

9.1 USES PERMITTED

No person shall within any AB Zone use any lot, or erect, alter or use any building or structure for any purpose except one or more of the AB uses presented in Table 9.1:

TABLE 9.1: USES PERMITTED
• an <i>abattoir</i> ;
• an agricultural research and/or breeding operation;
• an <i>animal kennel</i> ;
• a commercial grain elevator;
• a <i>communications structure</i> ;
• a <i>converted dwelling</i> in accordance with the provisions of Section 6.4 of this Zoning By-Law;
• a <i>dead stock removal operation</i> ;
• a <i>farm auction barn</i> ;
• a <i>farm implement dealer</i> ;
• a farm drainage and excavation contractor;
• a farm produce <i>retail outlet</i> ;
• a feed mill;
• a <i>home occupation</i> in accordance with the provisions of Section 6.14 of this Zoning By-Law;
• a landscaping business;
• a <i>livestock assembly and sales yard</i> ;
• a manufacturing plant for the production of agricultural filed tile;
• a processing plant for agricultural products and/or by-products;
• a <i>public use</i> in accordance with the provisions of subsection 6.22 of this Zoning By-Law;
• a regulating and compressor station for a petroleum products pipeline or natural gas pipeline;
• a <i>retail or wholesale nursery</i> ;
• a <i>retail outlet</i> , a wholesale outlet or a business office <i>accessory</i> to a permitted use;
• a <i>retail outlet</i> for the sale of agricultural supplies such as feed, grain, fertilizer, etc.;
• a sawmill;
• a <i>single detached dwelling accessory</i> to a permitted use;
• a soil processing operation;
• a <i>veterinary clinic</i> ;
• a <i>wayside sand or gravel pit or stone quarry</i> in accordance with the provisions of Section 6.33 of this Zoning By-Law;
• a welding and repair garage for servicing farm vehicles and farm implements.

(Amended by By-Law 3-2007)

(Amended by By-Law 15-2009)

April/09

9.2 ZONE PROVISIONS

No person shall within any AB Zone use any lot, or erect, alter or use any building or structure except in accordance with the following provisions presented in Table 9.2. The lot area and lot frontage provisions for residential uses are cumulative with the lot area and lot frontage provisions for non-residential uses when such residential use is located on the same lot with a permitted non-residential use.

TABLE 9.2: ZONE PROVISIONS		
Zone Provision	Residential Uses	Non-Residential Uses
Number of Single Detached Dwellings per Lot, Maximum	1	No Provision
Lot Area, Minimum Where sanitary sewers and public water supply not available	.4 h (1 ac)	.4 h (1 ac)
Lot Frontage, Minimum	45 m (147.6 ft)	45 m (147.6 ft)
Front Yard, Minimum Depth Exterior Side Yard, Minimum Width	10 m (32.8 ft)	10 m (32.8 ft)
Rear Yard, Minimum Depth	7.5 m (24.6 ft)	7.5 m (24.6 ft)
Interior Side Yard, Minimum Width	3 m (9.8 ft)	7.5 m (24.6 ft)
Lot Depth, Minimum	60 m (196.9 ft)	60 m (196.9 ft)
Setback, Minimum Distance from the Centreline of a Provincial Highway or a County Road	26 m (85.3 ft)	26 m (85.3 ft)
Setback, Minimum distance from the property boundary of Highway 401	7.5 m (28.6 ft)	14 m (45.9 ft)
Lot Coverage, Maximum	30% of the lot area	40% for all buildings
Height of Building, Maximum	11 m (36.1 ft)	15 m (49.2 ft) or in accordance with the provisions of Section 6.32 of this Zoning By-Law
Gross Floor Area, Minimum	93 m <sup>2</sup> (1,001 ft <sup>2</sup> )	No Provision
Landscaped Open Space, Minimum	30% of lot area	10 % of the lot area
Parking and Accessory Buildings, Etc.	In accordance with the provisions of Section 6 of this Zoning By-Law.	

TABLE 9.2: ZONE PROVISIONS		
Zone Provision	Residential Uses	Non-Residential Uses
Special Provisions - Lands in the Vicinity of the Tillsonburg Regional Airport	In accordance with the provisions of Section 6.13 of this Zoning By-Law.	

(Amended by By-Law 67-99)

### 9.2.1 LOCATION OF NEW DWELLINGS, BUILDINGS OR STRUCTURES

*Dwellings, buildings or structures* hereafter erected outside of a designated settlement as listed in Section 4.7.2.1 of this Zoning By-Law, 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.

*Dwellings, buildings or structures* hereafter erected within a Rural Cluster designation, as defined in the County of Oxford Official Plan, shall be required to satisfy the MDS I, in accordance with Section 4.7 of this Zoning By-Law, or not further reduce an *existing* insufficient *setback* relative to the MDS I, whichever is lesser.

(Amended by By-Law 67-99)  
 (Amended by By-Law 36-2007)  
 (Amended by By-Law 15-2009)

*Existing dwellings* located outside of a designated settlement, as listed in Section 4.7.2.1 of this Zoning By-Law, which are hereafter enlarged, shall be required to satisfy MDS I, in accordance with Section 4.7 of this Zoning By-Law, or not further reduce an *existing* insufficient *setback* relative to MDS I, whichever is the lesser.

(Added by By-Law 36-2007)  
 (Amended by By-Law 15-2009)

9.2.2 (Deleted by By-Law 67-99)

### 9.2.3 SPECIAL PROVISION FOR ACCESSORY RESIDENTIAL USE

Prior to the issuance of a building permit for the *single detached dwelling*, the construction of the agri-business *buildings* and *structures* must be complete, to the satisfaction of the *Chief Building Official*.

(Amended by By-Law 15-2009)

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## 9.2.4 LOCATION OF AN ANIMAL KENNEL

Notwithstanding any provision of this Zoning By-Law to the contrary, no land shall be used and no *building* or *structure* or part thereof shall be used or *erected*, renovated or remodelled for *use* as an *animal kennel* closer than **90 m** (295.3 ft) to any *lot* line.

(Added by By-Law 15-2009)

## 9.2.5 OPEN STORAGE REQUIREMENTS

No storage of goods or materials is permitted outside any *building* except that the *open storage* of goods or materials may be permitted to the rear of the main building provided that:

- 9.2.5.1 such *open storage* is *accessory* to the *use* of the main non-residential *building* on the *lot*;
- 9.2.5.2 such *open storage* complies with the *yard* and *setback* requirements of this Section; and
- 9.2.5.3 such *open storage* shall be enclosed within a closed wooden, rigid plastic and/or metal fence extending at least **1.5 m** (4.9 ft) in height from the ground, constructed of new materials.
- 9.2.5.4 Notwithstanding the *open storage yard*, *setback* and enclosure requirements, the *open storage* of finished goods or materials shall be permitted for the purposes of display or sale

(Added by By-Law 67-99)

9.3 SPECIAL PROVISIONS FOR A CONVERTED DWELLING (AB-C)

In accordance with the provisions of Section 6.5, all AB-C zoned *lots* shall contain a *converted dwelling* and may contain a *home occupation* or any non-residential *use* permitted in Section 9.1, in accordance with the provisions of Section 9.2 of this Zoning By-Law.

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9.4 SPECIAL PROVISIONS9.4.1 LOCATION: PART LOT 8, CONCESSION 7 (DEREHAM) AB-1

9.4.1.1 Notwithstanding Section 9.1, no *person* shall within any AB-1 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

a wholesale and retail warehouse outlet for antique tractors and parts;  
a regional supply warehouse for custom fireplace products and drainage supplies.

9.4.1.2 Notwithstanding the *lot depth* provisions of Section 9.2, no *person* shall within any AB-1 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

## 9.4.1.2.1 LOT DEPTH

Minimum **50 m** (164.0 ft)

9.4.1.2.2 That all other provisions of Section 9.2 and all other relevant provisions contained in this Zoning By-Law shall continue to apply *mutatis mutandis*.

9.4.2 LOCATION: PART LOT 1, BROKEN FRONT CONCESSION (WEST OXFORD), AB-2

9.4.2.1 Notwithstanding Section 9.1, no *person* shall within any AB-2 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

a *single detached dwelling*, a welding and repair garage for servicing farm vehicles and farm implements.

9.4.2.2 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any AB-2 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

## 9.4.2.3 LOT FRONTAGE

Minimum **30 m** (98.4 ft)

## 9.4.2.4 LOT AREA

Minimum **1,700 m<sup>2</sup>** (0.4 ac)

## 9.4.2.5 LOT DEPTH

Minimum **40 m** (131.2 ft)

July 13/09

9.4.2.6 That all the provisions in Section 9.2 and all other relevant provisions contained in this Zoning By-Law shall continue to apply *mutatis mutandis*.

9.4.3 LOCATION: PART LOT 1, CONCESSION 3 (WEST OXFORD), AB-3

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

- a machine shop for serving agricultural and forestry operations;
- a public *use*, in accordance with the provisions of subsection 6.22 of this By-Law;
- a retail outlet, a wholesale outlet or a *business office accessory* to a permitted *use*;
- an agricultural research operation, excluding livestock;
- a commercial grain elevator;
- a *communications structure*;
- a *contractor's shop or yard*;
- a manufacturing operation;
- a fabricating operation;
- office space, including *professional offices*;
- a *farm auction barn*, excluding livestock;
- a *farm implement dealer*;
- a farm drainage and excavating contractor;
- a farm produce retail outlet;
- a feed mill;
- a landscaping business;
- a retail or wholesale *nursery*;
- a retail outlet for the sale of agricultural supplies such as feed, grain, fertilizers, etc.;
- a sawmill;
- a *soil processing operation*;
- a *warehouse*;
- a welding and repair garage for servicing farm vehicles and farm implements.

9.4.3.2 That all the provisions of the AB Zone in Section 9.2 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*.

(Amended by By-Law 43-2009)

October/09

**9.4.4 LOCATION: PART LOT 13, CONCESSION 8 (DEREHAM), AB-4**

9.4.4.1 Notwithstanding Section 9.1, no *person* shall within any AB-4 Zone use any *lot*, or *erect, alter* or use any *building* or *structure* for any purpose except the following:

**9.4.4.1.1 RESIDENTIAL USES**

a *single detached dwelling* if occupied by the owner, caretaker, watchman or other similar *person*, employed on the *lot* on which such *dwelling* is located, and his family.

**9.4.4.1.2 NON-RESIDENTIAL USES**

a *farm*, but not a *regulated farm*;  
a landscaping business;  
a *retail* and *wholesale nursery*.

(Amended by By-Law 36-2007)

9.4.4.2 That all other provisions of section 9.2 and all other relevant provisions contained in this Zoning By-Law shall continue to apply *mutatis mutandis*.

**9.4.5 LOCATION: PART LOT 2, CONCESSION 6 (DEREHAM), AB-5**

9.4.5.1 Notwithstanding Section 9.1, no *person* shall within any AB-5 Zone use any *lot*, or *erect, alter* or use any *building* or *structure* for any purpose except the following:

a sawmill.

9.4.5.2 That all other provisions of the AB Zone in Section 9.2 and all other relevant provisions contained in this Zoning By-Law shall continue to apply *mutatis mutandis*.

**9.4.6 LOCATION: PART LOT 9, CONCESSION 6 (DEREHAM), AB-6**

9.4.6.1 Notwithstanding Section 9.1, no *person* shall within any AB-6 Zone use any *lot*, or *erect, alter* or use any *building* or *structure* for any purpose except the following:

*open storage* of soil processed products and associated loading and parking facilities

9.4.6.2 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any *building* or *structure* except in accordance with the following provisions:

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## 9.4.6.2.1 FRONT YARD

Minimum depth **55 m** (180.4 ft)

For the purposes of this Zoning By-Law, the *front yard* shall be used only as landscaped open space.

## 9.4.6.2.2 INTERIOR SIDE YARD

Minimum width **5 m** (16.4 ft)

## 9.4.6.2.3 REAR YARD

Minimum depth **5 m** (16.4 ft)

## 9.4.6.2.4 VEHICULAR ACCESS TO COUNTY ROAD 27 (PROUSE ROAD)

Notwithstanding any provisions of this Zoning By-Law to the contrary, one ingress *driveway* only shall be allowed from County Road 27 (Prouse Road).

(Amended by By-Law 63-99)

9.4.6.2.5 That all other provisions in Section 9.2 and all other relevant provisions contained in this Zoning By-Law shall continue to apply *mutatis mutandis*.

9.4.7 LOCATION: PART LOT 7, CONCESSION 8 (DEREHAM); AB-7

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

a farm drainage contractor;

a *home occupation*;

a *single detached dwelling* if occupied by the owner, caretaker, watchman or other similar *person* employed on the *lot* on which such *dwelling* is located, and his/her family.

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

9.4.7.2.1 That all the provisions of the AB Zone in Section 9.2 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 41-98)

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**9.4.8 LOCATION: PART LOT 6, CONCESSION 9 (DEREHAM) AB-8**

9.4.8.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any AB-8 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

all *uses* permitted in Section 9.1 to this Zoning By-Law;  
a pool and spa sales and service operation and *accessory* related sales

9.4.8.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any AB-8 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

9.4.8.2.1 That all the provisions of the AB Zone in Section 9.2 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 5-99)

**9.4.9 LOCATION: PART LOT 1, CONCESSION 3 (WEST OXFORD) AB-9**

9.4.9.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any AB-9 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

all *uses* permitted in Section 9.1 to this Zoning By-Law;  
a dental laboratory.

(Amended by By-Law 53-2006)

9.4.9.2 Notwithstanding any provision of By-Law Number 25-95 to the contrary, no *person* shall within any AB-9 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

9.4.9.2.1 That all the provisions of the AB Zone in Section 9.2 to By-Law Number 25-95, as amended, shall apply, and further that all other provisions of By-Law Number 25-95, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

(Added by By-Law 19-2002)

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**9.4.10 LOCATION: PART LOT 28, BROKEN FRONT CONCESSION (WEST OXFORD), AB-10**

9.4.10.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any AB-10 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

all *uses* permitted in Section 9.1 to this Zoning By-Law;  
a *mobile home*.

9.4.10.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any AB-10 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

9.4.10.2.1 TIME PERIOD FOR MOBILE HOMES

Maximum June 3, 2003 to June 3, 2006

At the conclusion of the 3 year time period, the mobile homes shall be removed.

(Added by By-Law 25-2003)

9.4.10.2.2 NUMBER OF MOBILE HOMES

Maximum 3

9.4.10.2.3 The *mobile homes* shall only be occupied on a seasonal basis by employees involved in the adjacent AB zoned property. For the purposes of this Zoning By-Law, seasonal shall mean occupation of the mobile homes from June 1<sup>st</sup> to December 31<sup>st</sup>.

9.4.10.2.4 That all the provisions of the AB Zone in Section 9.1 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 25-2003)

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**9.4.11 LOCATION: PART LOT 20, CONCESSION 5 (DEREHAM); AB-11**

9.4.11.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any AB-11 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

a custom farm fertilizer operation;

a public *use* in accordance with the provisions of subsection 6.22 of this Zoning By-Law;

a *retail outlet* for the sale of agricultural supplies such as feed, grain, fertilizer, etc.;

a *single detached dwelling* if occupied by the owner, caretaker, watchman, or other similar *person* employed on the *lot* on which such *dwelling* is located, and his/her family;

a repair and maintenance facility for agricultural equipment.

9.4.11.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any AB-11 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

9.4.11.2.1 That all the provisions of the AB Zone in Section 9.2 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 35-2005)

**9.4.12 LOCATION: PART LOT 12, CONCESSION 3 (DEREHAM), AB-12**

9.4.12.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any AB-12 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

all *uses* permitted in Section 9.1 of this Zoning By-Law;

an *existing* farm implement and farm equipment manufacturing operation;

a farm equipment and farm implement testing and research area;

a public *use* in accordance with the provisions of Subsection 6.22 of this Zoning By-Law.

9.4.12.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any AB-12 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

(Added by By-Law 37-2005)

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- 9.4.12.2.1 That all the provisions of the AB Zone in Section 9.1 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 37-2005)

9.4.13 **LOCATION: PART LOT 10, CONCESSION 10 (DEREHAM), AB-13**

- 9.4.13.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any AB-13 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;*

- 9.4.13.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any AB-13 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

- 9.4.13.2.1 INTERIOR SIDE YARD

Minimum **5.0 m** (16.4 ft)

- 9.4.13.2.2 That all the provisions of the AB Zone in Section 9.2 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*.

9.4.14 **LOCATION: PART LOT 10, CONCESSION 2 (DEREHAM), AB-14**

- 9.4.14.1 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any AB-14 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except for the following:

- 9.4.14.1.1 A wood chipping operation and associated loading and parking facilities.  
*A single detached dwelling accessory to a permitted use.*

- 9.4.14.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any AB-14 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

(Added by By-Law 43-2007)

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9.4.14.2.1 That all the provisions of the AB Zone in Section 9.2 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 43-2007)

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