

# **PART II: ZONES AND ZONE PROVISIONS**

## **SECTION 4 – Zones and Zone Symbols**

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### **(1) DIVISION INTO ZONES**

For the purpose of this By-Law, all lands within the zoned area are divided into zones and classified in accordance with Subsection (2) of this Section.

### **(2) ZONE CLASSIFICATIONS**

#### **(a) AGRICULTURAL ZONES**

The following zone designations and symbols represent Agricultural Zones:

- (i) Agricultural Zone- A

#### **(b) RESIDENTIAL ZONES**

The following zone designations and symbols represent Residential Zones:

- (i) Hamlet Residential Zone - HR
- (ii) Residential Community Zone - RC
- (iii) Resort Residential Zone - RR
- (iv) Estate Residential Type 1 Zone - ER1
- (v) Estate Residential Type 2 Zone - ER2
- (vi) Rural Residential Zone - RUR

#### **(c) COMMERCIAL ZONES**

The following zone designations and symbols represent Commercial Zones:

- (i) Hamlet Commercial Zone - C1
- (ii) Highway Commercial Zone - C2
- (iii) Agricultural Commercial Zone - C3
- (iv) Resort Commercial Zone - C4

#### **(d) INDUSTRIAL ZONES**

The following zone designations and symbols represent Industrial Zones:

- (i) Industrial Zone - IND
- (ii) Extractive Zone - EXI
- (iii) Disposal Industrial Zone - DI

(e) **INSTITUTIONAL AND OPEN SPACE ZONES**

The following zone designations and symbols represent Institutional, Open Space, and Natural Environment Zones:

- |       |                          |      |
|-------|--------------------------|------|
| (i)   | Institutional Zone       | - I  |
| (ii)  | Open Space Zone          | - OS |
| (iii) | Natural Environment Zone | - NE |

(3) **ZONE SYMBOLS AND DESIGNATIONS**

(a) **USE OF SYMBOLS AND DESIGNATIONS**

The Zone symbols and designations listed in Subsection (2) of this Section may be used to refer to buildings and structures and to the uses of lots, buildings and structures permitted by this by-Law in the said Zones.

(b) **INTERPRETATION OF SYMBOLS AND DESIGNATIONS**

Wherever in this By-Law the word "zone" is used, preceded by any of the said zone symbols and designations, such reference shall mean any part of the zoned area delineated on Schedule 'A' and designated thereon by the said symbol.

(4) **ZONE PROVISIONS**

(a) **USES PERMITTED AND ZONE REQUIREMENTS**

For each zone listed in Subsection (2) of this Section, a separate section of this By-Law sets out the uses permitted in, and the specific provisions relating to, such zone under the headings "USES PERMITTED" and "ZONE REQUIREMENTS", respectively.

(b) **SCOPE OF ZONE REQUIREMENTS**

Except as otherwise specifically provided herein, the specific zone requirements set out herein for each zone shall apply to such zone in addition to the general provisions set out in Section 3 hereof.

(5) **SPECIAL ZONES**

Wherever a zone symbol on Schedule 'A' hereto is followed by a dash and a number, such as "HR-I", the lands so designated shall be subject to, and used in accordance with, all the provisions of this By-Law applicable to the zone represented by such symbol except as otherwise specifically provided by the special provisions of the special zone set out in the Special Provisions Subsection of each zone classification hereto.

**added by By-law 36/89 as amended by OMB Order dated May 13, 1991.**

**(6) HOLDING ZONES - 'h'**

Where the symbol 'h' appears on a zoning map as a prefix to a zone applying to certain lands, notwithstanding the provisions of that zone, unless this By-Law has been amended to remove the relevant 'h' symbol, those lands shall not be developed or used except in compliance with the provisions of the applicable zone for existing uses, or such other uses set out in the relevant Holding Zone Provisions below. The relevant Holding Zone Provisions are denoted by the number (if any) immediately following the symbol 'h' on the zoning map.

**(a) HOLDING ZONE PROVISIONS (MINI LAKES)**

The purpose of the holding provision 'h-l' is to ensure the orderly development of the Mini Lakes Property from a seasonal recreational park to a permanent year-round residential community. Prior to the removal of the 'h-l' symbol, the uses permitted on the subject land shall be limited to those that legally existed prior to the passing of this By-law. Upon the removal of the 'h-l' symbol, the subject land may be used in accordance with the provisions of Section 7B (Mini Lakes Zone).

Council may remove the 'h-l' symbol by amendment to this By-law, subject to the requirements of Section 36 of The Planning Act, when satisfied that:

- (i) the sewage treatment and water supply services have been completed to provide for year-round operation of those services; and
- (ii) a development agreement between the owners of the land and the Township addressing occupation of the units, operation and maintenance of the services and financial arrangements has been registered on the title of the lands; and
- (iii) where a site is being converted from seasonal to year-round use, an occupancy permit has been issued by the Chief Building Official permitting the year-round occupation of the dwelling unit on the site.

Council may permit the temporary occupation of a maximum of fifty (50) dwelling units within the ML Zone during the period November 1, 1999 to March 31, 2001 without removing the "h-l" symbol when satisfied that:

- (i) the dwelling unit is connected to a sewage treatment system that has been approved for year-round use to the satisfaction of the Township engineer; and
- (ii) the dwelling unit is connected to a potable water supply source that has been approved for year-round use to the satisfaction of the Township engineer; and
- (iii) the new sewage treatment system has been completed to an extent that is satisfactory to the Township engineer; and

- (iv) the dwelling unit has been approved for year-round residential occupation by the Chief Building Official through the issuance of a conditional occupancy permit, if applicable.

(b) **HOLDING ZONE PROVISIONS (Aberfoyle Industrial Park)**

Originally included by By-law No. 26/95 passed on March 27, 1995, but Holding Provision was later removed by By-law No. 35/95 on August 2, 1995.

(c) **HOLDING ZONE PROVISIONS (Golf course Club House - Phase 3)**

- (i) At such time in the future that the Council of the Township of Puslinch is satisfied that an appropriate development agreement has been entered into with the owners of the land zoned **C4-12 'h-3'** covering such matters as water supply and sewage disposal, road and access improvements, and storm water management, Council may remove the holding symbol **'h-3'** by amendment subject to the requirements of Section 36 of the Planning Act, R.S.O. 1990, as amended.

- (ii) Upon the removal of the **'h-3'** symbol, the subject land may be used in accordance with the provisions of the **C4-12 Zone** and the applicable regulations of this By-law.

- (iii) Until the holding symbol **'h-3'** is removed, the land may be used only for a golf course (fairways, tees, and greens only), cross-country skiing and the growing and harvesting of Christmas trees subject to the provisions of the **C4-11 Zone** and the applicable regulations of this By-law. No new buildings or structures shall be permitted.

(d) **HOLDING ZONE PROVISIONS (Cox Construction Ltd. - Synder Woodlot)**

(i) **Purpose of 'h-4'**

This holding provision applies to a specific natural feature referred to hereinafter as the "Synder Woodlot. The purpose of this restrictive zoning is to delay the extraction of aggregate from the Synder Woodlot for a period of approximately 15 years in order to allow for the establishment of a "replacement woodlot" being maintained by Cox Construction Limited. This "replacement woodlot" is located on the north half of Lot 10, Rear Concession IV, lying west of Sideroad 10 and south of Puslinch Road 5. This land was recently planted by the Grand River Conservation Authority with species such as black walnut, black cherry, sugar maple and red oak.

- (ii) At such time in the future when the Township of Puslinch is satisfied that the "replacement woodlot", consisting of approximately 5 hectares, is a healthy sustainable plantation capable of achieving mature woodlot status over time, Council will remove the holding symbol **'h-4'** by amendment subject to the requirements of Section 36 of The Planning Act, R.S.O. 1990, as amended.

- (iii) Upon the removal of the 'h-4' symbol, the subject land may be used in accordance with the provisions of the EXI-11 Zone and the applicable regulations of this By-law.
- (iv) Until the holding symbol 'h-4' is removed, the land may be used only as a woodlot in its existing natural state. The harvesting of trees is permitted in accordance with "good forestry" management practices and subject to the provisions of the County of Wellington Tree Cutting By-law No. 3770-90, as amended.
- (v) No buildings or structures shall be permitted within this 'h-4' Zone.

(e) **HOLDING ZONE PROVISIONS (Irish Creek Estates - Puslinch Lake) 'h-5'** as established by By-law No. 19/02 was repealed by By-law No. 30/03 on July 2, 2003.

(f) **HOLDING ZONE PROVISIONS ("h-6" for Meadows of Aberfoyle)**

To ensure that Meadows of Aberfoyle residential development (Lot 23, Concession 7 and 8) is developed in a proper and orderly manner, the use of the holding provisions shall be applied to the subject land and identified on Schedule 'A'. Accordingly, the "h-6" symbol shall not be removed from the land zoned RC by this By-law until:

- (a) The owner has entered into the necessary development agreements with the Township; and,
- (b) Council is satisfied that the proposed private communal water system is constructed, tested, commissioned, and is fully operational.

Until such time as the holding symbol is removed, the uses of the subject land are limited to those uses lawfully existing prior to the passage of this By-law.

**(7) SPECIAL FLOOD PLAIN PROVISIONS FOR ABERFOYLE - (f) SUFFIX**

Land in Aberfoyle that contains existing development and is within the flood plain of Mill Creek is identified on Schedule 'A' of this By-law with an "f" zone suffix. Notwithstanding anything in this By-law to the contrary, development is not permitted within the area subject to the "f" suffix with the exception of minor changes to existing buildings and structures subject to the following special regulations:

- a) The conversion of an existing residence to a commercial use, if permitted by the applicable zone, shall require flood proofing measures approved by the municipality in consultation with the Grand River Conservation Authority;
- b) The conversion of existing commercial buildings to residential uses is prohibited;
- c) Additions or enlargements to structures existing on the date of passage of this By-law will be permitted up to a maximum of fifty (50) percent of the existing ground floor area with flood proofing measures approved by the municipality in consultation with the Grand River Conservation Authority;

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- d) Prior to any conversions, additions or enlargements, placement or removal of fill, or change in use approvals, a “Fill, Construction and Alteration to Waterways” permit shall be obtained from the Grand River Conservation Authority.