



(c) **BERMING**

The stockpiling of berm material containing only topsoil and overburden material is permissible within the required pitface setback area specified in Subsection 16(3)(b).

**(4) SPECIAL PROVISIONS**

(a) **EXI-1 (LOTS 9-13, CONCESSION 4)**

Notwithstanding any provisions of this By-Law to the contrary, within any area designated EXI-1 on Schedule 'A' hereto, the following special provisions shall apply:

(i) **Uses Permitted**

- an asphalt plant;
- retail sales of asphalt;
- any use permitted in an EXI Zone.

By-law  
24/88

b) **EXI-2 (CONCRETE BATCHING PLANT)**

Notwithstanding any provisions of this By-law to the contrary, within any area designated EXI-2 on Schedule 'A' hereto, the following special provisions shall apply:

(i) **Uses Permitted Restricted To**

- the permitted uses of the EXI Zone and
- batching plant restricted to concrete

(ii) **Setback for Building or Structure**

By-law  
24/90

c) **EXI-3 (TCG MATERIALS)**

Notwithstanding any provisions of this By-law to the contrary, on the land zoned EXI-3 (Part Lot 25, Rear Concession 7) the extraction of aggregate resources shall not occur below a point which is 1.0 metre above the high water table.

By-law  
25/90

**(as further amended by By-law No. 19/93)**

d) **EXI-4 (TEMPORARY CONCRETE BATCHING PLANT)**

**Note:** This Temporary Use By-law has expired and is deemed to be repealed. The subject land is reverted to the original EXI Zone.

(e) **EXI-5 (UNIVERSITY OF GUELPH PIT)**

Notwithstanding any provision of this By-law to the contrary, within any area zoned EXI-5 on Schedule 'A' hereto, the following special provisions shall apply:

(i) **Uses Permitted**

- all uses permitted an EXI Zone.

(ii) **Minimum Pitface Setback**

- no setback shall be required for any pitface or excavation on those lands zoned EXI-5 on Schedule 'A' when adjacent to an H-4 Zone or adjacent to an A-13 Zone.

(iii) **Setback**

- no setback shall be required for any building, structure, or reduce stockpile on those lands zone EXI-5 on Schedule 'A' from an adjacent H-4 Zone.

(iv) **Berming**

- no setback shall be required for any berm on those lands zoned EXI-5 on Schedule 'A' from an adjacent H-4 Zone or from an adjacent A-13 Zone.

(f) **EXI-6 (NO MINING BELOW WATER TABLE)**

Notwithstanding any provisions of this By-law to the contrary, on the land zoned EXI-6 the extraction of aggregate resources shall not occur below a point which is 1.0 metre above the high water table.

(g) **EXI-7 (CONCRETE BATCHING PLANT)**

Notwithstanding any provisions of this By-law to the contrary, the land zoned **EXI-7** may only be used for the following uses subject to these special regulations:

i) **Permitted Uses:**

- an aggregate storage area
- a concrete batching plant
- a crushing, washing, screening and processing plant
- a gravel pit
- a public use
- a retail outlet, a wholesale outlet or a business office accessory to a permitted use

ii) No building, structure or stockpile shall be located closer than 5.0 metres to any zone boundary.

iii) The concrete batching plant operation shall be confined to the hours of 6:00 a.m. to 6:00 p.m. Mondays to Saturdays and shall not operate on Sundays and Statutory Holidays. Notwithstanding the above, minor

By-law  
28/86

By-law  
29/91

By-law  
27/93

extensions or variations to these hours may be permitted for special short-term contracts or emergency situations.

- iv) All other applicable regulations of this By-law shall apply to the land within this EXI-7 Zone, except as specifically set out by this exception."

By-law  
28/93

(h) **EXI-8 (ASPHALT BATCHING PLANT)**

In addition to the uses permitted under Section 16(2), the land zoned **EXI-8** may also be used for an asphalt batching plant subject to the following special regulations:

- i) The asphalt batching plant operation shall be confined to the hours of 5:00 a.m. to 8:00 p.m. Mondays to Saturdays and shall not operate on Sundays and Statutory Holidays. Notwithstanding the above, minor extensions or variations to these hours may be permitted for special short-term contracts or emergency situations.
- ii) All other applicable regulations of this By-law shall apply to the land within this EXI-8 Zone."

By-law  
22/95

(i) **EXI-9 (CAPITAL PAVING/BURLOCK PROPERTY - PIT NO. 2 EXPANSION)**

Notwithstanding Section 16(2) and any other provision of this By-law to the contrary, the lands zoned EXI-9 may only be used for sand and gravel extraction subject to the provisions of the section 16(3) and the following special regulation:

- i) The extraction of aggregate resources shall not occur below any point which is 1.0 metre above the high water table.

By-law  
04/96

(j) **EXI-10 (PUSLINCH QUALITY AGGREGATES - MAST PROPERTY)**

Notwithstanding any provisions of this By-law to the contrary, on the land zoned EXI-10 the extraction of aggregate resources shall not occur below any point which is 1.0 metre above the high water table.

By-law  
26/97

(k) **EXI-11 (Cox Construction Ltd. - Snyder/Beatson/Love Properties)**

Notwithstanding any provisions of this By-law to the contrary, on the land zoned EXI-11 the extraction of aggregate resources shall not occur below any point which is 1.0 metre above the high water table.

By-law  
14/97

(l) **EXI-12 (Reid's Heritage Homes Ltd. - Heritage Lake Extractive Operation)**

Notwithstanding any provision of this By-law to the contrary, within the area zoned EXI-12 on Schedule 'A' hereto, the following special provisions shall apply:

- i) **Uses Permitted**  
- all uses permitted in an EXI Zone.
- ii) **Setback**  
Notwithstanding the requirements of 16.3(a), no setback shall be required for any building, structure, or product stockpile on those lands zoned EXI-12 on Schedule 'A' when adjacent to an H-6 Zone, an A-22, or an EXI-13 Zone.
- iii) **Pitface Setback**  
Notwithstanding the requirement of 16.3(b), no setback shall be required for any pitface or excavation on those lands zoned EXI-12 on Schedule 'A' when adjacent to an H-6 Zone, an A-22 Zone, or an EXI-13 Zone.
- iv) **Berming**  
Notwithstanding the requirement of 16.3(c), no setback shall be required for any berm on those lands zoned EXI-12 on Schedule 'A' when adjacent to an H-6 Zone, an A-22 Zone, or an EXI-13 Zone.

By-law  
14/97

(m) **EXI-13 (Reid's Heritage Homes Ltd. - Heritage Lake Extractive Operation)**

Notwithstanding any provision of this By-law to the contrary, within any area zoned EXI-13 on Schedule 'A' hereto, the following special provisions shall apply:

- i) That all uses permitted within Section 16(2) shall apply except that no aggregate extraction shall occur other than that required to construct a groundwater barrier wall.
- ii) **Setback**  
Notwithstanding the requirement of 16.3(a), no setback shall be required for any building, structure, or product stockpile on those lands zoned EXI-12 on Schedule 'A' when adjacent to an H-6 Zone, an A-22 Zone, or an EXI-11 Zone.
- iii) **Berming**  
Notwithstanding the requirement of 16.3(c), no setback shall be required for any berm on those lands zoned EXI-13 on Schedule 'A' when adjacent to an H-6 Zone, an A-22 Zone, or an EXI-12 Zone.

By-law  
36/97

(n) **EXI-14 (Capital Materials - Wellington Pit 5)**

Notwithstanding any provision of this By-law to the contrary, within the area zoned **EXI-14** on Schedule 'A' hereto, the following special provisions shall apply:

- i) **Uses Permitted**  
- all uses permitted within the EXI Zone

- ii) **Zone Requirements**  
All of the applicable provisions of Section 16(3) shall apply to the **EXI-14** Zone and including the following special provision:

The extraction of aggregate resources shall not occur below any point which is 1.0 metre above the high water table with the exception of those areas identified on the approved Site Plans accompanying the Pit Licence. The total area which may be extracted below the water table shall not exceed 7.5 hectares (18.5 acres) of the licence area.

By-law  
36/97

(o) **EXI-15 (Capital Materials - Wellington Pit 5)**

Notwithstanding any provision of this By-law to the contrary, within the area zoned **EXI-15** on Schedule 'A' hereto, the following special provisions shall apply:

- i) **Uses Permitted**
  - same as those permitted within the **EXI-14 Zone**, plus an existing single detached dwelling
- ii) **Zone Requirements**
  - same as those listed for the **EXI-14 Zone**.

By-law  
15/01

(p) **EXI-16 (Blue Circle Aggregates - Martinello Pit)**

Notwithstanding the provisions of Section 16(2) or any provision of this By-law to the contrary, the land zoned **EXI-16** on Schedule 'A' hereto may be included within a Class "A" Category 3 licenced site pursuant to the Aggregate Resources Act, R.S.O., 1990, as amended, but shall not be used for the making, establishment or operation of pits or quarries. Notwithstanding the above, the uses permitted within the **EXI-16** Zone may include the stockpiling of berm material, internal haul routes, and areas of natural or planted vegetation.

By-law  
42/03

(q) **EXI-17 (Capital Paving Wellington Pit No. 5 - Expansion)**

Notwithstanding the provisions of Section 16(2) or any provision of this By-law to the contrary, the land zoned **EXI-17** on Schedule 'A' hereto may be included within a Class "A" Category 3 licenced site pursuant to the Aggregate Resources Act, R.S.O., 1990, as amended, and thus used for the making, establishment or operation of pits or quarries, but extraction of aggregate resources shall not occur below any point which is 1.5 metres above the high water table.