

## SECTION 3 ZONES AND ZONING MAPS

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### 3.1 ESTABLISHMENT OF ZONES

For the purposes of this By-law, the maps hereto attached as Schedule “A”, Maps 1 to 60 inclusive, Schedule “B”, Maps B1 to B5 inclusive, Schedule “C”, Schedule “D”, Schedule “E”, Schedule “F”, Schedule “G”, Schedule “H”, Schedule “I”, Maps I1 to I2 inclusive, Schedule “J”, Schedule “K”, Maps K1 to K4 inclusive, and Schedule “L” shall be referred to as the “Zoning Maps” for the Township of Wellesley and the zoning maps shall be divided into one or more of the following zones:

<u>ZONE</u>	<u>SYMBOL</u>
General Agricultural	A1
Agricultural Institutional	AIN
Mixed Use / Agricultural Cluster	MAC
Settlement Residential	SR
Urban Residential	UR
Paradise Lake Residential	PLR
Settlement Commercial	SC
Urban Commercial	UC
Neighbourhood Commercial	NC
Dry Industrial	DI
Urban Industrial	UI
Extractive Industrial	EI
Institutional	I
Open Space	OS
Environmental Constraint	EC
Wind Farm	WF
Temporary	T

### 3.2 USE OF ZONE SYMBOLS

The symbols listed in Section 3.1 shall be used to refer to land, buildings, and structures and the uses thereof permitted by this By-law in the said zones, and wherever in this By-law the word “Zone” is used, preceded by any of the said symbols, such zones shall mean any area within the Township of Wellesley delineated on the zoning maps and designated thereon by the said symbol.

### 3.3 HOLDING ZONES

In any zone which is accompanied by a holding symbol, the uses normally permitted by that zone for lands, buildings or structures may only be allowed when the holding symbol is removed by amendment to this By-law or any subsequent holding By-law. Permitted

uses, when the holding symbol is applied, are limited to those that existed on the date when the holding By-law was passed.

The following holding symbols will be added subject to a Zoning By-law amendment:

- (h1): Environmental contamination clean-up required
- (h2): Environmental impact analysis required
- (h3): Phasing of development/subdivision required
- (h4): Provision of school sites required
- (h5): Provision of water/wastewater/road services required
- (h6): Completion of archaeological assessment required
- (h7): Completion of noise studies required

Where any of the listed holding symbols are shown in conjunction with another zone on a map schedule, notwithstanding the provisions of that zone, those lands shall not be developed or used except for the existing uses on-site, until such time as the holding symbol is removed by By-law.

### **3.4 APPLICATION OF REGULATIONS**

No person shall within any zone use any land or erect, build, construct, reconstruct, relocate, excavate for, alter, add to, enlarge, extend or use any building or structure, except in conformity with this By-law for the zone in which such land, building, structure or use is located.

### **3.5 DEFINED AREAS**

All zones may be subdivided into one or more defined areas within which greater or lesser restrictions shall apply. These defined areas shall be designated by reference to the symbol of the zone within which each such defined area is located together with a number so as to differentiate different defined areas within a zone from each other and from other areas within the zone.

### **3.6 EXCEPTIONS FOR DEFINED AREAS**

Within any zone there may apply exceptions with respect to a defined area and, in addition to such exceptions, all provisions of this By-law including the general use regulations and the special use regulations applicable to the zone within which the defined area is located shall apply to the defined areas; provided that, unless a contrary intention appears from the exceptions, the following shall apply:

- a) If the exceptions establish regulations different from the general provisions of this By-law, including the general use regulations and special use regulations applicable to the zone within which the defined area is located, the exceptions shall supersede and prevail over such corresponding regulations of this By-law.

- b) If the exceptions establish one (1) or more specifically permitted uses of the defined area, such permitted use or uses shall be the only purpose or purposes for which land, buildings or structures within the defined area may be used; and
- c) If the exceptions specifically permit one (1) or more uses in addition to those otherwise permitted in the zone within which the defined area is located, any and all of the other exceptions applicable to the defined area shall also apply to the additional permitted use or uses and not only to the uses not otherwise permitted in the zone.

### 3.7 **MULTIPLE ZONES**

- a) Where a lot is divided into more than one zone under the provisions of this By-law, each such portion of the lot shall be used in accordance with the permitted uses and zone provisions of this By-law for the applicable zone applying to that portion of the lot.
- b) The lot area and lot frontage requirements of the most restrictive zone on the lot shall be applied to the entire lot.
- c) No more than one dwelling shall be permitted on the entire lot, unless otherwise permitted by this By-law.
- d) A zone boundary dividing a lot into two or more zones is not a lot line for the purposes of this By-law.
- e) This Section does not apply to lands that are subject to a Holdings Provision (H).

### 3.8 **INTERPRETATION OF ZONE BOUNDARIES**

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 shall apply:

- a) Unless otherwise shown, the boundary of the zones as shown on the zoning maps are the centre lines of the road allowance or lot lines and the projection thereof;
- b) Where a zone boundary is indicated as approximately following lot lines, such lot lines shall be deemed to be the said zone boundary;
- c) Where a zone boundary is indicated as approximately parallel to the line of any road and the distance from such road is not indicated, such zone boundary shall be construed as being parallel to such road and the distance therefrom shall be determined by the use of the scale shown on the zoning maps;
- d) Unless otherwise indicated, a road, railway right-of-way, or watercourse included on the zoning maps is included within the zone of the adjoining lands on either side thereof; and where such road, right-of-way, or watercourse serves as a boundary between two or more different zones, a line midway in such road, street, lane, right-of-way, or watercourse and extending in the general direction of the long division thereof is considered the boundary between zones unless specifically indicated otherwise;
- e) In the event a road, street, lane or railway right-of-way shown on the zoning maps is closed, the land formerly in said road or right-of-way shall be included within the zone of the adjoining land on either side of the said closed road or

right-of-way, and the zone boundary shall be the former centre line of the said closed road or right-of-way;

- f) Where any zone boundary is left uncertain after application of the preceding provisions, then the boundary line shall be determined according to the scale on the zoning maps in the office of the Township.

### 3.9

#### **HAZARDOUS LANDS SYMBOL**

- a) The hatching (////) as identified on the zoning maps is consistent with the Township Official Plan (2015) on Map No. 3 as Environmentally Constrained Lands;
- b) Where on the zoning maps any zone is accompanied by hatching (////), such zone, or part of a zone, has been identified in co-operation with the Grand River Conservation Authority as containing areas subject to flooding, unstable soil conditions or a wetland, or by the Regional Municipality of Waterloo as an Environmentally Sensitive Policy Area;
- c) No development is permitted on any lands where the hatching (////) occurs, without written approval from the Grand River Conservation Authority or the Regional Municipality of Waterloo as applicable;
- d) No new structures or changes to existing structures will be permitted on any lands subject to the hatching (////) to identify environmentally constrained lands, without the written approval from the Grand River Conservation Authority or the Regional Municipality of Waterloo as applicable;
- e) Prior to the issuance of a building permit, applications that are subject to the text or mapping for Ontario Regulation 150/06 (as amended) "Development, Alteration to Shorelines and Watercourses and Interference with Wetlands Regulation" will require a permit from the Grand River Conservation Authority.

### 3.10

#### **TECHNICAL REVISIONS TO THE BY-LAW**

Provided that the purpose, effect, intent, meaning, and substance of this By-law are in no way affected, the following technical revisions to this By-law are permitted without a Zoning By-law amendment:

- a) Changes to the numbering, cross referencing, format, and arrangement of the text, tables, schedules, and maps;
- b) Additions to and revisions of technical information on maps and schedules including, but not limited to: infrastructure and topographic information, notes, legends, shading, and title blocks;
- c) Alterations of punctuation or language; and
- d) Correction of grammatical, dimensional, boundary, mathematical, or typographic errors