Plan 58M-221:
 - (i) no building or structure which requires sewage disposal facilities shall be constructed, used, or occupied on the subject lands; and
 - (ii) notwithstanding Section 6.7, a building or structure may be constructed on Block 19 without Block 19 having frontage on a public street, provided that Block 19 is a Parcel of Tied Land of a Common a Common Elements Condominium, pursuant to the Condominium Act, 1998, that provides access to a public street for vehicular and pedestrian traffic over the common elements of the said common elements condominium
- (b) on the lands zoned Zone 2, being Lots 1 – 18 and Block 20, Registered Plan 58M-221:
 - (i) the Minimum Lot Area shall be 450m²
 - (ii) the Minimum Lot Width shall be 12.3m
 - (iii) the Minimum Front Yard shall be 2.5m
 - (iv) the Minimum Side Yard shall be 1.2m
 - (v) the Minimum Lot Frontage shall be 0m
 - (vi) the Maximum Lot Coverage shall be 35%
 - (vii) notwithstanding the provisions of Section 6.7, Lots 1 – 18 are not required to have frontage on a public street for the purposes of locating and using buildings, structures and accessory

uses provided the lots are Parcels of Tied Land of a Common Elements Condominium, pursuant to the Condominium Act, 1998 that provides access to a public street for vehicular and pedestrian traffic over the common elements of the said Common Elements Condominium.

(viii) ~~Notwithstanding the provisions of Section 6.9.3, the building line for~~ **The front yard setback for** Lots 1 – 18 shall be 2.5m from the front lot line and said front lot line shall be the property line abutting the common element which provides access to a public street for vehicular traffic.

(c) notwithstanding the provisions of Section 8.1, a clubhouse shall be recognized as a permitted accessory use.

22.172 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 7, Concession South of Erb's Road and identified on the map forming Part 3 of Schedule 'A' may be used for the following use in addition to the uses permitted within the zone in which the property is situate:

(a) Outdoor storage within the easterly side yard and the rear yard.

22.173 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 24, Concession South of Bleams Road, identified on the map forming Part 1 on Schedule 'A', shall be subject to the following:~~

~~a) The Minimum Lot Width shall be 20.8m~~

~~b) The Minimum Lot Frontage shall be 15.2m~~

22.174 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 18 and 19, Concession South of Erb's Road and Part of Lot 18, Concession North of Snyder's Road illustrated on the map forming paragraph 22.174 may be used for a sawmill operation involving the cutting and drying of lumber in addition to the uses permitted in the zone in which the subject property is located, subject to the following regulations:

(a) The sawmill operation shall be located entirely within the "Operation Area" identified on the map forming paragraph 22.174;

(b) All machinery associated with the sawmill operation shall be located within a fully enclosed structure consisting of a maximum gross floor area of 294.4m²; and,

(c) Outdoor storage shall be permitted within the "operation area", but shall be limited to the storage of logs to be processed by the sawmill and processed wood from the sawmill.

22.175 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 4, Concession North of Snyder's Road and illustrated on the map forming paragraph 22.175 "Area B" may be use for the following additional use in addition of the uses permitted in the zone in which the property is situated:

(a) an access route for an 'Extractive Industrial' operation.

22.176 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 6, Concession 4, Block A and Part of Block B, Plan 1325 and identified on the map forming Part 6 of Schedule 'A' are subject to the following regulations:

- (a) the ~~building-line~~ front yard setback for the uninhabitable (garage) portion of any Residential Building - Single Detached family dwelling shall be a minimum of 6.0m from the front lot line; and,
- (b) the ~~building-line~~ front yard setback for the habitable portion of any Residential Building - Single Detached family dwelling, including a useable porch having a minimum depth of 1.8m, shall be a minimum of 5.0m.

22.177 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 15, Concession North of Snyder's Road, identified on Part 2A of Schedule 'A' and illustrated on the map forming paragraph 22.177 as "Part A" and zoned 4a (Residential) are subject to the following regulations:

(a)	Minimum Front Yard Setback	6.0 metres
(b)	Minimum Lot Frontage	9.0 metres
(c)	Minimum Lot Width	9.0 metres
(d)	Maximum Lot Coverage	56%
(e)	Off street parking shall be permitted in front of the building-line front yard setback provided that a minimum of one off street parking space is provided behind the building-line front yard setback within an enclosed garage.	

Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 15, Concession North of Snyder's Road, identified on Part 2A of Schedule 'A' and illustrated on the map forming paragraph 22.177 as "Part B" and zoned 4a (Residential) are subject to the following regulations:

(f)	Minimum Lot Frontage	12.6 metres
(g)	Minimum Lot Width	12.6 metres
(h)	Minimum Rear Yard Setback	6.2 metres

22.178 Notwithstanding any other provisions of this By-law, on the lands described as Part of Lot 7, Concession South of Erb's Road and illustrated on the map forming paragraph 22.178, all buildings and structures within "Area A" as identified on the map forming paragraph 22.178 shall be located within the area identified in the crosshatching.

Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 7, Concession South of Erb's Road and illustrated on the map forming paragraph 22.178 and identified as "Area B" on the map forming paragraph 22.178 shall be subject to the following regulations:

(a)	Minimum Lot Frontage	44.5 metres
(b)	Minimum Lot Area	5.4 hectares

22.179 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 13 and 14, Concession South of Erb's Road and Part of Lot 13 and 14, Concession North of Snyder's Road illustrated on the map forming paragraph 22.179 shall be subject to the following regulations:

- (a) buildings or structures may be erected on the subject lands provided access is maintained by way of a right-of-way to a municipally maintained public road.

22.180 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 41, Plan 532A and identified on the map forming Part 1 of Schedule 'A' may be used for the following uses in addition to the uses permitted in the zone in which the property is situate, as amended:

- (a) an Accounting Office

22.181 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 14 and 15, Concession North of Snyder's Road and identified on the map forming Part 2A of Schedule 'A' may be used for the following uses in addition to the uses permitted in the zone in which the property is situate:

- (a) a building containing three residential building – ~~row~~ townhouse units and three basement apartments.

22.182 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 2, Concession 1, Block A and illustrated on the map forming paragraph 22.182 the permitted uses shall be as listed under Section ~~7.5~~ 7.4.

22.183 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 14, Concession North of Snyder's Road and identified on the map forming Part 2B of Schedule 'A' may be used for the following accessory use in addition to the uses permitted in the zone in which the property is situate:~~

- ~~(a) One accessory apartment, self contained within an accessory structure.~~

22.184 Notwithstanding any other provisions of this By-law, the lands described as Lots 115, 116, 117, 118 and 121 and Part of Lots 109, 110, 122 and 123, Plan 627 and identified on the map forming Part 2A of Schedule 'A' may be used for the following use in addition to the uses permitted in the zone in which the property is situate:

- (a) A seniors woodworking and craft shop

Notwithstanding any other provisions of this By-law, the lands described as Lots 115, 116, 117, 118 and 121 and Part of Lots 109, 110, 122 and 123, Plan 627 and identified on the map forming Part 2A of Schedule 'A' shall be subject to the following regulations:

- (b) Outdoor storage shall be prohibited
- (c) The repair and/or servicing of motor vehicles shall be prohibited: and
- (d) Off-street loading bays and doors shall be located only along the west side of the building known as 27 Beck Street.

22.185 Notwithstanding any other provisions of this By-law, the lands described as Lots 1,2,3,4,5,6,7, and 8 Registered Plan 58M-276 and identified on the map forming Part 4 of Schedule 'A' the following regulations for a home occupation shall apply:

- (a) home occupations shall be limited to office uses only

- (b) home occupations shall be located entirely within the dwelling and shall not be located within an accessory building
- (c) the maximum floor area of the home occupation shall be 233m², or 25 percent of the floor area of the dwelling, whichever is lesser
- (d) that a maximum of 3 employees. In addition to the permanent residents of the dwelling, may be permitted.

22.186 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 2 and 3, Concession South of Bleams Road and illustrated on the map forming paragraph 22.186 the following regulations shall apply:~~

- ~~(a) the minimum lot area shall be 9.41 hectares~~
- ~~(b) the minimum lot frontage shall be 173.75 metres~~

22.187 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 11, Concession 2, Block B and illustrated on the map forming paragraph 22.187 may be used for the following use in addition to the uses permitted within the zone in which the property is situate:~~

- ~~(a) A second dwelling unit by conversion of a residential building.~~

22.188 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 12, Concession North of Snyder's Road on illustrated on the map forming paragraph 22.188 may be used for the following uses in addition to the uses permitted, within the zone in which the property is situate, by this By-law as amended:

- (a) the keeping and raising of animals within a structure attached to a building designed for human habitation
- ~~(b) a second dwelling unit by conversion of a residential building~~

22.189 Notwithstanding any other provisions of this By-law, the lands described as Lot 1, Plan 206 and Part of Catherine Street, Closed and identified on the map forming Part 1 of Schedule 'A' may be used for the following use in addition to the uses permitted, within the zone in which the property is situate:

- (a) a gym/fitness facility
- (b) an art studio
- (c) retail sales as an accessory use, subject to the following:
 - (i) retail sales space shall be limited to 25% of the floor area occupied by the permitted use to which it is accessory.

22.190 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 19, Concession 2, Block A and illustrated on the map forming paragraph 22.190 and zoned Zone 1 may be used for the following specific uses:

- (a) A seasonal recreational trailering and tenting campground during the months of April - December (inclusive) consisting of a maximum of:
 - (ii) 285 Camping Sites for recreational trailers or tents
- (b) Residential Building – ~~One Unit~~ Single Detached; and,
- (c) Buildings and structures accessory to the operation of a seasonal campground.

Notwithstanding the provisions of this By-law, the lands identified as Zone 1 with site specific provisions on the map forming paragraph 22.190 are hereby deemed, for the purposes of any future MDS II calculation, to be passive recreational uses;

Notwithstanding the provisions of this By-law, the lands identified as Zone 11 on the map forming paragraph 22.190 shall not be used for a golf course.

22.191 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 16, Concession South of Snyder's Road, being Lot 1-118 and Block 119, Plan 58M-362 and identified on the map forming Part 2A of Schedule 'A' and zoned Zone 2c (Residential) and Zone 3 (Residential) are subject to the following regulations

- (a) the ~~building line~~ front yard setback shall be 6.0m save and except that where the front wall of the garage of any dwelling unit is located 7.0m or greater from the front lot line, the ~~building line~~ front yard setback for the habitable portion of the dwelling unit, including a useable front porch having a depth greater than 1.8m, shall be 4.5m.
- (b) the rear yard setback for habitable buildings on Lots 96-99 shall be 40.0m and on Lot 100 shall be 40m from the rear property line of the Lot 99.

22.192 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 18, Concession North of Snyder's Road and illustrated as "Area A" on the map forming paragraph 22.192 may be used for the following use in addition to the uses permitted in Section 18 of this By-law as amended:

- (a) a Residential Building – ~~One Unit~~ Single Detached

22.193 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 15, Concession North of Snyder's Road and identified on the map forming Part 2A of Schedule 'A' and zoned Zone 2c (Residential) are subject to the following regulations:

- (a) That the ~~building line~~ front yard setback shall be 6.0m save and except that where the front wall of the garage of any dwelling unit is located 7.0m or greater from the front lot line, the ~~building line~~ front yard setback for the habitable portion of the dwelling unit, including a useable front porch having a depth greater than 1.8m, shall be 4.5m.

22.194 Notwithstanding any other provisions of this By-law, on the lands described as Part of Lot 21, Concession South of Snyder's Road, the "Summer Kitchen" identified on the map forming paragraph 22.194 may be used for the following use in addition to the uses permitted, within the zone in which the property is situate by this By-law:

- (a) Uses accessory to the main residential building including human habitation.

Notwithstanding the provisions of this By-law, for the purposes of Section 22.194(a) of this By-law, human habitation shall not constitute a second dwelling unit.

- 22.195 Notwithstanding any other provisions of this By-law, a railway spur line may be constructed on the lands described as Part of Lot 20, Concession North of Bleams Road and identified on the map forming Part 1 of Schedule 'A'.
- 22.196 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 5, Concession 4, Block A and identified on the map forming Part 12 of Schedule 'A' may be used for the following uses in addition to the uses permitted in the zone in which the property is situate:
- (a) Indoor Commercial Storage Operation, ~~except for the following:~~
 - ~~(i) A use which is or may become obnoxious, offensive or dangerous by reason of presence, emission, or production in any manner of odour, refuse matter, hazardous wastes or materials, or water-carried wastes.~~
- 22.197 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 14, Concession North of Snyder's Road and identified on the map forming Part 2A of Schedule 'A' and zoned Zone 4a shall be subject to the following additional regulations:
- (a) the maximum number of dwellings shall be sixteen;
 - (b) the habitable portion of dwellings shall be 30m from the northerly property line;
 - (c) dwellings shall not exceed one storey in height, save an except that rooms accessible by stairs shall be permitted within the roof space immediately above the first storey;
 - (d) the minimum lot frontage for the development shall be 10.0m.
- 22.198 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 22, Concession North of Bleams Road, being Part 4, Plan 58R-10313 and identified on the map forming Part 1 of Schedule 'A' may be used for the following uses in addition to the uses permitted in Section 16.2 of this By-law, as amended:
- (a) Retail sales within an area occupying a maximum of 25% of the ground floor area of the building
 - (b) Offices
- 22.199 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 1, Municipal Plan 885, and identified on the map forming Part 1 of Schedule 'A' and zoned Zone 2b (Residential) shall be subject to the following regulations:
- (a) That the ~~building line~~ **front yard setback** shall be 6.0m save and except that where the front wall of the garage of any dwelling unit it located 7.0m or greater from the front lot line, the ~~building line~~ **front yard setback** for the habitable portion of the dwelling unit, including a useable front porch having a depth of 1.8m and a width of 3.0m, shall be 5.0m

Notwithstanding the provisions of this By-law, as amended, the following shall apply to the lands zoned Zone 4a (Residential ~~Building - Townhouse-Row~~):

- (b) the maximum number of dwellings shall be twenty;
- (c) the minimum frontage of the development shall be 20.0m;
- (d) the minimum lot width of the development shall be 20.0m;
- (e) the ~~building line~~ **front yard setback** for the development shall be 20.0m;
- (f) side yards and rear yards for the development shall be 5.0m; and,
- (g) three off-street parking spaces shall be provided per unit.

22.200 Notwithstanding the provisions of this By-law, on the lands described as Part of Lot 20, Concession North of Bleams Road and identified on the map forming Part 1 of Schedule 'A', the additional permitted use shall apply:

- (a) the sale of used household products.

22.201 Notwithstanding any other provisions of this By-law, the lands described Part of Lots 231, 233, 234 and 235, Plan 532-A, being Part 1, Plan 58R-14859 and identified on the map forming Part 1 of Schedule 'A' and zoned Zone 2b shall be subject to the following additional regulations:

- (a) the minimum lot width and frontage shall be 9.75m;
- (b) the maximum lot coverage for all accessory buildings shall be 130m²

22.202 Notwithstanding any other provisions of this By-law, on the lands described as Part of Lot 14, Concession North of Snyder's Road, being Parts 1 and 2, Plan 58R-14853 and identified on the map forming Part 2A of Schedule 'A' the following regulations shall apply:

- (a) the minimum lot area on the lands zoned Zone 2c shall be 360.6m²;
- (b) the minimum side yard setback on the lands zoned Zone 2c shall be 1.2m;
- (c) the lands zoned Zone 2c may be used for a Residential Building – Duplex;
- (d) the minimum front and ~~flankage~~ **exterior side** yard setback on the lands zoned Zone 5 shall be 4.5m.

22.203 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 21, Concession North of Bleams Road, being Parts 1 and 6, Plan 58R-7281, and identified on the map forming Part 1 of Schedule 'A' may be used for retail sales and offices in addition to the uses permitted in the zone in which the property is situate.

22.204 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 7, Concession North of Snyder's Road and illustrated on the map forming paragraph 22.204 may be used for the importation of broken concrete and asphalt for recycling purposes in addition to the uses permitted in the zone in which the property is situate, subject to the following:

- (a) stockpiles of broken concrete and asphalt shall not be located within 300m of the northwest corner of the Petersburg Park.

22.205 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 7, Concession South of Erb's Road, being Parts 1, 3, and 4 Plan 58R-9652 and identified on the map forming Part 3 of Schedule 'A':

- (a) may be used following uses in addition to those already permitted Zone 5:
 - (i) Residential Building – ~~One Unit~~ **Single Detached**
 - (ii) Bed and Breakfast
 - (iii) Lodging / rooming / boarding house
 - (iv) Group Home
- (b) are prohibited from being used for the following uses:
 - (i) Hotel or motel
 - (ii) Churches
 - (iii) Parking lot
 - (iv) Commercial entertainment and recreation establishment within an enclosed building but not including a video/pinball game amusement centre
 - (v) Light fabricating, assembly or manufacturing
- (c) shall be subject to the following additional regulations:
 - (i) off-street parking may be situated in front of the ~~building line~~ **front yard setback**.

22.206 Notwithstanding the provisions this By-law, as amended, the minimum lot area for the lands described as Part of Lot 19, Concession North of Erb's Road and identified on the map forming Part 10 of Schedule 'A' and zoned Zone 2, shall be 0.4047 hectares.

~~Notwithstanding the provisions this By law, as amended, the minimum lot area and lot width for the lands described as Part of Lot 19, Concession North of Erb's Road and zoned Zone 1, shall be as illustrated on the map forming Part 10 of Schedule 'A'.~~

22.207 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 21, Concession North of Bleams Road, being Parts 1 and 2, Plan 58R-5715 and Block 3, Plan 1450 and identified on the map forming Part 1 of Schedule 'A' may be used for offices and retail sales in addition to the uses permitted in the zone in which the property is situate.

22.208 **Deleted.** ~~Notwithstanding any other provisions of this By law, the lands described as Part of Lot 19, Concession North of Snyder's Road, being Part 1, plan 58R-12211 and illustrated on the map forming paragraph 22.208 may be used for a second dwelling unit by conversion of a residential building in addition to the uses permitted in Section 7.3 of this By law.~~

22.209 Notwithstanding any other provisions of this By-law, on the lands described as Part of Lots 19 and 20, Concession North of Bleams Road, and Part of Lots 19 and 20, Concession South of Snyder's Road, identified on the map forming Part 1 of Schedule 'A', and zoned Zone 10:

- (a) subsections 16.1.2, 16.1.3, 16.1.4, 16.1.5, and 16.1.9 of this By-law shall not apply:
- (b) unscreened open storage of raw or finished materials between the limits of Highway 7/8 and any main building on the subject lands shall be prohibited
- (c) no Class III industry shall be located within 300m of any sensitive land use to the west of the subject lands.

Notwithstanding any other provisions of this By-law, lands described as Part of Lots 19 and 20, Concession North of Bleams Road, and Part of Lots 19 and 20, Concession South of Snyder's Road, identified on the map forming Part 1 of Schedule 'A', and zoned Zone 10 shall be subject to the (H) and R Symbols indicating that municipal water and sanitary sewer services have not yet been extended to the subject lands. Holding provisions shall be considered for removal at such time as adequate municipal water and sanitary sewer capacity is available to the subject lands.

Council of the Corporation of the Township of Wilmot will remove the holding provisions upon the issuance of a letter of clearance from the Director of Public Works of the Township of Wilmot (or designate) and a letter of clearance from the Commissioner of Engineering of the ~~Region~~ ~~Regional Municipality of Waterloo~~ (or designate) advising that adequate municipal water and sanitary sewer capacity is available for development to proceed.

Notwithstanding any other provisions of this By-law, an "f" suffix shall be appended to lands described as Part of Lots 19 and 20, Concession North of Bleams Road, and Part of Lots 19 and 20, Concession South of Snyder's Road, identified on the map forming Part 1 of Schedule 'A', and zoned Zone 10 indicating that development on the lands is subject to regulations of, and the approval of, the Grand River Conservation Authority.

Council of the Corporation of the Township of Wilmot will remove the "f" suffix upon the issuance of a letter of clearance from the Grand River Conservation Authority advising that the Grand River Conservation Authority has no outstanding concerns with development on the subject lands.

22.210 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 26, Smith Plan, and illustrated on the map forming paragraph 22.210 may be used for a residential building two units in addition to the uses permitted in Section 7.4 of this By-law, as amended.~~

~~Notwithstanding the provisions of this By-law as amended, a residential building two units shall be defined as a Residential Building containing up to two dwelling units and which is the principle dwelling of the owner and/or occupant thereof.~~

22.211 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 23, Concession South of Bleams Road, being Parts 3 and 5, Plan 58R-15522 and identified on the map forming Part 1 of Schedule 'A' may be used for a food store in addition to the uses permitted in Section 14.

Notwithstanding the regulations of Section 14 of this By-law, the minimum lot width and frontage for the lands identified on the map forming Part 1 of Schedule 'A' shall be 14m.

Notwithstanding the provisions of this By-law, on the lands identified on the map forming Part 1 of Schedule 'A', the following off-street parking requirements shall apply:

- (a) commercial floor area devoted to retail sales or merchandising shall require one (1) space for each 19.3m² of such floor area
- (b) commercial floor area not devoted to retail sales or merchandising shall require one (1) space for each 39m² of such floor area

Notwithstanding the provisions of this By-law, no pylon sign constructed at the frontage of the lands identified on the map forming Part 1 of Schedule 'A', shall be illuminated on the southeast side.

22.212 Notwithstanding any other provisions of this By-law, the lands described as Lot 112, Plan 1400 and identified on the map forming Part 1 of Schedule 'A' and zoned Zone 6:

- (a) shall be subject to the following additional regulations:
 - (i) off-street parking and off-street loading shall be provided in conformity with the regulations contained in sub-sections 6.10, 6.11, and 6.12 of this By-law; and,
 - (ii) off-street parking is prohibited in front of the building face closest to the street.
- (b) shall not be used for the following:
 - (i) tavern
 - (ii) commercial entertainment or recreation establishment.

22.213 Notwithstanding any other provisions of this By-law, on the lands described as Part of Lot 7, Concession South of Erb's Road and identified on the map forming Part 3 of Schedule 'A' and zoned Zone 5:

- (a) the following use may be permitted in addition to those uses already permitted:
 - (i) Residential Building – ~~One Unit~~ **Single Detached**
- (b) the following uses shall not be permitted:
 - (i) clinic or laboratory
 - (ii) light fabricating, assembly or manufacturing
- (c) a repair shop and storage within an enclosed building shall not include any use that involves the storage or processing of chemical products, gasoline or oil depots, or a use which may become obnoxious, offensive, or dangerous by reasons of the presence, emission, or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter or water carried wastes;
- (d) Off-street parking may be situated in front of the ~~building line~~ **front yard setback**.

22.214 Notwithstanding any other provisions of this By-law, the lands described as Parts 1-9, 11, 15, 16, and 18, Plan 58R- 15176, and identified on the map forming Part 1 of Schedule 'A' and zoned Zone 3, shall be subject to the following additional regulations:

- (a) garages on the subject lands shall have a minimum depth of 6.0m, a minimum interior width of 3.5m and a maximum interior width of 4.0m;
- (b) the ~~front wall or building line~~ **front yard setback** of any garage shall be a minimum of 10.0m ~~from the front lot line.~~

22.215 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 4 Concession North of Snyder's Road, and illustrated on the map forming paragraph 22.215 shall be subject to the following regulation:

- (a) buildings or structures may be erected on the subject lands provided access is maintained by way of a right-of-way to a municipally maintained public road.

22.216 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 9 Concession North of Bleams Road, being Parts 5 and 6, Plan 58R-15525 and illustrated as "Area A" on the map forming paragraph 22.216, shall be subject to the following regulations:

- (a) minimum lot frontage and lot width 6.16 metres
- (b) minimum lot area 2.24 hectares

Notwithstanding any other provisions of this By-law, on the lands described as Part of Lot 9 Concession North of Bleams Road, being Parts 3 and 4, Plan 58R-15525 and illustrated as "Area B" on the map forming paragraph 22.216, the minimum side yard setback for an accessory building existing prior to October 16, 2006 shall be 0.2 metres.

22.217 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 7, North of Side of Benjamin Street, Part of Lot 8, South Side of South Street, Plan 628 and identified on the map forming Part 6 of Schedule 'A' may be used for one dwelling unit within an accessory structure in addition to the uses permitted in the zone in which the property is situated.~~

22.218 Notwithstanding the regulations of Section 11 of this By-law, as amended, the lands described as Lot 107 and Part of Lot 108, Plan 627, and identified on the map forming Part 2A of Schedule 'A', shall be used only for a clinic or laboratory and offices, and shall be subject to the following regulations:

- (a) minimum front yard and right side yard setback shall be 0m;
- (b) minimum left side yard setback for a one-storey building shall be 1.5m;
- (c) a minimum of 10 off-street parking spaces shall be provided on the property; and,
- (d) off-street parking spaces shall be permitted within 0m of the right side property line and 0.6m of the left side property line.

22.219 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 1, Concession North of Snyder's Road, being Parts 1, 2, 4, and 5, Plan 58R-15906 and illustrated on the map forming paragraph 22.219 shall be subject to the following regulations:~~

~~1. On the lands illustrated as "Area A" on the map forming paragraph 22.219:~~

a) ~~The Minimum Lot Frontage shall be 23.59 metres~~

b) ~~The Minimum Lot Area shall be 4963.49 square metres~~

2. ~~On the lands illustrated as "Area B" on the map forming paragraph 22.219:~~

a) ~~The Minimum Lot Frontage shall be 31.27 metres~~

b) ~~Minimum Lot Area shall be 2869.79 square metres~~

22.220 **Deleted.** ~~Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 12, Concession North of Snyder's Road, and illustrated on the map forming paragraph 22.220, may be used for a residential building – two units in addition to the uses permitted in Section 7.5, subject to the following:~~

a) ~~a residential building – two units shall be defined as a Residential Building containing up to two dwelling units and which is the principle dwelling of the owner and/or occupant thereof.~~

22.221 **Deleted.** ~~Notwithstanding any other provisions of this By-law, the lands described as Lot 111, Plan 627, and identified on the map forming Part 2A of Schedule 'A' and zoned Zone 5, may be used for a Veterinary Clinic in addition to the uses permitted in Section 11 of By-law 83-38, as amended, subject to the following regulations:~~

a) ~~a Veterinary Clinic shall not include a kennel, pound, or outdoor dog run/walk areas;~~

b) ~~an outdoor dog run/walk area shall be defined as an area located outside the main building used for the unsupervised or unleashed keeping or exercising of dogs.~~

22.222 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 14 Concession North of Snyder's Road, and identified on the map forming Part 2B of Schedule 'A' are subject to the following regulations:

(a) the maximum number of dwelling units shall be thirty-four;

(b) a residential building – semi-detached shall be a permitted use;

(c) any dwelling fronting a public street shall be a Residential Building – Semi-detached;

(d) three off-street parking spaces shall be provided per dwelling unit.

22.223 Notwithstanding any other provisions of this By-law, the lands described as Lots 1-74, and Blocks 75-76, Plan 58M-495 and identified on the map forming Part 1 of Schedule 'A', shall be subject to the following regulations:

(a) on lots 42-46, Plan 58M-495, no dwelling shall be located closer than 51.5m to the centerline of the railway;

(b) on Lots 43-46, Plan 58M-495, a minimum of 56m² of useable outdoor living space shall be maintained on each lot between the toe of the berm and the rear wall of the dwelling unit.

22.224 Notwithstanding any other provisions of this By-law, the lands described as Lots 1-57 and Blocks 58-70, Plan 58M-492 and identified on the map forming Part 1 of Schedule 'A' shall be subject to the following regulations:

- (a) on the lands zoned Zone 2b the ~~building line~~ **front yard setback** shall be 6.0m save and except that where the front wall of the garage of any dwelling unit is located 7.0m or greater from the front lot line, the ~~building line~~ **front yard setback** for the habitable portion of the dwelling unit, including a useable front porch having a depth of 1.8m and a width of 3.0m, shall be 5.0m.
- (b) on the lands zoned Zone 4a:
 - (i) the maximum number of dwellings shall be thirteen (13);
 - (ii) the minimum frontage of the development shall be 10.0m;
 - (iii) the minimum lot width of the development shall be 10.0m;
 - (iv) the ~~building line~~ **front yard setback** for the development shall be 52.6m;
 - (v) side yards and rear yards for the development shall be 5.0m; and,
 - (vi) three (3) off-street parking spaces shall be provided per unit.
- (c) on the lands zoned Zone 3 a Residential Building – Semi-detached shall be defined as a separate building divided vertically into two dwelling units by a solid common wall extending from the base of the foundation to, at minimum, the roof line of the first storey and said common wall shall have a horizontal distance of not less than 46 per cent (46%) of the horizontal depth of the building
- (d) on Lot 26, a Residential Building – ~~one unit~~ **Single Detached** may include a second kitchen.

22.225 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 5, Concession North of Erb's Road and illustrated on the map forming paragraph 22.225, may be used for a residential building – two units in addition to the uses permitted in Section 7.3, subject to the following:~~

- ~~a) a residential building – two units shall be defined as a Residential Building containing up to two dwelling units and which is the principle dwelling of the owner and/or occupant thereof.~~

22.226 Notwithstanding the provisions of this By-law, as amended, on the lands described as Part of Lot 9, Concession 1, Block A, and illustrated on the map forming paragraph 22.226:

- (a) the following regulation shall apply:
 - (i) side and rear yard setbacks shall be 0m to allow for licensing of extraction to the mutual property lines of abutting aggregate operations.
- (b) the following uses shall be prohibited:
 - (i) the importation of asphalt for recycling; and,

- (ii) aggregate washing operations.
- (c) the following accessory use is permitted in addition to those accessory uses permitted by Section 20.3:

- (i) the importation of broken concrete for recycling.

22.227 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 19, Concession 4, Block A, being Part 1, Plan 58R-8268, and illustrated on the map forming paragraph 22.118 may be used for a residential building — two units in addition to the uses permitted in Section 7.5 of this By-law, subject to the following:~~

- ~~a) a residential building — two units shall be defined as a Residential Building containing up to two dwelling units and which is the principle dwelling of the owner and/or occupant thereof.~~

22.228 Notwithstanding any other provisions of this By-law, on the lands described as Part of Lot 5, Registered Plan 885, being Lots 1-63 and Blocks 64 and 65, Plan 58M-489 and identified on the map forming Part 1 of Schedule 'A', the following regulations shall apply:

- (a) on Lots 1-63, zoned Zone 2b:
 - (i) the ~~building line~~ front yard setback shall be 6.0m for the habitable portion of the dwelling unit;
 - (ii) the ~~building line~~ front yard setback shall be 9.5m for the uninhabitable (garage) portion of the dwelling unit;
 - (iii) driveways shall be single width not exceeding 3.0m in width;
 - (iv) lot frontages shall be a minimum of 9.0m;
 - (v) lot widths shall be a minimum of 9.0m; and,
 - (vi) lot areas shall be a minimum of 300m²
- (b) on lots 4-7 dwellings shall have a minimum useable outdoor living area of 56m² between the toe of the noise attenuation berm and the rear foundation wall of the dwelling;
- (c) on lots 32-25 dwellings shall have a minimum rear yard setback of 8.5m;
- (d) on lots 12-18 and 31-37 dwellings shall have a minimum frontage of 7.0m provided that the minimum lot width is 9.0m;
- (e) on Blocks 64 and 65, zoned Zone 4a:
 - (i) the ~~building line~~ front yard setback shall be 6.0m for the habitable portion of the dwelling unit;
 - (ii) the ~~building line~~ front yard setback shall be 9.5m for the uninhabitable (garage) portion of the dwelling;

- (iii) driveways shall be single width not exceeding 3.0m in width;
- (iv) the minimum lot frontage shall be 6.0m;
- (v) the minimum lot width shall be 6.0m;
- (vi) the minimum lot area shall be 180.0m²; and,
- (vii) the minimum ~~flankage~~ **exterior side** yard abutting Hamilton Road shall be 6.0m.

22.229 Notwithstanding the provisions of this By-law, as amended, the following regulations shall apply to the lands described as Block 69 and Part of Lot 1, Plan 1759, and Part of Lot 21, Concession South of Snyder's Road and identified on the map forming Part 1 of Schedule 'A'.

- (a) on any lot with an attached single car garage, the ~~building line~~ **front yard setback** for the inhabitable (garage) portion of the dwelling shall be 10.0m:
- ~~b) the lot frontage and lot width for two units as a Residential Building Semi-detached shall be a minimum of 17.363m:~~
- (b) the side yard setback for two units as Residential Building – Semi-Detached having more than one storey shall be 1.5m.

22.230 Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 21 and Part of Lot 22, West of Peel, and Lots 20 and 21, East of Wilmot, Smith's Plan and identified on the map forming Part 1 of Schedule 'A' may be used for a Residential Building – ~~one unit~~ **Single Detached** in addition to the uses permitted in Section 12 of this By-law.

22.231 **Deleted.** ~~Notwithstanding any other provisions of this By-law, on the lands described as, Part of Lot 1, Concession North of Snyder's Road, being Parts 1 and 2, Plan 58R-16436:~~

- ~~1. the lands illustrated as "Part 1" on the map forming paragraph 22.231 shall be subject to the following regulations:~~
 - ~~a) The Minimum Lot Frontage shall be 27.43 metres~~
 - ~~b) The Minimum Lot Area shall be 3910.6 square metres~~
- ~~2. the lands illustrated as "Part 2" on the map forming paragraph 22.231 shall be subject to the following regulations:~~
 - ~~a) The Minimum Lot Frontage shall be 27.43 metres~~
 - ~~b) The Minimum Lot Area shall be 3898.5 square metres~~

22.232 Notwithstanding any other provisions of this By-law the lands described as, Part of Lot 2, Concession 3, Block B, zoned Zone 1 and illustrated with crosshatching on the map forming paragraph 22.41 shall be subject to the following regulation:

- (a) Sub-sections 7.3.1 and 7.3.2 of this By-law, as amended, shall not apply.

- 22.233 Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 6 Concession North of Snyder's Road, on identified on the map forming Part 4 of Schedule 'A' may be used for a Canada Post Postal Outlet with retail sales limited to Canada Post Merchandise in addition to the uses permitted, within the zone in which the property is situate.
- 22.234 Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 53, Plan 1293, being Parts 3 and 4, Plan 58R-2539 and Part 2, Plan 58R-5184, and identified on the map forming Part 1 of Schedule 'A' and zoned Zone 4a are subject to the following regulations:
- (a) the maximum number of dwelling units shall be three (3);
 - (b) the dwelling units shall be 1-storey;
 - (c) the minimum front yard setback shall be 6.0m;
 - (d) the minimum left side yard setback shall be 2.0m;
 - (e) the minimum rear yard setback shall be 4.0m;
 - (f) three (3) off-street parking spaces shall be provided per dwelling unit;
 - (g) off-street parking shall be permitted in front of the ~~building line~~ **front yard setback**.
- 22.235 **Deleted.** ~~Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 18, Concession North of Snyder's Road, on the map forming paragraph 22.235, may be used for a second dwelling unit by conversion of a residential building in addition to the uses permitted in Section 7.4 of this By-law.~~
- 22.236 Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 23, Concession South of Bleams Road, and Part of Lot 4, Smith's Plan and identified on the map forming Part 1 of Schedule 'A' shall be subject to the following:
- (a) on the lands zoned Zone 4a:
 - (i) the maximum number of dwelling units shall be fourteen (14);
 - (ii) the minimum lot width and frontage shall be 3.0m;
 - (iii) the minimum side yard setback along the north property line shall be 2.0m;
 - (iv) the rear yard setback along the south property line following a distance of 20m east from the Zone 11 boundary shall be 3.0m;
 - (v) the rear yard setback along the south property line following a distance of 50m west from the Zone 2 boundary shall be 6.0m;
 - (vi) the setback to a property line for any retaining wall with a height greater than 1.0m shall be 3.0m;
 - (vii) three (3) off-street parking spaces shall be provided per dwelling unit.

- (b) on the lands zoned Zone 2:
 - (i) the minimum lot width shall be 16.0m;
 - (ii) the minimum lot area shall be 550m²

22.237 Notwithstanding any other provisions of this By-law, the lands described as, Parts of Lots 19, 20, and 21, Plan 1512 being Parts 1,2,3 and 12, Plan 58R-6442 and identified on the map forming Part 2A of Schedule 'A' may be used for offices in addition to the uses permitted, within the zone in which the property is situate.

22.238 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 1, Concession South of Snyder's Road, and illustrated on the map forming paragraph 22.238 may be used for a residential building — two units in addition to the uses permitted in Section 7.3 subject to the following:~~

- ~~a) a residential building — two units shall be defined as a Residential Building containing up to two dwelling units and which is the principle dwelling of the owner and/or occupant thereof.~~

22.239 Notwithstanding any other provisions of this By-law, that as an use accessory to the approved access route to the extractive industrial operation immediately north of the lands described as, Part of Lot 2 and 3, Concession North of Snyder's Road, and illustrated on the maps forming Parts 30 and 31 of Schedule 'A', the lands described as, Part of Lot 2 and 3, Concession North of Snyder's Road, and illustrated on the forming Parts 30 and 31 of Schedule 'A', may be used for the following in addition to the uses permitted, within the zone in which the property is situate:

- (a) a weigh scale;
- (b) an office trailer;
- (c) parking of equipment used in the extractive industrial operation;
- (d) storage and distribution of aggregate material from the extractive industrial operation.

shall be subject to the following regulations:

- (e) that all building, parking and storage areas shall be located within the 0.33ha "Accessory Use Area" as illustrated on the map forming Part 30 of Schedule 'A';
- (f) that the height of stockpiles of aggregate materials not exceed 3.0m.

22.240 Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 21, Concession North of Snyder's Road, and illustrated as "Area A" on the map forming paragraph 22.240 may be used for the following specific uses in addition to the uses permitted in Section 7 of this By-law:

- (a) A seasonal recreational trailering and tenting campground during the months April – December (inclusive) consisting of a maximum of 140 Camping Sites for recreational trailers or tents
- (b) A picnic shelter;

- (c) A swimming pool; and,
- (d) Buildings and structures accessory to the operation of a seasonal campground.)

22.241 Notwithstanding any other provision of this By-law, on the lands described as Part of Lot 10, Concession 1, Block B, and illustrated on the map forming paragraph 22.241, a Residential Building – ~~one unit~~ **Single Detached** may include a second kitchen.

22.242 Notwithstanding any other provision of this By-law, on the lands described as Part of Lot 14, Concession South of Erb's Road, being Parts 8 and 9, Plan 58R-11996, and illustrated as "Area A" on the map forming paragraph 22.275 may be used only for the following:

- (a) conservation
- (b) forestry and wildlife management

22.243 **Deleted.** ~~Notwithstanding any other provision of this By-law, on the lands described as Part of Lots 10, 11 and 12, Plan 532, and identified on the map forming Part 1 of Schedule 'A' shall be subject to the following regulation:~~

~~a) The Minimum Lot Frontage and Lot Width shall be 11 metres.~~

22.244 Notwithstanding any other provisions of this By-law, on the lands described as, Part of Lot 18, Part of Lot 22, Concession 3, Block A, and illustrated as Area A on the map forming Part 13 of Schedule 'A' , the following shall be prohibited:

- (a) The importation of asphalt for recycling; and,
- (b) Aggregate washing operations.

22.245 **Deleted.** ~~Notwithstanding any other provisions of this By-law, the lands described as, Parts of Lot 14, Concession North of Snyder's Road and identified on the map forming Part 2B of Schedule 'A' may be used for the following use in addition to the uses permitted, within the zone in which the property is situate:~~

~~a) one accessory apartment, self-contained within an accessory structure.~~

22.246 Notwithstanding any other provisions of this By-law, ~~for~~ the lands described as, Parts of Lot 7, Concession South of Snyder's Road and identified on the map forming Part 4 of Schedule 'A' attached to and forming part of this By-law, ~~sub-sections 6.12.1 (b), 6.17.4, and 6.17.6,~~ shall be ~~amended as follows~~ **subject to the following:**

~~6.12.1(b)~~ (a) All off-street parking areas shall be situated to the rear of the building line front yard setback except for those spaces required for accessible parking which may be located in front of the building line front yard setback.

~~6.17.4~~ (b) That such home occupation shall be conducted by the permanent residents of the private dwelling unit with a maximum of 2 employees operating in or from the premises at any time.

~~6.17.6 That a single sign to identify the home occupation is permitted measuring no more than 0.6m x 0.6m and located a minimum of 1.0m from any lot line.~~

22.247 ~~Deleted.~~ Notwithstanding any other provisions of this By-law, the lands described as Lot 40, Plan 1414 and Part of Foundry Street (Closed) and identified on the map forming Part 2A of Schedule 'A' may be used for the following use in addition to the uses permitted in Section 8.1 of the By-law, as amended:

~~a) a second dwelling unit self contained within a Residential Building one unit.~~

~~Notwithstanding any other provisions of this By-law, for the lands described as Lot 40, Plan 1414 and Part of Foundry Street (Closed) and identified on the map forming Part 2A of Schedule 'A', sub-sections 6.12.1(b) shall be amended as follows:~~

~~6.12.1(b) off street parking areas may be situated in front of the building line.~~

22.248 Notwithstanding any other provisions of this By-law, for the lands described as, Part of Lot 6, Concession 3, Block A, being Parts 1 and 2, Plan 58R-11740, and identified on the map forming Part 6 of Schedule 'A', Section 6.7 of the By-law shall not apply.

22.249 Notwithstanding any other provisions of this By-law, the lands described as, Part Lot 15, Concession South of Snyder's Road, and identified on the map forming Part 2A of Schedule 'A' and zoned Zone 4a shall be subject to the following regulations:

- (a) the maximum number of dwelling units shall be thirty-one (31);
- (b) the minimum side yard setback along the northwest property line shall be 7.5m;
- (c) the minimum front yard setback shall be 9.3m for all units with driveway access directly to Brewery Street and 3.59m for all other units;
- (d) the minimum side yard setback along the southeast property line shall be:
 - (i) 7.5m for all units with their rear wall approximately parallel to said property line
 - (ii) 3.0m for any unit with its side wall facing predominantly towards said property line and with its driveway access directly to Brewery Street
 - (iii) 6.28m for any unit with its side wall facing predominantly towards said property line and with its driveway access to a private road or lane;
- (e) that all dwelling units with their rear wall approximately parallel to the southeast property line shall be a maximum of one storey;
- (f) three (3) off-street parking spaces shall be provided per dwelling unit.

22.250 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 53, Plan 1293, being Parts 1 and 2, Plan 58R-2539, and identified on the map forming Part 1 of Schedule 'A' ~~may be used for one accessory apartment, self contained within an accessory structure in addition to the uses permitted, within the zone in which the property is situate,~~ shall be subject to the following:

- (a) the maximum lot coverage for all accessory structures shall be 148m²;
- (b) the maximum height of ~~the accessory structure permitted by this section~~ **an accessory structure containing an additional dwelling unit (detached)** shall be 6.0m.

22.251 Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 26, Concession South of Bleams Road, and illustrated on the map forming Part 23 of Schedule 'A' shall be subject to the following regulations:

- (a) the minimum front yard setback shall be 6.6m.

22.252 ~~Notwithstanding any other provisions of this By-law, on the lands described as, Lot 5, Plan 58M-276, and identified on the map forming Part 4 of Schedule 'A', one accessory building may be used for human habitation, but this shall not include a dwelling unit.~~

Notwithstanding any other provisions of this By-law, the following regulations shall apply to the lands described as, Lot 5, Plan 58M-276, and identified on the map forming Part 4 of Schedule 'A',

- (a) the maximum lot coverage of all accessory buildings shall be 181m², and,
- (b) the maximum height of one accessory building shall be 6.0m.

22.253 Notwithstanding any other provisions of this By-law, as amended, the lands described as Part of Lot 3, Concession 3, Block A, and illustrated as "Part 1" on the map forming paragraph 22.253, may be used for a Recycling Depot defined as follows:

A Recycling Depot shall mean building(s) and screened outdoor area used for the collection, grading and sorting and temporary storage of materials or agricultural products, but not including the production, compounding, processing, packaging or assembly of raw, semi-processed or fully processed goods, materials or agricultural products.

Notwithstanding any other provisions of this By-law, The "Recycling Depot" shall be subject to the following regulations:

- (a) All components of the Recycling Depot shall occur on impermeable surfaces which incorporate spills management and containment systems.
- (b) All components of the Recycling Depot shall be subject to Site Plan Control in accordance with By-law 96-64, or its successor.

22.254 **Deleted.** ~~Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 14, Concession North of Bleams Road, being Parts 1 and 6, Plan 58R-5602, and identified on the map forming Part 9 of Schedule 'A' may be used for one accessory apartment, self-contained within an accessory structure in addition to the uses permitted, within the zone in which the property is situate.~~

22.255 Notwithstanding any other provisions of this By-law, the lands described as Part of Lots 2 and 3, Concession North of Snyder's Road, and illustrated on the map forming Parts 30 and 31 of Schedule 'A' shall be subject to the following regulation:

- (a) buildings or structures, not including a dwelling unit, may be erected on the lands zoned Zone 14 provided access is maintained by way of a right-of-way to a municipally maintained public road.

22.256 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 7, Concession North of Erb's Road, and identified on the map forming Part 3 of Schedule 'A' may be used for a second dwelling unit self-contained within a Residential Building—one unit in addition to the uses permitted in Section 8.1 of the By-law.~~

22.257 Notwithstanding any other provisions of this By-law, the lands described as, Lot 130 and Part of Lot 129, Plan 627, being Parts 2 and 3, Plan 58R-4327, and identified on the map forming Part 2A of Schedule 'A', may be used for one accessory apartment, self-contained within an accessory structure in addition to the accessory uses permitted in the zone, in which the property is situate.

Notwithstanding any other provisions of this By-law, the minimum number of off-street parking spaces required to be provided the lands described as, Lot 130 and Part of Lot 129, Plan 627, being Parts 2 and 3, Plan 58R-4327, and identified on the map forming Part 2A of Schedule 'A', shall be five (5).

22.258 Notwithstanding any other provisions of this By-law, the following uses shall be permitted on the lands described as Part of Lot 15, Concession South of Snyder's Road, and identified on the map forming Part 2A of Schedule 'A', in addition to the uses permitted, within the zone in which the property is situate:

- (a) a commercial establishment where services are rendered,
- (b) light fabricating, assembly and manufacturing where there is low probability of fugitive emissions,
- (c) contractor, building supplies dealer,
- (d) offices,
- (e) clinic or laboratory,
- (f) gym or dance studio,
- (g) accessory uses including:
 - (i) gas bar
 - (ii) convenience retail accessory to a gas bar
 - (iii) one take-out restaurant accessory to a gas bar, not including a ~~drive-thru~~ drive-through facility.

22.259 ~~Deleted. Notwithstanding any other provisions of this By-law, the following use shall be permitted on the lands described as Lot 48, Plan 58M-401, and identified on the map forming Part 2A of Schedule 'A', in addition to the uses permitted, within the zone in which the property is situate:~~

- ~~a) one accessory apartment, self-contained within a Residential Building—One Unit.~~

~~Notwithstanding the provisions of this By-law, the following regulations shall apply to the lands described, Lot 48, Plan 58M-401:~~

~~b) that off-street parking spaces may be provided in front of the building line~~

~~c) that a minimum of three off-street parking spaces shall be provided~~

~~d) that a driveway shall have a maximum width of 6.7m.~~

22.260 **Deleted.** ~~Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 7, Concession South of Erb's Road, and illustrated on the map forming paragraph 22.260 may be used for a residential building — two units in addition to the uses permitted in Section 7.3 of the By-law, subject to the following:~~

~~a) a residential building — two units shall be defined as a Residential Building containing up to two dwelling units and which is the principle dwelling of the owner and/or occupant thereof.~~

22.261 Notwithstanding the provisions of By-law 83-38, as amended, only the following uses shall be permitted on the lands described as Lot 9, Plan 628, and identified on the map forming Part 6 of Schedule 'A':

(a) no more uses than two dwelling units

(b) uses accessory to the foregoing permitted use

(c) home occupation in conformity with sub-section 6.20

22.262 **Deleted.** ~~Notwithstanding any other provisions of this By-law, the following use shall be permitted on the lands described as Lot 18, Plan 1645, and identified on the map forming Part 2B of Schedule 'A', in addition to the uses permitted, within the zone in which the property is situate:~~

~~a) one accessory apartment, self-contained within a Residential Building — One Unit.~~

~~Notwithstanding any other provisions of this By-law, the following regulations shall apply to the lands described as Part of Lot 18, Plan 1645, and identified on the map forming Part 2B of Schedule 'A':~~

~~b) that off-street parking spaces may be provided in front of the building line~~

~~c) that a minimum of three off-street parking spaces shall be provided~~

~~d) that a driveway shall have a maximum width of 6.7m.~~

22.263 Notwithstanding any other provisions of this By-law, the following regulations shall apply to the lands described as, Part of Lots 28, 29 and 30, Plan 627, and identified on the map forming Part 2B of Schedule 'A':

(a) the minimum side yard setback shall be 1.2m;

(b) the minimum rear yard setback shall be 1.8m;

(c) the minimum number of off-street parking spaces to be provided for a one-storey building containing a medical clinic (with one physician or practitioner) and/or commercial floor area devoted and not devoted to retail sales and merchandising shall be eight (8).

- 22.264 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 13, Concession South of Erb's Road, and illustrated on the map forming paragraph 22.264 may be used for a residential building — two units in addition to the uses permitted in Section 7.5, subject to the following:~~
- ~~a) — a residential building — two units shall be defined as a Residential Building containing up to two dwelling units and which is the principle dwelling of the owner and/or occupant thereof.~~
- 22.265 Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 14, Concession North of Snyder's Road, and illustrated on the map forming Part 2A of Schedule 'A' may be used for a Residential Building — ~~one unit~~ **Single Detached** in addition to the uses permitted in Section 11.
- 22.266 Notwithstanding the provisions of By-law 83-38, as amended, the following regulations shall apply to the lands described as Lots 187-188 and Part of Lots 186 and 189, Plan 532A, being Part 2, Plan 58R-7789, and identified on the map forming Part 1 of Schedule 'A':
- (a) the minimum lot width for a Residential Building — Triplex shall be 15.0m;
- (b) the minimum lot width for a Residential Building — ~~One Unit~~ **Single Detached** shall be 13.8m;
- (c) the minimum side yard setback for a covered landing/porch on a Residential Building — Triplex shall be 1.0m.
- 22.267 Notwithstanding any other provisions of this By-law, as amended, Clause 13.1.4 of this By-law, shall not apply to the lands described as Lots 1 and 2, Plan 1337, and identified on the map forming Part 1 of Schedule 'A'.
- 22.268 Notwithstanding any other provisions of this By-law, the lands described as Lot 36 and Part of Lot 37, Plan 1293 being Part 2, Plan 58R-5588, and identified on the map forming Part 1 of Schedule 'A', ~~may be used one accessory apartment, self-contained within an accessory structure in addition to the accessory uses permitted in the zone in which the property is situate,~~ **shall be** subject to the following:
- (a) the minimum side yard setback of ~~the~~ **an** accessory structure **containing an additional dwelling unit (detached)** shall be 0.5m.
- 22.269 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 13, Concession North of Snyder's Road, being Parts 1 and 2, Plan 58R-2581, and identified on the map forming Part 2B of Schedule 'A' may be used for assembly of wood products in addition to the uses permitted in Section 14.1 of the By-law, subject to the following:
- (a) assembly of wood products shall exclude wood restoration or finishing (including activities such as wood stripping or cleaning, painting, staining, lacquering or varnishing) and the laminating or application of wood veneer (the use of large amounts of glue and the solvents to clean them).
- 22.270 ~~Deleted. Notwithstanding the provisions of By-law 83-38, for the lands described as Part of Lot 5 and 6, Concession South of Erb's Road and illustrated as "Part A" on the map forming paragraph 22.270, the minimum lot frontage and lot width shall be 4.6m.~~

~~Notwithstanding the provisions of By-law 83-38, for the lands described as Part of Lot 5 and 6, Concession South of Erb's Road and illustrated as "Part B" on the map forming paragraph 22.270, the minimum lot frontage shall be 115m and the minimum lot area shall be 15.3ha.~~

22.271 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 9, Concession South of Snyder's Road being Part 1, Plan 58R-3252., and illustrated on the map forming paragraph 22.271 may be used for a residential building — two units in addition to the uses permitted in Section 7.5, subject to the following:~~

~~a) — a residential building — two units shall be defined as a Residential Building containing up to two dwelling units and which is the principle dwelling of the owner and/or occupant thereof.~~

22.272 Notwithstanding any other provisions of this By-law, the following regulations shall apply to the lands described as, Part of Lots 143 – 145 and Part of James St. (Closed), Plan 532A, being Part 1, Plan 58R-12297, and identified on the map forming Part 1 of Schedule 'A';

- (a) the maximum number of dwelling units shall be six (6) contained within one residential building
- (b) the minimum front yard setback shall be 6.1m;
- (c) the minimum ~~flankage~~ exterior side yard setback shall be 5.0m.

22.273 Notwithstanding any other provisions of this By-law, as amended, the lands described as Part of Lot 14, Concession North of Snyder's Road, being Part 1, Plan 58R-19065, identified on the map forming Part 2B of Schedule 'A', and zoned Zone 4a shall be subject to the following regulations:

- (a) the maximum number of dwelling units shall be twelve (12);
- (b) the minimum side yard setback shall be 2.5m;
- (c) three (3) off-street parking spaces shall be provided per dwelling unit.

22.274 Notwithstanding any other provisions of this By-law, as amended, the lands described as Part of Lot 15, Concession South of Snyder's Road, being Part 1, Plan 58R-18994, identified on the map forming Part 2B of Schedule 'A' and zoned Zone 4a, shall be subject to the following regulations:

- (a) the maximum number of dwelling units shall be twenty (20);
- (b) the maximum height of a dwelling unit shall be one storey
- (c) a "Residential Building – Semi-Detached" shall be permitted
- (d) the minimum front yard setback shall be 5.0m;
- (e) three (3) off-street parking spaces shall be provided per dwelling unit.

22.275 Notwithstanding any other provisions of this By-law, on the lands described as, Part of Lots 15 and 16, Concession South of Snyder's Road, and identified on the map forming Part 2A of Schedule 'A':

- (a) the following uses shall be prohibited:

- (i) automotive repair facilities, such as maintenance garages, muffler/suspension repair facilities and body shops
 - (ii) outdoor storage, except within a rear yard between a building and the property line abutting the railway
- (b) for the purposes of Section 22.316 (1), the following shall apply:
- (i) outdoor storage shall include the storage of large construction equipment, diesel generators and heavy trucks
 - (ii) outdoor storage shall not include a storage facility catering to the storage of personal items, recreational trailers, boats, motor homes etc. normally associated with a self-storage facility
- (c) the following regulations shall apply:
- (i) the maximum building height shall be two (2) storeys
 - (ii) the minimum rear yard setback shall be 1.0m.

Notwithstanding any other provisions of this By-law, the lands described as, Part of Lots 15 and 16, Concession South of Snyder's Road, and identified on the map forming Part 2A of Schedule 'A' shall be subject to the (H) symbol indicating that the property shall be fully serviced prior to any development.

Council of the Corporation of the Township of Wilmot will remove the holding provision upon the issuance of a letter of clearance from the Director of Public Works of the Township of Wilmot (or designate) advising that adequate municipal water, sanitary sewer, and storm sewer capacity is available to the property for development to proceed and that the property has been connected to said services to the satisfaction of the Township of Wilmot.

22.276 Notwithstanding any other provisions of this By-law, as amended, for the lands described as Part of Lot 22 and 23, Concession North of Snyder's Road and illustrated on the map forming paragraph 22.276:

- (a) the lands identified as Area "A" on the map forming paragraph 22.276, may be used for the following specific uses, in addition to those uses permitted in Zone 1:
- (i) a seasonal recreational campground open from April 1 to December 31 inclusive, consisting of a maximum of:
 - (a) 140 Camping Sites;
 - (b) 1000 sq. m. tenting area
 - (ii) a picnic shelter
 - (iii) a swimming pool
 - (iv) buildings and structures accessory to the operation of a seasonal recreational campground.

- (b) the lands identified as Area “A” on the map forming paragraph 22.276, shall not be used for a “Residential Building – ~~One Unit~~ **Single Detached**” as defined in Section 2.101.1 of this By-law.
- (c) the lands illustrated as Area “B” on the map forming paragraph 22.276 may be used for the following specific uses accessory to the seasonal campground permitted in Area “A” (which are deemed to be Type A land uses for the calculation of the MDS II formula), in addition to the uses permitted in Zone 1:
 - (i) a maintenance compound including buildings, structures and outdoor storage supplies and equipment used in the maintenance and operation of the seasonal campground;
 - (ii) a campground office for uses related solely to the operation of the seasonal campground;
 - (iii) a camp store, located within the campground office, selling camping related items to registered campers of the seasonal campground;
 - (iv) a second dwelling unit by use of a mobile home occupied by individuals engaged in the operation of the seasonal campground; and
 - (v) tile beds and associated sanitary sewage works for the treatment of sanitary sewage wastes from the seasonal campground operation.
- (d) Notwithstanding the provisions of this By-law, a golf course shall be prohibited on the lands zoned Zone 11 illustrated on on the map forming paragraph 22.276.
- (e) Notwithstanding the provisions of this By-law, the lands zoned Zone 11 illustrated on on the map forming paragraph 22.276 may be used for the following specific uses in addition to the uses permitted in Zone 11:
 - (i) management and harvesting of timber under agreement pursuant to the *Woodlands Improvements Act* or the *Forestry Act* or their successors;
 - (ii) harvesting of timber for personal use in accordance with the **Region’s** ~~Region of Waterloo’s~~ Conservation of Trees in Woodlands By-law or its successor;
 - (iii) passive recreational activities and nature appreciation; and
 - (iv) private utilities and services associated with the campground operation.

22.277 ~~Deleted. Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 9, Block A, Concession 4, being Part 1, Plan 58R-19062., and illustrated on the map forming paragraph 22.277 may be used for the following use in addition to the uses permitted in Section 7.5 of the By-law, as amended:~~

- ~~a) a second dwelling unit by conversion of a residential building in conformity with Section 6.23.~~

22.278 Notwithstanding any other provisions of this By-law, the lands described as, Part of Lot 53, Plan 627 being Part 3, Plan 58R-2858, and identified on the map forming Part 2A of Schedule ‘A’ may be used for a “Residential Building – Duplex” in addition to the uses permitted in Section 8.1 of this By-law.

22.279 Notwithstanding the provisions of this By-law, the following regulations shall apply to the lands described as Lot 7, Plan 58M-203, and identified on the map forming Part 1 of Schedule 'A':

- (a) the minimum rear yard setback for accessory buildings and structures having a floor area greater than 10m² shall be 7m.

22.280 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 6, Concession 3, Block A, and Part of Mill Property, Plan 628 and identified on the map forming Part 6 of Schedule 'A' may be used for the following use in addition to the uses permitted in Section 8.1:

- (a) a "Residential Building – Duplex"

22.281 Notwithstanding any provisions of this By-law, the lands described as Part of Lot 7, Concession South of Erb's Road and illustrated on the map forming paragraph 22.281 may be used for one accessory apartment within an accessory structure in addition to the uses permitted in Section 7.4.

Notwithstanding any provisions of this By-law, the lands described as Part of Lot 7, Concession South of Erb's Road and illustrated on the map forming paragraph 22.281 shall be subject to the (H) symbol indicating that prior to one accessory apartment within an accessory structure being permitted, the ~~Region Regional Municipality of Waterloo~~ shall be satisfied that:

- (a) a Record of Site Condition is not required; or
- (b) a Record of Site Condition has been acknowledged by the Ministry of the Environment, Conservation and Parks.

Council of the Township of Wilmot will remove the holding symbol, upon confirmation from the ~~Region Regional Municipality of Waterloo~~ that the requirement of (a) or (b) has been completed in accordance with their requirements.

22.282 Notwithstanding any other provisions of this By-law, on the lands described as Lot 1 and Part of Lot 2, Plan 983, and identified on the map forming Part 1 of Schedule 'A', up to three dwelling units may be permitted on the property within one building and situated on any level without another permitted use being located on the property.

22.283 Notwithstanding the provisions of this By-law, the following regulations shall apply to the lands described as Lot 4, Plan 633 and identified on the map forming Part 2A of Schedule 'A' of this By-law:

- (a) the minimum lot width and lot frontage shall be 12.6m; and
- (b) the minimum floor area for a dwelling unit shall be 80m².

22.284 Notwithstanding any other provisions of this By-law, the following regulations shall apply to the lands described as, Lot 1, Plan 627, and identified on the map forming Part 1 of Schedule 'A':

- (a) the maximum number of dwelling units shall be twelve (12) contained within one residential building
- (b) the minimum left side yard setback shall be 1.8m;

- (c) off-street parking may be provided in front of the ~~building line~~ front yard setback.

Notwithstanding any other provisions of this By-law, the lands described as, Lot 1, Plan 627, and identified on the map forming Part 1 of Schedule 'A, shall be subject to the (H) symbol indicating that prior to development a record of site condition has been acknowledged by the Ministry of the Environment, Conservation and Parks.

Council of the Township of Wilmet will remove the holding symbol, upon confirmation from the ~~Regional Municipality of Waterloo~~ Region that the requirement for a record of site condition has been completed in accordance with their requirements.

- 22.285 Notwithstanding any other provisions of this By-law, the following additional use shall be permitted on the lands described as, Part of Lots 17 and 18, Concession 4, Block B, being Part 1, Plan 58R-16333, and illustrated on the map forming paragraph 22.285:

- (a) one dwelling unit within an accessory building as a use accessory to a residential building – one unit

- 22.286 Notwithstanding any other provisions of this By-law, the following Minimum Distance Separation 1 calculations for a “new or expanding zone or designation for an institutional use outside of a settlement area”) shall apply to the lands described as, Part of Lot 12, Concession South of Erb’s Road, being Parts 1 and 4, Plan 58R-6075 and Parts 1 and 2, Plan 58R-20516 save and except Parts 3, 4 and 5, Plan 58R-20516 and illustrated on the map forming Part 40 of Schedule ‘A’:

- (a) the minimum distance from a livestock barn shall be 553m
(b) the minimum distance from manure storage shall be 598m

- 22.287 ~~Deleted. Notwithstanding any other provisions of this By law, a secondary unit shall be permitted on the lands described as Lots 32, 33, 35, 37, 40, 41, 53-61, 69-77, and 97, Plan 58M-414 and identified on the map forming Part 1 of Schedule ‘A’, subject to the following regulations:~~

- ~~a) a Single Detached dwelling shall provide a minimum of two (2) off-street parking spaces (one of which must be provided behind the building line);~~
~~b) a secondary unit shall be defined as a separate self-contained dwelling unit located within the principal dwelling;~~
~~c) a minimum of one (1) off-street parking space shall be provided for a secondary unit and that said off-street parking space may be provided in front of the building line;~~
~~d) the maximum driveway width shall be 6.0m;—~~
~~e) a direct entrance to the secondary unit from the outside shall be provided from a rear yard or side yard only; and~~
~~f) a secondary unit may not solely occupy any storey, or below grade floor level, of the principal dwelling.~~

22.288 Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 10 and Lot 11, west side of Wilmot St and Lot 12 and Part Lot 13 in rear of lots, west side of Wilmot St, Smith's Plan and identified on the map forming Part 1 of Schedule 'A', subject to the following regulations:

- (a) the minimum front yard setback shall be 3.5m.

Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 10 and Lot 11, west side of Wilmot St and Lot 12 and Part Lot 13 in rear of lots, west side of Wilmot St, Smith's Plan, and identified on the map forming Part 1 of Schedule 'A', shall be subject to the (H) symbol indicating that prior to development, an archaeological assessment is required to be acknowledged by the Ministry of Heritage, Sport, Tourism and Culture Industries.

Council of the Township of Wilmot will remove the holding symbol, upon confirmation from the **Region** ~~Regional Municipality of Waterloo~~ that the requirement for an archaeological assessment has been completed in accordance with their requirements.

22.289 Notwithstanding any other provisions of this By-law, the following additional use shall be permitted on the lands described as, Part of Lot 23, Concession South of Bleams Road, being Part 1, Plan 58R-13711, and identified on the map forming Part 1 of Schedule 'A':

- (a) two additional dwelling units (attached) where an additional dwelling unit (attached) is defined as a separate self-contained dwelling unit located within the main building.

22.290 **Notwithstanding any other provisions of this By-law, on the lands described as Part of Lots 1 and 2, Concession 1, Block B and illustrated on the map forming Part 44 and 45 of Schedule 'A', farming may be permitted in addition to the uses now permitted under Section 18 - Zone 12.**

SECTION 23: ADMINISTRATION, ENFORCEMENT AND PENALTIES:

23.1 Administration:

This By-law shall be administered by ~~the Planning Director, or the Chief Building Official, or such other Township employees~~ officer as may from time to time be appointed by the Council of the Corporation of the Township of Wilmot.

23.2 Building or Other Permits:

~~Notwithstanding the provisions of the Building By law or any other By law of the Township of Wilmot, the Chief Building Official shall not issue any building permit, occupancy permit or other permit where the proposed building, structure or use would be in violation of any of the provisions of this By law.~~

23.3 Inspection:

~~The Chief Building Official or any officer or employee of the Township acting under his direction is hereby authorized to enter, at reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By law.~~

23.4 Application for Permits:

~~In addition to all the requirements of the Building By law or any other By laws, every application for a building permit shall be accompanied by a plan in duplicate (one copy of which shall be retained by the Chief Building Official) drawn to scale and showing the following:~~

~~23.4.1 The true dimensions of the lot to be built upon or otherwise used.~~

~~23.4.2 The proposed location, design, elevations, maximum height and dimensions of any building, structure or use proposed for such lot and all proposed points of ingress and egress from the lot.~~

~~23.4.3 Any yards, off street parking space or off street loading facilities required by this By law.~~

~~23.4.5 A statement, signed by the owner, disclosing the exact use proposed for each aforesaid building, structure or use and giving all information necessary to determine if such a building, structure or use conforms to the requirements of this By law.~~

~~23.4.6 In addition to the foregoing, application for building permits shall include:~~

- ~~a) If within an area designated as Restricted Land Use Area by the Official Plan of the Wilmot Planning Area, a letter of approval from the Waterloo Regional Health Unit and the Grand River Conservation Authority;~~
- ~~b) If within an area subject to regulations made by the Grand River Conservation Authority and approved by Order in Council, a letter from the Grand River Conservation Authority granting permission for the construction of the building or structure;~~
- ~~c) If within an area requiring sub-surface sewage disposal, a letter of approval from the Waterloo Region Health Unit.~~

23.2 Penalty:

Every person who contravenes any of the provisions of this By-law shall upon conviction **be subject to the penalty clause(s) pursuant to Section 67 of the Planning Act, R.S.O. 1990, c. P.13, as amended.** ~~thereof forfeit and pay a penalty not exceeding Two Thousand Dollars (\$2,000.00) (exclusive of costs) for each such offence and every such penalty shall be recoverable under The Provincial Offences Act, 1980, Chapter 400, as amended, all the provisions of which shall apply except that the imprisonment may be for any term not exceeding six (6) months.~~

~~The imposition of a penalty for a contravention of this By-law shall not excuse the condition or matter resulting in such contravention or permit it to continue. Any person contravening this By-law shall correct or remedy the condition or matter resulting in such contravention within a reasonable time and when not otherwise specified, each ten days that a condition or matter resulting in a contravention of this By-law is allowed to exist shall constitute a separate offence.~~

~~23.6 Additional Remedies:~~

~~In case any building or structure is or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is proposed to be used, in contravention of any requirement of this By-law, contravention may be restrained by action at the instance of any ratepayer of the Corporation of the Township of Wilmot pursuant to the provisions of The Municipal Act in that behalf.~~

23.3 Validity:

If any provision of this By-law, including anything shown on the Zoning Maps, is for any reason held to be invalid, it is hereby declared to be the intention that all the remaining provisions of the said By-law shall remain in force and effect until repealed, notwithstanding that one or more provisions thereof have been declared to be invalid.

23.4 Technical Revisions to the Zoning By-Law:

Technical revisions may be made to this By-law without the need for a Zoning By-law Amendment. Technical revisions means the correction of numbering, cross-referencing, grammar, punctuation or typographical errors, mapping errors, or revisions to format in a manner that does not change the intent of this By-law.

23.5 By-laws Repealed:

From the coming into force of By-law 2020-(insert number), being a by-law to amend By-law 83-38, the following Township By-laws are repealed:

23.5.1 All by-laws passed under Section 34 of the Planning Act, or its predecessor, that preceded By-law 83-38.

23.5.2 All by-laws passed under Section 34 of the Planning Act that amended By-law 83-38 except by-laws that authorize a temporary use under Section 39 or 39.1 of the Planning Act and have not expired.

The following By-laws of the Township of Wilmot be and the same are hereby repealed:

~~By law 726 as amended by By laws numbered 744, 765, 73-54, 74-12, 76-17, 76-32, 77-15, 78-22, 78-29, 79-26, 79-35, 80-13, 80-39, 80-41, 81-31, 81-36, 81-38, 81-56, 82-41, 83-11 and 83-22.~~

~~By law 1175 as amended by By laws numbered 1188, 1218, 1219, 1252, 1274, 1281, 1335, 1365, 73-25, 73-34, 73-27, 73-50, 73-51, 73-52, 73-55, 74-6, 74-22, 74-29, 79-30, 74-40, 74-42, 75-6, 75-12, 75-22, 75-33, 76-5, 76-14, 77-8, 77-9, 77-12, 77-14, 77-19, 77-22, 77-31, 78-6, 78-12, 78-21, 78-23, 78-31, 79-2, 79-3, 79-13, 79-14, 79-19, 79-20, 79-25, 79-37, 79-38, 79-41, 79-44, 79-52, 80-7, 80-34, 80-35, 80-38, 80-42, 80-61, 81-13, 81-24, 82-5, 82-24, 82-28, 82-36, 82-38 and 83-6.~~

23.6 Effective Date of By-law:

This By-law shall come into effect on the final passing thereof by the Council of the Corporation of the Township of Wilmot subject to compliance with the provisions of The Planning Act, R.S.O., 1980 and amendments thereto.

Read a first and second time in the Council Chambers of the Township of Wilmot this 13th day of June, 1983

Read a third time and finally passed in the Council Chambers of the Township of Wilmot this 13th day of June 1983.

OMB Approval January 17, 1984.

ATTACHMENT B: Public consultation summary report



REPORT NO: DS 2019-18

TO: COUNCIL

SUBMITTED BY: Harold O’Krafka, MCIP RPP
Director of Development Services

PREPARED BY: Andrew Martin, MCIP RPP, Manager of Planning/EDO

REVIEWED BY: Grant Whittington, CAO

DATE: July 15, 2019

SUBJECT: Township Zoning By-law Review Update

RECOMMENDATION:

THAT Report DS 2019-18 be received for information.

SUMMARY:

This report provides a summary of the responses received through public consultation that has occurred to date including two online surveys and four open houses conducted during the months of April and June of this year.

The responses from both surveys are included as Attachment A and Attachment B to this report.

BACKGROUND:

In March of 2019, Development Services staff provided Report DS 2019-09 to Council outlining the status of the current Township Zoning By-law and the proposed process and time for the completion of an update to the by-law.

Since the consideration of that report, Township Official Plan Amendment 9 has been approved by the Region of Waterloo and, with the no appeals received, has come into force and effect. The Planning Act requires the Township to update the zoning by-law to conform to the Official Plan within three years of the approval of the revision/update to the Township Official Plan.

REPORT:

Survey 1 and Open Houses 1 and 2

In late March, Survey 1 was released requesting individuals to comment on what improvements and changes needed to be made to the zoning by-law. Individuals were asked to select from a predefined list of areas highlighted in Report DS 2019-09 as well as being provided an opportunity to identify additional areas of review. Two open houses were held in April to provide an additional forum for discussion of the areas of review of the by-law. A total of 61 completed survey responses were received by the end of April with 17 individuals attending the open houses. The complete summary of comments received with Survey 1 is included as Attachment A.

Of the 10 areas of review (including an “other” category), responses were somewhat evenly distributed. The largest number of responses at 36 was the consideration of backyard chickens, however other areas such as regulations for accessory structures (30 responses), parking (30 responses), and second units (26 responses) were identified with a similar level of importance. Discussions at the public meeting focused primarily around these top four areas as well.

Survey 2 and Open Houses 3 and 4

Survey 2 and Open Houses 3 and 4 were framed around the top areas identified for review in Survey 1. In late May, Survey 2 was released and was organized in three sections with respondents having the choice of completing any or all of the sections. The sections related specifically to the keeping of backyard chickens, regulations for accessory buildings, and regulations for secondary units. Although parking is touched on within these sections, staff anticipate a more effective discussion on parking after draft regulations are proposed. As such, a specific survey section was not dedicated to parking at this time.

Two open houses were held in June to provide an additional forum for discussion in addition to the online survey with a total of 12 individuals attended the open houses. 69 responses were received to Survey 2; the complete summary of survey responses is included as Attachment B.

Backyard Chickens

Of the total of 69 responses, 64 individuals chose to provide comments on backyard chickens. Of these responses 29 individuals felt that chickens should be permitted on all residential and agricultural properties regardless of size whereas 20 responses were supportive of the status quo where chickens are only permitted on agriculturally zoned properties of 1.2ha or larger.

40 responders indicated that keeping of chickens should be limited to a specific type of residential property with single detached dwellings being the form of housing selected most often at 37 times.

37 responders indicated that if backyard chickens were permitted, they should require registration with the Township.

15 responders indicated that they had specific concerns with the backyard chickens that they would like to identify with the top two concerns being noise and odour.

32 responders provided additional comments with 14 supportive of backyard chickens, 16 in opposition and 2 with general suggestions.

Accessory Buildings

Of the total of 69 responses, 47 individuals chose to provide comments on accessory building regulations.

Of the 47 responders, 80% chose options for maximum floor areas different than the current zoning by-law. No decisive indicator of what size would be appropriate is present, but the most number of responses were “25% of the ground floor area of the dwelling on the property” and “more than 20% [lot coverage with no maximum]”.

With respect to maximum height, responses were evenly distributed between the range of heights that should be permitted as well as whether or not second storeys should be permitted.

With respect to minimum setbacks for accessory structures, 16 of the 44 responses indicated that the existing 1.0m setback to a side or rear property line is appropriate. Respondents did clearly suggest that within flankage yards (side yards abutting a street) that the current setback of 6.0m for accessory structures should be reduced to coincide with the standard side yard setback for an accessory structure.

Secondary Units

Of the total of 69 responses, 50 individuals chose to provide comments on secondary units.

Less than half of the respondents (21) respondents indicated that they had concerns with the creation of a secondary unit. 14 respondents were concerned with the creation of these units in any neighbourhood whether it be new or existing.

Respondents with concerns about secondary units were asked to specify their primary concerns from a list: need for adequate parking (selected 16 times); increased density in existing neighbourhoods (selected 16 times); property values (selected 14 times); and other (selected 3 times).

32 respondents indicated that if permitted within an accessory building, secondary units should be allowed within a second storey and the maximum height should be increased to permit the second storey.

Next Steps

Staff will be working through comments received to date from both the public and agencies through the months of July and August. In line with the time frames identified out the outset of the review process, staff will continue to work towards the goal of having draft zoning regulations for review in the early fall.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Updates to the Township zoning by-law, and the public input processes used in considering these updates, serve to ensure that all four goals of the Wilmot Township Strategic Plan are met. Those goals are that we are an engaged community; that we have a prosperous economy; that we protect our natural environment; and, that we enjoy our quality of life.

FINANCIAL CONSIDERATIONS:

The Zoning By-Law Update was included within the 2018 Capital Program with funding derived from the General Levy and Development Charges. The Junior Planner contract is funded from this capital project, and has been extended from September 2019 until December 31, 2019 with funding continued from the Capital Program. Any overage in project costs will be funded proportionately from General Levy and Development Charges.

ATTACHMENTS:

Attachment A	Summary of responses from Survey 1
Attachment B	Summary of responses from Survey 2

Survey 1 Results

Survey period: March 25 – April 30 2019

Topic: What improvements and changes should be made to the zoning by-law

Responses: 61

Questions and Responses

Survey responders were asked to select, from a list, any or all areas that they agree needed to be reviewed. They were asked to elaborate on any of these selected areas if they chose to do so.

The following is a summary of the responses.

Definitions:	
Number of responders	11
Detailed responses	Property standers .There is a property in our neighbour hood, that despite numerous visits from the bylaw officer nothing is ever done to clean up the property. If nothing is done why bother to change the bylaws. We have to look at the same mess and who knows how many rodents, skunks and other types of wild life have taken up residence in the yard and house. We would like to see some action taken.
Regulations for accessory structures (sheds, pools etc.):	
Number of responders	30
Detailed responses	My background spends good period of the year under water from neighboring runoff I disagree with the fact that some residence of Wilmot have a difficult time adding a pergola to their deck and other members of Wilmot can build an enormous shed on their property in town! The lack of consistency is ridiculous. Should be proportional to property size (i.e. size of property not occupied by the house) Should be within limits for regular residential purposes. Special permissions for large sheds (not referring to farms) on properties that may affect neighbours enjoyment of their own home.
Regulations for home based businesses:	
Number of responders	24
Detailed responses	Home-based businesses which involve a lot of traffic should not be allowed in a residential area.
Regulations for farm based businesses:	
Number of responders	12
Detailed responses	Rules are rules. Please don't make special exemptions based on religion (Mennonite) that Woolwich and Wellesley are terrible for doing.
Backyard chickens and urban agriculture:	
Number of responders	36
Detailed responses	Should be permitted within limits.

	<p>We are proud to live where we live. We are delighted to have neighbours like the Jacksons, Fiederlein and Hatching and raising chicks/chickens has long been a homeschool tradition because of the myriad of rich educational benefits. Some of the commonly-identified and well-proven areas of learning include:</p> <ul style="list-style-type: none"> * Lifecycle analysis * empathy and caring * connection to natural world * schedules, chores, duties * zero carbon footprint food * healthy food chain, healthy food * safety, health, cleanliness * design, engineering, construction * active outdoor lifestyle * research, reading, learning * resilience <p>We hatched chicks indoors at 78 Meadowbrook Court, with our three young boys. They researched the conditions that would make fertile eggs hatch. They made an incubator out of styrofoam and plexiglass, and heated it with a candle warmer and lamp. They added rocks from the creek as high thermal-mass to distribute the temperatures, and measured the temperature and humidity multiple times a day. They added water with a spray bottle when needed, and turned the eggs every hour. They saw rewards by "candling" the eggs: putting lights up to them to watch the lifecycle grow. Our boys sketched the embryos as they developed, and grew resilience when one didn't make it. When hatching time came, they took time off school to watch the amazing natural process of the little chicks unzipping their shells and poking out.</p> <p>My boys raised these chicks with whole-hearted love and dedication. They learnt how to use hammers, nails and saws and hand-build the brooder and later coop for the birds. They made multiple iterations, each time improving their engineering design to optimize thermal capacity and comfort. The boys dutifully tended to daily chores around keeping the yard clean, coop clean, chickens fed and watered and happy. They "farmed" mealworms as special treats, and trained their beloved birds. The birds each had their own personality and loved following the boys and their friends, snuggling on their laps when they sat down. The boys showed the birds their first food, drink, outdoor space, how to dig, roost, etc.</p> <p>The most marvellous part was seeing the hens brood their own eggs, and subsequent chicks. The boys were fortunate enough to see their hens raise chicks of their own: softly clucking and gently disciplining the new brood.</p>
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	<p>The hens sacrificed all food to give to their chicks, kept them safe and taught them the ways of the chicken. This was amazing education for children to observe. It's a rare occurrence to study nature so closely for so long.</p> <p>Lastly, there is the topic of food. Backyard chickens gave us the opportunity to teach our kids about raising their own sustainable food source right here on their own land. 78 Meadowbrook Court is often referred to as the "Jackson Chicken Coop lot". Let's go back to our roots - this village is still home to many wise residents with fond memories of living off the land - the very land we live on. The practice of raising our own food through gardens and small animals simply makes sense, and needs a revival. These carbon-free ways of living will not be part of our future if we are not allowed to educate our children about the methods.</p> <p>We are proud to live where we live. We are delighted to have neighbours like the Jackson, Fiederlein, Edgerdee and Einweigher families who have living-off-the-land at their roots and support us raising children who practice sustainable living. We are grateful for their homesteading stories that our kids learn so much from. We are proud to have three passive-solar houses on our small street. We are grateful for the trees we can tap and syrup we can make on just our small property. We are grateful for the time we've spent with the pigs in the barn across the street and rejoice to hear the stories of how our street was once an important part of agriculture. We do not believe a property needs to be acres in size to support a sustainable food source. We would like the freedom to teach our kids to use the land they have. Please, Wilmot, take pride in your roots and have vision for the future by allowing the first small-step back to family homesteading: backyard chickens.</p> <p>Thank you,</p> <p>Karen and Martin Kokkelink</p> <p>(Trent, Tyler and Edwin)</p> <p>New Dundee</p>
Second units (apartments in houses and accessory buildings):	
Number of responders	26
Detailed responses	Please don't allow.
Residential zoning regulations (setbacks, height, density, outdoor amenity areas etc.):	
Number of responders	25
Detailed responses	Should be regulations regarding size and type of houses built as infill or teardown in existing neighbourhoods....i.e. no more monster homes in an older residential neighbourhoodany new construction should be "in keeping" with existing types of homes....size wise.

	Height and size of homes should be regulated, especially in areas where surrounding homes are significantly smaller or lower, and where large houses could impede the view of adjacent neighbours.
Parking (accessible parking, bicycle parking, parking sizes, number of required spaces):	
Number of responders	30
Detailed responses	It's never nice to see a residential driveway looking like a parking lot....should be restrictions to number of vehicles permitted.
	A reasonable number of accessible parking spaces and bicycle parking spaces must be reserved
	How some units seem to be allowed street access from their entire buildings
Restricting lands uses within source water protection areas:	
Number of responders	22
Detailed responses	Please be very strict - water is important.
	Vital to protect source water areas.....not sure what restrictions should be in place but making sure that water is protected.
	Farm run-off, industrial run-off, industrial water consumption are a risk to source water and water systems, which need stronger protections
Minimum distance separation (distances between agricultural facilities and non agricultural uses):	
Number of responders	14
Detailed responses	No particular recommendations other than safe distances depending on what type of non-ag use.
I have additional areas that I wish to identify:	
Number of responders	7
Detailed responses	On-street parking, particularly for recreational vehicles, recreational trailers, transport trucks on residential streets, and construction equipment (diggers, bulldozers, trailers)
	House # 50 George Street is an abandoned property. There is trash sitting in the driveway for the past few years. The yard does not get maintained the sidewalk does not get cleaned in the winter. A police officer had told me that there is the sound of running water in the basement. Is there a bylaw that can force the property owner to clean up the property.
	Specifically tiny homes.
	Street parking
	Preservation of character of existing neighborhoods. For example single family home areas should not have multiple residential units allowed, other than semi detached homes.
	There is a very fuzzy transition between a hobby where one happens to occasionally sell what one produces, and a "business," yet there is a very sharp boundary in how this classification affects land use and zoning
	Use of RV PARKING in residential areas

Survey 2 Results

Survey period: May 30 – June 30 2019

Topic: Accessory residential uses: should backyard chickens be permitted?, regulations for accessory buildings (sheds, detached garages etc.) and secondary suites (apartments in homes and accessory buildings).

Responses: 69

Questions and Responses

Survey responders were asked to select which part or parts of the survey they would like to complete:

- Should the keeping of backyard chickens be allowed?
- Regulations for secondary units (secondary suites / accessory apartments)?
- What regulations should be applied to accessory buildings?

The following is a summary divided by each section of the survey.

Section: Should the keeping of backyard chickens be allowed?	
Number of responders who selected this section: 64	
Which of the following statements best describes your opinion with respect to the keeping of chickens?	
<i>Choice</i>	<i>Number of yes responses</i>
Chickens should be permitted in some residential areas and on some agricultural properties less than 1.2ha in size.	12
Chickens should be permitted on all agriculturally zoned properties (which would include properties that are less than 1.2ha)	9
Chickens should be permitted to be kept on all residential and agricultural properties regardless of the size or location of the property.	29
Regulations should remain status quo - chickens are only permitted to be kept on agricultural properties of 1.2ha or larger.	20
If backyard chickens were permitted, should they be limited to laying hens only, no roosters?	
Number of yes responses	57
If backyard chickens were permitted, what is the maximum number that should be allowed?	
<i>Choice</i>	<i>Number of yes responses</i>
2	16
4	7
6	8
8	1
10	10
Number based on lot size	24
No limit	2

If backyard chickens were permitted, should there be a minimum lot area in order to keep chickens on a property?	
Number of yes responses	44
If yes, what should the minimum lot size be?	
<i>Choice</i>	<i>Number of yes responses</i>
195 square metres	5
400 square metres	7
800 square metres	5
0.2 hectares (0.5ac)	7
0.4 hectares (1.0ac)	7
0.8 hectares (2.0ac)	0
1.2 hectares (3.0ac)	11
If backyard chickens were permitted in residential zones, should the keeping of chickens be limited to the type of residential property (e.g. single detached, semi-detached etc.)?	
Number of yes responses	40
If yes, what type of residential property should the keeping of chickens be limited to? Select all that apply.	
<i>Choice</i>	<i>Number of yes responses</i>
Single detached	37
Semi-detached	7
Townhome	2
Duplex, triplex, quad	1
Other multi-residential or apartment properties	0
If permitted, should the keeping of backyard chickens require registration with the Township?	
Number of yes responses	37
If yes, what registration criteria should be required?	
<i>Choice</i>	<i>Number of yes responses</i>
One time registration fee with initial inspection to ensure conformity to regulations and animal well being	12
Annual registration fee with inspections on a complaint basis	9
Annual registration fee with inspections at time of renewal	10
Other	4
"Other" responses	No fee, but inspections on a complaint basis. Registering bees is free. Chickens should be too
	Annual registration fee, with initial inspection to ensure conformity to regulations and animal well being, with inspections on a complaint basis, or biennially.
	Annual fee with regular inspection at time of renew plus impromptu inspections throughout the year plus on a complaint
	Annual registration fee with inspections at time of renewal PLUS on a complaint basis PLUS randomly throughout the year.

If backyard chickens were permitted, should there be regulations on how they are kept on a property (e.g. location and/or size of chicken coop, distance to property lines etc.)?	
Number of yes responses	46
If yes, please select any of the following that you feel should apply.	
<i>Choice</i>	<i>Number of yes responses</i>
Requirement to provide a chicken coop and outdoor enclosure area	32
Minimum distance to property lines or neighbouring residences from the chicken coop and outdoor enclosure area	28
Minimum and/or maximum sizes of the chicken coop and outdoor enclosure area	28
Manure storage and disposal regulations	30
Secure feed storage area	23
Other	4
If selected yes to applying a regulation for the minimum and/or maximum sizes of the chicken coop and outdoor enclosure area, what should the minimum/maximum height of the chicken coop and outdoor enclosure area be?	
<i>Choice</i>	<i>Number of yes responses</i>
0 to 2.0 metres (approximately 0 to 6.5 feet)	12
2.0 to 3.0 metres (approximately 6.5 to 10.0 feet)	9
same height as any other accessory structure	6
If selected yes to applying a regulation for the minimum and/or maximum sizes of the chicken coop and outdoor enclosure area, what should the minimum/maximum combined area of the chicken coop and outdoor enclosure area be?	
<i>Choice</i>	<i>Number of yes responses</i>
0 to 10 square metres (0 to 108 square feet)	0
10 to 20 square metres (108 square feet to 215 square feet)	0
same area as any accessory structure	0
If selected yes to applying a regulation for the minimum distance to property lines or neighbouring residences from the chicken coop and outdoor enclosure area, what should the minimum distance to property lines be for the chicken coop and outdoor enclosure area?	
<i>Choice</i>	<i>Number of yes responses</i>
0 to 1 metre (approximately 3 feet)	2
1 to 2 metres (approximately 3 feet to 6.5 feet)	8
2 to 3 metres (approximately 6.5 feet to 10 feet)	3
more than 3 metres	14
If selected yes to applying a regulation for the minimum distance to property lines or neighbouring residences from the chicken coop and outdoor enclosure area, what should the minimum setback be from the chicken coop and outdoor enclosure area to a neighbouring dwelling?	
<i>Choice</i>	<i>Number of yes responses</i>
0 to 1 metre (approximately 3 feet)	0
1 to 2 metres (approximately 3 feet to 6.5 feet)	0

2 to 3 metres (approximately 6.5 feet to 10 feet)	0
more than 3 metres	0
Do you have any concerns with the keeping of backyard chickens that you would like to identify?	
Number of yes responses	15
If yes, what are your main concerns with the keeping of backyard chickens? Select all that apply	
<i>Choice</i>	<i>Number of yes responses</i>
Property value	6
Noise	12
Odour	10
Health and safety risks	5
Mistreatment / abandonment of chickens	5
Other (please specify)	4
Do you have any other comments about backyard chickens?	
Number of responders	32
Detailed responses	<p>I am not a farmer so I would not know the minimum requirements for raising chickens but would hope staff would investigate and suggest at the very least best practices within the industry. Also curious to know what other municipalities have done and how does Wilmot Townships approach compares.</p> <p>No, its a great idea and great for kids!</p> <p>I have a 3 acres property with half of it outside town boundary. People can have many large dogs why can I not have a few chicken.</p> <p>What if every property wanted to have chickens and a coop? What a disaster that would be!</p> <p>We are now worried about the return of the coyotes. Imagine the numbers if you allowed chickens not to mention the foxes in the hen house.</p> <p>The smell and noise of chickens can be awful to your neighbours in close knit areas.</p> <p>backyard chickens should be permitted in the rural area not in urban and rural settlement areas.</p> <p>It is really only the roosters that make the noise. Laying hens would be great.</p> <p>Will there be regulations about butchering?</p> <p>I would love to have backyard chickens. The only requirement should be that they are fenced in and can't go on neighbouring property</p> <p>I think it is a great idea to allow backyard chickens</p> <p>Don't allow it. Chickens should be harboured in agricultural property only.</p> <p>If they don't keep the pens clean, the smell is terrible and they will attract rats, plus stimulate on how they kill them and where</p> <p>If not cleaned properly they will attract rats</p> <p>Allowing backyard chickens will provide opportunity for residents to provide a secure food source for their families and educate children about food production and animal care and welfare.</p>

	I left my answers fairly loose because I think someone with a town house and a few chickens should not be restricted. My neighbors dogs are much bigger and annoying than any hens I've met and it's not required to have a large lot for them. I would also say keep coops away from property lines, but only by a couple feet. I think hens would be a great way to be self sufficient, and have useful animals and teach families about food and the real world.
	Since Kitchener has approved the keeping of backyard chickens I think it's ridiculous that a small town in the country like Baden doesn't allow this. Our children were very involved in the 4H club. We have raised rabbits and quail and never had any complaints with our neighbours.
	Attracting of wild animals (racoons, foxes, etc.) which otherwise may not migrate into residential zones.
	I have neighbours(s) that currently have chickens. They are always noisy and their dog, as well as neighbour dog(s), are forever barking at the chickens. One of the families that own chickens are loud and noisy already. The chickens just add tot he noise. Our peaceful quiet neighborhood no longer exists and the property owners care not when confronted about the situation. We are unable to sit out and enjoy the evening or a talk with yelling children, barking dogs and chickens squawking. Life is noisy enough already and eggs are cheap to buy. Let quiet reign. As well no matter where chickens are located (residential or agricultural, if complaints about the chickens persist they should be removed.
	Requirements that would force people to take care and clean up after them ensuring their Odor is kept to a minimum. Biggest issue would be Odor.
	A residents right to peace and quiet must supersede a residents right to have chickens.
	I am completely against backyard chickens. Enough noise already in residential areas with barking dogs, loud music and backyard fire pits. Let's not add more noise!!!
	Chickens attract rodents and natural enemies in search of the chickens feed or to eat the chickens. Once a predator has found a food source, they become a problem. Complaints can become a costly burden on Municipal resources to enforce regulations and police. The majority of lots are too small to have a minimum distance separation from neighbours. Clucking hens can disturb night shift workers daytime sleep. The keeping of hens is farm related whether for the eggs or meat and should be restricted to agriculturally zoned land.
	We have 3 acres that are zoned residential. We could keep chickens on our property. I grew up on a farm and farmed for many years and in my current line of work (ag seed sales) am on farms 5 days per week.

	<p>1. Chickens should NEVER be allowed in residential areas.</p> <p>2. Backyard chickens will ALWAYS attract rodents such as skunks, weasel, rats and mice.</p> <p>3. Anyone who has lived around out door chickens will attest to this fact.</p> <p>4. If the by-law is changed to allow any number of chickens, it will pit neighbour against neighbour because by-law enforcement will happen on a complaint basis only -- this is not what Wilmot township living is about -- pitting neighbour against neighbour!</p> <p>5. When thinking through your thoughts on this issue -- I hope each of you council members think what it might be like to see rats, weasels, skunks and mice running through your back yard from your neighbours chicken coop. Would you each want this stink and hassle in your own backyard?</p> <p>6. Please use common sense and provide leadership that walks in the footsteps of those leaders who have made the residential areas of Wilmot awesome places to live.</p>
	<p>I currently live in Kitchener but work in Wilmot township. We are actively looking to move into the township but will not move if backyard chickens are prohibited. We currently have chickens as they are allowed in Kitchener which is an even more urban setting than Wilmot township. My children are learning about where their food comes from and how to care for animals. This is important to many families.</p>
	<p>We had backyard chickens (albeit illegally) for years until the bylaw officer saw them. The kids grew up with them, learning their care, and never one complaint from neighbours.</p>
	<p>As long as adjacent property owners are ok with the chickens, they should be allowed</p>
	<p>I work in Wilmot township but live in Kitchener. We are actively looking for a property in Wilmot. Presently we have chickens in Kitchener as it is allowed, even though it is a more urban location. If chickens are not permitted in Wilmot we would decide against moving there with our family of 4.</p>
	<p>We live in town but have 3 chickens out on our family farm just outside New Hamburg. They are wonderful birds but extremely noisy. I could not imagine having them in a coop in town. It would not be fair to my neighbours. They lay eggs once a day and get even louder while laying. The thought is great but it will truly make for problems between neighbours. We live on Milton Street and Heidi Wenger lives out at the end of Shade Street that turns into Perth St and we can hear her roosters crowing about 2 kilometers away. I cant imagine if they were next door. We are farmers at heart and love everything about agriculture but for those who are not I believe will not be a good end result.</p>
	<p>Backyard chickens should NOT be kept in residential areas. If a person wants farm animals they should live on a farm. In rural areas sound</p>

	<p>travels. We hear cows and other animals from miles away on a clear quiet weather day. We hear the activity at the ball diamonds even though they are blocks away. We do NOT want to hear or smell chickens as close as our neighbour's yard!. In addition, we already hear and see coyotes on a regular basis. We've had them on occasion at our back fence and in the winter when the snow is high in our backyard. Chickens in the city would just encourage them to come further into town and cause a safety issue for small dogs, pets and small children. Many people are not aware of the time and commitment required to keep chickens. They are not easy and they do not transfer or integrate well. Thus when people get tired of the work involved, or when the cute little chicks grow into loud and smelly chickens, these no-longer-wanted chickens will more than likely have to be put down.</p>
	<p>By having chickens in residential areas it encourages mice, rats and coyotes. Sound carries in the country and we don't want to hear or smell chickens and their feces. Chickens belong on a farm NOT in a residential neighbourhood.</p>
	<p>I think backyard chickens are wonderful. They are quiet, easy to take care of and keep clean. They provide great learning for kids about where food comes from and provide an inexpensive food source for families. Backyard chickens also make great pets- they are kind and gentle and so fun to care for and watch. Everyone should have the opportunity if they choose to have chickens to care for. The benefits of having backyard chickens are many.</p>
	<p>None. I would love to see the bylaw updated to allow this. Cities like Kitchener allow this, I believe Wilmot should as well.</p>
Section: What regulations should be applied to accessory buildings?	
Number of responders who selected this section: 47	
How should the maximum area of an accessory building (or combination of buildings) be measured in a residential zone?	
<i>Choice</i>	<i>Number of yes responses</i>
Fixed area regardless of the lot size or dwelling (status quo)	8
Percentage of lot area up to a maximum size	20
Percentage of lot area with no maximum size	16
If fixed area or percentage of lot coverage up to a maximum were selected, what should the maximum area be? Please select one or a combination of measurements?	
<i>Choice</i>	<i>Number of yes responses</i>
50 to 70 square metres (approximately 538 to 753 square feet)	5
70 to 80 square metres (approximately 753 to 861 square feet)	1
80 to 90 square metres (approximately 861 to 968 square feet)	3
greater than 90 square metres	0
Up to 25% of the ground floor area of the dwelling on the property	7
Up to 50% of the ground floor area of the dwelling on the property	3

Up to 75% of the ground floor area of the dwelling on the property	1
No larger than the dwelling on the property	4
Other	3
If percentage of lot area with no maximum was selected, what should the maximum percentage of lot coverage be?	
<i>Choice</i>	<i>Number of yes responses</i>
5%	1
10%	1
15%	0
20%	5
more than 20%	9
What should the maximum height of an accessory building be?	
<i>Choice</i>	<i>Number of yes responses</i>
Less than 4.5 metres	7
4.5 metres (14.8 feet)	8
5.0 metres (16.4 feet)	8
5.5 metres (18 feet)	6
6.0 metres (19.7 feet)	10
More than 6.0 metres	5
Should accessory structures be permitted to have more than one storey?	
<i>Choice</i>	<i>Number of yes responses</i>
Yes	15
No	16
Depends on the circumstance	13
If you selected "Depends on circumstance", please explain when an accessory structure should be permitted to have more than one storey.	Perhaps if approval from immediate neighbours were obtained.
	Storage above a detached garage, so no need for a storage shed.
	For loft storage
	My personal use case is a weaving studio/loft above a woodworking workshop. It's not a separate dwelling but a totally reasonable scenario, in my opinion
	If your property is rural or in one of the small residential areas.
	In-law apartment above garage
	If the lot is large and if it's built in an area that doesn't obstruct the neighbour's views
	When it affects the surrounding view from neighbors
	Garage with room above it.
	On lots where the property backs/sides onto woods, etc and not another house.
	Someone may want a studio/office space above the garage. This should be considered on a case by case basis.

	In the case of a detached garage you should be able to permit a second storey. Also if zoned residential/commercial/agriculture (ie mixed use)
What should the minimum side and rear yard setback be for an accessory building?	
<i>Choice</i>	<i>Number of yes responses</i>
There should be no setbacks	6
0.3 metres (approximately 1 foot)	4
0.6 metres (approximately 2 feet)	4
1.0 metre (approximately 3 feet)	16
1.2 metres (approximately 4 feet)	6
more than 1.2 metres	7
Other	0
Should accessory buildings be permitted within a flankage yard that abuts a front yard on a neighbouring property?	
<i>Choice</i>	<i>Number of yes responses</i>
Yes, regulations should be the same as any other residential property	19
Yes, but only small garden sheds (100 square feet or less)	15
No, there should be no accessory buildings in a flankage yard	9
Should accessory buildings be permitted within a flankage yard that abuts a flankage yard on a neighbouring property?	
<i>Choice</i>	<i>Number of yes responses</i>
Yes, regulations should be the same as any other residential property	24
Yes, but only small garden sheds (100 square feet or less)	14
No, there should be no accessory buildings in a flankage yard	5
Should regulations for accessory buildings within residential zones also apply to small agriculturally zoned properties (rural residential lots)?	
<i>Choice</i>	<i>Number of yes responses</i>
Yes, if an agricultural zoned property is a comparable size to a residential zoned property, the same rules should apply	12
No, there should be different regulations for rural residential lots	32
Do you have any other comments on regulations for accessory buildings?	
Number of yes responses	5
Detailed responses	I have noticed an increase in the number of the canvas car port structure popping up in drive ways for the parking or storing of cars. Are these considered accessory buildings? Has a permit been approved? Has an inspection been done?

	Re lot coverage, there should be a coverage limit for all buildings combined rather than a separate one for accessory buildings. When open space is concerned, the classification of the building seems to me to be irrelevant.
	Re setbacks, don't fire safety considerations also affect setbacks?
	accessory structure provisions should be large enough without exceeding lot coverage to permit a two car garage. this allow individuals who have a bit of larger property to store their recreational vehicles, and personal equipment indoors. Typically, those looking to construct a larger building are looking to store their 'toys' indoors. However, I'd be curious to know what the home based business by-laws are since it is also often seen that larger accessory buildings result in illegal commercial uses on properties. Rural areas should be supportive of home based businesses/industries.
	If you have the property to put up a large out building on a rural residential lot and still have over half the lot left, then you should be able to put up a building. The township gets the increased property tax and the homeowner is happy. Win ,win.
	I have no opinion on this area.
Section: Regulations for secondary units (secondary suites / accessory apartments)?	
Number of responders who selected this section: 50	
Do you have concerns with the creation of secondary units?	
Number of yes responses	21
If you have concerns, are you concerned with what neighbourhoods secondary units will be permitted in?	
<i>Choice</i>	<i>Number of yes responses</i>
Yes, I'm concerned with secondary units being created in existing neighbourhoods	2
Yes, I'm concerned with secondary units being created in new neighbourhoods	2
Yes, I'm concerned with secondary units being created in existing and new neighbourhoods	14
No, I'm not concerned with the neighbourhood in which secondary units are created	4
If you have concerns, what type of secondary unit do you have concerns with? Select all that apply.	
<i>Choice</i>	<i>Number of yes responses</i>
Second units within single detached dwellings	16
Second units within semi-detached dwellings	14
Second units within townhomes	12
Second units within accessory buildings	11
If you have concerns, what are your primary concerns? Select all that apply.	
<i>Choice</i>	<i>Number of yes responses</i>
Need for adequate parking	16

Increased density in existing neighbourhoods		16
Impact on property values		14
Other		3
"Other" responses	Noise from units in accessory buildings close to property lines.	
	impact on drainage when these second units are built. Sheds are built by homeowners and placed to close to fence lines, drainage can become a problem when they change the level of the land.	
	Many homeowners, motivated by the prospect of additional income, create secondary residential units in their home without an awareness of Ontario Building Codes, Fire Codes, and the necessity of completing a Development Application with the Township, including applicable building permits and inspections. While infilling is great for Township, homeowners, and prospective tenants, it's important that the public be aware of what's necessary to create residential spaces in their existing homes. Perhaps easy-to-see information on the website? Even just a "so you want to make a basement apartment" line, with an invitation to visit Planning and Development to learn what's needed, would be great.	
Should a secondary unit within an accessory building be permitted to be located within a second storey?		
Choice		Number of yes responses
Yes, if necessary the maximum height of an accessory building should be increased to permit a secondary unit within a second storey.		32
No, secondary units should only be permitted on the ground floor level of an accessory building.		15
Do you have any other comments relating to secondary units?		
Number of yes responses		10
Detailed responses	I just dont want to see 12 people in one house and cars every where	
	Increasing density is important to keep housing affordable, as well as for building a community and attracting younger people to Wilmot.	
	zone provisions should also address servicing, especially on private services. How is the water metered in on municipal services? One parking space per dwelling unit.	
	I think secondary units are becoming a necessity in order to provide/establish affordable housing for all residents. Also, this will help with facilitating more dense housing.	
	Good for intensification of land use and the lack in rental units outside the cities. Seniors would potentially benefit too.	
	Secondary units if allowed should be required to provide a buffer between neighbours i.e privacy fencing.	
	Secondary units above garages or accesory buildinds should only be allowed for	
A: max height should only be enough to allow area to meet applicable building codes i.e. max 7' interior ceiling height		

	B: a direct relative of the property owner or current tenant of primary building (up to 1st cousin, nephew, neice etc)
	No other opinions at this time.
	There should be minimum requirements for parking available if a secondary unit is allowed.
	I am concerned with the zone change application in the capital homes development (application 08/19).
	<p>I recently purchased a house in this neighbourhood with the expectations that single detached homes only (without a secondary suite) would be built around me, creating a nice, calm family neighbourhood.</p> <p>This re-zoning would likely change the expected dynamic of the neighbourhood (especially if duplexes were permitted), it would increase traffic on the street and crowd roads with parked vehicles. It would also diminish the value of our home significantly, and impact the key reasons why I chose to purchase in this neighbourhood in the first place.</p> <p>The New Hamburg Heights neighbourhood is all single detached houses and has really become a beautiful community of proud home owners and young families. The addition of secondary dwellings would bring in an entirely different type of community feel. There would be too much traffic in the area, which is increasingly dangerous for all of the kids playing in the area, as well as a completely different demographic in the feel of the community. Turning home owners into renters typically leads to properties being less cared for. The last phases should be kept just as the entire neighbourhood has been constructed so the feel of a small family community is upheld for the years to come.</p>



REPORT NO: DS 2020-016

TO: COUNCIL

SUBMITTED BY: Harold O’Krafka, MCIP RPP
Director of Development Services

PREPARED BY: Andrew Martin, MCIP RPP
Manager of Planning/EDO

REVIEWED BY: Grant Whittington, CAO

DATE: July 27, 2020

SUBJECT: Zone Change Application 03/20
Tri-County Mennonite Homes
Neville Street, New Hamburg

RECOMMENDATION:

THAT Report DS 2020-016 be received for information.

SUMMARY:

Tri-County Mennonite Homes, with the assistance of Brian L. Shantz Ltd. and Dryden, Smith and Head Planning Consultants, has filed an application that proposes to change the zoning of the subject property to Zone 4 (Residential) to permit a senior's apartment building with up to 97 units. This report summarizes the request made and the public process up to the holding of a Public Meeting.

BACKGROUND:

This application was filed in April 2020 when public meetings could not yet be scheduled. A notice was sent on April 29, 2020, to agencies and property owners within 120 metres of the subject lands, that the application had been filed and that a public meeting would be scheduled at a later date.

Subsequently, notice of a Public Meeting was given on July 3, 2020. The following is a summary of comments received prior to the Public Meeting.

Public (complete comments included in Attachment B:

Richard Hesch, New Hamburg – concerned with the lack of parkland in the area, the loss of the toboggan hill, and the lack of options where kids can toboggan

Greg Heipel, Baden – concerned with the lack of parkland in the area, the loss of the toboggan hill, and the lack of options where kids can toboggan

Bonnie Williams, New Hamburg – concerned with the loss of open space enjoyed by the community

Justin Sullivan, New Hamburg – concerned with removal of greenspace, impact on enjoyment of his property, proximity of parking lot, noise, drainage, and safety concerns with additional vehicle access to Neville Street

Agencies: GRCA – no objections to zone change

Region of Waterloo – no objections subject to a holding provision being placed on the property until a record of site condition and clarification on technical items required within the noise feasibility study are complete

WRDSB – no comments or concerns

REPORT:

The subject lands are designated Urban Residential and Open Space in the Township Official Plan, and are presently zoned Zone 11 (Open Space) within the Township Zoning By-law 83-38, as amended.

This application proposes to change the zoning of a portion of the property to Zone 4 (Residential) to permit the development of a senior's apartment building with up to 97 units. The conceptual site plan is included as Attachment A.

To implement this development, site specific modifications to Zone 4 are proposed as follows:

1. to reduce the required setback of parking from the front property line from 7.6m to approximately 2.9m; and
2. to increase the maximum building height from 10.5m, or 3 storeys (whichever is greater) to a height ranging from 4 storeys (approximately 13m) at the front of the building to 5 storeys (approximately 19m) at the rear of the building.

In support of the application, a planning justification report, detailed site plan, functional servicing report, geotechnical investigation, noise feasibility study, and traffic impact study were prepared. This information has been available for review on the Township's website since April 29, 2020.

After receiving any additional comments through the Public Meeting, staff return to Council with a detailed report and recommendation on the application that will include further discussion and responses to any concerns or comments received.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Holding public meetings to gain input on planning matters promotes an engaged community.

FINANCIAL CONSIDERATIONS:

The application fees, established by the Township of Wilmot Fees and Charges By-law, were collected at the time of application.

ATTACHMENTS:

Attachment A	Site Plan
Attachment B	Public comments

ATTACHMENT A: Site Plan

ATTACHMENT B: Public comments

Andrew Martin

From: Greg Heipel
Sent: Sunday, May 17, 2020 2:03 PM
To: Andrew Martin
Subject: Nithview Development

Dear Andrew,

In the development of the Nithview property, I would like you to consider preserving a portion of this land as green/park space.

For decades this land has been used informally as a toboggan hill by children in this neighbourhood and the surrounding communities. Further noting, that there is a lack of suitable places where kids can toboggan in this community, due to the topography of the land in local parks and other designated green spaces. In addition, Township-developed green space and playgrounds in the surrounding neighbourhoods seem to be notably absent (or at a bare minimum at best) in more recent housing developments. Access to suitable public parks and green space for children in this community usually requires a car ride or crossing of railway lines to access. I would like to recommend that a portion of this land, including the one that is currently being used as a toboggan hill, be saved for that purpose and considerations be made for preserving this green space in the plans of this project's development.

This spot is a unique treasure for all Wilmot residents. Once developed and made fully residential it can never be restored. It is a place where memories are made for children and their parents, and it cannot be replicated elsewhere. My home in Baden has a view of Baden Hill. I wonder what a great public space and local attraction that could have been if it wasn't sold to private interests decades ago to put up a TV tower. Since then the only way to take in the amazing view from one of the highest glacier made Kames in North America is to trespass. Please don't make the same mistake with this beautiful toboggan run in New Hamburg.

Be Well and Stay Safe,
Greg Heipel
Baden

Andrew Martin

From: Richard Hesch
Sent: Saturday, May 9, 2020 7:54 AM
To: Andrew Martin
Subject: Zone Change Application 03/20 Tri-County Mennonite Homes Neville Street New Hamburg

Andrew Martin
Manager of Planning
Development Services Department
Township of Wilmot

Dear Andrew,

I would like to voice my concern regarding the proposed development of the land along Neville Street in New Hamburg. For decades this land has been used informally as a toboggan hill by children in this and surrounding communities. Further noting, that there is a lack of suitable places where kids can toboggan in this community, due to the topography of the land in local parks and other designated green spaces. In addition, Township-developed green space and playgrounds in the surrounding neighbourhoods seem to be notably absent (or at a bare minimum at best) in more recent housing development. Access to suitable public parks and green space for children in this community usually require a car ride or crossing of railway lines to access. I would like to recommend that a portion of this land, including the one that is currently being used as a toboggan hill, be saved for that purpose and considerations be made for preserving this green space in the plans of this project's development.

Looking forward to your response.

Thanks,

Richard Hesch
New Hamburg

Andrew Martin

From: Bonnie Williams
Sent: Tuesday, May 26, 2020 2:43 PM
To: Andrew Martin
Subject: Zone change

Hello Andrew,

I have received a letter regarding the zone change for tri-county Mennonite homes Neville st new Hamburg

I am quite upset about the proposed zone change as it will impact so many of my neighbours, myself and the Town people who have been enjoying the open space for so many years whether it has been sledding, walking the trail, or just getting out into nature.

As more and more people are trying to find ways to safely isolate while still getting out into nature it would be a huge shame to take away one of the places that people can enjoy and still be safe.

I understand that retirement communities are very high on political minds at the moment but I don't think that this proposed plan should be allowed to move forward. As far as I know the GRCA criteria hasn't changed since the last time that they received a proposal to build on this site and it was categorically turned down.

I hope that you will take my and my neighbour's concerns seriously and give this a hard no.

Thank you,

Bonnie Williams

Sent from my iPhone

Andrew Martin

From: Justin Sullivan
Sent: Friday, June 5, 2020 5:57 PM
To: Andrew Martin
Subject: Zone Change Tri-County Mennonite Homes

Good Afternoon Andrew,

Unfortunately I just received the copy of the letter sent out as a neighbor let me know she got a copy of this so apologize that I am late with my response.

My property is [-----] which I imagine would be mostly impacted by this zoning change and development. I will be honest and up front this proposal is not one that I am enthusiastic about quite the opposite. I do have several questions concerns and I will also begin that when my wife and I purchased this property almost a decade ago we were assured that the property in question could only be developed into a few single homes or a small cluster of townhomes. This is definitely not what we were assured of and as much I know things change I am extremely distraught that this development is going to takeaway yet another greenspace in a small town that seems to have difficulty trying to find a place for a dog park. This development would turn a beautiful parcel of land into one of the largest buildings in Wilmot with a massive parking lot to go with it. Instead of seeing the sun set I will be looking into the side of a large structure. So in short to lay the cards on the table I am not in favour of this application. But I will also offer that what I feel will matter very little so instead I am hoping to get some information.

- 1) Will there be some greenspace between my property and the proposed parking lot? I was also informed when I moved in that there was a 20' easement between any of the Nithview Court and Nithview Drive properties and any proposed development. Is that still the case ? If not can that be looked into ?
- 2) HVAC Placement does the current plans note if the industrial hvac systems are closer to the Nithview ct, side or on the other ? Should I prepare myself to swap out the sounds of frogs, crickets and birds for a relentless drone of an industrial hvac unit ?
- 3) Flood Plain : I am aware that they are currently studying the ground viability as we know the amount of flooding that has happened to down town New Hamburg has increased in their occurrences. I have seen the water come up several feet on the hill that the building is proposed to be built on. I am personally amazed that the location would actually bear the size of the proposed structure.
- 4) Drainage : My property seems to have a lot of water pass through it from both sides. I am afraid that after it is developed the building will impede a lot of the natural absorption that greenspace provides and I am extremely worried that even more water will be forced through my property making most of my back yard unusable for most of the spring into early summer. How do I advocate for this ?
- 5) Proposal to move closer to Neville road. All I ask is that you please look into this very carefully. Cars take that corner rather quickly and it is extremely dangerous in the winter time. I have seen many cars go off the road well past the side walk where the new plan is proposed. The addition of more cars coming in and out even more precarious.

Well. I will leave it at that for now. I apologize of the terseness of this letter. This proposal is a nightmare for my family. We actually moved to New Hamburg to avoid this. If there is any way to keep me in the loop it will be much appreciated.

Best Regards,

Justin



REPORT NO: DS 2020-017

TO: COUNCIL

SUBMITTED BY: Harold O’Krafka, MCIP RPP
Director of Development Services

PREPARED BY: Andrew Martin, MCIP RPP
Manager of Planning/EDO

REVIEWED BY: Grant Whittington, CAO

DATE: July 27, 2020

SUBJECT: Zone Change Application 05/20
Miller and Miller Auctions Ltd. / Dryden, Smith & Head
Planning Consultants Ltd.
59 Webster Street, New Hamburg

RECOMMENDATION:

THAT Council approve Zone Change Application 05/20 by Miller and Miller Auctions Ltd. / Dryden, Smith & Head Planning Consultants Ltd. to permit, as a temporary use, live auctions to occur on the property, subject to the following:

1. That the temporary use by-law be limited to a period of 3 years
2. That all aspects of the auction (attendees and items to be auctioned) be located inside the existing building on the property
3. That auctions be limited to 8 occurrences per year, not exceeding one per month with a single auction occurring over a maximum of 2 consecutive days.
4. That attendee parking for auctions shall occur on private property with authorization from the private property owner and as approved by the Township of Wilmot

SUMMARY:

This application proposes to allow live auctions to occur at the subject property on a temporary basis for up to three years. The report outlines concerns raised in the past and how provisions of the by-law are aimed at ensuring compatibility of the use with surrounding properties.

BACKGROUND:

Notice of a Public Meeting was given to property owners within 120 metres of the subject lands on June 12, 2020 and a Public Meeting was held on July 13, 2020. The following is a summary of comments received prior to and at the Public Meeting.

Public: Ken and Barb Snider, New Hamburg – concerned with parking issues (full comments included as Attachment B)

Agencies: GRCA – no comments
Region of Waterloo – no objections
WCDSB – no comments

REPORT:

Use of 59 Webster Street for auctions has been occurring over the last several years. Township staff were aware that items were being stored in the building and auctions were occurring primarily online with the occasional small scale in person sale. Within the last year, the Township has received concerns about the number of vehicles parked on the street and upon further investigation determined that more frequent live auctions were occurring at the property and at a larger scale than in the past.

The current application has been filed to address zoning compatibility issues and is proposed as a temporary use by-law to allow the use on a trial basis. To address parking concerns, the applicant has secured an agreement with a land owner of vacant lands east of 87 Webster Street to provide an additional 40 parking spaces. As the auctions are to occur within the building, a change of use permit is required to ensure that the building meets Building Code requirements for assembly occupancy including, but not limited to, washroom facilities, proper exiting and the posting of a maximum occupancy for the building. The applicant is presently working towards these requirements which would need to be in place prior to any live auctions occurring on the property again.

The applicant has indicated that the maximum number of people in the building would be 200. The provision of at least four parking spaces on the property in addition to the 40 additional spaces secured on the nearby property, exceeds the minimum parking spaces required for the use.

To significantly increase the potential for this use to be compatible on Webster Street, the proposed by-law includes provisions to require all required parking to be provided on private property in a location approved by the Township and limits the frequency of the auctions. As

well, the by-law requires that auctions occur entirely indoors to ensure that the number of attendees, and in turn associated parking, does not exceed the ability for designated parking areas to accommodate the use.

The temporary nature of the recommended approval also provides the opportunity to ensure the use stops when the by-law expires should the measures in place within the by-law prove not to be effective.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Addressing community concerns while assisting with continued compatible business activities ensures we are an engaged community with a prosperous economy.

FINANCIAL CONSIDERATIONS:

The application fees, established by the Township of Wilmot Fees and Charges By-law, were collected at the time of application.

ATTACHMENTS:

Attachment A	Property location sketch
Attachment B	Public comments

ATTACHMENT A: Property location sketch

ZCA-05/2020
59 Webster Street, New Hamburg

King St

Webster St

Vacant lands
for temporary parking

Subject Property
59 Webster Street

CN Railway

Arnold St



ATTACHMENT B: Public comments

For Your Information
whom ever this may concern
I was hoping to voice my opinion
in regard to Zone Change Applications

Miller & Miller Auctions Ltd
59 Webster St. New Hamburg

I am unable to make the meeting
on July 13./20.

We have lived in New Hamburg
44 yrs.

3 yrs ago. the tow had our
car towed away from the grass
on our front lawn. We were away
up North at my sisters.

We had to pay \$618.00 to get
our vehicle back after calling
the police to see what happened.

Please, write soon...

NORTH.

Now after the trip has allowed
a triplex to be built beside our
125 yr old home. Now we have water
in our basement. We tried to fight that
they check the tiles before building. . . .

Also the one apartment in triplex
owns up to 4 Vehicles &
Sometimes a boat. They park at
the front of our home & at the
side & over the sidewalk.
I took pictures. They never
get a ticket. The same with
Millers, vehicles all over. We
were never given the \$600.
back, never an explanation.
Have all the parking rules
changed??

Thanking you for your
assistance in this matter

Kenn Barb Snider

519-662-3131

Please, write soon...



TOWNSHIP OF WILMOT

CASTLE KILBRIDE *Staff Report*

REPORT NO: CK 2020-003

TO: COUNCIL

SUBMITTED BY: Tracy Loch, Curator/Director

PREPARED BY: Tracy Loch, Curator/Director

REVIEWED BY: Grant Whittington, CAO

DATE: July 27, 2020

SUBJECT: Quarterly Activity Report – April, May & June 2020

RECOMMENDATION:

That the Castle Kilbride Activity Report for the months of April, May and June 2020 be received for information purposes.

BACKGROUND:

Providing quarterly reports for informational insight and knowledge into the operations of the Castle Kilbride department.

REPORT:

Curator/Director's Summary:

- Created a temporary 'work from home program' with Assistant Curator that began March 23 to ensure key initiatives and ongoing projects continued during office closure.
- Shifted several projects to ensure new priorities during COVID-19 could be met to assist different departments within the township.
- Created a specific social media plan with Assistant Curator that included daily and weekly themed posts promoting Castle Kilbride, Heritage Wilmot as well as general history of Wilmot Township during closure. Many positive responses were shared and during a time of isolation this initiative truly connected people. Interesting to note, the most popular post was about flax and reached 3,201 people. Other popular topics included an original Livingston recipe (reaching 2382 people), Victoria Day history (2730 people) and "Guess the building in Wilmot" (reaching 2501 people).
- Museum staff have been using the hashtag #MuseumFromHome with tweets since March, and this cultural trend has been used by museums internationally to raise awareness to culture. #RecFromHome followed suit and the Assistant Curator partnered with Township Facilities & Recreation staff to include a weekly cultural feature in their recreation campaign.

This information is available in accessible formats upon request

- Reviewed and selected potential candidates to be invited for an interview for the Museum Assistant position. (Note: the hiring of the Museum Assistant has been suspended until further notice).
 - Despite that museums were closed across Ontario, Castle staff still promoted and celebrated “May is Museum Month” with fellow museums throughout Ontario. Daily and weekly highlights were included about Castle Kilbride via social media for the entire month of May.
 - Continued efforts on articles included in the Baden Outlook and New Hamburg Independent written by Castle Curator, Assistant Curator and various committee members and volunteers.
 - Met with a contractor for a thorough building assessment (project led by Corporate Services) which included Castle Kilbride and other heritage properties owned by the Township of Wilmot. Provided answers to questions they had before and after their assessment.
 - Attended many Canadian and American webinars and zoom meetings specific to museum re-opening. Included discussions about challenges as well as possible solutions.
 - Created a working group for historic house museums as to protocol and information sharing for re-opening. Many historic houses face more obstacles for disinfection and traffic flow compared to an open gallery-style museum.
 - Continued coordination of an interior flooring project inside Castle Kilbride that will be completed for September.
 - Wrote and submitted a grant application for the Community Museum Operating Grant (CMOG) to Ministry of Culture for consideration.
 - Responded to various owners of heritage properties to review current designation and proposed renovations.
 - Was contacted by a donor to visit a Wilmot property that housed over 140 years of history. The Assistant Curator and I visited and selected artifacts and archival material that will enhance Wilmot’s history as well as the Archives. Once catalogued, staff plan to share further information.
 - Continue to conduct interior and exterior inspections of the museum during closure.
 - Responded to federal and provincial agencies for student employment grants that were originally submitted in January from Castle Kilbride. Guidelines have now been revised to allow PT and FT student work until the end of December 2020. This change was made to allow for adjustments for re-opening museums and revision of student projects; consideration for students working on site and remotely; as well as for acknowledging online school for students in September and allowing for meaningful employment opportunities in the cultural field.
 - Responded to various genealogical requests and provided support to researchers based on the digital information or computer records that were available during closure.
 - Cancelled remaining events that were planned at Castle Kilbride for July and August. They included: Summer Concert Series, Tea & Tour, Summer Camp and Ghost Walks.
- *For further details, please see the attached report for the Assistant Curator’s summary

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

The report implements the following goals from the Strategic Plan:

We are an engaged community through strengthening communicating municipal matters.

FINANCIAL CONSIDERATIONS:

n/a

ATTACHMENTS:

1. Castle Kilbride Assistant Curator’s Report – April, May and June 2020

Castle Kilbride Assistant Curator's Report

SUBJECT: Quarterly Report for April, May, June 2020

SUBMITTED TO: Tracy Loch, Curator/Director

SUBMITTED BY: Sherri Gropp, Assistant Curator

DATE: July 13, 2020

Education:

- All educational programming was cancelled due to COVID-19.
- As an alternative, staff offered educational and outreach activities through social media.
- Partnered with the Recreations and Facilities Department to include a component from the museum on the #RecFromHome webpage. Each week has a different historical theme that includes an activity. It began on May 4th and we will continue to post weekly until August 31st.

Events:

- All events and specialty programming was cancelled from March 17 – June 30th. This included our popular events such as Tea & Tour, the Castle Concert Series and Ghost Walks.
- As an alternative, we increased our on-line social media presence. We posted 4 to 5 articles per week, up from one a week prior to COVID-19. Each one is historically themed. They are researched and have sourced photographs to accompany. This has been very successful and has engaged both our existing audience and has encouraged new participation. The posts began in March and will continue to at least the end of August.
- Prepared historically themed tweets in advance and submitted to be posted on the Township's twitter account on behalf of Castle Kilbride.
- Planned potential events and exhibits from 2021-2025.

Collection:

- Updated Castle Kilbride's Collections Policy as part of a larger project for future discussion with the Curator. Also created a draft Deaccession Policy and a new Deaccession Evaluation Form for consideration (Note: deaccessioning is the process of removing a catalogued artifact from the permanent collection which in Castle Kilbride's case is usually due to the condition of the object or it is a duplicate). These draft policies support current collection management projects for the department that is currently being reviewed this year.
- Created a new Donor Questionnaire for staff to use when contacted by a potential donor. This form will be easy to fill out and will contain the prudent information that staff requires to evaluate the donation.
- Evaluated current catalogue sheets on the museum's PastPerfect database. Work had been previously entered systematically and needed to be reviewed for errors and omissions. Currently, there are over 5000 objects entered into the database and each page requires ten minutes to review. This project will on ongoing, but incredibly useful when completed.
- Evaluated and renamed hundreds of photographs in the digital collection. They are now organized into categories by town and theme. Themes that were organized include businesses, people and schools of Wilmot. They are a wonderful resource for staff to access easily for exhibits, articles and for researchers.
- Connected with fellow Collections Managers via webinars/telephone to discuss relevant issues facing museum collections during closure. Collaborated possible solutions to assist then the museum reopens.



- Was invited to a century farm with the Curator to assess artifacts and archival material for museum's collection. Selected key pieces and began accessioning them into the permanent collection.
- Returned to the museum for the first time on June 11 to physically clean all levels of the museum and to check the condition of artifacts.
- Joined weekly webinars offered by the Cuseum, National Trust for Canada and the OMA.

Students:

- The hiring of summer staff was put on hold. Extensions have recently been offered and staff are currently creating a potential plan for August/September.
- Created a work plan for the students should hiring proceed. The plan will focus on artifact and archival collection work, as well as some new outreach initiatives.

Administration:

- Cancelled or rescheduled all group tour bookings from March–August 31st.
- Handled inquiries for archival material, artifacts in the collection, weddings etc.
- Designed an advertisement for Our Heritage Our Home.
- Assisted the Health & Safety Task Force to produce and mount safety signage at the Township Admin Complex to allow the building to safely re-open to the public.
- Cleaned out our admissions desk, display case and gift shop room to provide a clean workspace for frontline staff.
- Wrote an article for the Baden Outlook about life in Wilmot in the 1920s.
- Provided information and photos to guest writers for our New Hamburg Independent articles.
- Monitored temperature and humidity readings while at the museum.
- Began a Room by Room re-opening plan for the museum.

Month	School	Bus	Regular	Event	Total
April	0	0	0	0	0
May	0	0	0	0	0
June	0	0	0	0	0
Total					0
2019	178	238	448	875	1739
2018	171	78	569	1223	2041
2017	142	258	557	819	1776
2016	159	175	508	730	1572
2015	52	161	568	420	1201
2014	152	124	447	449	1172
2013	59	139	482	160	840

*Castle Kilbride closed to the public on March 17, 2020 until further notice.



TOWNSHIP OF WILMOT

FACILITIES & RECREATION SERVICES *Staff Report*

REPORT NO: FRS 2020-008

TO: COUNCIL

SUBMITTED BY: Sandy Jackson, Director of Parks, Facilities & Recreation Services

PREPARED BY: Sandy Jackson, Director of Parks, Facilities & Recreation Services

REVIEWED BY: Grant Whittington, CAO

DATE: July 27, 2020

SUBJECT: Parks, Facilities & Recreation Services Second Quarter Activity Reports

RECOMMENDATION:

That the Parks, Facilities & Recreation Services Activity Reports for the second quarter of 2020 be received for information.

SUMMARY:

Parks, Facilities and Recreation Division Manager Reports for the second quarter of 2020 are attached for information.

BACKGROUND:

N/A

REPORT:

The Parks, Facilities and Recreation Department was significantly impacted by the COVID-19 pandemic during the second quarter of 2020. In mid-March after a brief warning period, all recreation facilities including community centres were closed due to COVID-19. Parks amenities

This information is available in accessible formats upon request

including playgrounds were also closed however, trail systems and parks themselves remained open, providing people used physical distancing to prevent spread of the COVID-19 virus. In May, some amenities in outdoor parks were reopened excluding playgrounds. Stage 2 of the reopening allowed indoor pools and splash pads to open with limitations including restrictions for physical distancing. On June 17, 2020, the Township reopened the splash pad at the Wilmot Recreation Complex (WRC) with perimeter fencing in place and staff to control numbers of participants and assist parents with physical distancing requirements.

Significant effort during the closure of facilities has been made to update operating procedures and create COVID-19 protocols, complete projects originally scheduled for later in the year, and take advantage of the empty buildings to do deep cleaning prior to reopening. All part time staff were moved to Designated Emergency Leave in mid-March for an indeterminate period of time. Since then a small number of parks staff, aquatics staff and custodians have been rehired to assist with park maintenance, operation of the splash pad and deep cleaning of facilities prior to reopening.

The Managers from the three activity areas within the department (Aquatics, Parks/Facilities, Customer Service & Community Development), have prepared activity reports for the second quarter of 2020. The attached summaries highlight the more notable undertakings by the Managers and their staff, and do not include all day-to-day operational or administrative activities.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Communicating municipal matters.

FINANCIAL CONSIDERATIONS:

A number of refunds were required when the WRC and Community Centres were closed due to COVID-19. Some patrons chose to leave their funds 'on account' in the Active Net software system and plan to use their balance on account when the facility reopens. To date, program refunds due to COVID-19 for recreation services and rentals is approximately \$57,000. Additional financial impacts will be determined in Q-3 as programs and services begin to restart.

ATTACHMENTS:

Customer Service & Community Development Quarterly Report (January – March 2020)

Aquatics Quarterly Report (January – March 2020)

Parks & Facilities Quarterly Report (January – March 2020)

Customer and Community Services Division

Quarterly Activity Report (April - June 2020)

- Participated in the Region's Volunteer Management Working group formed to provide volunteer services within the Region in response to the Covid-19 pandemic. Was trained on and utilized the City of Kitchener's Better Impact volunteer software to perform interviews, reference checks/initial intake of volunteer applicants.
- Worked with Facility schedulers to extend facility closures to June 30th and beyond. Contacted all special event organizers and minor sporting groups by phone to have a discussion in advance.
- Contacted Canada Post on behalf of the minor sporting groups to find out where the mail that is normally delivered to WRC should be redirected.
- Submitted facility rental revenue loss calculations for Q1 and Q2 to Finance.
- Research for the Municipal Alcohol Policy regarding what policies and procedures other municipalities who have performance theatres enforce with respect to alcohol service.
- Prepare information in support of Waterloo Region's Municipal Alcohol Policy to take back to Council.
- Worked with residents of Foxboro who had a group of sewing ladies making nonmedical masks. They donated 50 masks to Township staff, 100 masks to Community Care Concepts and after being referred to the Volunteer Action Centre as a part of the volunteer control working groups, they also began sewing gowns for the staff at local nursing homes.
- Coordinated access for Haysville preschool to enter the facility to close the preschool for the year and return belongings to families of the students.
- Continued to work with the Wilmot Horticultural Society. Updated formal agreement and made Covid-19 adjusted plans and protocols for the 2020 season.
- Liaison between Region/Public Health and Wilmot's Community Gardens with respect to Covid-19 Safety measures. Picked up appropriate signage and documentation from the Region and delivered to Morningside, Fellowship Church, Wilmot Family Resource Centre and Vibrant Farms.
- The third and final volunteer workshop was planned for April 21st and with a focus on Rewards as well as a wrap up of all three sessions. Due to the Covid-19 pandemic, we were unable to host an in-person meeting, as an alternative an information package was emailed to all community groups, service clubs and minor sporting organizations containing the information that was going to be presented. This was well received, and staff received many thanks for communicating with the groups and sharing the information despite the current circumstances.
- Worked with Community Groups (Wilmot Family Resource Centre, New Hamburg Concert Band and Wilmot Girls Hockey) to accommodate The Community Players (TCP) moving of their Spring production of Beauty and the Beast to the fall. The fall show was also subsequently cancelled.
- Researched return to play protocols for user groups such as karate, softball, figure skating and hockey as the groups and staff prepare for a gradual re-opening of facilities.
- Together with the Director Parks, Facilities and Recreation Services initiated the ice needs study. Researched and provided background information to the consultant and input the user group survey into form builder for user groups to complete.



- Created work from home workplans for myself as well as two facility schedulers and full time Customer Service Representative - Delegated the following duties to staff as part of Meaningful work:

Jen Butcher:

Facility Rental Handbook

Revise and update CSR Manual

Merge duplicate accounts in ActiveNet

Concession booth and vending machine inventory

Deployed to WRC in April to support deep cleaning, later deployed to support grass cutting at cemeteries

Ashley Brooks:

Facility Rental Handbook

Update information in Activenet

Community Centre and Meeting Rooms Terms and Conditions

Facility Rental Cancellations and revenue loss calculations

Daily emails

On leave effective May 1

Christi Lichti:

Ice User Groups meeting (compiling information virtually in order to prepare)

Ball user groups meeting (prepare and distribute minutes)

Ice and Sports field rental terms and conditions

Ice Allocation Policy – research information

Facility Rental Cancellations and revenue loss calculations

2020/2021 Ice Season Contracts

Sports field User Groups – Facility Rental cancellations

Special Events – Facility Rental cancellations

Cemetery Back up

Daily emails

Sports field Allocation Policy – research information

Prepared by Manuela Jones, Manager of Customer Service and Community Development

Recreation Programming:

Programs

- Cancelled Spring Session on April 3, 2020
- Summer Camps cancelled on June 9, 2020
- Supporting the Wilmot Family Resource Centre for their summer camp through online promotion and exclusive use of the New Hamburg Community Centre building at 251 Jacob Street, New Hamburg
- #RecFromHome was launched on April 29, 2020 this initiative will continue over the summer
- Continued exploration of Children, Youth & Seniors Programming for program expansion
- Competition of the Municipal Administration Course Unit 2 on May 9, 2020

- Launch of Recreation & Parks Month on website
- Waterloo Region Pandemic Response launched their volunteering screening and intake processes; Wilmot has successfully screened 5 candidates of the total 81 that has applied (both many and me for the total of 5)
- Tennis Court Signage is being updated for the three court locations in the township to include “no paid lessons are to take place”
- All FRS webpages have been updated with COVID-19 statements and are being reviewed weekly

YAC

- YAC Kahoot event on May 25, 2020 saw 7 youth participants with YAC Swag given as Prizes
- Both Jr. YAC & YAC concluded on Monday June 8, 2020 with a snack potluck where a goodie bag was delivered to each member’s home with treats and YAC Swag to help celebrate a great year and thank our youth for being so resilient!
- Hopeful to have two video meetings over the summer month.

Prepared by Lacey Smith, Recreation Programmer

Cemetery & Recreation Services:

- Research product list and develop Admin Complex Cleaning Protocol for cleaning contractor.
- Research product list and develop Admin Complex Cleaning Protocol for staff.
- Assist Director with background work for Dog Park Report.
- Assist Director with background work for new Garbage, Recycling and Compost bins purchased for the Admin Complex.
- Develop and print signage for Splashpad reopening.
- Cemetery activity continues to be slow with many clients opting to wait to hold services until COVID-19 restrictions ease.
- Continue to update Cemetery Records in Stone Orchard software program.

Prepared by Crystal Brenneman, Cemetery and Recreation Clerk

Aquatics Division

Quarterly Activity Report (January – March 2020)

- During the pandemic facility closure, two main projects have been completed at the Wilmot Aquatic Centre. The pool tile and grout project previously scheduled for completion during the fall shutdown was moved up. A second project to repair the tile and grout on the pool deck which had been a future capital project was completed. Completing these projects now during this time of closure will eliminate the need to have lengthy pool closures in the upcoming years.
- The full-time aquatic staff members were kept very busy with the following maintenance projects. Many of these cleaning and sanitizing projects in the aquatic area were completed early in the closure and will require another cleaning and sanitizing before to reopening;
 - Thorough cleaned and sanitized the pool deck, change rooms, guard office, upper and lower viewing galleries, and deck storage rooms.
 - Cleaned and sanitized staff areas; lunchroom, washroom and men's, ladies and family change rooms, office areas and Customer Service Receptionist (CSR) area.
 - Cleaned and sanitized areas within the Wilmot Recreation Complex (WRC) including; the track walls, railings and windows, upstairs washrooms, scrubbing walls in the arena upper and lower lobby areas, scrubbing aquatic lobby walls, cleaning windows, sills and display cases in the lobbies.
 - Washed all the windows on the viewing galleries.
 - Clean and waxed the railings around the pool deck and galleries.
 - Gardening of the flower beds surround the WRC.
 - Cleaned, prepared and painted; arena lobby stairs and railing.
 - Painted interior walls of Haysville, St Agatha Community Centers.
 - Assisted in the preparation for the tile and grout repair at the Wilmot Aquatic Centre.
 - Assisted with the line painting for the arena.
 - Cleaning under the bistro tables and chairs in the lobbies.
- Aquatic staff members have also been keeping busy with the following projects;
 - Winter/ Fall Recreation program planning and entering information into the Rec Guide and registration software. Programs will be changing again to accommodate COVID-19 restrictions.
 - Cancelling aquatic programs and rentals for the spring season. Working on getting refunds or credits issued to program participants.
 - Attending weekly web-based meetings and webinars for COVID 19 related to aquatics, offered by Parks and Recreation Ontario, Canadian Parks and Recreation Association, Lifesaving Society.

- Attending regular Regional Aquatics meetings.
- Program Cost Recovery analysis.
- Pool Allocation Protocols.
- Update various staff training sessions, staff orientation packages.
- Preparing COVID protocols for returning staff and patrons for splash pad and pools.
- Recreation at home website items such as creating videos and activities.
- Developed birthday party terms and conditions package.
- Ongoing communication with part-time staff who were all placed on Designated Emergency Leave.
- Keeping connected with regular user groups and the ACES swim team.
- Ongoing planning for alternate programs plans for Summer and Fall based on updated provincial and Ministry of Health Guideline
- Preparation for opening the Splash Pad including creating new protocols and scheduling staff.
- Continuous cost recovery and budget research for COVID 19 planning.
- Worked on the WRC Fire Plan and Emergency plans. Working on the preparation for training for all WRC staff members.
- Ongoing reopening planning meetings.
- Full-time aquatic staff attended a Lifesaving Instructor update (online).
- Full-time aquatic staff attended a Health Care Provider CPR class. Physical distancing protocols enforced to learn how to do CPR with a Bag Valve Mask.

Submitted by:

Angela Bylsma Anderson

Aquatics Manager, Wilmot Aquatic Centre

June 2020

Parks & Facilities Services Division

Quarterly Activity Report (January – March 2020)

- Work with Supervisors to roll out back to work plans for FT Parks and Recreation staff, vehicles, PPE, cleaning procedures, distancing rules and schedule daily work projects for staff returning to work.
- Bush crew started to chip the wood piles at the front entrance trail head. On day #3 the chipper blew an injector in the diesel engine. Took the chipper for repairs and called Sunbelt rentals to rent a machine so we can continue the work.
- Daily site visits with the 2 work crews, one team was working on flood clean up at Norm S Hill Park the other at WRC woodlot.
- On April 8th to May 4th off work and on reduced hours to recover from surgery. Parks Supervisor Cody Eby took the lead on projects and directing staff work crews.
- Stake truck catalytic converter was discovered to be cut out of the exhaust system sometime overnight on April 28th. The incident was reported to police and the vehicle was sent off for repair.
- All Township vehicles are now stored inside the arena while there is no ice to avoid theft issues.
- Work with contractors that work for the Township to get the Covid-19 policy and procedures screening signed off for our files.
- Work with the Facility Re-opening Committee with getting quotes on glass safety barriers at the Administration Complex to help protect our staff.
- Ordered 2 electrostatic Dustbane disinfecting machines, due to supply and demand issues these will be in stock sometime in July.
- All Victoria Day events cancelled due to Covid-19 Pandemic.
- Work with Sandy on dog park location information and sizing requirements.
- H.S. Fencing was hired to repair the galvanized fencing at Norm Hill Park. It was discussed we remove some sections of fence during the fall to help alleviate fencing damage from floods that seem to be occurring more often.
- Worked with P. G. Excavating to repair a drainage pipe at Beck St Seniors Woodworking parking lot. We also added a new catch basin to help drain the large property with different grades. The parking lot was graded with reclaimed asphalt rolled and packed. It was well received by the seniors.
- Met with Region staff to visit Township sites for the E.V. power stations.
- Multiple hazard tree removal requests were received and taken care of.
- Work with staff on the Splash pad re-opening strategy.
- Meet with staff to develop reopening strategy for Wilmot Recreation Complex.

Geoff Dubrick
Parks and Facilities Manager

Project Management Services:

Project management staff from the Facilities department have been busy working on many projects including the following:

- Remove existing and install new Epoxy floors to Wilmot Recreation Complex upper and lower male, female & family washrooms, St. Agatha Community Centre male & female washrooms & kitchen and New Dundee Community Centre male & female washrooms

- Pre-construction meetings regarding new flooring at Mannheim CC
 - Installation of donated playground equipment at Haysville CC (includes repurposing the swings with the addition of new swing seats)
 - Asphalt repairs completed at Kirkpatrick Parking Lot
 - Light Fixtures installed & inspected along the Kirkpatrick – 121 Huron parking lot trail
 - Pre-construction meetings for railing repairs along the accessible ramp at the Admin Building
 - Building Condition Assessments with Englobe throughout the Township
 - Created lockable storage area at New Hamburg CC for Scouts & Guides
 - Relocated Haysville CC display cabinet to New Dundee main hall
 - Haysville Community Centre Meeting Room renovation - complete
 - St. Agatha Community Centre Kitchen renovations underway (cabinets, countertops, undergrounds, HVAC, plumbing & electrical)
 - Built-in and re-cladded exterior access window along East side of St. Agatha CC kitchen
 - Installed new light fixtures, appliances and ceiling tiles at St. ACC kitchen
 - Trimmed new server window openings leading to the main hall at St. ACC kitchen in preparation for roller shutters
 - Re-scheduled deliveries, contractors and suppliers due to COVID-19
 - Pre-construction meetings for additional play features at Constitution Park
 - Completion of new grouting to both pool tanks and surround at WRC Aquatics Centre
 - Beginning of phase 2 grout replacement on pool decks at WRC Aquatics Centre
-

Prepared by Amber Schenk, Project Coordinator



REPORT NO: DS 2020-014

TO: COUNCIL

SUBMITTED BY: Harold O’Krafka, MCIP RPP
Director of Development Services

PREPARED BY: Terry Gerber, CBCO
Chief Building Official

REVIEWED BY: Grant Whittington, CAO

DATE: July 27, 2020

SUBJECT: 2nd Quarter 2020 Building Statistics Summary

RECOMMENDATION:

That the 2nd Quarter 2020 Building Statistics Summary be received for information.

SUMMARY:

Building activity rates in the first half of 2020 have been stronger than expected given the impacts of the Covid-19 pandemic on the construction industry.

While overall permit numbers are behind the historical 10 year average, the continual dwindling supply of vacant residential lots is evident in the limited number of new residential starts. While significant greenfield development proposals are in the design stage a number of smaller infill and intensification proposals continue to be filed. The smaller projects are important, not only in sustaining development activity, but also in providing a range of housing tenures and affordability’s.

The septic system mandatory maintenance inspection program (SSMMIP) second five year compliance window has now opened and notices have been mailed to all residents subject to inspection. As previously identified to Council, primarily due to the elimination of the Baden wells as a technical ‘municipal supply’, the number of septic systems required to be inspected has dropped from 553 to 466. To date more than ¼ of those systems have been inspected.

The RMOW is providing pump-out incentives for 2020 which to date has assisted in greater voluntary compliance as residents take advantage of the financial assistance.

BACKGROUND:

Building Statistics are provided to Council for information purposes. Month end reporting is also provided to the public via the Township website in addition to statistical reports provided monthly to the Region of Waterloo, Statistics Canada and Municipal Property Assessment Corporation.

REPORT:

The total number of permits issued in the first half of 2020 is lower than the historical 10 year average and the first half of 2019. The number of dwelling units was also lower than the first half of 2019 and significantly lower than the historical 10 year average due to the limited supply of vacant lots.

As Council is aware, preliminary consultations have occurred with a number of developers on a number of greenfield residential subdivision proposals and staff continue to anticipate that those applications will begin to be submitted in the coming months.

Additionally, a number of development proposals for infilling and intensification projects are beginning to move forward which are important, not only in sustaining development activity, but also in providing a range of housing tenures and affordability's.

The update to the Zoning Bylaw is also nearing completion which will introduce provisions for additional units (previously referred to as secondary suites) which will add to the potential for more affordable housing options within our community.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Tracking of building activity provides a statistical basis for decision making related to land use planning in the community which contributes to the quality of life of Wilmot residents.

Reporting statistics contributes to enhanced community engagement.

FINANCIAL CONSIDERATIONS:

Administration and enforcement of the Ontario Building Code is a user pay enterprise and is not funded by general levy.

ATTACHMENTS:

Attachment A	June 2020 Building Stats
Attachment B	June 2020 SSMMIP Stats

BUILDING STATISTICS

Source: Township of Wilmot
Development Services

MONTH OF JUNE	10 Year Average	2019	2020
Number of Permits Issued	47	43	38
Dwelling Units Constructed	9	7	3
Dwelling Units Demolished	1	2	0
Residential - New Dwelling Units	\$ 2,508,500	\$ 1,500,000	\$ 700,000
Residential - Addition/Alteration	\$ 314,000	\$ 455,000	\$ 210,000
Residential - Accessory	\$ 280,000	\$ 265,000	\$ 480,000
Agricultural - New	\$ 277,000	\$ -	\$ -
Agricultural - Addition/Alteration	\$ 84,000	\$ -	\$ 500,000
Commercial - New	\$ 182,500	\$ -	\$ -
Commercial - Addition/Alteration	\$ 160,000	\$ -	\$ 165,000
Industrial - New	\$ -	\$ -	\$ -
Industrial - Addition/Alteration	\$ 23,000	\$ 5,000	\$ -
Institutional - New	\$ 2,291,800	\$ 10,000	\$ 10,000
Institutional - Addition/Alteration	\$ 1,164,500	\$ -	\$ -
Miscellaneous	\$ 35,000	\$ 20,000	\$ -
Total Construction Value	\$ 7,320,300	\$ 2,255,000	\$ 2,065,000
YEAR TO DATE	10 Year Average	2019	2020
Number of Permits Issued	194	179	163
Number of Dwelling Units	47	28	21
Total Construction Value	\$ 25,597,900	\$ 20,630,000	\$ 23,990,000

JUNE 2020

Residential - New		Commercial - Alt
NEW HAMBURG		3-3589 Bleams Road
407 Fairview Street	156 Kettle Lake Drive	10/11-338 Waterloo St.
Residential - Alteration		Agricultural- Add
146 Foundry Street	12 Loganville Lane	2668 Wilby Road
26 Schneller Court	40 Shirefield Lane	Institutional- Alt
18 Water Street	160 Theodore Schuler Boulevard	437 Waterloo Street
246 Catherine Street	188 Theodore Schuler Boulevard	313 Huron Street
141 Hostetler Road	168 Theodore Schuler Boulevard	
145 Laschinger Boulevard	1576 Wilmot Centre Road	
33 Lewis Street		
Residential - Accessory		
26 Bettschen Lane	126 Theodore Schuler Boulevard	
54 Isaac Shantz Drive	69 Theodore Schuler Boulevard	
129 Michael Myers Road x2	2942 Bethel Road	
2541 Nafziger Road	3524 Sandhills Road	
235 Catherine Street	1268 Notre Dame Drive	
71 Catherine Street	1693 Snyder's Road E	
538 Huron Street	2194 Bleams Road	
1684 Nafziger Road	1596 Notre Dame Drive	
179 St Ann Avenue		

SSMMIP STATISTICS

Source: Township of Wilmot
Development Services

	June 2015	Total June 2020
Systems to be inspected	541	467
System Inspected	36	39
Systems not requiring Stage 2 inspection	36	39
Systems exempted from Stage 1 inspection	105	0
Systems remaining to be inspected	400	335



TOWNSHIP OF WILMOT

INFORMATION AND LEGISLATIVE SERVICES *Staff Report*

REPORT NO: ILS 2020-11

TO: Council

SUBMITTED BY: Dawn Mittelholtz, Director Information and Legislative Services
/ Municipal Clerk

PREPARED BY: Dawn Mittelholtz, Director Information and Legislative Services
/ Municipal Clerk

REVIEWED BY: Grant Whittington, CAO

DATE: July 27, 2020

SUBJECT: Receipt of Petition for Drainage Works
Part Lot 10, Plan 532,
Township of Wilmot

RECOMMENDATION:

THAT the Township of Wilmot accept the Petition for Municipal Drain Improvements received from James Otto for Part of Lot 25, Concession 3, Block A, Township of Wilmot and

THAT the Clerk be authorized to proceed accordingly under The Drainage Act.

SUMMARY:

Receiving a petition for drainage works is the first step in the Municipal Drain process under the Province's Drainage Act.

REPORT:

Mr. and Mrs. Paul and Connie Mackie have submitted and filed a petition with the Clerk on July 21, 2020 to construct a new tile drain for the following lands: Part of Lot 10, Plan 532, 58R-4310 Part 1, Township of Wilmot. A map of the area requiring drainage accompanies the petition attached to this report. The proposed work involves tile and surface water drainage.

This information is available in accessible formats upon request

The Drainage Superintendent has met with the petitioner and has confirmed that this is a valid petition.

Pursuant to the Drainage Act, once the petition is filed, it proceeds to Council for acceptance. Following acceptance of the petition, staff will forward written notice within 30 days to: each petitioner, the Grand River Conservation Authority, and the Ministry of Natural Resources.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

The acknowledgement of the petition supports the infrastructure within the municipality.

FINANCIAL CONSIDERATIONS:

If the municipal drainage works proceed pursuant to the Drainage Act, then the property owners that are affected would be assessed in accordance with the assessment schedule that will be prepared by the Engineer as part of his report. At this time, there are no financial considerations.

ATTACHMENTS:

Petition for Drainage Works by Owners, Form 1
Map of Area requiring drainage

**Petition for Drainage Works by Owners
Form 1**
Drainage Act, R.S.O. 1990, c. D.17, clause 4(1)(a) or (b)

This form is to be used to petition municipal council for a new drainage works under the *Drainage Act*. It is not to be used to request the improvement or modification of an existing drainage works under the *Drainage Act*.

To: The Council of the Corporation of the Township of WILMOT

The area of land described below requires drainage (provide a description of the properties or the portions of properties that require drainage improvements)

West part of 182 Shade Street, New Hamburg

In accordance with section 9(2) of the *Drainage Act*, the description of the area requiring drainage will be confirmed or modified by an engineer at the on-site meeting.

As owners of land within the above described area requiring drainage, we hereby petition council under subsection 4(1) of the *Drainage Act* for a drainage works. In accordance with sections 10(4), 43 and 59(1) of the *Drainage Act*, if names are withdrawn from the petition to the point that it is no longer a valid petition, we acknowledge responsibility for costs.

Purpose of the Petition (To be completed by one of the petitioners. Please type/print)

Contact Person (Last Name) <u>Mackie</u>	(First Name) <u>Paul</u>	Telephone Number <u>519 498-9302</u> ext.
---	-----------------------------	--

Address	
Road/Street Number <u>181</u>	Road/Street Name <u>Shade Street, New Hamburg</u>

Location of Project			
Lot <u>Pt 10</u>	Concession <u>Plan 532</u>	Municipality <u>Wilmot Township</u>	Former Municipality (if applicable) <u>New Hamburg</u>

What work do you require? (Check all appropriate boxes)

- ☐ Construction of new open channel
☒ Construction of new tile drain
☐ Deepening or widening of existing watercourse (not currently a municipal drain)
☐ Enclosure of existing watercourse (not currently a municipal drain)
☐ Other (provide description ▼)

Name of watercourse (if known)

Estimated length of project
100m

General description of soils in the area
clay loam

What is the purpose of the proposed work? (Check appropriate box)

- ☐ Tile drainage only ☐ Surface water drainage only ☒ Both

Petition filed this _____ day of _____, 20 20

Name of Clerk (Last, first name)

Mittelholtz, Dawn

Signature

Signed original on file

- Your municipal property tax bill will provide the property description and parcel roll number.
- In rural areas, the property description should be in the form of (part) lot and concession and civic address.
- In urban areas, the property description should be in the form of street address and lot and plan number if available.
- If you have more than two properties, please take copy(ies) of this page and continue to list them all.

Number 1	Property Description 182 Shade Street - Plan 532, Pt Lt 10 - 58R4310 Pt 1
--------------------	---

Ward or Geographic Township Wilmot (New Hamburg)	Parcel Roll Number 3018-070-015-030-02
--	--

I hereby petition for drainage for the land described and acknowledge my financial obligations.

Ownership

☐ Sole Ownership

Owner Name (Last, First Name) (Type/Print)	Signature	Date (yyyy/mm/dd)
--	-----------	-------------------

☒ Partnership (Each partner in the ownership of the property must sign the petition form)

Owner Name (Last, First Name) (Type/Print)	Signature	Date (yyyy/mm/dd)
--	-----------	-------------------

Mackie, Paul		
Mackie, Connie		

☐ Corporation (The individual with authority to bind the corporation must sign the petition)

Name of Signing Officer (Last, First Name) (Type/Print)	Signature
---	-----------

Name of Corporation	I have the authority to bind the Corporation.
Position Title	

Date (yyyy/mm/dd)

Number	Property Description
--------	----------------------

Ward or Geographic Township	Parcel Roll Number
-----------------------------	--------------------

I hereby petition for drainage for the land described and acknowledge my financial obligations.

Ownership

☐ Sole Ownership

Owner Name (Last, First Name) (Type/Print)	Signature	Date (yyyy/mm/dd)
--	-----------	-------------------

☐ Partnership (Each partner in the ownership of the property must sign the petition form)

Owner Name (Last, First Name) (Type/Print)	Signature	Date (yyyy/mm/dd)
--	-----------	-------------------

☐ Corporation (The individual with authority to bind the corporation must sign the petition)

Name of Signing Officer (Last, First Name) (Type/Print)	Signature
---	-----------

Name of Corporation	I have the authority to bind the Corporation.
Position Title	

Date (yyyy/mm/dd)

<input type="checkbox"/> Check here if additional sheets are attached	Clerk initial
---	---------------

Petitioners become financially responsible as soon as they sign a petition.

- Once the petition is accepted by council, an engineer is appointed to respond to the petition. *Drainage Act*, R.S.O. 1990, c. D. 17 subs. 8(1).
- After the meeting to consider the preliminary report, if the petition does not comply with section 4, the project is terminated and the original petitioners are responsible in equal shares for the costs. *Drainage Act*, R.S.O. 1990, c. D. 17 subs. 10(4).
- After the meeting to consider the final report, if the petition does not comply with section 4, the project is terminated and the original petitioners are responsible for the costs in shares proportional to their assessment in the engineer's report. *Drainage Act*, R.S.O. 1990, c. D. 17 s. 43.
- If the project proceeds to completion, a share of the cost of the project will be assessed to the involved properties in relation to the assessment schedule in the engineer's report, as amended on appeal. *Drainage Act*, R.S.O. 1990, c. D. 17 s. 61.

Notice of Collection of Personal Information

Any personal information collected on this form is collected under the authority of the *Drainage Act*, R.S.O. 1990, c. D.17 and will be used for the purposes of administering the Act. Questions concerning the collection of personal information should be directed to: where the form is addressed to a municipality (*municipality to complete*)

and where the form is addressed to a territory without municipal organization, the Drainage Coordinator, Ministry of Agriculture, Food and Rural Affairs, 1 Stone Rd W, Guelph ON N1G 4Y2, 519 826-3552.





TOWNSHIP OF WILMOT

FACILITIES & RECREATION SERVICES *Staff Report*

REPORT NO: PFRS 2020-009

TO: Council

SUBMITTED BY: Sandy Jackson, Director of Parks, Facilities & Recreation Services

PREPARED BY: Sandy Jackson, Director of Parks, Facilities & Recreation Services

REVIEWED BY: Grant Whittington, CAO

DATE: July 27, 2020

SUBJECT: Permanent Off-leash Dog Park Construction Award

RECOMMENDATION:

That RFP 2020-21 be awarded to 39 Seven Inc., for the design, supply and construction of the Permanent Dog Park on Site A (original pilot site) at William Scott Park, New Hamburg, as per their proposal dated July 15, 2020, in the amount of \$61,000.00 plus HST.

SUMMARY:

Staff are recommending the design, supply and construction of the permanent off-leash dog park be awarded to 39 Seven Ltd. at a cost of \$61,000 in the location of the pilot site at William Scott Park (Scott Park) in New Hamburg, ON.

BACKGROUND:

The approved 2020 Capital Budget included a project to design, supply materials and construct a permanent off-leash dog park after a successful pilot project at Scott Park in 2019. Staff report PFRS 2020-007 Dog Park Location Selection, summarized public consultation from an on-line survey regarding two potential permanent sites, Scott Park and Schmidt Woods behind the Wilmot Recreation Complex. Based on the public consultation, Council approved the staff recommendation to construct the permanent dog park at Scott Park.

This information is available in accessible formats upon request

REPORT:

Upon Council approval of the Scott Park location, a resident requested the review of an alternate location within the Park due to the proximity of the pilot site to their home. This location was deeper in the park and offered a larger green space with more mature trees and was further from residential properties (see Site B on Appendix A). Staff felt this location was worth further investigation. Letters were hand delivered to residents who backed on to the park along Grandview Ave. and Bleams Court, to obtain feedback regarding the potential alternate location (Site B).

Staff received a number of emails and a phone call in support of, and with concerns for, the alternate site. Some of the comments included concerns about the extensive and prolonged flooding in the Site B area every spring, the increase in traffic on the Park laneway that services the boat launch, the soccer fields, tennis courts and playground. Concerns for child safety were expressed and site lines to properties that abutted this area from Grandview Ave and Bleams Court were identified as concerns. A resident also expressed their support of Site B indicating that it would be a good use of parkland that didn't have an identified purpose. Although community input cannot compromise the RFP process, the additional input was valuable for staff and provided additional insight into challenges with this location including the impact of significant flooding and added traffic. A summary of all comments is included as Appendix B.

On June 30, 2020, the proposal document was made available online through the Township's e-bidding site. There were a total of seven (7) plan takers, with a total of two (2) proposals received at time of close on July 15, 2020.

Proponent	Location
39 Seven Ltd.	Guelph, ON
Aslani-Kusiar Construction Inc.	St Thomas, ON

The RFP requested separate proposals for each site within Scott Park, the original pilot site (Site A) and the proposed alternate site (Site B) (see Appendix A). A non-mandatory site meeting was held on July 8, 2020 at Scott Park, which three contractors attended. During the site meeting, contractors commented on the extensive tree root systems in Site B, indicating that fence posts would need to work around the many roots in this area.

The proposal submissions were evaluated based upon the following four (4) criteria with weighting allocated to each:

- Understanding & Approach – 30%
- Experience & References – 25%
- Quality / Play Value - 30
- Cost Proposal – 15%

After a thorough review of both submissions, staff are recommending award of the contract to 39 Seven Inc. to construct on Site A, the original pilot project site. The submission for Site A

from 39 Seven Inc. includes all the base requirements outlined in the RFP, such as quality fencing and gating systems, a gated corral for unleashing dogs, a walking path, an in-ground garbage system and effective use of existing treelines (see Appendix C). This proposal also meets the proposed timeline of completion by Sept 1, 2020.

This Site selection also supports the majority of comments from neighbours who back on to the Park and avoids potential damage to the tree root system expressed by the contractors.

The bid received from 39 Seven Inc. at a cost of \$61,000.00 plus HST, is compliant with the specifications outlined within the bid documents. References have been verified and appear to be satisfactory.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

The design and construction of an off-lease dog park is aligned with our Strategic Plan goals by enhancing *Quality of Life* and undertaking an effective *Community Engagement* process.

FINANCIAL CONSIDERATIONS:

The approved Capital budget for this project is outlined below:

Funding Source	Amount
Infrastructure Reserve Fund (Facilities)	\$61,600
Total Budget	\$61,600

Given the cost proposal of \$62,073.60.00 net of HST rebate, this project is anticipated to slightly exceed the capital budget allocation.

ATTACHMENTS:

Appendix A: Letter and Site Map sent to residents who back on to William Scott Park
Appendix B: Summary of feedback from residents who back on to William Scott Park
Appendix C: Dog park design proposal – 39 Seven Ltd.

APPENDIX A: Letter and Site Map sent to residents who back on to William Scott Park**TOWNSHIP
OF WILMOT**

60 Snyder's Road West, Baden, ON N3A 1A1

Parks, Facilities and Recreation
Services
T: 519-634-8444
F: 519-634-5044
Email: sandy.jackson@wilmot.ca

Residents of the William Scott Park area:

Regarding: Permanent Dog Park Location Alternate Proposed Location

In May and June 2020, a survey was conducted regarding the preferred location and features for a Permanent Dog Park for the Township of Wilmot. Over 500 respondents completed the survey and William Scott Park was the preferred site based on the feedback received. This location was approved by Council on June 22, 2020 and an RFP was issued to hire a contractor to design and construct the permanent site.

Since this approval, a suggestion for a location change within Scott Park has been proposed by a neighbouring resident. The attached map outlines two potential sites within the park, Site A is the original location, Site B is the new proposed location. Staff are now considering this location as it offers benefits such as being further from residential properties, can be buffered with additional trees for privacy, and prevents parking congestion in the winter months outside the gated entrance.

Since your property backs onto William Scott park, staff wanted to reach out to provide an opportunity for you to speak with us to discuss any concerns you may have if this alternate site is selected within Scott Park.

A follow up report will be presented on July 27, 2020 at the 7pm Council meeting to select the contractor and finalize the location.

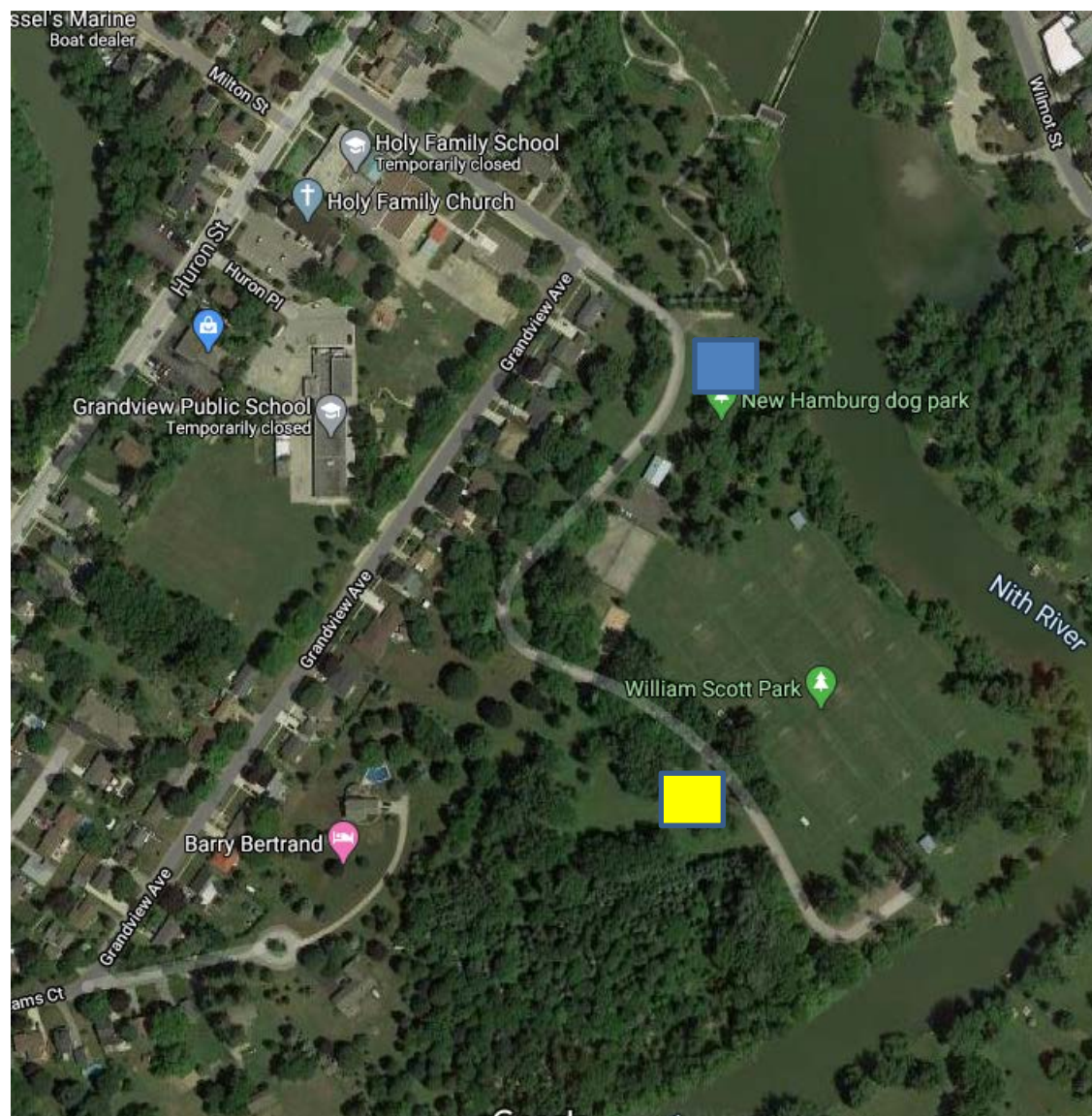
Should you have any questions or concerns regarding either location, please feel free to email me directly at sandy.jackson@wilmot.ca or call 519-634-8444 ext. 241. Thank you.



Regards,

S. Jackson

Sandy Jackson
Director of Parks, Facilities and Recreation Services
Township of Wilmot

Proposed Sites for Permanent Dog Park



	Site A: Pilot Site
	Site B: Proposed Alternate Site

APPENDIX B: Summary of Feedback from Residents Who Back on to Scott Park

Note: comments have not been paraphrased, however comments unrelated to the site selection have not been included. In addition, names and addresses have been removed for privacy reasons. Full email correspondence for the responses included below have been forwarded to the Ward Councillors.

Support for Site A:

1. The backyard of my property is 'kitty corner' to the location of the temporary dog park (now Site A on your plan). I cannot speak for my neighbours who are a bit closer, but I have had NO issues with that location in terms of noise, bother or intruders on my property. Assuming Scott Park will continue to be closed in the winter, it is within reasonable walking distance of the locked gates. The only 'added cost' might be to clear a parking area in front of the locked gates. If you are going to make this a permanent location, plant some trees now so that shade will eventually happen.
2. Already had a successful Pilot project, showing use and happiness with this site. Dog Park is positioned off to the side and not positioned directly behind someone's house.
 - There is a distinguished roadway between the residential area and the dog park area. During the pilot, it was observed people respected this and didn't access (intentionally or unknowingly) residential backyards.
 - Already have a parking lot at the washroom and tennis court area for dog owners to park vehicles in. Signs posted may be helpful to direct residents to a designated parking lot versus elsewhere. This could help with parking concerns and reduce budget expenses by not needing to build a new parking lot. Further, during non-school hours/months, perhaps the school parking lot and bus parking areas could be further promoted for use and walking distance to Site A is close.
 - If your intention is to have year round access to the dog park, parking congestion outside the first gated entrance could be eliminated as the washroom and tennis court parking area could be used and the second gate could be closed which would lessen the snow removal and maintenance costs to taxpayers and Wilmot Township budgets as the entire roadway to Site B would not need to be maintained.
 - Direct, close, and easy access off Hunter Street resulting in easier accessibility for many people walking to the dog park. Easier to access by foot in winter months compared to Site B.
 - Washrooms for residents and water for dogs in nearby facilities.
3. As a resident on xx street I believe site A is much better for the following reasons...
 - better visibility
 - further away from river
 - further away from playground (some children fear dogs)
 - better access during winter months
 - better parking availability

- easier access to washroom

Concerns Regarding Site A:

1. Over the 33 years we have lived on xx. We have noticed that many people enter the park at an excessive rate of speed. The large willows on the right side corner of the road impede sight lines to your right and there is usually some loose gravel at this location which make stopping a vehicle quickly a concern. We feel this could become a safety issue. If someone happens to be walking to or leaving the dog park at just the wrong moment there is a real possibility of being hit by someone driving around the right hand bend in the road. The chances of this scenario happening are even greater if this was to occur near the end of the day during the dusk hours. While this has never happened that we can recall, the probability increases when you consider that many children are also utilizing the dog park. Locating it close to the park entrance could result in something happening that we all would like to avoid.
2. Yes, our property does back onto Scott Park, therefore we are the ones who will have to contend with traffic/noise pollution/mess adjacent to our property. Having this dog park so close may at some point in the future reduce the value of our property. I'm sure as planners you are aware of the fact that both these locations in Scott Park are subject to quite severe flooding problems each spring, quite often more than once as was the case this year. Damage to the perimeter fencing (a fairly substantial investment on your part) will likely occur. Considering that another resident has objected to this location for a dog park, I think council should really re-think this decision re: dog park location, regardless of the inconvenience for dog owners having to drive out to the community complex, that location really does make more sense all around and it also alleviates the parking/ noise pollution problems here.

Support for Site B:

1. I am emailing you regarding the dog park location letter my spouse and I received on our porch. We live almost directly in front of the original location of the dog park. We would like to offer our opinion regarding the permanent dog park location. The new proposed location (marked B on the map provided) would be an excellent alternative for several reasons. First, as mentioned in the letter, the original park was very close to the residential properties, which caused issues for us being one of those properties. These include, but are not limited to: parking issues, road congestion, as well as noise early in the morning. Secondly, as dog owners, the large amount of dogs and people coming into view of our lawn was very disturbing to our own dog and our neighbors dogs, which adds to the noise and disturbances. Lastly, the location of the original dog park has always been a place for people and families to come and have some peace and quiet or enjoy a nice picnic. The alternate location has absolutely no purpose or practical use. I appreciate your time in considering our thoughts and opinions.

Concerns Regarding Site B:

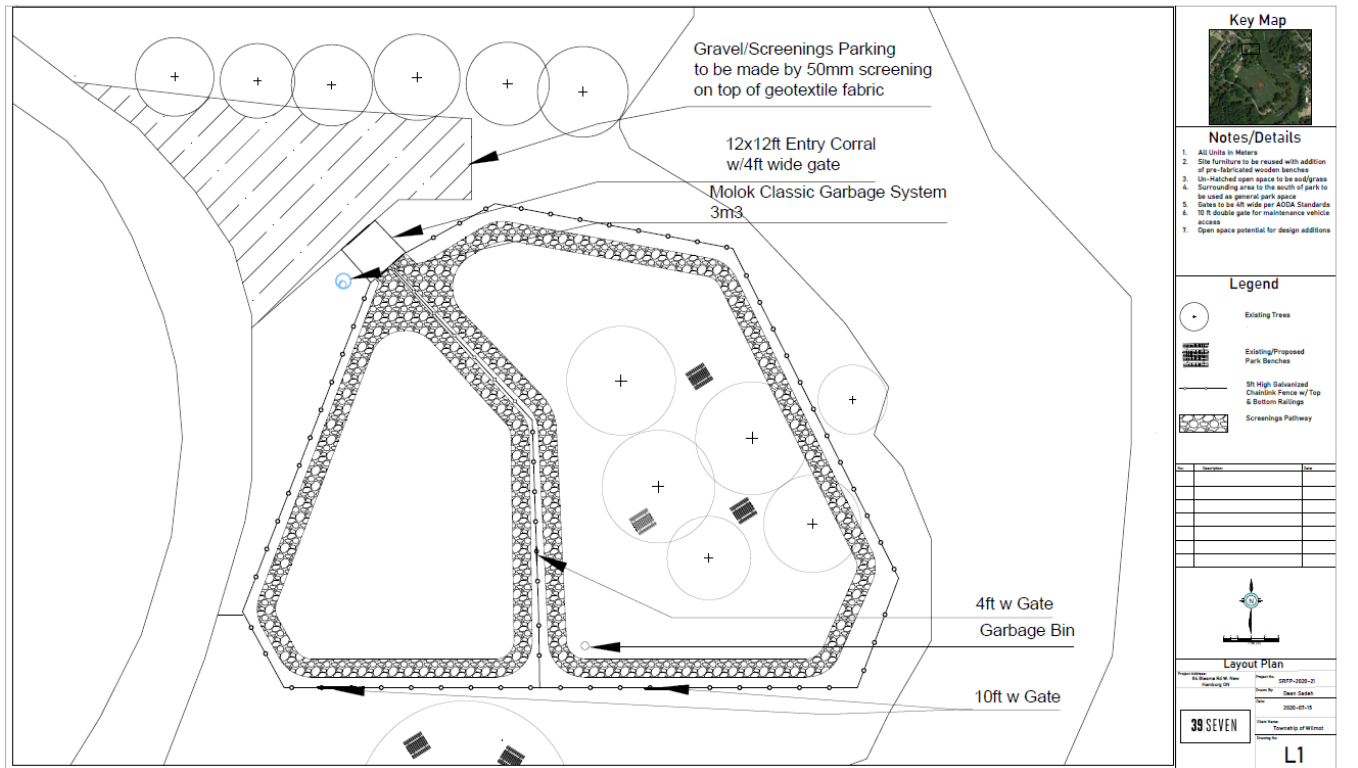
1. The pilot side is further away from residential properties so barking, people coming and going, etc. would cause less disturbance. The pilot site offers a much larger existing parking area – therefore less taxpayers dollars spent on creating another parking area. The Pilot site is next to the public washrooms and a covered picnic area. The road coming into the pilot area is very short compared to the alternate site and therefore much easier to keep ploughed out when needed. With the washrooms right there perhaps a drinking fountain could be added for families and the dog owners could also fill a bowl for their pet on a hot day. The alternate site is always wet for some reason – high water table? When there is a heavy rain or in spring when the water table is high that section would become a huge muddy area and eventually the grass will die and the dog owners will not want to use it. The 500 survey respondents do not all live in the Grandview area, they are obviously going to suggest the location which is most convenient for them regardless of the opinions of the local residents.
2. I do not like this option. That area of park is regularly flooding or swampy and wet (not a problem in Site A). The Township would have to commit to snow removal through the park to maintain winter access.
 - a. Long term pollution from urine and feces - This should be a non-issue. The natural composing and degradation of urine (and even feces) happens so quickly that there is no chance for the waste products to 'seep deep into the soil' (and contaminate the water supply).
 - b. contamination of the soil - this is going to happen no matter which Site is chosen, but I worry about Site B more. (The eggs of) common parasites of dog poop such as roundworm, hookworm and whipworms WILL live for months (years in some cases) in the soil. They are MORE likely to live in wetter soil (thumbs down to Site B). Obviously, aggressive pooper scooping largely mitigates this problem. We are simply not getting winter kill of the soil eggs because our winters are no longer cold enough on a sustained basis.
 - c. I do have concerns about leptospirosis contamination of the soil if a wetter (Site B) site is chosen. Leptospirosis likes wet and swampy. It does not like dry.
3. I have lived at xx since 1986 and watched site B flood many times during the spring, fall and winter and when not flooded taking weeks to dry. Usage of this area will be limited. I understand parking, which is crucial for this site, has not been planned in terms of size, location (would it take out green space in the park) and confirmed funding. People will park as close as possible which will be in the grass. How can this site be considered without this important information and a concrete plan? You mentioned that the trees will serve as a buffer however according to the city of Kitchener trees do not filter noises (transportation department on various reports for road widening) and the trees in the park are deciduous and might provide privacy for the close residence for only part of the year. Can I also ask for a new location that will not impact my enjoyment of my property? My biggest question is why would the township spend so much money on a dog park that cannot be used for so much time of the year and cost so much more than the already approved site?

4. If the intention is for a year round dog park and a major concern is “parking congestion in the winter months outside the gated entrance”, regardless of what location you select, based on discussions with Sandy on July 8th and from an email dated July 9th, the entrance gates will be open to allow people to park in a parking lot. So that issue would be resolved anyways if Site A was selected. Alternatively, if the intention is for entrance gates to be closed and residents are required to walk to the selected site during winter months, congested parking at the entrance gate will be a continued problem regardless of selected Site. Further, more people are likely to use Site A as it's easier to access in deep snow during winter months.

5. Site B is in a low floodplain. Very wet land. Having lived at xx. since December 2012, water covers Site B for extended periods of time through at least three seasons of the year. The end ¼ of our grassed property cannot be cut well into June due to wetness some years and we live further away from the river than Site B. Site B would cause greater concern as it's believed to be an even lower floodplain. This would result in a flooded, muddy, and swampy dog park area which people cannot use for extended periods of time due to the seasons. Further, ice buildup from the river is a safety concern for residents in a year-round dog park. These concerns may result in more expenses to the repair and maintenance budget annually. Further concerns if a parking lot was added in this low floodplain as there may be additional repair and maintenance costs annually due to weather conditions.
 - Safety concerns for children walking to, playing at, or accessing the playground due to increased traffic volume along the roadway for people accessing the dog park. Having lived at xx Ave. for years, the speed of cars, even with the addition of a speed bump, is of major concern and the increased traffic flow would be of greater safety concern to all residents, especially children at play or who live nearby.
 - More speed bumps would be required along the entire roadway to ensure safety of residents and children due to increased traffic flow.
 - All residents on Grandview backing onto Scott Park would be impacted by increased traffic flow and noise to access Site B, especially in May-October months (the park's opened months as indicated on posted signs). Compared to Site A which would impact 1-2 houses maximally (location nearest to dog park) in months May-October. And up to 4 houses maximally in winter months (if the gate was closed at Tennis court).
 - This site has not had a successful Pilot trial. Site B may not be as successful due to issues written within this email due to accessibility, water concerns, safety of children at the playground, etc. A survey has not been conducted for Site B indicating majority would agree this is a better location, and a survey has already been done on Site A with an approval by Counsel.
 - Even with myself planting trees near my property line to distinguish my property from township/GRCA land, cars, people and animals regularly venture onto my property. Debris and feces are often found in our yard which I clean up. There are increased concerns if a dog park was situated behind my property due to more people being in this area and people lacking respect for residential boundaries.
 - Further to access for people walking to dog park

- Greater road maintenance would be required to clear and maintain roadway access to the dog park in the winter months resulting in annual snow removal and salt/sand costs. Over time, residents may see an increase in taxes from this annual required maintenance.
- From 5pm onwards during soccer season, Scott Park is flooded with cars and people. People wanting to access the dog park during those hours would have a very difficult time doing so due to pure congestion.
- Dog park would be positioned directly behind my property, not off to the side or with a roadway in between like Site A to that one resident.
- A more secluded area versus Site A is of concern for more vulnerable populations (e.g. younger, female, etc.) due to possible fear of anyone with intentions to scare, hurt, or harm someone.
- Due to more secluded area vs Site A, increased policing may be required to ensure safety of those using the dog park and to ensure listed hours of operation (closed 11pm-6am) are being followed. Currently there are issues with people accessing the park by foot or vehicle during off hours which can be seen from inside my house. It is realistic to worry these issues would worsen.
- Township liability and safety concerns of dog park/park being open year-round with winter elements including ice and the possibility of residents using the playground regularly also, given proximity being closer to the playground.
- In discussions with several local real estate agents, a dog park in any residential area will depreciate a house value. Further, with a dog park directly behind my property, depreciation would be greater than other areas that have an obvious divide (i.e. roadway)
- An arborist recently commented to myself that Scott Park tree maintenance needed to occur more regularly due to the concern of dead branches injuring residents and damaging vehicles. Currently there are many dead trees/branches located in the vicinity of Site B. Should Site B be a location for the dog park, maintenance would be required to reduce concerns of injury and damage.
- Due to the benefits of a Woodland area, many people choose to relax, have picnics, take family pictures, etc. in the proposed Site B location. Should a dog park be constructed here, that would take away their opportunity to do that.

Appendix C - Dog park design proposal – 39 Seven Ltd.





REPORT NO: COR 2020-027

TO: Council

SUBMITTED BY: Patrick Kelly CPA, CMA, Director of Corporate Services

PREPARED BY: Ashton Romany CPA, Manager of Finance / Deputy Treasurer

REVIEWED BY: Grant Whittington, Chief Administrative Officer

DATE: July 27, 2020

SUBJECT: Statement of Operations as of June 30, 2020 (un-audited)

RECOMMENDATION:

THAT report COR 2020-027, Statement of Operations (un-audited) as of June 30, 2020, as prepared by the Manager of Finance / Deputy Treasurer, be received for information purposes.

SUMMARY:

This report highlights the Township's Statement of Operations (un-audited) as of June 30, 2020. The attached statements outline the status of the Township's operating accounts.

BACKGROUND:

Corporate Services staff report to Council on the status of municipal operations on a quarterly basis.

REPORT:

Attached is the statement of operations as of June 30, 2020. The report is divided into sections outlining revenues and expenses from general government, protective services, transportation services, recreation and cultural services and development services.

Net General Levy Expenditure

One of the key performance indicators for municipal operations is reflected within the net expenditures from general levy. The total section of the report outlines revenues and expenses from all municipal operations, and how they relate to the Council approved operating budget. As of the statement date, YTD revenues and expenses are within the budgetary guidelines, and the net effect on general levy is 50.5% of budget (Q2 2019 – 53.7%). Having said that, cost containment strategies have assisted in offsetting the impact of revenue shortfalls.

Wilmot Recreation Complex

The WRC represents approximately one-quarter of all operating expenses from the general levy. As of the statement date, operations are meeting budget projections, with the combination of administrative and operating/maintenance costs at approximately 41.6% of the annual budget.

The WRC also represents approximately 50.0% of the budgeted operating revenue to the general levy. As of the statement date, WRC revenues are well below budget projections, with current receipts at 28.1% of the annual budget (Q2 2019 – 49.1%). The variance in receipts is due to the closure of facilities and cancellation of programming in mid-to-late March which progressed throughout the entire second quarter. Revenues at the WRC were consistent with forecasts prior to COVID-19. Report COR 2020-029 outlines further information with respect to the financial impacts of COVID-19.

Winter Maintenance

Winter maintenance activities levels are in line with budget expectations. Any savings will be transferred to the dedicated winter maintenance reserve fund which was depleted in 2018 due to budget overages.

User Pay Divisions

The second section of the attached statements outlines financial performance from the user pay divisions. Each of these divisions is independent of the levy, and any surplus/deficit from current year operations is transferred to/from dedicated reserve funds at year end.

Each division is well below the projected year-end transfers to reserve funds, for a number of reasons. Water/Sanitary consumption peaks during the summer season while building activity levels and cemetery burials historically peak in the second and third quarter of the fiscal year.

COVID-19 Impacts

The attached statements outline operations as of June 30, 2020. Any notable deviations due to COVID-19, are included within the notes. Report COR 2020-029 provides further information with respect to estimated year-end impacts.

The preceding report is presented to Council for information purposes. The next report outlining operating results will occur in October to include activities up to the end of Q3.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

This report is aligned with the Strategic Plan goal of being an engaged community through communication of municipal matters. Staff provide Council and the community an updated status of municipal finances in accordance with the Township's Accountability and Transparency Policy.

FINANCIAL CONSIDERATIONS:

As part of year end processing, net operating expenditures, capital funding from general levy are deducted from income generated through taxation, provincial grants and investments, to calculate the annual transfer to/from infrastructure reserve funds.

ATTACHMENTS:

APPENDIX A – Statement of Operations

TOWNSHIP OF WILMOT
2020 OPERATING AS OF JUNE 30, 2020 (UN-AUDITED)

	2020 Budget	2020 Actual	Variance %
<u>GENERAL GOVERNMENT</u>			
<u>REVENUE</u>			
Administration Fees / Sale of Surplus Assets ¹	(93,200)	(27,945)	30.0%
Grant Funding - General Government ²	(35,000)	(38,600)	110.3%
Licenses and Fines ³	(94,650)	(60,855)	64.3%
Penalties & Interest Revenue ⁴	(258,600)	(54,143)	20.9%
	<u>(481,450)</u>	<u>(181,544)</u>	<u>37.7%</u>
<u>EXPENSES</u>			
Council ⁵	166,080	69,373	41.8%
Municipal Grants Program ⁶	55,400	37,471	67.6%
Office of the CAO, Information and Legislative Services ⁷	656,550	302,860	46.1%
Insurance ⁸	268,040	27,399	10.2%
Municipal Law Enforcement/Animal Control ⁹	166,600	84,214	50.5%
Crossing Guards Operating Expenses ¹⁰	59,570	21,135	35.5%
Municipal Election ¹¹	22,500	1,933	8.6%
Corporate Services ¹²	712,510	338,945	47.6%
IT Services ¹³	354,500	165,026	46.6%
	<u>2,461,750</u>	<u>1,048,356</u>	<u>42.6%</u>
<u>FIRE SERVICES</u>			
<u>REVENUE</u>			
Fire Services Revenues ¹⁴	(56,770)	(16,139)	28.4%
	<u>(56,770)</u>	<u>(16,139)</u>	<u>28.4%</u>
<u>EXPENSES</u>			
Fire Services Administration ¹⁵	998,360	430,837	43.2%
Fire Services Operating Expenses ¹⁶	368,035	149,463	40.6%
	<u>1,366,395</u>	<u>580,300</u>	<u>42.5%</u>

TOWNSHIP OF WILMOT
2020 OPERATING AS OF JUNE 30, 2020 (UN-AUDITED)

	2020 Budget	2020 Actual	Variance %
<u>PUBLIC WORKS</u>			
<u>REVENUE</u>			
Roads/Engineering Service Charges ¹⁷	(266,870)	(38,415)	14.4%
Aggregate Resource Fees ¹⁸	(171,000)	-	0.0%
Grant Funding - Public Works ¹⁹	(47,500)	(35,156)	74.0%
	<u>(485,370)</u>	<u>(73,571)</u>	<u>15.2%</u>
<u>EXPENSES</u>			
Engineering Administration ²⁰	269,200	62,946	23.4%
Roads Administration ²¹	652,390	307,783	47.2%
Roads Operating Expenses ²²	564,050	258,705	45.9%
Winter Control Expenses ²³	797,970	569,404	71.4%
Municipal Drainage Operating Expenses ²⁴	60,000	23,492	39.2%
Street Lighting Operating Expenses ²⁵	145,000	32,210	22.2%
	<u>2,488,610</u>	<u>1,254,540</u>	<u>50.4%</u>

**TOWNSHIP OF WILMOT
2020 OPERATING AS OF JUNE 30, 2020 (UN-AUDITED)**

	2020 Budget	2020 Actual	Variance %
<u>RECREATION AND FACILITIES</u>			
<u>REVENUE</u>			
Wilmot Recreation Complex Revenues ²⁶	(1,485,250)	(417,235)	28.1%
Park, Facility and Community Centre Rental Revenue ²⁷	(181,600)	(15,461)	8.5%
	<u>(1,666,850)</u>	<u>(432,696)</u>	<u>26.0%</u>
<u>EXPENSES</u>			
Recreation Administration ²⁸	811,875	386,989	47.7%
Wilmot Recreation Complex Administration ²⁹	1,570,690	704,767	44.9%
Wilmot Recreation Complex Operating Expenses ³⁰	965,920	349,337	36.2%
Parks & Facilities Administration ³¹	666,930	258,111	38.7%
Parks and Community Centre Operating Expenses ³²	312,290	84,302	27.0%
Municipal Facilities Operating Expenses ³³	133,140	47,218	35.5%
Abandoned Cemetery Operating Expenses	3,500	1,750	50.0%
	<u>4,464,345</u>	<u>1,832,474</u>	<u>41.0%</u>

**TOWNSHIP OF WILMOT
2020 OPERATING AS OF JUNE 30, 2020 (UN-AUDITED)**

	2020 Budget	2020 Actual	Variance %
<u>CULTURAL SERVICES</u>			
<u>REVENUE</u>			
Castle Kilbride Admissions & Events ³⁴	(51,080)	(1,764)	3.5%
Grant Funding - Castle Kilbride ³⁵	(27,030)	-	0.0%
	<u>(78,110)</u>	<u>(1,764)</u>	<u>2.3%</u>
<u>EXPENSES</u>			
Castle Kilbride Administration ³⁶	266,180	107,359	40.3%
Castle Kilbride Operating Expenses ³⁷	48,400	19,961	41.2%
Archives Operating Expenses	1,530	172.41	11.3%
Heritage Wilmot Operating Expenses ³⁷	9,220	986	10.7%
	<u>325,330</u>	<u>128,478</u>	<u>39.5%</u>
<u>DEVELOPMENT SERVICES</u>			
<u>REVENUE</u>			
Planning Application Fees ³⁸	(200,150)	(51,071)	25.5%
Business Licensing	(4,000)	(75)	1.9%
	<u>(204,150)</u>	<u>(51,146)</u>	<u>25.1%</u>
<u>EXPENSES</u>			
Planning ³⁹	233,560	116,848	50.0%
Economic Development ⁴⁰	55,000	50,500	91.8%
	<u>288,560</u>	<u>167,348</u>	<u>58.0%</u>
<u>TOTAL OPERATING</u>			
<u>REVENUES</u>	<u>(2,972,700)</u>	<u>(756,858)</u>	<u>25.5%</u>
<u>EXPENSES</u>	<u>11,394,990</u>	<u>5,011,496</u>	<u>44.0%</u>
<u>NET GENERAL LEVY EXPENDITURE</u>	<u>8,422,290</u>	<u>4,254,638</u>	<u>50.5%</u>

NOTES:

- 1 Includes administrative fees associated with tax certificates; NSF payments; account balance transfer fees; tax sale and sale of surplus assets. Administration Fees Revenue anticipated to fall short of budget expectations due to COVID-19.
- 2 Reflects OCIF formula funding towards the Asset Management Coordinator role (\$35,000) and unbudgeted Celebrate Canada Funding towards Canada Day in Wilmot (\$3,600). Additional \$5,000 anticipated to be received towards the 2020 Discover Your Wilmot Program from the KWCF.
- 3 Includes Dog and Kennel Licences (\$53,075); Parking Fines (\$4,705); Marriage Licences (\$1,860); Lottery Licences (\$297); and Provincial Offences (\$918). Marriage Licence revenue anticipated to fall short of budget expectations due to COVID-19.
- 4 Includes penalty and interest on overdue water accounts (\$7,131) and taxes receivable (\$47,012). Revenue anticipated to fall short of budget expectations due to the Financial and Economic Relief measures associated with COVID-19.
- 5 YTD expenditures include Council Honorariums, memberships, training and development, and tribute to staff.
- 6 Municipal Grant Program allocations were approved under Report FIN 2019-43. Disbursements to the 2020 Municipal Grant Program recipients commenced in Q2 2020. 2020 Discover Your Wilmot Intake anticipated once funding is received from KWCF. Includes unbudgeted disbursement of \$3,600 to Canada Day in Wilmot due to funding received as identified in note 2.
- 7 YTD expenditures includes direct and indirect staffing costs associated with the Office of the CAO and ILS staff, corporate postage, legal, and the corporate phone system.
- 8 Waterloo Region Municipal Insurance Pool Premiums to be remitted in Q3 2020. YTD expenditures represent claims falling under the Township's deductible limit (\$10,000), net of allocations to user-pay operations.
- 9 YTD expenditures includes direct and indirect staffing costs associated with Municipal Law Enforcement Officers and contracted services for Animal Control.
- 10 YTD expenditures represent direct and indirect staffing costs associated with crossing guards. Annual expenditures anticipated to be lower than budget expectations, due to school closures under COVID-19.
- 11 Budget includes annual transfer of \$21,900 to cover costs associated with the 2022 municipal election; YTD expenditures reflect costs towards maintenance of the voting list.
- 12 YTD costs reflect the direct and indirect staffing costs for Corporate Services net of cost allocations from user-pay divisions.
- 13 YTD costs reflect the direct and indirect staffing costs for IT Services, Support Contracts and Web Service Charges. These support contracts / service charges are billed at various times throughout the year.
- 14 Includes revenue from Fire Permits (\$1,255) and billable calls/activities (\$14,884). Billable calls/activities revenue lower than historic levels. Boundary Service Agreement with Blandford-Blenheim to be billed in Q3 2020 (\$5,370).
- 15 YTD costs reflect direct and indirect staffing costs for Fire Services, including Practices, Fire Calls and other chargeable VFF

- 16 Operating expenses include Minor Capital, Vehicle/Equipment Repairs and Maintenance, Dispatch Fees etc., and generally peak in the later quarters of the fiscal year.
- 17 Roads/Engineering Services Charges activities typically peak during Q2/Q3. Service fees will be impacted by the levels of development activity and approvals during COVID-19. Staff will continue to monitor during COVID-19.
- 18 Ontario Aggregate Resources Corporation (OARC) fees are based upon actual tonnage extracted from private pits within the Township from the preceding fiscal year. Aggregate Resource Fees payment is typically received in late Q3.
- 19 Budget is a combination of OMAFRA funding 50% of Drainage Superintendent (\$12,500) and Municipal Modernization Funding to support share service for Municipal Drainage Consulting with Township of Woolwich (\$35,000). Drainage Superintendent grant funding has yet to be received.
- 20 YTD costs reflect direct and indirect staffing costs for Engineering Administration net of transfer from utilities.
- 21 YTD costs reflect the direct and indirect staffing costs for Roads Operations excluding Winter Control.
- 22 Roads operating costs are impacted by seasonality. The majority of focus in Q1 is on Winter Control Operations. Costs include maintenance of Hardtop and Loosetop Roads, Boundary Roads, Roadside, and Safety (Signage, Line Painting, etc.). Includes unbudgeted minor capital: Emergency Floor Drain Repair (\$4,227).
- 23 Winter Control activities peak in Q1 and Q4. Any savings from the program at year end are transferred to the dedicated reserve fund to offset any overages from years of higher than average snowfall.
- 24 Majority of drainage works are typically billed by the Superintendent in late Q4.
- 25 YTD Street Light hydro costs reflect consumption to the end of Q2. YTD Consumption is consistent with Q2 2019.
- 26 Revenues include: Aquatics (\$133,201); Ice Pads/Arena Floor (\$216,929); Concession (\$33,447); Programming (\$5,599); Room/Field Rentals (\$11,181); Rink Board Advertising (\$14,269); Other (\$2,609). Significant revenue shortfalls are projected due to the extended closures of recreation facilities and cancellation of programming / events under COVID-19. Revenue levels remained relatively static when comparing to Q1 at 28.1% of budget.
- 27 Revenues include: NH Arena (\$5,573); Baden (\$0); Haysville (\$3,799); Mannheim (\$3,981); New Dundee (\$1,296); New Hamburg Parks (\$768); Petersburg (\$0); St Agatha (\$0); Other (\$44). Significant revenue shortfalls are projected due to the extended closures of facilities and cancellation of programming / events under COVID-19. Similar to note 26, revenue was relatively static over Q2.
- 28 YTD costs include direct and indirect staffing costs for Recreation Administration, Scheduling and Customer Service personnel. Cost savings are projected to occur due to part-time staffing adjustments under COVID-19.
- 29 YTD costs include direct and indirect, full-time and part-time, staffing costs for the Wilmot Recreation Complex. Cost savings are projected to occur due to part-time staffing adjustments under COVID-19.
- 30 WRC Operating Expenses cover building/Grounds Maintenance, Utility Costs, Equipment Repairs and Maintenance, etc. Cost savings are projected to occur due to less utilities and contracted services during extended closures under COVID-19.

- 31 YTD costs reflect the direct and indirect staffing costs for all Parks and Facilities staff excluding the WRC. Cost savings are projected to occur due to part-time staffing adjustments under COVID-19.
- 32 Activity levels at the Township parks and community centres are seasonal, however extended closures under COVID-19 may reduce overall costs to maintain sports fields and other amenities. Cost containment measures are being deployed for contracted services. Includes unbudgeted minor capital woodchipper rental (\$9,871) to accommodate unanticipated repairs to existing chipper.
- 33 Includes unbudgeted minor capital: Admin Building Rear Exterior Staircase Railing Replacement (\$4,199).
- 34 Revenue includes: Admission (\$1,104); Giftshop (\$111); Programs & Workshops (\$474); and Other (\$75). Revenue shortfall anticipated in this area due to facility closures under COVID-19.
- 35 Grant funding for Castle Kilbride/Heritage typically received in Q4.
- 36 YTD costs reflect direct and indirect staffing costs for Castle Kilbride Administration. Cost savings are projected to occur due to part-time staffing adjustments under COVID-19.
- 37 Operating expenses tend to peak in the last three quarters. Cost savings anticipated in this area due to COVID-19 facility closures.
- 38 Fees will be impacted by the levels of application activity and approvals during COVID-19, estimates outlined in the COVID-19 Financial Impact report. Staff will continue to monitor during COVID-19.
- 39 YTD costs reflect direct and indirect staffing costs for Planning net of cost allocations from Building Services.
- 40 YTD expenditures include Waterloo Region Economic Development Corporation (WREDC) membership (\$50,000).

TOWNSHIP OF WILMOT (USER-PAY)
2020 OPERATING AS OF JUNE 30, 2020 (UN-AUDITED)

	2020 Budget	2020 Actual	Variance %
<u>WATER/SANITARY</u>			
<u>REVENUE</u>			
Utility User Fees, including Local Improvements ¹	(6,031,958)	(2,226,098)	36.9%
Utilities Sales, Service Charges ²	<u>(77,350)</u>	<u>(18,945)</u>	<u>24.5%</u>
	<u>(6,109,308)</u>	<u>(2,245,043)</u>	<u>36.7%</u>
<u>EXPENSES</u>			
Water/Sanitary Administration ³	523,430	288,069	55.0%
Water/Sanitary Operating Expenses ⁴	1,096,642	439,891	40.1%
Water Regional Charges ⁵	1,446,000	537,184	37.1%
Sanitary Regional Charges ⁵	<u>2,058,802</u>	<u>910,273</u>	<u>44.2%</u>
	<u>5,124,874</u>	<u>2,175,417</u>	<u>42.4%</u>
<u>TRANSFER (TO)/FROM RESERVE FUNDS ⁶</u>	<u>(984,434)</u>	<u>(69,627)</u>	<u>7.1%</u>

TOWNSHIP OF WILMOT (USER-PAY)
2020 OPERATING AS OF JUNE 30, 2020 (UN-AUDITED)

	2020 Budget	2020 Actual	Variance %
<u>CEMETERY</u>			
<u>REVENUE</u>			
Cemetery User Fees ⁷	(75,150)	(11,602)	15.4%
Cemetery Investment Income ⁸	(8,000)	-	0.0%
	<u>(83,150)</u>	<u>(11,602)</u>	<u>14.0%</u>
<u>EXPENSES</u>			
Cemetery Administration ⁹	21,750	2,064	9.5%
Cemetery Operating Expenses ¹⁰	59,100	22,342	37.8%
	<u>80,850</u>	<u>24,406</u>	<u>30.2%</u>
<u>TRANSFER (TO)/FROM RESERVE FUNDS ⁵</u>	<u>(2,300)</u>	<u>12,804</u>	<u>-556.7%</u>
<u>BUILDING</u>			
<u>REVENUE</u>			
Building Permit Fees ¹¹	(657,130)	(297,050)	45.2%
	<u>(657,130)</u>	<u>(297,050)</u>	<u>45.2%</u>
<u>EXPENSES</u>			
Building Administration ¹²	419,720	217,598	51.8%
Building Operating Expenses ¹³	237,410	114,674	48.3%
	<u>657,130</u>	<u>332,272</u>	<u>50.6%</u>
<u>TRANSFER (TO)/FROM RESERVE FUNDS ⁶</u>	<u>-</u>	<u>35,222</u>	<u>N/A</u>

NOTES:

- 1 YTD fees represent billing up to April/May for New Hamburg Residents and billing up to March/April for the rest of the Township.
- 2 Sales and Service Charges include Sale of Water Meters, Final Reading Fees, and other misc. fees.
- 3 YTD costs reflect direct and indirect staffing costs for Utilities.
- 4 Utilities Operating expenses include Allocation to General Levy, Contracted Services, Minor Capital, Fuel, etc.
- 5 Reflects flows to/from the Region of Waterloo from January to May.
- 6 Transfers to/from reserve funds are completed as part of year end processing.
- 7 Cemetery User Fees include Burials, Sale of Plots etc.
- 8 Investment income is transferred as part of year end processing.
- 9 YTD costs reflect direct and indirect staffing costs for Cemetery Operations.
- 10 Cemetery Operating expenses include Grave Opening, Foundations, Buildings/Grounds Maintenance, Allocation to General Levy
- 11 YTD permit fees are outlined within the Building Statistics reporting from Development Services.
- 12 YTD costs reflect direct and indirect staffing costs for Building Operations.
- 13 Building Operating Expenses include Allocation to General Levy, Contracted Services, Vehicle Repairs/Maintenance, etc.



REPORT NO: COR 2020-028

TO: Council

SUBMITTED BY: Patrick Kelly CPA, CMA, Director of Corporate Services

PREPARED BY: Ashton Romany CPA, Manager of Finance / Deputy Treasurer

REVIEWED BY: Grant Whittington, Chief Administrative Officer

DATE: July 27, 2020

SUBJECT: Capital Program Review as of June 30, 2020 (un-audited)

RECOMMENDATION:

THAT Report FIN 2020-028, Capital Program Review as of June 30, 2020 (un-audited), as prepared by the Manager of Finance / Deputy Treasurer, be received for information purposes.

SUMMARY:

This report covers the entire Township of Wilmot capital program, indicating unexpended capital funding and any unfinanced capital expenditures year-to-date. With comments provided by various departments, the attached statements outlines the status of the Township's active capital projects.

BACKGROUND:

Finance historically reports the status of capital projects on the last three quarters of each fiscal year.

REPORT:

The key performance indicator, from a financial perspective is found in the amount of approved funding that has been spent as of the statement date. The totals section of this report indicates that as of June 30, 2020, 26.1% of Council approved funding has been spent across the entire capital program.

Due to winter weather conditions and timing of budget approval in the first quarter, several initiatives, specifically in the Public Works and Facilities and Recreation departments, historically take place over the course of the final three (3) quarters. Several projects have been tendered and/or awarded as of the statement date. Staff have included comments on the current status of each project.

COVID-19 Impacts

As noted in previous reports, in response to the fiscal challenges of COVID-19, members of the Senior Management Team reviewed existing capital projects carried forward from previous years and new capital initiative within the 2020 Capital Program. Through this review, projects were classified into three (3) distinct categories:

Proceed

- These projects are recommended to proceed as originally planned and scheduled

Proceed with Caution

- These projects are recommended to proceed with caution, provided that there are sufficient project management resources available, and minimal project support resources are required
- Work on these projects may continue by the project manager until such time that there is a need to solicit internal or external project support
- Internal project support must be deemed critical to proceed, and external project support decisions will be made in an effort to strike balance between economic benefits and fiscal capacity

Defer to 2021

- These projects are not recommended to proceed, and would be deferred and presented part of the 2021 capital program

The determination of project status were made by using the following criteria to evaluate each project:

- Project urgency
 - Project is required to support to maintain the health and safety of our community during the COVID-19 pandemic
- Project status
 - Project has been awarded, with contractual agreement in place
- Project management resources
 - Project management resources are available, for the duration of anticipated project timeline, to lead and deliver the project
- Project support resources
 - Internal project support resources that are deemed critical under the current COVID-19 environment, are available to support the project
 - These resources may include Procurement, Communications, IT Services

- Completion in 2020
 - It is anticipated project execution can continue to move forward, including construction work, irrespective of the COVID-19 emergency, with low risk of creating an unsafe condition in the event of a work stoppage

As such, based on the aforementioned factors, a number of projects have revised timelines and are noted within the attached statements.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

This report is aligned with the Strategic Plan goal of being an engaged community through communication of municipal matters. Staff provide Council and the community an updated status of municipal finances in accordance with the Township's Accountability and Transparency Policy.

FINANCIAL CONSIDERATIONS:

Projects completed with excess funding, or with expenditures that exceed funding, will be offset with one another when calculating the net general levy impact at year end. This surplus or deficit is combined with the results from general operations to determine the annual transfer to/from Infrastructure Reserve Funds.

ATTACHMENTS:

APPENDIX A – Capital Program Statements

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>MANNHEIM DIGITAL SIGN</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(22,000.00)	
	-	(22,000.00)	
<u>EXPENSES</u>			
Expenditures	-	-	
	-	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(22,000.00)	The project has been deferred as per report ILS 2019-57
<u>STRATEGIC PLAN - CONSULTING SERVICES</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(16,500.00)	
Contribution from Development Charges	-	(13,500.00)	
	-	(30,000.00)	
<u>EXPENSES</u>			
Expenditures	-	21,319.90	
	-	21,319.90	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		71.07%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(8,680.10)	Contract awarded to WCM Consulting Inc. for \$22,957.06 (net of HST rebate), as per Council report FIN 2019-05. Project anticipated to be complete in Q3 2020. Draft Strategic Plan Update currently under review by SMT and Steering Committee.
<u>CORPORATE CULTURE - CONSULTING SERVICES</u>			
<u>FUNDING</u>			
Contribution from Grants (Municipal Modernization)	(60,000.00)	(60,000.00)	
	(60,000.00)	(60,000.00)	
<u>EXPENSES</u>			
Expenditures	60,000.00	29,719.91	
	60,000.00	29,719.91	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		49.53%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(30,280.09)	Corporate leadership training and workshops completed. All staff surveys and data gathering ongoing. Project anticipated to be complete in Q4 2020.

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>JOINT SERVICE DELIVERY REVIEW</u>			
<u>FUNDING</u>			
Contribution from Grants (Municipal Modernization)	(100,000.00)	-	
Contribution from Area Townships	-	(49,608.00)	
	(100,000.00)	(49,608.00)	Contract awarded to KPMG LLP under Council Report CAO 2019-02. Municipal Modernization (application based) funding has yet to be received.
<u>EXPENSES</u>			
Expenditures	100,000.00	66,526.07	
	100,000.00	66,526.07	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		134.10%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	16,918.07	
<u>BYLAW ENFORCEMENT VEHICLE</u>			
<u>FUNDING</u>			
Contribution from General Levy	(38,000.00)	(38,000.00)	
	(39,000.00)	(38,000.00)	
<u>EXPENSES</u>			
Expenditures	39,000.00	-	
	39,000.00	-	Project deferred due to COVID-19.
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(38,000.00)	
<u>CORPORATE BRANDING / WEB REFRESH</u>			
<u>FUNDING</u>			
Contribution from General Levy	(15,000.00)	(15,000.00)	
Contribution from Grants (Municipal Modernization)	(25,000.00)	(25,000.00)	
	(40,000.00)	(40,000.00)	Consultants retained through the RFP process. Report to Council forthcoming.
<u>EXPENSES</u>			
Expenditures	40,000.00	-	
	40,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(40,000.00)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>EMERGENCY FLOOD REPAIRS</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	-	Costs will be well below minimum threshold for MDRA Funding. Costs will be funded as part of year end processing from the General Levy.
	-	-	
	-	-	
<u>EXPENSES</u>			
Expenditures	-	32,237.13	
	-	32,237.13	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		Unfunded	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	32,237.13	
<u>COVID-19 EMERGENCY EXPENDITURES</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	-	Capital Account pertains to emergency unbudgeted expenditures required to accommodate business continuity in the COVID-19 environment. Remaining funding to be sourced from the General Levy in part of year end processing. Costs may be eligible for future funding supports from senior government agencies.
	-	-	
	-	-	
Expenditures	-	31,395.53	
	-	31,395.53	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		Unfunded	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	31,395.53	
<u>ASSET MANAGEMENT ROADMAP (PHASE II)</u>			
<u>FUNDING</u>			
Contribution from Development Charges	(42,000.00)	(42,000.00)	Phase II kick off commenced in late Q2 2020 with works focused on Risk and Criticality modelling. YTD costs represent funding towards building condition assessments as per FIN 2019-37.
Contribution from Grants (OCIF)	(58,000.00)	(93,000.00)	
	(100,000.00)	(135,000.00)	
<u>EXPENSES</u>			
Expenditures	100,000.00	81,662.37	
	100,000.00	81,662.37	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		60.49%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(53,337.63)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>COMMUNITY BENEFITS CHARGE STUDY</u>			
<u>FUNDING</u>			
Contribution from General Levy	(3,000.00)	(3,000.00)	
Contribution from Development Charges	(27,000.00)	(27,000.00)	
	<u>(30,000.00)</u>	<u>(30,000.00)</u>	Project on-hold pending announcement of regulations pertaining to Bill 108.
<u>EXPENSES</u>			
Expenditures	30,000.00	-	
	<u>30,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(30,000.00)	
<u>INTERNAL EQUITY REVIEW</u>			
<u>FUNDING</u>			
Contribution from General Levy	(24,000.00)	(24,000.00)	
	<u>(24,000.00)</u>	<u>(24,000.00)</u>	Review of full time staff positions being undertaken by Barcon Consulting throughout Q3/Q4 2020.
<u>EXPENSES</u>			
Expenditures	24,000.00	-	
	<u>24,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(24,000.00)	
<u>OFFICE365 MIGRATION</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(20,000.00)	
	<u>-</u>	<u>(20,000.00)</u>	Email services were successfully migrated in early Q4 2019. Deployment of remaining services anticipated to have been deferred to Q4 2020.
<u>EXPENSES</u>			
Expenditures	-	6,736.51	
	<u>-</u>	<u>6,736.51</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		33.68%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(13,263.49)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>ANNUAL HARDWARE & SOFTWARE UPGRADE</u>			
<u>FUNDING</u>			
Contribution from General Levy	(25,000.00)	(25,000.00)	
	(25,000.00)	(25,000.00)	
<u>EXPENSES</u>			
Expenditures	25,000.00	22,844.71	
	25,000.00	22,844.71	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		91.38%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(2,155.29)	Project substantially complete with tablets remaining to be purchased and deployed.
<u>MUNICIPAL ACCOUNTING SOFTWARE UPGRADE</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	(50,000.00)	(50,000.00)	
Contribution from Grants (Modernization Fund)	(100,000.00)	(100,000.00)	
	(150,000.00)	(150,000.00)	
<u>EXPENSES</u>			
Expenditures	150,000.00	-	
	150,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(150,000.00)	Project deferred until 2021 due to COVID-19.
<u>BUILDING PERMITS DATABASE SOFTWARE</u>			
<u>FUNDING</u>			
Contribution from Grants (Modernization Fund)	(85,000.00)	(85,000.00)	
	(85,000.00)	(85,000.00)	
<u>EXPENSES</u>			
Expenditures	85,000.00	57,987.72	
	85,000.00	57,987.72	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		68.22%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(27,012.28)	Building Permit software & digitization works underway.

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>NETWORK INFRASTRUCTURE UPDATES</u>			
<u>FUNDING</u>			
Contribution from General Levy	(75,000.00)	(75,000.00)	
	(75,000.00)	(75,000.00)	
<u>EXPENSES</u>			
Expenditures	75,000.00	18,317.09	
	75,000.00	18,317.09	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		24.42%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(56,682.91)	Portion of hardware/software purchased, implementation works on-going. Project anticipated to be complete by Q4 2020.
<u>CYBER SECURITY STRATEGY & DISASTER RECOVERY</u>			
<u>FUNDING</u>			
Contribution from Grants (Modernization Fund)	(35,000.00)	(35,000.00)	
	(35,000.00)	(35,000.00)	
<u>EXPENSES</u>			
Expenditures	35,000.00	-	
	35,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(35,000.00)	Project to commence in Q4 2020.
<u>JOINT GIS FRAMEWORK REVIEW</u>			
<u>FUNDING</u>			
Contribution from Grants (Modernization Fund)	(35,000.00)	(35,000.00)	
	(35,000.00)	(35,000.00)	
<u>EXPENSES</u>			
Expenditures	35,000.00	-	
	35,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(35,000.00)	Project deferred until 2021 due to COVID-19.

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>CORPORATE PHONE SYSTEM REPLACEMENT</u>			
<u>FUNDING</u>			
Contribution from General Levy	(50,000.00)	(50,000.00)	
	(50,000.00)	(50,000.00)	
<u>EXPENSES</u>			
Expenditures	50,000.00	-	
	50,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(50,000.00)	Project commenced in late Q1 but was deferred to late Q3 due to COVID-19.
<u>RECORDS MANAGEMENT MODERNIZATION</u>			
<u>FUNDING</u>			
Contribution from Grants (Modernization Fund)	(15,000.00)	(15,000.00)	
	(15,000.00)	(15,000.00)	
<u>EXPENSES</u>			
Expenditures	15,000.00	2,035.20	
	15,000.00	2,035.20	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		13.57%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(12,964.80)	RFP to be issued in Q3 2020.
<u>RADIO EQUIPMENT UPGRADES</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(400,000.00)	
Contribution from Sale of Surplus Assets	-	(5,436.43)	
	-	(405,436.43)	
<u>EXPENSES</u>			
Expenditures	-	326,134.02	
	-	326,134.02	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		80.44%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(79,302.41)	Project schedule is under direction of the Waterloo Regional Police and Region of Waterloo. The system is tentatively scheduled to go live in early Q3 2020 for Fire Services. Additional radio system work to be completed. Firm completion date of the project is unknown at this time.

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>STATION 3 (NH) RENOVATION</u>			
<u>FUNDING</u>			
Contribution from Development Charges	-	(515,400.00)	
	-	(515,400.00)	
<u>EXPENSES</u>			
Expenditures	-	480,886.02	
	-	480,886.02	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		93.30%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(34,513.98)	Project Completed.
<u>FIRE MASTER PLAN</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(14,000.00)	
Contribution from Development Charges	-	(56,000.00)	
	-	(70,000.00)	
Expenditures	-	57,301.76	
	-	57,301.76	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		81.86%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(12,698.24)	Project works are on-going and expected to be presented to Council in late Q3 2020.
<u>THERMAL IMAGING CAMERAS</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(26,500.00)	
Contribution from Reserve Fund	-	(3,500.00)	
	-	(30,000.00)	
<u>EXPENSES</u>			
Expenditures	-	4,433.14	
	-	4,433.14	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		14.78%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(25,566.86)	Project deferred due to COVID-19.

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>WATER & ICE RESCUE EQUIPMENT</u>			
<u>FUNDING</u>			
Contribution from General Levy	(15,000.00)	(15,000.00)	Due to COVID-19, staff are awaiting delivery of the rapid deployment craft and some dry suits. All other equipment has arrived. All NFPA certified training has been delivered to the team successfully. Once remaining equipment arrives and is placed in service, the team will be announced fully functional. On-going annual training will continue for VFFs.
Contribution from Reserve Fund	-	(46,000.00)	
	<u>(15,000.00)</u>	<u>(61,000.00)</u>	
Expenditures	15,000.00	23,418.60	
	<u>15,000.00</u>	<u>23,418.60</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		38.39%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(37,581.40)	
<u>SUPPLY/INSTALL COMMERCIAL WASHER & DRYERS</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	-	(90,000.00)	Project Completed.
	<u>-</u>	<u>(90,000.00)</u>	
<u>EXPENSES</u>			
Expenditures	-	72,209.67	
	<u>-</u>	<u>72,209.67</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		80.23%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(17,790.33)	
<u>SCBA REPLACEMENTS</u>			
<u>FUNDING</u>			
Contribution from General Levy	(145,000.00)	(145,000.00)	Project Completed. Remaining unfunded capital costs to be funded over the next three (3) years (2021-2023) through the capital program as outlined in both the 10-year capital and capital justification sheets.
Contribution from Reserve Fund	-	(144,045.96)	
	<u>(145,000.00)</u>	<u>(289,045.96)</u>	
Expenditures	145,000.00	720,229.80	
	<u>145,000.00</u>	<u>720,229.80</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		249.17%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	431,183.84	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>MOUNTED APPARATUS PRESSURE WASHERS</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	-	(20,000.00)	
	<u>-</u>	<u>(20,000.00)</u>	
Expenditures	-	11,754.70	Project Completed.
	<u>-</u>	<u>11,754.70</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		<u>58.77%</u>	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(8,245.30)	
<u>WASHROOM RENOVATION - BADEN (STN 1)</u>			
<u>FUNDING</u>			
Contribution from General Levy	(30,000.00)	(30,000.00)	
	<u>(30,000.00)</u>	<u>(30,000.00)</u>	
<u>EXPENSES</u>			
Expenditures	30,000.00	-	Engineering and architectural work being conducted. COVID-19 has delayed the schedule on this project however, project anticipated to be underway or near completion by Q4 2020.
	<u>30,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		<u>0.00%</u>	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(30,000.00)	
<u>CONCRETE APRONS INSTALL - BADEN (STN 1)</u>			
<u>FUNDING</u>			
Contribution from General Levy	(22,000.00)	(22,000.00)	
	<u>(22,000.00)</u>	<u>(22,000.00)</u>	
Expenditures	22,000.00	-	Competitive quotations being obtained for project works.
	<u>22,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		<u>0.00%</u>	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(22,000.00)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>RETAINING WALL / LANDSCAPING - ND (STN 2)</u>			
<u>FUNDING</u>			
Contribution from General Levy	(12,000.00)	(12,000.00)	
	<u>(12,000.00)</u>	<u>(12,000.00)</u>	
Expenditures	12,000.00	-	Project anticipated to be complete by mid Q3 2020.
	<u>12,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(12,000.00)	
<u>FIRE PREVENTION VEHICLE II</u>			
<u>FUNDING</u>			
Contribution from Development Charges	(60,000.00)	(60,000.00)	
	<u>(60,000.00)</u>	<u>(60,000.00)</u>	
Expenditures	60,000.00	-	Project deferred due to COVID-19.
	<u>60,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(60,000.00)	
<u>FIRE CHIEF PICKUP REPLACEMENT</u>			
<u>FUNDING</u>			
Contribution from General Levy	(59,000.00)	(59,000.00)	
Contribution from Sale of Surplus Assets	(1,000.00)	-	
	<u>(60,000.00)</u>	<u>(59,000.00)</u>	Project deferred due to COVID-19.
Expenditures	60,000.00	-	
	<u>60,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(59,000.00)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>PUMP TRUCK REPLACEMENT - BADEN (STN 1)</u>			
<u>FUNDING</u>			
Contribution from General Levy	(417,000.00)	(417,000.00)	Tender released and staff are reviewing technical documents. Award of contract proposal to be brought forward to Council In Q3/Q4 2020.
Contribution from Reserve Fund	(303,000.00)	(303,000.00)	
Contribution from Sale of Surplus Assets	(5,000.00)	-	
	<u>(725,000.00)</u>	<u>(720,000.00)</u>	
<u>EXPENSES</u>			
Expenditures	725,000.00	-	
	<u>725,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(720,000.00)	
<u>FIRST AID, AED, CPR, O2 CERTIFICATION</u>			
<u>FUNDING</u>			
Contribution from General Levy	(40,000.00)	(40,000.00)	Project partially completed. COVID-19 has delayed some of the training requirements. Training anticipated to be complete in Q4 2020.
	<u>(40,000.00)</u>	<u>(40,000.00)</u>	
Expenditures	40,000.00	2,910.34	
	<u>40,000.00</u>	<u>2,910.34</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		7.28%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(37,089.66)	
<u>WILMOT EMPLOYMENT LANDS</u>			
<u>FUNDING</u>			
Contribution from Development Charges	-	(3,116,095.00)	Staff continue working on draft development applications with two (2) property owners, in conjunction with construction of infrastructure on the Employment Lands. Staff working with Ministry personnel on potential extensions to CWWF funding deadlines.
Contribution from Grant (CWWF)	-	-	
Contribution from Region	-	-	
	<u>-</u>	<u>(3,116,095.00)</u>	
Expenditures	-	8,911.83	
	<u>-</u>	<u>8,911.83</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.29%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(3,107,183.17)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>HANNAH AND LEWIS STREET RECONSTRUCTION</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(116,965.00)	
Contribution from Reserve Fund	-	(295,148.00)	
Contribution from Grants (OCIF & Fed Gas Tax)	-	(591,587.00)	
	<u>-</u>	<u>(1,003,700.00)</u>	Project substantially complete. Deficiency work to occur in 2020 with final asphalt surface planned for 2021.
Expenditures	-	799,132.38	
	<u>-</u>	<u>799,132.38</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		79.62%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(204,567.62)	
<u>WILMOT AND CHURCH STREET ENGINEERING</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(189,028.00)	
Contribution from Reserve Fund	(128,600.00)	(813,002.00)	
Contribution from Grants (OCIF & Fed Gas Tax)	(239,200.00)	(696,748.00)	
	<u>(367,800.00)</u>	<u>(1,698,778.00)</u>	Phase I awarded to BEECH Infrastructure Group for \$1,564,862.33 (net of HST rebate) as per Council report PW 2020-05. Construction scheduled for Q2/Q3 2020. Phase II scheduled for contract award in Q4 2020 with construction in Q1 to Q3 2021.
Expenditures	367,800.00	178,876.95	
	<u>367,800.00</u>	<u>178,876.95</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		10.53%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(1,519,901.05)	
<u>EMPLOYMENT LANDS MULTI-USE TRAIL</u>			
<u>FUNDING</u>			
Contribution from Development Charges	-	(217,600.00)	
Contribution from Grants (OMCC)	-	(102,400.00)	
	<u>-</u>	<u>(320,000.00)</u>	Works to be completed in conjunction with the employment lands project.
Expenditures	-	-	
	<u>-</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(320,000.00)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>SNOW STORAGE REVIEW</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(1,500.00)	
Contribution from Development Charges	-	(13,500.00)	
	-	(15,000.00)	Project to be consolidated with the proposed Operational/Facility Review project identified in 2021.
Expenditures	-	-	
	-	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(15,000.00)	
<u>TANDEM AXLE DUMP TRUCK (REPLACING 305-09)</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(270,000.00)	
	-	(270,000.00)	Project Completed. Vehicle delivered in Q2 2020. Final invoice pending to be received.
Expenditures	-	156,990.45	
	-	156,990.45	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		58.14%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(113,009.55)	
<u>BRIDGE INSPECTIONS</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(35,000.00)	
	-	(35,000.00)	Project Completed. Report Delivered in Q2. Final payment to be remitted once report is signed off.
<u>EXPENSES</u>			
Expenditures	-	2,934.86	
	-	2,934.86	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		8.39%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(32,065.14)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>GUIDERAIL PROGRAM</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(50,000.00)	
Contribution from Reserve Fund	-	(15,000.00)	
Contribution from Grants (Fed Gas Tax)	(50,000.00)	(50,000.00)	
	<u>(50,000.00)</u>	<u>(115,000.00)</u>	Project on-going.
Expenditures	50,000.00	11,353.98	
	<u>50,000.00</u>	<u>11,353.98</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		9.87%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(103,646.02)	
<u>SINGLE AXLE DUMP TRUCK REPLACEMENT - 303-10 & 307-11</u>			
<u>FUNDING</u>			
Contribution from General Levy	(440,000.00)	(440,000.00)	
Contribution from Sale of Surplus Assets	(60,000.00)	-	
	<u>(500,000.00)</u>	<u>(440,000.00)</u>	Contract awarded to Altruck International Truck Centres for \$533,053 (net of HST rebate) as per Council report PW 2020-12 for two (2) single axle dump trucks (303-10 & 307-11). As bids were higher than anticipated, additional funding to be sourced in the 2021 capital program to offset the overage.
<u>EXPENSES</u>			
Expenditures	500,000.00	-	
	<u>500,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(440,000.00)	
<u>STRIP/STALL/TEMPLATE PAINTER UNIT & TRAILER</u>			
<u>FUNDING</u>			
Contribution from Development Charges	(26,000.00)	(26,000.00)	
	<u>(26,000.00)</u>	<u>(26,000.00)</u>	Project anticipated to be complete in Q3 2020.
Expenditures	26,000.00	-	
	<u>26,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(26,000.00)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>4X4 PICKUP W/ PLOW & SALTER REPLACEMENT- 304-10</u>			
<u>FUNDING</u>			
Contribution from General Levy	(75,000.00)	(75,000.00)	
	(80,000.00)	(75,000.00)	
<u>EXPENSES</u>			
Expenditures	80,000.00	-	
	80,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(75,000.00)	Project anticipated to be complete in Q3 2020.
<u>RADAR SPEED DISPLAY SIGNS</u>			
<u>FUNDING</u>			
Contribution from General Levy	(27,457.00)	(27,457.00)	
Contribution from Reserve Fund	(8,043.00)	(8,043.00)	
	(35,500.00)	(35,500.00)	
Expenditures	35,500.00	-	
	35,500.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(35,500.00)	Project deferred pending on-boarding of Technical Program Coordinator position, as approved under Report PW 2019-019.
<u>MUNICIPAL DRAIN MAINTENANCE (VARIOUS)</u>			
<u>FUNDING</u>			
Contribution from General Levy	(5,000.00)	(5,000.00)	
Contribution from Others (Benefitting Landowners)	(45,000.00)	-	
	(50,000.00)	(5,000.00)	
<u>EXPENSES</u>			
Expenditures	50,000.00	1,030.32	
	50,000.00	1,030.32	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		20.61%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(3,969.68)	Project deferred due to COVID-19.

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>MUNICIPAL DRAIN DATABASE DIGITIZATION</u>			
<u>FUNDING</u>			
Contribution from General Levy	(15,000.00)	(15,000.00)	Project deferred pending on-boarding of Technical Program Coordinator position, as approved under Report PW 2019-019.
	(15,000.00)	(15,000.00)	
Expenditures	15,000.00	-	
	15,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(15,000.00)	
<u>HOT MIX PROGRAM '20</u>			
<u>FUNDING</u>			
Contribution from Grants (OCIF)	(278,985.00)	(278,985.00)	Contract awarded to Brantco Construction for \$348,640.60 (net of HST rebate) as per Council report PW 2020-07. Works to be completed in Q3 2020. Overall project includes completion of 2019 work accrued at \$43,420.80.
	(278,985.00)	(278,985.00)	
<u>EXPENSES</u>			
Expenditures	278,985.00	-	
	278,985.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(278,985.00)	
<u>SURFACE TREATMENT PROGRAM '20</u>			
<u>FUNDING</u>			
Contribution from General Levy	(9,915.00)	(9,915.00)	Contract awarded to Cornell Construction Limited for \$487,935.64 (net of HST rebate) as per Council report PW 2020-06. Project anticipated to be complete in Q3 2020.
Contribution from Reserve Fund	(294,957.00)	(294,957.00)	
Contribution from Grants (Fed Gas Tax)	(95,158.00)	(95,158.00)	
Contribution from Others (City of Waterloo)	(50,000.00)	-	
	(450,030.00)	(400,030.00)	
Expenditures	450,030.00	-	
	450,030.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(400,030.00)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>OXFORD RD 5 CULVERT REPLACEMENT</u>			
<u>FUNDING</u>			
Contribution from Grants (OCIF)	(135,000.00)	(7,317.50)	
	(135,000.00)	(7,317.50)	Project managed by Oxford County. Project anticipated to commence in early Q3 2020.
Expenditures	135,000.00	-	
	135,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(7,317.50)	
<u>BRIDGE STREET BRIDGE #34/B-T9 ASSESSMENT</u>			
<u>FUNDING</u>			
Contribution from Development Charges	(22,921.00)	(22,921.00)	
Contribution from Grants (ICIP)	(114,579.00)	-	
	(137,500.00)	(22,921.00)	Contract awarded to K. Smart Associates Limited for \$47,061.90 (net of HST rebate) as per Council report PW 2020-11 for class EA and preliminary design. Project works on-going.
<u>EXPENSES</u>			
Expenditures	137,500.00	-	
	137,500.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(22,921.00)	
<u>STORMWATER INFRASTRUCTURE MASTER PLAN</u>			
<u>FUNDING</u>			
Contribution from Development Charges	(140,000.00)	(140,000.00)	
Contribution from Grants (Fed Gas Tax)	(35,000.00)	(35,000.00)	
	(175,000.00)	(175,000.00)	RFP anticipated to be released in Q3 2020.
<u>EXPENSES</u>			
Expenditures	175,000.00	-	
	175,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(175,000.00)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>NOTRE DAME DRIVE RECONSTRUCTION</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	(70,000.00)	(70,000.00)	
Contribution from Grants (Fed Gas Tax)	(201,000.00)	(201,000.00)	
	(271,000.00)	(271,000.00)	Project led by the Region of Waterloo and has been deferred to 20201.
<u>EXPENSES</u>			
Expenditures	271,000.00	-	
	271,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(271,000.00)	
<u>SIDEWALK PROGRAM '19-'20</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(70,000.00)	
Contribution from Grants (Fed Gas Tax)	(52,000.00)	(52,000.00)	
	(52,000.00)	(122,000.00)	Contract awarded to Vista Contracting for \$75,068.35 as per Council report PW 2020-09. Work to commence in Q2/Q3 2020.
Expenditures	52,000.00	5,104.35	
	52,000.00	5,104.35	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		4.18%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(116,895.65)	
<u>RICHARDSON, KRAMPIEN AND DOERING DRAINS</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(20,000.00)	
Contribution from Grants (OMAFRA)	-	-	
Contribution from Landowners	-	(10,715.45)	
	-	(30,715.45)	Krampien Drain was cleaned out on either side of the culverts for 3527 Carmel Koch Rd in April 2020. Richardson Drain Branch A construction completed in 2019. Minor restoration work to be completed. Doering Drain tentatively scheduled for fall depending on need.
<u>EXPENSES</u>			
Expenditures	-	43,246.44	
	-	43,246.44	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		140.80%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	12,530.99	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>GRAVEL CRUSHING PROGRAM '20</u>			
<u>FUNDING</u>			
Contribution from Grants (Fed Gas Tax)	(65,000.00)	(65,000.00)	Contract awarded to Joe Kerr Limited for \$47,712.72 (net of HST rebate) as per Council report PW 2020-08. Gravel maintenance program commenced in mid Q2 2020.
	(65,000.00)	(65,000.00)	
<u>EXPENSES</u>			
Expenditures	65,000.00	5.36	
	65,000.00	5.36	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.01%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(64,994.64)	
<u>SNYDERS ROAD SANITARY AND STORM SEWERS</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(15,000.00)	Project led by the Region of Waterloo and has been deferred to 20201.
Contribution from Reserve Fund	-	(150,000.00)	
	-	(165,000.00)	
Expenditures	-	-	
	-	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(165,000.00)	
<u>UTILITIES SERVICE VEHICLE (REPLACING 402-10)</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	(22,000.00)	(80,000.00)	Project awarded to Oxford Dodge for \$84,720.29 (net of HST rebate) as per Council report PW 2020-10. Vehicle anticipated to be delivered in Q4 2020. Project was initially budgeted in 2019 at \$63,000, additional funding of \$22,000 was included in the 2020 budget.
Contribution from Sale of Surplus Assets	-	-	
	(22,000.00)	(80,000.00)	
<u>EXPENSES</u>			
Expenditures	22,000.00	-	
	22,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(80,000.00)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>ST AGATHA WATERMAIN LOOPING - ENGINEERING</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	-	(18,000.00)	
	-	(18,000.00)	
<u>EXPENSES</u>			
Expenditures	-	-	
	-	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(18,000.00)	Project to be coordinated with Notre Dame Dr project led by the Region of Waterloo.
<u>TRENCH BOX UNIT</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	(31,000.00)	(31,000.00)	
	(31,000.00)	(31,000.00)	
<u>EXPENSES</u>			
Expenditures	31,000.00	24,913.90	
	31,000.00	24,913.90	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		80.37%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(6,086.10)	Project Completed.
<u>GREENWOOD DR & NAFZIGER RD ENGINEERING</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	(50,500.00)	(50,500.00)	
Contribution from Grants (OCIF)	(54,500.00)	-	
	(105,000.00)	(50,500.00)	
<u>EXPENSES</u>			
Expenditures	105,000.00	-	
	105,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(50,500.00)	Project pre-design work underway.

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>GINGERICH RD WATERMAIN IMPROVEMENTS</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	(95,000.00)	(95,000.00)	
	(95,000.00)	(95,000.00)	
<u>EXPENSES</u>			Detailed design work on-going.
Expenditures	95,000.00	39,062.85	
	95,000.00	39,062.85	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		41.12%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(55,937.15)	
<u>SANITARY SYSTEM INFILTRATION STUDY</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	(125,000.00)	(195,000.00)	
	(125,000.00)	(195,000.00)	
Expenditures	125,000.00	11,386.08	Project work on-going. Final reporting in late Q4 2020/ early Q1 2021.
	125,000.00	11,386.08	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		5.84%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(183,613.92)	
<u>MORNINGSIDE TRUNK SEWER - ENGINEERING</u>			
<u>FUNDING</u>			
Contribution from Development Charges	-	(400,750.00)	
	-	(400,750.00)	
<u>EXPENSES</u>			Anticipate RFP release in Q3 2020. Staff working with Region to coordinate project details as well as coordinate with general development activity in Baden.
Expenditures	-	55,047.89	
	-	55,047.89	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		13.74%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(345,702.11)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>MAUSOLEUM REPAIRS - STAGE I</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	(25,000.00)	(25,000.00)	
	(25,000.00)	(25,000.00)	
<u>EXPENSES</u>			
Expenditures	25,000.00	-	Project has yet to commence.
	25,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>			
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(25,000.00)	
<u>ARTIFICIAL TURF SPORTS FIELD - WODSS</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	-	(117,500.00)	
Contribution from Development Charges	(425,000.00)	(807,500.00)	
Contribution from Grants (WRDSB)	-	-	
	(425,000.00)	(925,000.00)	
<u>EXPENSES</u>			
Expenditures	425,000.00	-	Project awarded to 39 Seven Inc. for \$1,420,569.60 (net of HST rebate) by the Waterloo Region District School Board. Project anticipated to be complete by September 2020. Wilmot responsible for 50% of capital costs.
	425,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(925,000.00)	
<u>TRAIL DESIGN - BECKDALE, SMITHS CREEK, SCHNELLER/COUNTRY CREEK</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(22,915.00)	
Contribution from Development Charges	-	(110,500.00)	
Contribution from Trust (Trails)	-	(14,100.00)	
	-	(147,515.00)	
<u>EXPENSES</u>			
Expenditures	-	50,886.42	Project Completed. Smiths Creek was removed from this project scope and are part of the Wetlands project. Beckdale was completed by Mike Schout. Signage is outstanding but will be installed in Q3 2020.
	-	50,886.42	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		34.50%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(96,628.58)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>TRAIL SIGNAGE</u>			
<u>FUNDING</u>			
Contribution from Development Charges	-	(10,000.00)	
	-	(10,000.00)	
<u>EXPENSES</u>			
Expenditures	-	1,473.32	
	-	1,473.32	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		14.73%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(8,526.68)	
<u>EMPLOYMENT LANDS WOODLOT TRAIL DESIGN</u>			
<u>FUNDING</u>			
Contribution from Development Charges	-	(40,000.00)	
	-	(40,000.00)	
<u>EXPENSES</u>			
Expenditures	-	-	
	-	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(40,000.00)	
<u>REFORESTATION PROGRAM</u>			
<u>FUNDING</u>			
Contribution from Grants - K-W Hydro	(45,000.00)	(90,000.00)	
	(45,000.00)	(90,000.00)	
<u>EXPENSES</u>			
Expenditures	45,000.00	14,235.01	
	45,000.00	14,235.01	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		15.82%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(75,764.99)	

Project works on-going.

Project to be in conjunction with the Employment Lands Development.

2020 Program has yet to commence.

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>SANDHILLS ROAD MULTI-USE TRAIL</u>			
<u>FUNDING</u>			
Contribution from Trust (Trails)	(380,000.00)	(380,000.00)	
	(380,000.00)	(380,000.00)	
<u>EXPENSES</u>			
Expenditures	380,000.00	29,056.19	Project design underway.
	380,000.00	29,056.19	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		7.65%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(350,943.81)	
<u>LASCHINGER WOODS - SOUTH TRAILS</u>			
<u>FUNDING</u>			
Contribution from Trust (Trails)	(65,000.00)	(65,000.00)	
	(65,000.00)	(65,000.00)	
<u>EXPENSES</u>			
Expenditures	65,000.00	-	Project has commenced with anticipated completion in Q4 2020.
	65,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(65,000.00)	
<u>ROOFTOP HVAC (NH LIBRARY)</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(12,000.00)	
	-	(12,000.00)	
<u>EXPENSES</u>			
Expenditures	-	-	Project has been deferred to 2021 due to COVID-19.
	-	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(12,000.00)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>PARKING LOT DRAINAGE - SENIOR'S WOODWORKING SHOP</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(12,000.00)	
Contribution from Reserve Fund	-	(28,000.00)	
	-	(40,000.00)	
<u>EXPENSES</u>			Project Completed. Awaiting final invoicing.
Expenditures	-	1,706.46	
	-	1,706.46	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		4.27%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(38,293.54)	
<u>LIBRARY SERVICES FACILITY REVIEW</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(8,400.00)	
Contribution from Development Charges	-	(21,600.00)	
	-	(30,000.00)	
<u>EXPENSES</u>			Project has been deferred to 2021 due to COVID-19.
Expenditures	-	-	
	-	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(30,000.00)	
<u>LED LIGHTING - ADMIN COMPLEX</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(22,500.00)	
	-	(22,500.00)	
<u>EXPENSES</u>			Project has been deferred to 2021 due to COVID-19.
Expenditures	-	409.54	
	-	409.54	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		1.82%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(22,090.46)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>BOILER REPLACEMENT - ADMIN COMPLEX</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(35,000.00)	
	-	(35,000.00)	
<u>EXPENSES</u>			
Expenditures	-	-	
	-	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(35,000.00)	Project has been deferred to 2021 due to COVID-19.
<u>PARKING LOT DESIGN - ADMIN COMPLEX</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(16,000.00)	
Contribution from Development Charges	-	(16,000.00)	
	-	(32,000.00)	
<u>EXPENSES</u>			
Expenditures	-	-	
	-	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(32,000.00)	Project has been deferred to 2021 due to COVID-19.
<u>ADMIN COMPLEX - OFFICE RENOVATIONS</u>			
<u>FUNDING</u>			
Contribution from Grants (Modernization Fund)	(274,500.00)	(274,500.00)	
	(274,500.00)	(274,500.00)	
<u>EXPENSES</u>			
Expenditures	274,500.00	31,795.28	
	274,500.00	31,795.28	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		11.58%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(242,704.72)	Corporate Services department retrofit completed. Remainder of project has been deferred to 2021 due to COVID-19.

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>ICE NEEDS STUDY - UPDATE</u>			
<u>FUNDING</u>			
Contribution from General Levy	(5,875.00)	(5,875.00)	
Contribution from Development Charges	(19,125.00)	(19,125.00)	
	<u>(25,000.00)</u>	<u>(25,000.00)</u>	Project underway with anticipated completion in Q3 2020.
<u>EXPENSES</u>			
Expenditures	25,000.00	1,068.48	
	<u>25,000.00</u>	<u>1,068.48</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		4.27%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(23,931.52)	
<u>PARKS SERVICE VEHICLE</u>			
<u>FUNDING</u>			
Contribution from General Levy	(7,600.00)	(7,600.00)	
Contribution from Development Charges	(32,400.00)	(32,400.00)	
	<u>(40,000.00)</u>	<u>(40,000.00)</u>	Project Completed. Awaiting final invoicing.
<u>EXPENSES</u>			
Expenditures	40,000.00	-	
	<u>40,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(40,000.00)	
<u>WASHROOM FLOORS REPLACEMENT (VARIOUS LOCATIONS)</u>			
<u>FUNDING</u>			
Contribution from General Levy	(21,000.00)	(21,000.00)	
	<u>(21,000.00)</u>	<u>(21,000.00)</u>	Project Completed.
<u>EXPENSES</u>			
Expenditures	21,000.00	18,111.24	
	<u>21,000.00</u>	<u>18,111.24</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		86.24%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(2,888.76)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>ELECTRIC VEHICLE CHARGING STATIONS</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	(95,000.00)	(95,000.00)	
Contribution from Grants (ZEVIP)	(60,000.00)	-	
	<u>(155,000.00)</u>	<u>(95,000.00)</u>	Project works underway, being led by the Region of Waterloo with anticipated completion by Q3/Q4 2020.
<u>EXPENSES</u>			
Expenditures	155,000.00	-	
	<u>155,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(95,000.00)	
<u>NH ARENA RECREATION FLOOR SPACE - DESIGN</u>			
<u>FUNDING</u>			
Contribution from Development Charges	(185,511.00)	(185,511.00)	
Contribution from Grants (ICIP)	(510,070.00)	-	
Contribution from Others (TCP)	-	-	
	<u>(695,581.00)</u>	<u>(185,511.00)</u>	Project delayed by ICIP Funding announcement timing.
<u>EXPENSES</u>			
Expenditures	695,581.00	-	
	<u>695,581.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(185,511.00)	
<u>NH ARENA BOLSTER BLOCKS REPAIR</u>			
<u>FUNDING</u>			
Contribution from General Levy	(15,000.00)	(15,000.00)	
	<u>(15,000.00)</u>	<u>(15,000.00)</u>	Project anticipated to commence in Q3 2020.
<u>EXPENSES</u>			
Expenditures	15,000.00	-	
	<u>15,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(15,000.00)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>NH ARENA ROUND BANQUET TABLES REPLACEMENT</u>			
<u>FUNDING</u>			
Contribution from General Levy	(16,000.00)	(16,000.00)	
	(16,000.00)	(16,000.00)	
<u>EXPENSES</u>			
Expenditures	16,000.00	-	
	16,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(16,000.00)	Project anticipated to commence in Q3 2020.
<u>NEW HAMBURG CC KITCHEN UPGRADES</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(30,000.00)	
	-	(30,000.00)	
<u>EXPENSES</u>			
Expenditures	-	38,969.24	
	-	38,969.24	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		129.90%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	8,969.24	Project Completed. Project slightly over budget due to the addition of aluminum shutters and unforeseen plumbing upgrades.
<u>WRC FIELD IRRIGATION EQUIPMENT</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(36,000.00)	
Contribution from Reserve Fund	(41,500.00)	(41,500.00)	
	(41,500.00)	(77,500.00)	
<u>EXPENSES</u>			
Expenditures	41,500.00	-	
	41,500.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(77,500.00)	Project has yet to commence.

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>WRC FLOOR RIDE-ON SCRUBBER REPLACEMENT</u>			
<u>FUNDING</u>			
Contribution from General Levy	(17,000.00)	(17,000.00)	
	(17,000.00)	(17,000.00)	
<u>EXPENSES</u>			
Expenditures	17,000.00	-	
	17,000.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(17,000.00)	Project Completed. Awaiting final invoicing.
<u>WRC GAS SENSORS REPLACEMENT</u>			
<u>FUNDING</u>			
Contribution from General Levy	(4,600.00)	(4,600.00)	
Contribution from Reserve Fund	(17,400.00)	(17,400.00)	
	(22,000.00)	(22,000.00)	
<u>EXPENSES</u>			
Expenditures	22,000.00	21,800.00	
	22,000.00	21,800.00	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		99.09%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(200.00)	Project works underway with anticipated completion in Q3 2020.
<u>TILE & GROUTING - AQUATIC CENTRE</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	(70,500.00)	(70,500.00)	
	(70,500.00)	(70,500.00)	
<u>EXPENSES</u>			
Expenditures	70,500.00	94,371.90	
	70,500.00	94,371.90	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		133.86%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	23,871.90	Phase A works completed. Phase B (pool deck) of project awarded to PPL for \$76,320 (net of HST rebate) as per Council report PFRS 2020-06. Additional funding to be sourced from the 2021 capital program.

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>BECK PARK - WASHROOM RENOVATIONS</u>			
<u>FUNDING</u>			
Contribution from General Levy	(21,000.00)	(21,000.00)	
	(21,000.00)	(21,000.00)	
<u>EXPENSES</u>			
Expenditures	21,000.00	6,382.34	
	21,000.00	6,382.34	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		30.39%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(14,617.66)	Project works underway with anticipated completion in Q3 2020.
<u>HAYSVILLE CC - PLAYGROUND EQUIPMENT REPLACEMENT</u>			
<u>FUNDING</u>			
Contribution from General Levy	(30,000.00)	(30,000.00)	
Contribution from Community Donation	-	(30,000.00)	
	(30,000.00)	(60,000.00)	
<u>EXPENSES</u>			
Expenditures	30,000.00	27,015.93	
	30,000.00	27,015.93	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		45.03%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(32,984.07)	Project Completed. Savings will be returned to the general levy in part of year end processing.
<u>MANNHEIM CC - SUBFLOOR REPLACEMENT</u>			
<u>FUNDING</u>			
Contribution from General Levy	(22,500.00)	(22,500.00)	
	(22,500.00)	(22,500.00)	
<u>EXPENSES</u>			
Expenditures	22,500.00	-	
	22,500.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(22,500.00)	Project works underway with anticipated completion in Q3 2020.

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>NEW DUNDEE BALL DIAMOND FENCING REPAIRS</u>			
<u>FUNDING</u>			
Contribution from General Levy	(15,000.00)	(15,000.00)	
	(15,000.00)	(15,000.00)	
<u>EXPENSES</u>			
Expenditures	15,000.00	13,990.98	Project Completed.
	15,000.00	13,990.98	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		93.27%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(1,009.02)	
<u>KIRKPATRICK PARK & AREA - PARKING LOT</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	-	(307,500.00)	
Contribution from Grants (Main St Revitalization)	-	(45,820.73)	
	-	(595,120.73)	Project Completed except for deficiencies. Substantial completion anticipated in Q3 2020.
<u>EXPENSES</u>			
Expenditures	-	489,028.99	
	-	489,028.99	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		82.17%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(106,091.74)	
<u>PERMANENT DOG PARK INSTALL</u>			
<u>FUNDING</u>			
Contribution from Reserve Fund	(61,600.00)	(61,600.00)	
	(61,600.00)	(61,600.00)	Project underway with RFP closing in early Q3 2020. Parking Lot works to be included in the 2021 capital budget process.
<u>EXPENSES</u>			
Expenditures	61,600.00	-	
	61,600.00	-	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(61,600.00)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>NH - ADDITIONAL PLAYGROUND EQUIPMENT - CONSTITUTION PARK</u>			
<u>FUNDING</u>			
Contribution from General Levy	(19,437.00)	(19,437.00)	
Contribution from Grants (OCIF)	(22,563.00)	-	
	<u>(42,000.00)</u>	<u>(19,437.00)</u>	Project works underway with anticipated completion in Q3 2020.
<u>EXPENSES</u>			
Expenditures	42,000.00	-	
	<u>42,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(19,437.00)	
<u>NH - PLAYGROUND EQUIPMENT REPLACEMENT - OPTIMIST PARK</u>			
<u>FUNDING</u>			
Contribution from Grants (Fed Gas Tax)	(88,000.00)	(88,000.00)	
	<u>(88,000.00)</u>	<u>(88,000.00)</u>	Project in RFP stage with anticipated completion in Q3 2020.
<u>EXPENSES</u>			
Expenditures	88,000.00	-	
	<u>88,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(88,000.00)	
<u>NH - EQUIPMENT STORAGE REPAIRS</u>			
<u>FUNDING</u>			
Contribution from General Levy	(15,100.00)	(15,100.00)	
	<u>(15,100.00)</u>	<u>(15,100.00)</u>	Project works underway with anticipated completion in Q3 2020.
<u>EXPENSES</u>			
Expenditures	15,100.00	7,392.86	
	<u>15,100.00</u>	<u>7,392.86</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		48.96%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(7,707.14)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>SACC KITCHEN UPGRADES</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(24,000.00)	
Contribution from Reserve Fund	(17,000.00)	(17,000.00)	
Contribution from Donations - SA StrawberryFest	-	(1,000.00)	
	<u>(17,000.00)</u>	<u>(42,000.00)</u>	Project anticipated to be complete in Q3 2020. Roller shutters pending to be installed.
<u>EXPENSES</u>			
Expenditures	17,000.00	13,845.29	
	<u>17,000.00</u>	<u>13,845.29</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		32.96%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(28,154.71)	
<u>HISTORIC FLOOR COVERING REPRODUCTION</u>			
<u>FUNDING</u>			
Contribution from General Levy	(15,000.00)	(15,000.00)	
	<u>(15,000.00)</u>	<u>(15,000.00)</u>	Project works underway.
<u>EXPENSES</u>			
Expenditures	15,000.00	-	
	<u>15,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(15,000.00)	
<u>CULTURAL HERITAGE LANDSCAPE INVENTORY</u>			
<u>FUNDING</u>			
Contribution from General Levy	(10,000.00)	(10,000.00)	
	<u>(10,000.00)</u>	<u>(10,000.00)</u>	Project coordinated with the Region of Waterloo. Staff awaiting further communications.
<u>EXPENSES</u>			
Expenditures	10,000.00	-	
	<u>10,000.00</u>	<u>-</u>	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		0.00%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	(10,000.00)	

**2020 CAPITAL PROGRAM (UN-AUDITED)
FOR THE PERIOD ENDING JUNE 30, 2020**

Project	2019 Total Budget	Total Funding Available / Actuals to Date	Comments
<u>ZONING BY-LAW CONSOLIDATION</u>			
<u>FUNDING</u>			
Contribution from General Levy	-	(29,900.00)	
Contribution from Development Charges	-	(35,100.00)	
	-	(65,000.00)	Zoning By-Law public meeting to be held on July 27, delayed due to COVID-19.
<u>EXPENSES</u>			
Expenditures	-	85,488.22	
	-	85,488.22	
<u>PERCENTAGE OF FUNDING SPENT TO DATE</u>		131.52%	
<u>UNFUNDED / (UNEXPENDED) CAPITAL</u>	-	20,488.22	
TOTAL FUNDING CAPITAL PROGRAM	(7,709,096.00)	(16,693,566.07)	
TOTAL EXPENDITURES	7,709,096.00	4,355,085.52	
(UNEXPENDED)/UNFUNDED CAPITAL	-	(12,338,480.55)	
% of Funding Spent		26.09%	

Les Armstrong,

You are paid by taxpayers to make decisions that affect the lives of your constituents. Only through clear messaging can you begin to eliminate racism. Using American propaganda to appeal to a largely white base in Canada is not "interesting" as you suggest.

It is not furthering the question of how to stop racism. It is signalling that all is well and white in Wilmot.

It is sinister and unbecoming.

Until you can say unequivocally that "Black Lives Matter" and present an active guideline for true allyship in this battle, you are fuelling the fires of hate and division. Plain and simple.

If you cannot see that you are sowing this division you are part of the problem and it is time for you to hang up the mayoral chain: you have no vision and therefore cannot chart a pathway to a future of inclusion and diversity.

Origin:

<https://www.wilmot.ca/Modules/contact/search.aspx?s=EFHOVXSi8AOIMKMStZMNvAeQuAleQuAl>

This email was sent to you by Ron Kennell through <https://www.wilmot.ca/>.



The TOWNSHIP of
NORTH DUMFRIES

2958 Greenfield Road
PO Box 1060
Ayr, ON N0B 1E0

July 3, 2020

RE: Enhanced Broadband Connectivity

This letter is to advise you that Township Council, at their Council meeting held on June 22, 2020, passed the following resolution:

“WHEREAS broadband is recognized as an essential utility and service by communities and jurisdictions;

AND WHEREAS the Government of Canada has published a blueprint document on the provision of enhanced broadband connectivity entitled High Speed Access for All: Canada’s Connectivity Strategy;

AND WHEREAS the Province of Ontario has published Up to Speed: Ontario’s Broadband and Cellular Action Plan as a strategy to improve the provision of expanded digital connectivity;

AND WHEREAS many rural and small urban communities in Ontario continue to be underserved by internet service providers;

AND WHEREAS the provision of internet service in rural and small urban communities is slower, has less bandwidth and is more expensive to purchase than services located within larger urban centres;

AND WHEREAS it is widely acknowledged and understood that to create vibrant communities, programs and initiatives must be leveraged to grow network-based technologies to strategically improve services to residents, enable businesses to become globally competitive, incubate a knowledge workforce and enhance social capacity;

AND WHEREAS the success of rural and small urban communities is reliant upon the availability of user cost effective, high speed, high capacity bandwidth internet connectivity;

AND WHEREAS business parks and downtown areas due to their nature of centralized commerce require additional internet capacity and speed to flourish and grow in the digital economy;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NORTH DUMFRIES ENACTS AS FOLLOWS:

THAT the Government of Canada and the Province of Ontario accelerate and increase funding programs that are designed to serve rural and small urban communities to ensure affordable access to, or the development of, high speed, high capacity network infrastructure;

AND THAT the Government of Canada and the Province of Ontario design area specific funding programs for business parks and downtown areas as employment districts in rural and small urban communities to support at a minimum 100 Mbps high speed, high capacity bandwidth internet connectivity;

AND THAT this Resolution be forwarded to the Waterloo Economic Development Corporation, the Waterloo Regional Tourism Marketing Corporation, the Southwest Integrated Fibre Technology Board of Directors, the Cambridge Chamber of Commerce, the Kitchener-Waterloo Chamber of Commerce, the Region of Waterloo, and, the area Municipalities within Waterloo Region seeking their endorsement;

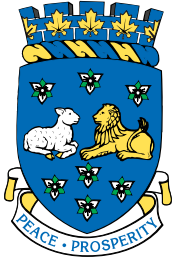
AND THAT this Resolution be forwarded to all of the Members of Parliament and Members of Provincial Parliament in Waterloo Region.”

Sincerely,



Ashley Sage
Clerk
Township of North Dumfries
North Dumfries Community Complex
2958 Greenfield Road, P.O. Box 1060
Ayr, Ontario N0B 1E0

519-632-8800 ext. 122
asage@northdumfries.ca



June 25, 2020
A34-80

Local Area Municipal Clerks

Dear Clerk's Office:

Re: PDL-CAS-20-05, Regional Council Composition Review Options and Consultation Process

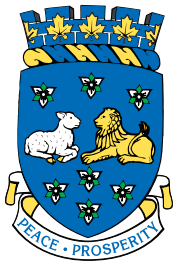
Please find enclosed a copy of the staff report relating to this resolution. The options are being provided to the area municipal Councils and public for input. Public engagement through Engage WR opens on June 25, 2020 and will close on August 15, 2020. Another report with a preferred option will be presented (with no decision being made at that time) on September 15th and a public meeting scheduled on September 30th. On October 14th, Regional Council will then pass an intention to confirm the current composition or intention to approve a by-law adopting a change to the composition of Regional Council. A triple majority will be required from the area municipalities for the recommended option from Regional Council. This will be sent out to each of you on October 15, 2020 with a response required from your municipality by November 20, 2020. Final confirmation will be done by Regional Council on November 25, 2020.

That the Regional Municipality of Waterloo direct staff to undertake public consultation on the four options for Regional Council Composition described in report PDL-CAS-20-05, dated June 16, 2020;

And that a public meeting be scheduled for September 30, 2020 to consider the matter;

And that the report be circulated to the Area Municipal Councils for their input on the four options.

If you have any questions please contact Lee Ann Wetzel, Manager, Council & Admin Services/Deputy Clerk, 519-575-4410 or lwetzel@regionofwaterloo.ca



REGIONAL MUNICIPALITY OF WATERLOO

OFFICE OF THE REGIONAL CLERK

150 Frederick Street, 2nd Floor
Kitchener ON N2G 4J3 Canada
Telephone: 519-575-4400
TTY: 519-575-4608
Fax: 519-575-4481
www.regionofwaterloo.ca

Please forward any written responses to this letter to Kris Fletcher, Director, Council & Administrative Services/Regional Clerk.

Regards,

Kris Fletcher, Director, Council & Admin Services/Regional Clerk

KF/hk

Enclosed: Report PDL-CAS-20-05, Regional Council Composition Review
Options and Consultation Process

cc: Lee Ann Wetzel, Manager, Council & Admin Services/Deputy Clerk



Report: PDL-CAS-20-05

Region of Waterloo

Planning, Development and Legislative Services

Council and Administrative Services

To: Chair Tom Galloway and Members of Council

Date: June 16, 2020

File Code: A34-80

Subject: Regional Council Composition Review Options and Consultation Process

Recommendation:

That the Regional Municipality of Waterloo direct staff to undertake public consultation on the four options for Regional Council Composition described in report PDL-CAS-20-05, dated June 16, 2020;

And that a public meeting be scheduled for September 30, 2020 to consider the matter;

And that the report be circulated to the Area Municipal Councils for their input on the four options.

Summary:

The Region of Waterloo is required by the Municipal Act to conduct a Council composition review by the end of 2020. Staff have prepared four options for consideration:

- the status quo;
- an allocation of one Regional Councillor per 25,000 residents in an area municipality, based on largest Township population;
- an overall target of 30,000 residents per Regional Councillor for all of Regional Council, based on previous representation; and
- a system of Combined Urban and Rural Representatives

Staff are recommending that these options be provided to the Councils of the area municipalities and to the public for input.

After the public consultation, any option selected by the Region must be supported by the triple majority as outlined in this report.

Report:

The Region of Waterloo is required by the Municipal Act to conduct a review of the composition of Regional Council by the end of 2020. While staff have made inquiries, there has been no confirmation that the province is considering waiving or delaying this requirement due to the Covid-19 pandemic.

On March 24, 2020 Council approved report PDL-CAS-20-03 and directed the Regional Clerk to complete the required Council Composition Review using in house resources with the assistance of a consultant. Dr. Robert Williams was selected as the consultant and has met with staff on the formulation of the options included in the report and the development of the public consultation process.

The Municipal Act requires that Regional Council be composed of a minimum of five members and that each area municipality be represented on the upper-tier council. Currently each area municipality is represented on Regional Council by the City and Township Mayors. Historically this was the requirement in the Regional Municipality of Waterloo Act passed in 1973. This remained in place in 2000 when provincial legislation was passed that set the current composition of Council and the direct election of Regional Councillors.

Section 218 and 219 of the Municipal Act (Appendix 1) outlines the requirements for the review of the composition of Regional Council. The Region is required to pass a resolution to maintain the status quo or pass a by-law to change the size of Council by the end of 2020. This by-law or resolution must be endorsed by a triple majority, being:

- a majority of the votes on Regional Council;
- supportive resolutions from a majority of the Councils of the area municipalities; and
- the area municipalities that have passed resolutions consenting to the by-law, or the resolution, must represent a majority of the electors in the Region.

If the triple majority is not obtained, the Municipal Act allows the Minister to change the composition of Regional Council through a regulation.

Guiding Principles

Staff have utilized the following guiding principles when reviewing the council composition

- Representation by Population – Subject to the overriding principle of effective representation, it is desirable that voters should be relatively equally represented across the Region. The principle is intended to ensure that residents have

comparable access to their elected representatives and that the workload of these representatives is relatively balanced. Representation by population will be calculated using total population figures rather than by the number of eligible electors, recognizing that non-voters are also participants within the community.

- Balance of Rural and Urban Communities (as outlined in the Strategic Plan) – It is important to recognize the uniqueness of our rural and urban communities and to ensure that residents of Townships and Cities are all provided with effective representation.
- Current and Future Population Trends – The next composition review will occur between 2026 and 2028 as mandated by the Municipal Act. This review will consider anticipated population trends to ensure effective representation for the 2022 and 2026 Municipal Elections.
- Effective Representation – In the “Carter decision”, the Supreme Court of Canada concluded that the “purpose of the right to vote enshrined in s.3 of the Charter is not equality of voting power per se but the right to ‘effective representation’”. While voter parity is important, exact voter parity is not obtainable. Rather, since a vote is intended to provide meaningful on-going representation after the election, it may be necessary to consider the best forms of representation and place a higher priority on other principles to create plausible and coherent electoral areas that better contribute to ‘effective representation’ than electoral areas that are equal in population.

Previous Composition Reviews

The composition of Regional Council was last reviewed in 2008. At that time Regional Council decided to defer an Administration and Finance Committee motion that would have increased the size of Council by four members (two in Kitchener and one in each of Waterloo and Cambridge), but the issue was not brought back.

The last change to the composition of Regional Council was done by the province through the Direct Democracy Through Municipal Referendums Act for the municipal election held in November 2000. At that time Council was reduced from twenty-two (22) members to the current sixteen (16) members, with eight (8) members being directly elected. The Regional Chair was first directly elected starting in 1997.

As Table 1 demonstrates, the population balance between the area municipalities has not varied significantly from the creation of the current composition. After the 2026 election provincial legislation requires that the composition of Regional Council be reviewed again. Population projections to 2026 demonstrate that that all of the area municipalities are expected to continue to grow at a somewhat equal rate.

Table 1 – Regional Population Figures for 2001, 2019, and 2026

Municipality	2001 Pop.	% Region Pop.	2019 Pop.	% Region Pop. ¹	2026 Pop.	% Region Pop. ²
Cambridge	113,571	25%	136,345	23%	156,137	24%
Kitchener	199,027	43%	256,340	43%	272,965	42%
North Dumfries	8,883	2%	10,769	2%	14,222	2%
Waterloo	93,296	20%	135,127	23%	146,407	22%
Wellesley	9,581	2%	11,570	2%	11,785	2%
Wilmot	15,187	3%	21,783	4%	24,155	4%
Woolwich	18,566	4%	26,622	4%	30,776	5%
Region	458,111	100%	598,556	100%	656,447	100%

Option 1 – Status Quo

The Region is permitted to pass a resolution supporting the status quo. Just like the other options, a resolution to maintain the status quo must also be endorsed by a triple majority.

The current composition does not strictly match with the principle of representation by population but it may strike an acceptable balance for ensuring the principle of effective representation is being met. Although the population balance between the municipalities has not varied significantly since 2001, the number of residents that are represented by each Councillor has risen by approximately 9,000 to approximately 39,000 per Regional Councillor. This is projected to continue to increase through 2026 to approximately 43,000.

Table 2 – Status Quo

Municipality	2019 Population	Regional Councillors*	2019 Population per Regional Councillor	2026 Population per Regional Councillor
Cambridge	136,345	3	45,448	52,046
Kitchener	256,340	5	51,268	54,593
North Dumfries	10,769	1	10,769	14,222
Waterloo	135,127	3	45,042	48,802
Wellesley	11,570	1	11,570	11,785
Wilmot	21,783	1	21,783	24,155
Woolwich	26,622	1	26,622	30,776
Region	598,556	15*	39,904	43,763

*Does not include the Regional Chair, includes Mayors

¹ 2019 are best estimates based on information currently available.

² Population forecasts to 2026 reflect the Region's moderate forecast scenario that is used in master plans.

Option 2 – One Regional Councillor per 25,000 Residents in an Area Municipality (Based on Largest Township Population)

This option would aim to balance the representation by population. A target of 25,000 residents per councillor would be set based on the population of the largest Township. Setting the target at 10,000 to be in line with the smallest Township would result in a Regional Council of 58 members, which is not practical nor fiscally desirable.

Under this option the size of Council would increase by 8, to 24 members including the Regional Chair, with Cambridge and Waterloo increasing their Councillors by 2 and Kitchener increasing by 4. None of the Townships would see an increase in the number of representatives but the population per Regional Councillor would become closer to those in the Cities.

This option better aligns with the principle of representation by population but may negatively impact the principle of balancing rural and urban communities. The size of Regional Council and the average population represented by each Councillor would be closer to those of Halton and Durham Regions (see table 6), under this option.

Table 3 - One Regional Councillor per approximately 25,000 - 30,000 Residents

Municipality	2019 Population	Regional Councillors*	2019 Population per Regional Councillor	2026 Population per Regional Councillor
Cambridge	136,345	5	27,269	31,227
Kitchener	256,340	9	28,482	30,329
North Dumfries	10,769	1	10,769	14,222
Waterloo	135,127	5	27,025	29,281
Wellesley	11,570	1	11,570	11,785
Wilmot	21,783	1	21,783	24,155
Woolwich	26,622	1	26,622	30,776
Region	598,556	23*	26,024	28,541

*Does not include the Regional Chair, includes Mayors

Option 3 –Target of 30,000 residents per Regional Councillor for all of Regional Council (Based on Previous Representation)

This option recognizes the balance of rural and urban communities that is served under the current model, while acknowledging that the number of residents that are represented by each Councillor has risen by an average of more than 9,000 since the current composition was established and is projected to be over 13,000 by 2026.

Under this option a target of 30,000 residents per Regional Councillor, for all of Regional Council would be set. This target is based on the average number of residents that were represented by Regional Councillors when the current composition was

established.

In order to reach this target, while being mindful of the principle of representation by population, Cambridge and Waterloo would each increase by 1 Regional Councillor and Kitchener would increase by 2. Including the Regional Chair, this would result in a 20-member Regional Council.

Table 4 – Overall Target of approximately 30,000 Residents per Regional Councillor

Municipality	2019 Population	Regional Councillors*	2019 Population per Regional Councillor	2026 Population per Regional Councillor
Cambridge	136,345	4	34,086	39,034
Kitchener	256,340	7	36,620	38,995
North Dumfries	10,769	1	10,769	14,222
Waterloo	135,127	4	33,782	36,602
Wellesley	11,570	1	11,570	11,785
Wilmot	21,783	1	21,783	24,155
Woolwich	26,622	1	26,622	30,776
Region	598,556	19*	31,503	34,550

*Does not include the Regional Chair, includes Mayors

Option 4 – Combined Urban and Rural Representatives

This option attempts to address the principles of effective representation, representation by population, and rural and urban communities. Under this option the Mayors would continue to represent their area municipalities. The directly elected Councillors would change from representing a single City, to representing at least one Township and one City.

A target of approximately 50,000 residents per directly elected Regional Councillor would be used which results in 3 Councillors for North Dumfries and Cambridge; 3 Councillors for Waterloo, Woolwich, and Wellesley; and 5 Councillors for Kitchener and Wilmot. The directly elected Regional Councillors would be elected by, and accountable to, all of the residents in the City and Township(s) that they would represent. This would result in a 19-member Regional Council, including the Regional Chair.

The target of 50,000 residents per directly elected Regional Councillor is higher than the targets in the other options that are proposed in the report. This target would only apply to the directly elected Regional Councillors. Because the Mayors are not factored into this calculation, the number of Regional Councillors involved is lower than the other options, without reducing the number of representatives that residents can contact. If a target of 30,000 residents per directly elected Regional Councillor was used under this option, the size of Council would increase to 27, including the Regional Chair. If a target

of 40,000 residents per directly elected Regional Councillor was used under this option, the size of Council would increase to 23, including the Regional Chair.

Table 5 – Combined Urban and Rural Representatives

Municipality	2019 Population	Regional Councillors*	2019 Population per Regional Councillor	2026 Population per Regional Councillor
Cambridge	136,345	1 (Mayor)	136,345	156,137
North Dumfries	10,769	1 (Mayor)	10,769	14,222
Waterloo	135,127	1 (Mayor)	135,127	146,407
Woolwich	26,622	1 (Mayor)	26,622	30,776
Wellesley	11,570	1 (Mayor)	11,570	11,785
Kitchener	256,340	1 (Mayor)	256,340	272,965
Wilmot	21,783	1 (Mayor)	21,783	24,155
Cambridge and North Dumfries	147,114	3 (Directly Elected)	49,038	56,786
Waterloo Woolwich and Wellesley	173,319	3 (Directly Elected)	57,773	62,989
Kitchener and Wilmot	278,123	5 (Directly Elected)	55,625	59,424
Region	598,556	18*	33,253	36,469

*Does not include the Regional Chair

Reducing the Size of Council

None of the options that are being presented for public input will reduce the size of Regional Council. This is due to a number of reasons. Waterloo Region already has the smallest Regional Council compared to the other Regions and has the same or fewer Councillors than similar sized single-tier municipalities such as Ottawa (23) or Hamilton (15). Additionally, as the following table demonstrates, on average, each Councillor represents a population of 39,904 which falls within the range of the other Regions.

Table 6 – Other Regions

Region	Regional Councillors *	Local Municipalities	2019 Population.³	Population per Councillor	Range of local municipal representation
Waterloo	15	7	598,556	39,904	10,000 to 52,000
Durham	28	8	697,355	24,906	6,000 to 29,000
Halton	23	4	596,369	25,929	20,000 to 26,000
Niagara	31	12	479,183	15,458	6,000 to 22,000
Peel	24	3	1,541,994	64,250	14,000 to 91,000
York	20	9	1,181,485	59,074	24,000 to 82,000

*Does not include Regional Chairs

Finally, reducing the size of Council would require either:

- Reducing the directly elected urban Councillors which is not in line with the principle of representation by population;
- Reducing the representation of the area Mayors on Regional Council; or
- A complex system of weighted voting for Regional Council.

Staff are not recommending any of these options for reducing Regional Council, so no option was developed.

Public Engagement and Public Meeting Requirements

With respect to public consultation, a public survey will be available on Engage Waterloo Region for six weeks, starting on June 25, 2020. A public input meeting of the Administration and Finance Committee will be held to hear delegations on September 30, 2020.

Staff had originally planned to hold three (3) consultation centres/open houses in various areas of the Region in June 2020. However, due to the Covid-19 pandemic these events are currently not possible. Staff will monitor the situation and look for additional opportunities for consultation throughout the summer.

Consultation with the Area Municipalities

The Municipal Act requires that whichever option Council wishes to pursue, it must be endorsed by a triple majority, namely:

- a majority of the votes on Regional Council;
- supportive resolutions from a majority of the Councils of the area municipalities;
- and

³ 2019 population figures for the other Regions were obtained from Stats Canada at <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=1710013901>

- the area municipalities that have passed resolutions consenting to the by-law, or the resolution, must represent a majority of the electors in the Region.

Staff are recommending that this report be circulated to the Area Municipal Councils to seek their input on which of the four options they would be prepared to support.

Staff will review the feedback from the Area Municipal Councils and the public, and will recommend an option to the Committee on September 15, 2020. The Committee will be able to hear from delegations at the public meeting on September 30, 2020. Council will need to declare its intention to confirm the current composition or to approve a by-law adopting a change to the composition of Council on October 14, 2020. This will then be circulated to the Area Municipal Councils to obtain the triple majority with the final confirmation of the resolution or by-law on November 25, 2020.

If a triple majority is not obtained for a resolution supporting the status quo, or a by-law changing the composition of Regional Council within the timeframe outlined below, Section 218(7) of the Municipal Act allows the Minister to change the composition of Council through a regulation.

Next Steps

The following is a high level project plan for the proposed work.

Table 7 – Next Steps

Timeframe	Tasks
Late June - August	<ul style="list-style-type: none"> • Present the options to the Area Municipal Councils and public for input • Utilize the Engage Waterloo Region Platform
September	<ul style="list-style-type: none"> • Present preferred option to Council on September 15th (No Decision) • Hold the required Public Meeting to hear from delegations on the preferred option on September 30th • Pass intention to confirm the current composition or intention to approve a by-law adopting a change to the composition of Council on October 14th
October 15 – November 20	<ul style="list-style-type: none"> • Seek triple majority consent from Area Municipal Councils to the confirmation of the current composition or the by-law
November 25 th Council Meeting	<ul style="list-style-type: none"> • Final confirmation of current composition or approval of a by-law changing the composition of Council

Corporate Strategic Plan:

The proposed review of council composition aligns with Focus Area 5 of the Strategic Plan – Responsive and Engaging Public Service and Strategic Imperative, Balance of Rural and Urban Communities.

Financial Implications:

In 2019 the average cost of a directly elected councillor was approximately \$66,000. This accounts for salary, benefits, mileage, communication, and conferences. It does not account for additional staff that would be required to support the additional councillors or physical modifications to offices that would be required for any new councillors.

Other Department Consultations/Concurrence:

Staff from Legal Services and Planning provided input on the report.

Attachments:

Appendix 1 – Municipal Act Section 218

Prepared By: **Tim Brubacher**, Council/Committee Support Specialist

Lee Ann Wetzel, Deputy Clerk/Manager, Council and Administrative Services

Approved By: **Kris Fletcher**, Regional Clerk/Director, Council and Administrative Services

Rod Regier, Commissioner, Planning, Development and Legislative Services

Appendix 1 – Municipal Act Section 218

Composition of upper-tier council

218 (1) Without limiting sections 9, 10 and 11, those sections authorize an upper-tier municipality to change the composition of its council subject to the following rules:

1. There shall be a minimum of five members, one of whom shall be the head of council.
2. The head of council shall be elected by general vote, in accordance with the *Municipal Elections Act, 1996*, or shall be appointed by the members of council.
- 2.1 Repealed: 2018, c. 11, Sched. 2, s. 1 (2).
3. The members of council, except the head of council, shall be elected in accordance with the *Municipal Elections Act, 1996* to the upper-tier council or to the council of one of its lower-tier municipalities.
4. The head of council shall be qualified to be elected as a member of council of the upper-tier municipality.
5. If the members of council are directly elected to the upper-tier council and not to the council of a lower-tier municipality, the members shall be elected by general vote or wards or by any combination of general vote and wards.
6. Each lower-tier municipality shall be represented on the upper-tier council. 2001, c. 25, s. 218 (1); 2006, c. 32, Sched. A, s. 93 (1); 2016, c. 37, Sched. 15, s. 1; 2018, c. 11, Sched. 2, s. 1.

Types of changes

- (2) Without limiting sections 9, 10 and 11, the power to change the composition of council includes the power to,
- (a) change the number of members of its council that represent one or more of its lower-tier municipalities;
 - (b) change the method of selecting members of the council, including having members directly elected to the upper-tier council and not to the council of a lower-tier municipality, members elected to serve on both the upper-tier and lower-tier councils or members elected to the lower-tier councils and appointed to the upper-tier council by the lower-tier municipalities, or a combination of methods of election;
 - (c) have a member representing more than one lower-tier municipality;
 - (d) require that if a member of council is appointed by the members of council as the head of the upper-tier council, the member is no longer entitled to hold office on the council of a lower-tier municipality or any other office on the council of the upper-tier municipality or both; and
 - (e) require that if a member of council is appointed by the members of council as the head of the upper-tier council, the appointed member must hold office on the council of

a lower-tier municipality. 2001, c. 25, s. 218 (2); 2006, c. 32, Sched. A, s. 93 (2); 2017, c. 10, Sched. 1, s. 14 (1).

Number of votes

(3) Without limiting sections 9, 10 and 11, those sections authorize an upper-tier municipality to change the number of votes given to any member but each member shall have at least one vote. 2006, c. 32, Sched. A, s. 93 (3).

Term of office

(4) Without limiting sections 9, 10 and 11, those sections authorize an upper-tier municipality to change the term of office of an appointed head of council so long as the new term does not extend beyond the term of council. 2006, c. 32, Sched. A, s. 93 (3).

Term unaffected

(5) Except as provided in subsection (4), nothing in this section authorizes an upper-tier municipality to change the term of office of a member of council. 2017, c. 10, Sched. 1, s. 14 (2).

Reviews by regional municipalities

(6) Following the regular election in 2018 and following every second regular election after that, a regional municipality shall review, for each of its lower-tier municipalities, the number of members of its council that represent the lower-tier municipality. 2017, c. 10, Sched. 1, s. 14 (2).

Regulations

(7) The Minister may make a regulation changing the composition of a council of a regional municipality if the regional municipality does not, in the period of time that starts on the day the new council is organized following a regular election referred to in subsection (6) and ends on the day two years after that day, either,

(a) pass a by-law to change, for one or more of its lower-tier municipalities, the number of the members of its council that represent the lower-tier municipality; or

(b) pass a resolution to affirm, for each of its lower-tier municipalities, the number of the members of its council that represent the lower-tier municipality. 2017, c. 10, Sched. 1, s. 14 (2).

When regulation may be made

(8) The Minister may make a regulation under subsection (7) only after the period of time referred to in that subsection but before the year of the next regular election after which the regional municipality has a duty to conduct a review under subsection (6). 2017, c. 10, Sched. 1, s. 14 (2).

What regulation may include

(9) A regulation made under subsection (7) may include anything that could be included

in a by-law of the upper-tier municipality under subsections (1) to (5) and is subject to the limitations set out in those subsections. 2017, c. 10, Sched. 1, s. 14 (2).

What Minister shall have regard to

(10) When considering whether to make a regulation under subsection (7), the Minister shall, in addition to anything else the Minister wishes to consider, have regard to the principle of representation by population. 2017, c. 10, Sched. 1, s. 14 (2).

Transition

(11) Until after the regular election in 2026, subsections (6) and (7) do not apply to a regional municipality that, during the period between the regular election in 2014 and the regular election in 2018, passes a by-law to change, for one or more of its lower-tier municipalities, the number of members of its council that represent the lower-tier municipality. 2017, c. 10, Sched. 1, s. 14 (2).

Section 219 Notice and Triple Majority

Notice

219 (1) Before passing a by-law described in section 218 or a resolution described in clause 218 (7) (b), the municipality shall give notice of its intention to pass the by-law or resolution and shall hold at least one public meeting to consider the matter. 2017, c. 10, Sched. 1, s. 15.

Validity

(2) A by-law described in section 218 making changes described in clauses 218 (2) (a), (b) and (c) or in subsection 218 (3) or a resolution described in clause 218 (7) (b) is not valid unless,

(a) a majority of all votes on the upper-tier council are cast in favour of the by-law or the resolution;

(b) a majority of the councils of all lower-tier municipalities forming part of the upper-tier municipality have passed resolutions consenting to the by-law or the resolution; and

(c) the total number of electors in the lower-tier municipalities that have passed resolutions consenting to the by-law or the resolution form a majority of all the electors in the upper-tier municipality. 2017, c. 10, Sched. 1, s. 15.

TOWNSHIP OF WILMOT

BY-LAW NO. 2020-024

BY-LAW TO FURTHER AMEND BY-LAW NO. 83-38 OF THE TOWNSHIP OF WILMOT BEING A ZONING BY-LAW FOR THE SAID TOWNSHIP OF WILMOT.

WHEREAS The Corporation of the Township of Wilmot deems it desirable to further amend By-law No. 83-38, being a Zoning By-law for the said Township of Wilmot.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:

1. That the lands described on Schedule "A" and illustrated on Schedule "B" attached to and forming part of this by-law, may be used for the following use in addition to the uses permitted in Section 16.2 of By-law No 83-38, as amended:
 - a) live auctions
2. Notwithstanding Section 1 of this By-law, the following regulations shall apply to the lands described on Schedule "A" and illustrated on Schedule "B" attached to and forming part of this By-law:
 - a) That all aspects of the auction, including viewing and gathering areas for attendees, shall be located inside the existing building on the property
 - b) Auctions shall be limited to eight occurrences per year, not exceeding one per month with a single auction occurring over a maximum of two consecutive days.
 - c) All parking associated with live auctions shall occur on private property with authorization from the private property owner and as approved by the Township of Wilmot.
3. Except as amended by the preceding regulations, the lands described on Schedule "A" attached to and forming part of this by-law and shown on Schedule "B" attached to and forming part of this by-law, shall be subject to all other applicable regulations as set down in By-law No. 83-38, as amended.
4. This by-law shall come into effect on the final passing thereof by the Council of The Corporation of the Township of Wilmot subject to compliance with the provisions of The Planning Act, R.S.O., 1990 and amendments thereto and shall remain in force and effect only for a period of three years from the date of issuance of a building permit for a change of use to permit live auctions.

READ a first and second time on the 27th day of **July, 2020**.

READ a third time and finally passed in Open Council on the 27th day of **July, 2020**.

MAYOR

CLERK

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Wilmot, in the Regional Municipality of Waterloo and Province of Ontario being composed of Part of Lot 22, Concession North of Bleams Road, Being Parts 1, 2 and 3, Plan 58R-11315, in the said Township of Wilmot.

This is Schedule "A" to By-law No. 2020-24.

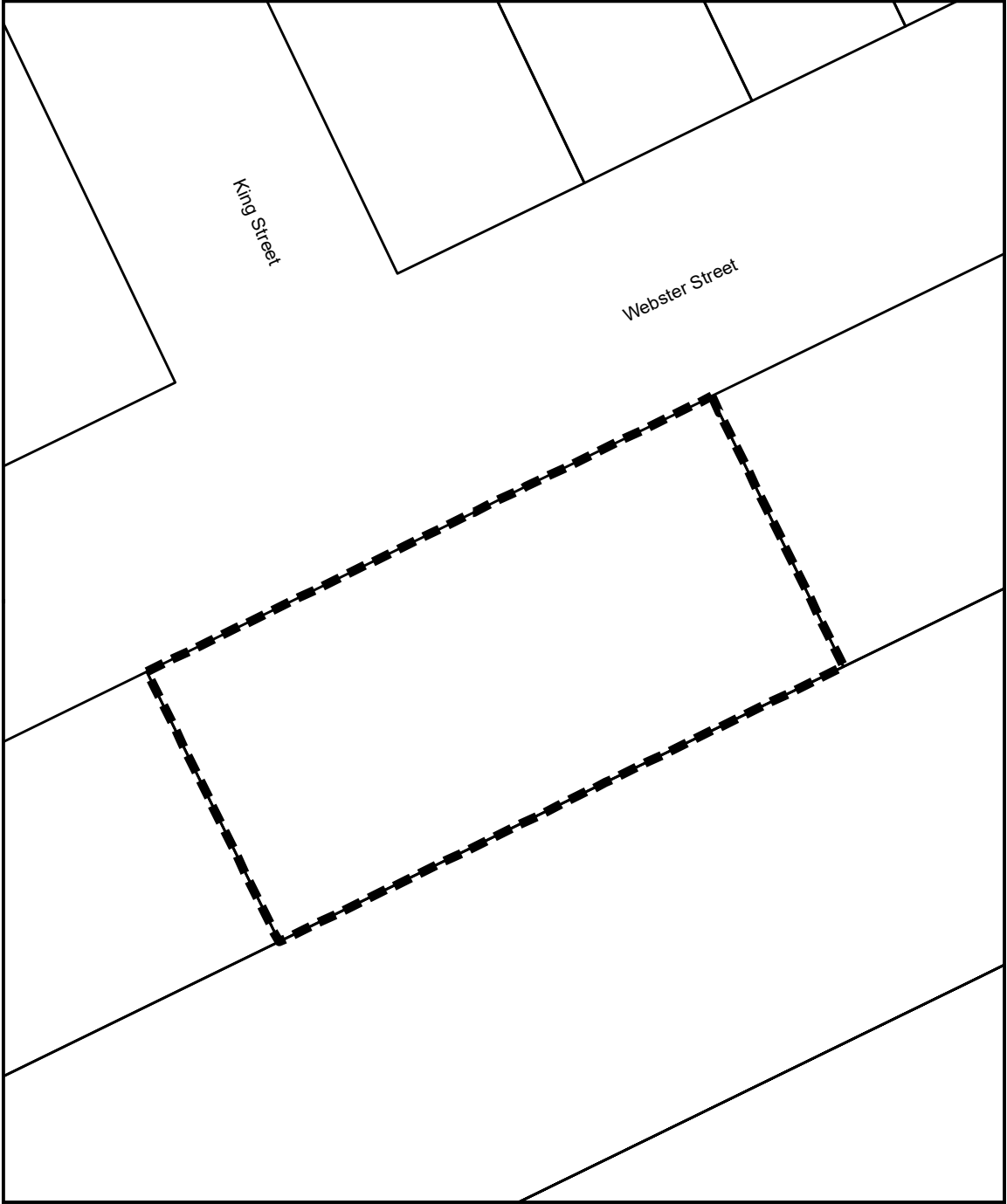
PASSED this 27th day of July, 2020.

MAYOR

CLERK

SCHEDULE "B"
PART OF LOT 22, CONCESSION NORTH OF BLEAMS ROAD
BEING PARTS 1, 2 AND 3, PLAN 58R-11315
TOWNSHIP OF WILMOT

SUBJECT LANDS OUTLINED THUS: - - - - -



THIS IS SCHEDULE "B" TO BY-LAW NO. 2020-024
PASSED THIS 27TH DAY OF JULY, 2020.

MAYOR

CLERK

