

19.1 USES PERMITTED

No person shall within any MG Zone use any *lot* or *erect, alter* or use any *building* or *structure* for any purpose except one or more of the MG uses presented in Table 19.1:

TABLE 19.1: USES PERMITTED
• an <i>asphalt</i> or <i>concrete batching plant</i> ;
• a <i>concrete batching</i> or <i>mixing plant</i> ;
• a <i>feedmill</i> ;
• a <i>fuel storage tank</i> or <i>supply yard</i> ;
• a <i>landfill site</i> ;
• a <i>lumber yard</i> ;
• an <i>open storage</i> use of goods or material if <i>accessory</i> to a use permitted in the MG Zone;
• a <i>public use</i> , in accordance with the provisions of Section 6.22 of this Zoning By-Law;
• a <i>retail outlet</i> , a <i>wholesale outlet</i> or a <i>business office accessory</i> to a permitted use;
• a <i>salvage yard</i> ;
• a <i>sawmill</i> ;
• a <i>truck transportation terminal</i> ;
• any <i>use</i> permitted in an MR zone;
• a <i>wayside sand</i> or <i>gravel pit</i> or <i>stone quarry</i> , outside of a designated settlement, in accordance with the provisions of Section 6.31 of this Zoning By-Law.

(Amended by By-Law 15-2009)

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19.2 ZONE PROVISIONS

No person shall within any MG Zone use any *lot* or *erect*, *alter* or use any *building* or *structure* except in accordance with the provisions presented in Table 19.2:

TABLE 19.2: ZONE PROVISIONS	
Zone Provision	Uses
Lot Area, Minimum, Where Sanitary Sewers are not Available	3,000 m <sup>2</sup> (32,292.8 ft <sup>2</sup> )
Lot Area, Minimum, Where Served by Sanitary Sewers	1,000 m <sup>2</sup> (10,764.3 ft <sup>2</sup> )
Lot Frontage, Minimum	40 m (131.2 ft)
Lot Depth, Minimum	50 m (164 ft)
Front Yard, Minimum Depth Exterior Side Yard, Minimum Width	15 m (49.2 ft)
Rear Yard, Minimum Depth	7.5 m (24.6 ft)
Interior Side Yard, Minimum Width	10 m (32.8 ft), 15 m (49.2 ft) where the <i>interior side lot line</i> abuts a residential zone.
Setback, Minimum Distance from the Centreline of a Provincial Highway or a County Road	28 m (91.9 ft) within a designated settlement, 31 m (101.7 ft) outside of a designated settlement.
Lot Coverage, Maximum	40%
Height of Building, Maximum	15 m (49.2 ft) or in accordance with the provisions of Section 6.32 of this Zoning By-Law.
Landscaped Open Space, Minimum	10%
Parking and Accessory Buildings, Etc.	In accordance with the provisions of Section 6 of this Zoning By-Law.
Special Provisions - Lands in vicinity of Tillsonburg Regional Airport	In accordance with the provisions of Section 6.13 of this Zoning By-Law.

## 19.2.1 USE OF FRONT AND EXTERIOR SIDE YARDS

Required *front* and *exterior side yards* shall be kept open and unobstructed by any *structure* or *parking area* for *motor vehicles*, except for visitor *parking areas*.

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**19.2.2 LOCATION OF BUILDINGS OR STRUCTURES**

*Buildings or structures* hereafter *erected*, modified or enlarged outside of a designated Settlement, as listed in Section 4.7.2.1., shall be required to satisfy the minimum distance separation requirements as determined through the application of the *Minimum Distance Separation Formula I (MDS I)*, in accordance with Section 4.7 of this Zoning By-Law.

(Amended by By-Law 36-2007)

(Amended by By-Law 15-2009)

*Buildings or structures* located within a Rural Cluster designation as listed in Section 4.7.2.1, shall be required to satisfy the MDS I or not further reduce an *existing* insufficient *setback* relative to the MDS I, whichever is the lesser.

(Amended by By-Law 15-2009)

**19.2.3 OPEN STORAGE REQUIREMENTS**

*Open storage* of goods or materials is permitted within any *yard* except the *front yard* or *exterior side yard* where such use is *accessory* to the use of the main *building* on the *lot*, or any *yard* except the required *front yard* or *exterior side yard* where such *open storage* is the main *use* on the *lot*, provided that:

- 19.2.3.1 such *open storage* complies with the *yard* and *setback* requirements of this Section;
- 19.2.3.2 any portion of the area used for *open storage*, where it does not adjoin the outside wall of a *building* is enclosed by a permanent, opaque fence unpierced except for gates necessary for access;
- 19.2.3.3 the fence described in the foregoing subsection is at least **1.5 m** (4.9 ft) in *height* from the ground, the said fence shall comply with the *yard* and *setback* requirements of this Section and the land between the fence and any *lot line* not required for entrance and exit *driveways* shall be used for no other purpose than landscaping;
- 19.2.3.4 any *open storage* shall be maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and drained in accordance with requirements of the *Corporation*.

(Amended by By-Law 67-99)

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**19.2.4 ACCESSORY RETAIL, WHOLESALE OR BUSINESS OFFICE SPACE**

Retail, wholesale or *business office* space *accessory* to a permitted industrial use shall occupy no more than 20 percent of the gross floor area of the main industrial *building* on the *lot*.

**19.2.5 SALVAGE YARD REQUIREMENTS**

The following additional provisions apply to *salvage yards*:

- 19.2.5.1 That portion of the premises in which any goods, wares, merchandise, articles, automotive vehicles or parts thereof is or are kept, stored, dismantled or wrecked in connection with the *salvage yard* shall be fenced with a closed wooden and/or metal fence, extending at least **2 m** (6.6 ft) in height from the ground and constructed of new material and be unpierced except for gates necessary for access;
- 19.2.5.2 No part of any such fenced area shall be within any required *side, front* or *rear yard* and the land between the fence and any *lot line* not required for entrance and exit driveways shall be used for no other purpose than landscaping;
- 19.2.5.3 The outside perimeter of the fences, shall be planted with evergreen trees and such trees shall not be less than **1.5 m** (4.9 ft) in height and shall be so spaced as to completely obscure the fence; and the trees shall be maintained in a healthy condition and any diseased or dead trees shall be replaced as soon as possible.
- 19.2.5.4 All fences shall be maintained in good condition at all times and any damaged or missing sections of such fencing shall be repaired or replaced as soon as possible;
- 19.2.5.5 Any *open storage* shall be maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and drained in accordance with requirements of the Corporation; and
- 19.2.5.6 No material shall be piled higher than the height of the surrounding fence.

**19.2.6 LANDFILL SITE PROVISIONS**

No *landfill site* shall be established within the MG zone until a Certificate of Approval has been issued under the Environmental Protection Act, as amended, providing for the use and operation of the *landfill site* subject to the limitations and restrictions of the legislation and its regulations.

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19.3 SPECIAL PROVISIONS19.3.1 LOCATION: LOT 12, CONCESSION B.F. (WEST OXFORD): MG-1

19.3.1.1 Notwithstanding Section 19.1, no *person* shall within any 'MG-1' Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

a truck transportation terminal.

19.3.1.2 All other provisions of Section 19.2 and all other relevant provisions contained within this Zoning By-Law shall continue to apply *mutatis mutandis*.

19.3.2 LOCATION: PART LOTS 23 & 24, CONCESSIONS 1 & 2, (WEST OXFORD): MG-2

19.3.2.1 Notwithstanding Section 19.1, no *person* shall within any MG-2 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

19.3.2.1.1 the manufacture, assembly and processing of *motor vehicles* and motor vehicle parts and, without limiting the generality of the foregoing, Includes the stamping, fabrication, subassembly, treating, finishing, packaging, testing and *open storage* of *motor vehicles* and motor vehicle parts together with the warehousing, *open storage* and stockpiling of patterns, tools, dies, parts and other products, goods or materials necessary to such manufacturing, assembly and processing activity;

19.3.2.1.2 a foundry, machine shops, paint shops, service shops, body shops and repair shops used in connection with such manufacturing, assembly and processing activity;

19.3.2.1.3 leasing, selling and wholesale or retail distributing activities that are ancillary to the *uses* permitted in this section;

19.3.2.1.4 the following Industrial *uses*:

an animal shelter;

a bus storage facility;

a cold storage plant;

an *eating establishment accessory* to a permitted use;

a feed mill;

a flour mill;

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a grain elevator;  
an industrial mall;  
a *kennel*;  
a lumber *yard*;  
a machine shop;  
a monument sales shop;  
a municipal sewage treatment plant;  
a *municipal yard*; a sawmill;  
a radio and television tower;  
a regulating station for petroleum products pipeline or natural gas pipeline;  
a retail building supply establishment;  
a scientific research establishment;  
a wholesale outlet;  
all *uses* permitted in Section 19.1 to this Zoning By-Law.

19.3.2.1.5 all *uses* permitted in Section 7.1 to this Zoning By-Law;

19.3.2.1.6 *accessory uses, buildings and structures.*

19.3.2.1.7 For the purposes of this subsection, "*accessory*", when used to describe a *use, building or structure*, means a *use, building or structure* that is normally Incidental or subordinate to the principal *use, building or structure* located on the parcel of land and, without limiting the generality of the foregoing, includes:

computer and medical centres;  
an electrical substation;  
elevated, surface and underground bulk storage facilities;  
employee eating, training, recreation and day care facilities and private parks, and dormitory cooking and food service facilities for use by *persons* engaged in work at the site;  
executive and administrative offices;  
a firehall;  
fuel stations;  
incineration facilities for the combustion of waste;  
*parking lots*;  
a quality control test track;  
rail and vehicular transport facilities, *yards*, offices, stations and depots;  
scientific, technical, research and development facilities;  
storm water retention ponds.

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- 19.3.2.1.8 For the purposes of this subsection, "*motor vehicle*" means an automobile, truck, bus, motorcycle, railway locomotive or other vehicle propelled or driven otherwise than by muscular power.
- 19.3.2.2 Notwithstanding the provisions of Section 19.2 and all other relevant provisions contained in this Zoning By-Law, no *person* shall within any MG-2 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:
- 19.3.2.2.1 MINIMUM SETBACK FROM PROPERTY LINE
- Minimum distance between any *building* or *structure* having a *gross floor area* in excess of **500 m<sup>2</sup>** (5,382.1 ft<sup>2</sup>) and any boundary of the land **15 m** (49.2 ft)
- Minimum distance between any *building* or *structure* having a *gross floor area* of **500 m<sup>2</sup>** (5,382.1 ft<sup>2</sup>) or less and any boundary of land **5 m** (16.4 ft)
- There shall be no minimum distance requirement between any *building* or *structure* and any railway spur line
- 19.3.2.2.2 The minimum *setback* areas shall be kept open and unobstructed by any *structure* and *building* or *open storage* except for *parking areas*.
- 19.3.2.2.3 LOT COVERAGE
- Maximum for all main and *accessory buildings* 70% of the total *lot area*
- 19.3.2.2.4 LANDSCAPED OPEN SPACE
- Minimum 5% of the total *lot area*
- 19.3.2.2.5 HEIGHT OF BUILDINGS AND STRUCTURES
- 19.3.2.2.5.1 Maximum **30 m** (98.4 ft)

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19.3.2.2.5.2 For the purposes of this Zoning By-Law, the *height* provisions herein contained shall not apply to the erection of a water tank

19.3.2.2.6 PARKING

Areas capable of being laid out as a *parking area* and equivalent in the aggregate to 3 per cent of the total lands shall be reserved for employee and visitor parking and such parking shall be in addition to any areas used or reserved for the purposes of storing heavy vehicles, equipment, machinery, stock or products of the operation. In this section, "reserved for employee and visitor parking" means the setting aside of raw land suitable for parking and includes on-site entrances and exits to the *parking areas*.

19.3.2.2.7 OTHER PROVISIONS

That all other provisions of this Zoning By-Law, as amended, save and except Section 6.1 and 19.2, that are consistent with the provisions contained in this Zoning By-Law shall continue to apply *mutatis mutandis*.

19.3.3 LOCATION: PART LOTS 25 & 26, CONCESSION 2 (WEST OXFORD): MG-3

19.3.3.1 Notwithstanding Section 19.1, no *person* shall within any 'MG-3' Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

*a truck transportation terminal.*

19.3.3.2 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MG-3 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

19.3.3.2.1 VEHICULAR ACCESS TO WALLACE LINE & ROBINSON ROAD

Notwithstanding any provisions of this Zoning By-Law to the contrary, vehicular access shall be to Wallace Line and to that portion of Robinson Road within **550m** (1804.5 ft) west from Wallace Line.

(Amended by By-Law 21-2004)

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## 19.3.3.2.2 PROVISIONS OF SANITARY SEWER AND WATER

Development shall occur on municipal *sanitary sewers* and municipal water.

19.3.3.3 All other provisions of Section 19.2 and all other relevant provisions contained within this Zoning By-Law shall continue to apply *mutatis mutandis*.

19.3.4 **LOCATION: PART LOT 15, CONCESSION 6 (DEREHAM): MG-4**

19.3.4.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MG-4 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

*a contractor's shop* or *yard*;

*a service shop*;

*a truck transport terminal*;

*a single detached dwelling* if occupied by the owner or an employee of the industrial *use* on the *lot*.

19.3.4.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any MG-4 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

19.3.4.2.1 That all the provisions of the MG Zone in Section 19.2 to this Zoning By-Law, as amended, shall apply, and further that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

(Added by By-Law 4-2001)

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**19.3.5 LOCATION: PART LOT 4, BROKEN FRONT CONCESSION (WEST OXFORD), MG-5**

19.3.5.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MG-5 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

all *uses* permitted in Section 19.1 to this Zoning By-Law.  
a motor vehicle dealership.

19.3.5.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any MG-5 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

19.3.5.2.1 SPECIAL PROVISIONS FOR MOTOR VEHICLE DEALERSHIP

19.3.5.2.1.1 The display area for the *motor vehicles* may be permitted in the *front yard* to within **5 m** (16.4 ft) of the *front yard line*.

19.3.5.2.1.2 A maximum of 10 *motor vehicles* may be displayed for retail purposes at any one time.

19.3.5.2.2 That all the provisions of the MG Zone in Section 19.2 to this Zoning By-Law, as amended, shall apply, and further that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

(Added by By-Law 14-2004)

**19.3.6 LOCATION: PART LOT 5, CONCESSION 4 (WEST OXFORD), SWEABURG, MG-6**

19.3.6.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MG-6 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

a *warehouse*;  
a *business office accessory* to a permitted use;  
a *public use* in accordance with the provisions of Section 6.22 to this Zoning By-Law.

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(Added by By-Law 47-2005)

19.3.6.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any MG-6 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

19.3.6.2.1 FRONT YARD

Minimum depth for *warehouse*                      **50 m** (164 ft)

19.3.6.2.2 That all the provisions of the MG Zone in Section 19.2 to this Zoning By-Law, as amended, shall apply, and further that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

(Added by By-Law 47-2005)

19.3.7 LOCATION: PART LOT 10, CONCESSION 2 (DEREHAM), MG-7

19.3.7.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MG-7 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

a biosolids storage facility;

a composting operation;

a public *use* in accordance with the provisions of Section 6.22 to this Zoning By-

Law.

19.3.7.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any MG-7 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

19.3.7.2.1 That all the provisions of the MG Zone in Section 19.2 to this Zoning By-Law, as amended, shall apply, and further that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

(Added by By-Law 32-2006)

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