

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 closer than 1.0 metres from any side or rear lot lines, other than a legal fence or wall.

(By-law amendment 2005-66)

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.

6.3.3 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.

6.3.4 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.

6.3.5 No accessory building shall be used for human habitation unless such use is specifically permitted within the zone.

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 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.

(By-law amendment 90-78)

6.4.3 Notwithstanding the above, in any yard there may be erected or maintained the usual projections or 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.

(By-law amendment 2005-66)

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.

(amended by By-law 2009-37)

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 Regional Municipality of Waterloo, any telephone or telegraph company, a transportation system owned or operated by or for the Township or the Regional Municipality of Waterloo, a gas company holding a franchise under the provisions of The Municipal Franchise Act, 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.

(By-law amendment 90-78)

- 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.

(By-law amendment 96-41)

- 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.

(By-law amendment 96-41)

6.10 Off-Street Parking and Off-Street Loading Areas

The entrances, driveways, service areas, off-street parking and off-street loading areas, 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 building line or lines.
- 6.11.2 Shall be so 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:
- (a) all off-street parking areas required by this By-law shall be provided and maintained on the same lot and in the same zone as the use requiring such area;
 - (b) all off-street parking areas shall be situated to the rear of the building line or lines.
- 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.

- 6.12.3 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.
- 6.12.4 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.
- 6.12.5 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 Duplex Semi-Detached Triplex	One (1) space per dwelling unit
Residential Building- Row Apartment	One and one-half (1-1/2) spaces per dwelling
Golf Course 18 Hole 9 Hole	125 spaces 75 spaces
Golf Driving Range / Miniature Golf Course	Three (3) spaces for each 2 tees or holes
Doctor's Office in Private Residence	Three (3) spaces plus one (1) space for the residential unit
Medical Clinic	Six (6) spaces for each physician or practitioner
Funeral Home	Twenty (20) spaces
Church, Auditorium, Community Centre, Stadium or any use involving assembly of persons	One (1) space for every 7 seats or eight (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	One (1) space for each 18.5 square metres of such floor area
Commercial Floor Area Not devoted to retail sales or merchandising	One (1) space for each 30 square metres of such floor area
Schools - Elementary Secondary	One (1) space for each classroom plus the additional requirement for an auditorium. Three (3) spaces for each classroom plus the additional requirements for an auditorium

Hospital, Rest Home or Nursing Home	One (1) space for every 4 beds plus one (1) space for every 4 employees
Hotel, Motel, Motor Hotel, Tourist Home, Cabins and similar uses providing sleeping accommodation for hire	One (1) space per rentable bedroom unit plus additional requirements for restaurant or place for dispensing refreshment to the public
Restaurant or place for dispensing Refreshment to the public	One (1) space for each 4.6 square metres of floor area devoted to public use
Industry	One space for each 100 square metres of Floor area used for industrial purposes. A minimum of four (4) spaces shall be required <i>(By-law amendment 90-78)</i>
Service Station or Repair Garage	Four (4) spaces for each service bay
Fraternal Organization, or similar use	One (1) space for each 4.6 square metres of building floor area devoted to public use
Car Washing Establishment	Five (5) spaces per bay but a minimum of fifteen (15) spaces per cash wash establishment
Drive-In Restaurant	Fifteen (15) spaces per 100 square metres of building floor area
Boarding House or Rooming House	One (1) space for each dwelling unit with one (1) additional space for each 2 guest rooms
Day Nursery	Minimum of five (5) spaces
Office, or Office Space Within Industrial Building	One (1) space for each 30 square metres of such floor area.
Warehouse, or Warehouse space in an Industrial Building	One (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 four (4) spaces. <i>(By-law amendment 90-78)</i>
Other Permitted Uses	One (1) space for each 46.4 square metres of floor space

6.13 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.

6.14 Buffer Strips

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

- 6.14.1 Have a minimum width throughout of not less than 1.5 metres.

- 6.14.2 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
- 6.14.3 Be in addition to all other yards required in the said zone.
- 6.14.4 Be kept free of all parking, building or structures except for legal boundary fence or wall.
- 6.14.5 Be used only for the planting of grass, flowers, shrubs or trees.

6.15 Lights and Signs

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 *(By-law amendment 90-78).*
- 6.15.3 Illuminated signs of the flashing or animated type are prohibited.
- 6.15.4 Signs or lights shall not be erected in such a way as to be confused with traffic lights or be otherwise hazardous to traffic.
- 6.15.5 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. *(By-law amendment 2001-03)*

6.16 Public Parks, Public Recreation Areas and Public Conservation Areas

Notwithstanding anything contained in this By-law, public parks, 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.

6.17 Regulations for a Home Occupation

(By-law amendment 94-69)

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

- 6.17.1 That such home occupation shall be located entirely within a private dwelling unit.
- 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.

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

Residential Building – One Unit	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	25m ² , or 25 percent of the floor area of the dwelling unit, whichever is lesser
Residential Building – Triplex	25m ² , or 25 percent of the floor area of the dwelling unit, whichever is lesser
Residential Building – Apartment	25m ² , or 25 percent of the floor area of the dwelling unit, whichever is lesser
Residential Building – Row	25m ² , or 25 percent of the floor area of the dwelling unit, whichever is lesser

- 6.17.4 That such home occupation shall be conducted by the permanent residents of the private dwelling unit only, and that there shall be no employees operating in or from the premises at any time.
- 6.17.5 That there shall be no display material visible from a public street.
- 6.17.6 That 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.
- 6.17.7 That there shall be no outdoor storage of goods or materials.
- 6.17.8 That no retail sales or wholesale merchandising shall take place from the premises.
- 6.17.9 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.
- 6.17.10 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.
- 6.17.11 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.
- 6.17.12 That repair of vehicles, or the operation of an auto body repair shop is expressly prohibited as a home occupation.

6.18 Regulations for a Hotel or Motel

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

6.18.1	Minimum Lot Area	2,000 square metres or the area of a Recognized Lot.
6.18.2	Minimum Lot Width and Minimum Lot Frontage	30.0 metres
6.18.3	Minimum Side Yard (each side)	6.0 metres
6.18.4	Minimum Rear Yard	7.5 metres
6.18.5	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.	
6.18.6	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.
6.18.7	Lights and Signs	Lights and signs shall only be permitted in conformity with the regulations contained in subsection 6.15 of this By-law.
6.18.8	Buffer Strips	A buffer strip in conformity with the regulations contained in subsection 6.14 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.
6.18.9	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.

6.19 Title Separation of Attached Dwellings

(By-law amendment 90-78)

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 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 shall be required;
- (d) provide off-street parking space in conformity with the regulations contained in subsections 6.10 and 6.12 of this By-law.

6.20 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.

(By-law amendment 90-78)

6.21 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:

- 6.21.1 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.
- 6.21.2 The farm occupation shall be for the exclusive use of the occupant of the farm to which it is an ancillary use, and there shall be no employees operating in or from the premises at any time.
- 6.21.3 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.
- 6.21.4 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 established by this By-law and in no case closer to the road than the wall of the existing building closest to the road.
- 6.21.5 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;
 - (c) 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;
 - (d) the recycling of animal products or a rendering plant;
 - (e) the recycling or refining of petroleum products;
 - (f) a junk, scrap, salvage or wrecking yard.

6.22 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.
- 6.22.2 The mobile home shall conform to all requirements of the Ontario Building Code.

6.22.3 Water supply and sewage disposal services shall be approved by the Waterloo Regional Health Unit and the Township.

6.22.4 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.

6.23 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.

6.24 Deleted.

6.25 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:

6.25.1 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.

6.25.2 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.

6.25.3 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.

(By-law amendment 96-41)

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.

(added by By-law 2005-86)

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

No person or persons shall have, conduct or establish a rooming or boarding house until the Township has issued a Certificate of Occupancy.

(By-law amendment 94-69)

6.29 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 following:

6.29.1 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.

6.29.2 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, and shall be located in accordance with all Province of Ontario regulations.

6.29.3 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.

6.29.4 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 Use of Symbol (f) Following Zone or Zone Symbol

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.

In any case where the Zone Symbol is followed by the symbol (f), the lands so designated are 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.

(By-law amendment 86-51)