

THE CORPORATION OF THE
TOWNSHIP OF SOUTH-WEST OXFORD
BY-LAW NUMBER 43-2023

A By-Law to amend Zoning By-Law Number 25-98, as amended.

WHEREAS the Municipal Council of the Corporation of the Township of South-West Oxford deems it advisable to amend By-Law Number 25-98, as amended.

NOW THEREFORE, the Municipal Council of the Corporation of the Township of South-West Oxford, enacts as follows:

1. That Section 2.0 to By-Law Number 25-98, as amended, is hereby further amended by adding the following index at the beginning thereof:

INDEX OF DEFINITIONS

| | | |
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| | | |
|---------------------------------------|--|--|
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| | Personal Service Establishment | |

2. That Section 2.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Sections 2.3, 2.24, 2.33, 2.45, 2.47, 2.48, 2.58, 2.104 and 2.130.
3. That Section 2.0 to By-law Number 25-98, as amended, is hereby further amended by deleting all section numbers for definitions.
4. That Section 2.0 to By-Law Number 25-98, as amended, is hereby further amended by adding the following definitions in alphabetical order:

“ADDITIONAL RESIDENTIAL UNIT”, means a *dwelling unit* located within the *principal dwelling* on the *lot* or in a permanent detached *accessory building* on the *lot*, and which is secondary and subordinate to the *principal dwelling* on the *lot*. *Additional residential unit(s)* shall not include a *trailer*, a *mobile home*, a *motor home* or *recreational vehicle* as defined herein.

“DWELLING”, means a *building* occupied or capable of being occupied as the home or residence of one or more *persons*, but shall not include a *trailer*, a *mobile home*, a *motor home* or *recreational vehicle* as defined herein. A *dwelling* may include a *mobile home* for the purposes of an *accessory dwelling* to a *farm* in the A1 or A2 Zones.

“APARTMENT DWELLING”, means a *dwelling* of two or more *storeys* containing three or more *dwelling units* sharing a common hall or halls and a common entrance at street level or above the first floor.

“BOARDING OR LODGING HOUSE”, means a *dwelling*, containing not more than four *guest rooms* used or maintained for accommodation of the public, in which the owner or head lessee supplies, for hire or gain, lodgings with or without meals for three or more *persons* but does not include any other establishment otherwise defined or classified herein.

“CONVERTED DWELLING”, means a *single detached dwelling* which has been altered or converted to contain no more than four *dwelling units*, unless otherwise specified in this By-law.

“DUPLEX DWELLING”, means the whole of a *dwelling* that is divided horizontally into two separate *dwelling units* each of which has an independent entrance either directly from the outside or through a common vestibule.

“MULTIPLE UNIT DWELLING”, means a *dwelling* consisting of three or more *dwelling units*, which are horizontally and/or vertically attached, which may be entered from an independent entrance directly from the outside or from an internal common space or an access balcony and in which 50% or more of *dwelling units* have direct access to grade or a roof terrace. A *multiple unit dwelling* includes a triplex, a fourplex, a sixplex and a townhouse, but shall not include an *additional residential unit*, a *converted dwelling*, a *street fronting townhouse* or an *apartment dwelling*.

“PRINCIPAL DWELLING”, means the *single detached dwelling*, *semi-detached dwelling*, or *street fronting townhouse dwelling* that has been *altered* to contain *additional residential unit(s)* and/or is located on the same *lot* as an *additional residential unit* in an *accessory building*.

“SEMI-DETACHED DWELLING”, means one of a pair of two attached *dwelling units*, divided in whole or in part by a common interior vertical wall with a minimum area above grade of 10 m² (107.6 ft²), each of which has an independent entrance either directly from the outside or through a common vestibule.

“SINGLE DETACHED DWELLING”, means a *building* that was designed and built to contain only one *dwelling unit*, but shall not include a mobile home.

“STREET FRONTING TOWNHOUSE DWELLING”, means a *dwelling* consisting of three or more *dwelling units* that are aligned horizontally and divided vertically in whole or in part by common walls, with a minimum area above grade of 10 m² (107.6 ft²), and each of which has an independent entrance directly from the outside and fronts onto a public *street*.

“DWELLING UNIT”, means a suite of two or more rooms, designed or intended to be used for human habitation and to accommodate a single household, in which sanitary conveniences and cooking facilities are provided and which has a private entrance either from the outside of the *building* or through a common hallway or vestibule.

“INDIVIDUAL ON-SITE SEWAGE SYSTEM”, means sewage systems, as defined in O. Reg. 332/12 under the Building Code Act, 1992, that are owned, operated and managed by the owner of the *lot* upon which the system is located.

“INDIVIDUAL ON-SITE WATER SYSTEM”, means individual water supply systems that are owned, operated and managed by the owner of the *lot* upon which the system is located.

“MUNICIPAL SEWAGE SYSTEM”, means a sewage works with the meaning of Section 1 the Ontario Water Resources Act that is owned or operated by the *County*, including centralized and decentralized systems.

“MUNICIPAL WATER SYSTEM”, means a drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002, that is owned or operated by the *County*, including centralized and decentralized systems.

“NATURAL HAZARDS”, means property or lands that could be unsafe for development due to naturally occurring processes and includes riverine flooding hazards, riverine erosion hazards, and wetlands regulated under the Conservation Authorities Act and associated regulations.

“PARKING AREA”, means an area provided for the parking of *motor vehicles* and may include *parking aisles*, *parking spaces* and ingress and egress lanes, but shall not include any part of a public *street*. *Parking area* may include a *private garage*, unless otherwise specified in this Zoning By-law.

“PARKING SPACE, TANDEM”, means two *parking spaces*, one behind the other, which are accessed by the same *parking aisle*.

“PRIVATE COMMUNAL SEWAGE SYSTEM”, means a sewage works within the meaning of section 1 of the Ontario Water Resources Act that serves six or more *lots* or private residences and is not owned by a municipality.

“PRIVATE COMMUNAL WATER SYSTEM”, means a non-municipal drinking-water system within the meaning of section 2 of the Safe Drinking Water Act, 2002 that serves six or more *lots* or private residences.

5. That Section 4.0 to By-law Number 25-98, as amended, is hereby further amended by inserting the word “Serviced” in front of the word “Village” in the phrase “Key Map 46-47: Mount Elgin (Village)” in subsection 4.7.2.1.
6. That Section 6.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Subsection 6.4 and replacing it with the following new subsection 6.4 and amending the Table of Contents for Section 6.0 accordingly:

6.4 CONVERTED DWELLINGS AND ADDITIONAL RESIDENTIAL UNITS

6.4.1 CONVERTED DWELLINGS

6.4.1.1 WHERE PERMITTED

Where listed as a permitted use in the Zone, a *converted dwelling* containing up to four *dwelling units* is permitted subject to compliance with the provisions of this Section and all other provisions of the Zone in which the *lot* is located.

6.4.1.2 WHERE NOT PERMITTED

Converted dwellings shall not be permitted:

- i) on any *lot* containing an *additional residential unit* or a *garden suite*;
- ii) on any *lot* located in within a settlement defined in Section 4.7.2.1, unless adequate *municipal water system* and/or *municipal sewage system* capacity to service the *converted dwelling* has been determined and/or confirmed by the *County*; or,
- iii) on any *lot* containing *natural hazards*, unless clearance or approval from the Conservation Authority having jurisdiction has been obtained, or on any *lot* that does not meet Provincial access standards during a regulatory flood event.

6.4.1.3 ALTERATIONS TO DWELLING

Alterations to an *existing single detached dwelling* shall meet the following requirements:

- i) entrances on the front of the building shall be limited to one, which may be shared by *dwelling units* via an internal vestibule or corridor;
- ii) additional exterior entrance(s) shall only be located in the *rear yard* or *interior side yard*;
- iii) there shall be no exterior stairways or balconies except one open fire escape which shall be located only in the *rear yard* or *interior side yard*; and,

- iv) the lot has a minimum of **100 m²** (1076 ft²) of *landscaped open space* located in the *rear yard* that is accessible to all *dwelling units* and/or exclusive access is apportioned to each *dwelling unit*.

6.4.2 ADDITIONAL RESIDENTIAL UNITS

6.4.2.1 WHERE PERMITTED

Where listed as a permitted use in the Zone, *additional residential units* are permitted subject to the provisions of this Section and compliance with all other provisions of the Zone in which the *lot* is located.

Additional residential units located outside of a settlement defined 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) or not further reduce an existing insufficient MDS I setback.

6.4.2.2 WHERE NOT PERMITTED

Additional residential units shall not be permitted:

- i) on any *lot* within the following settlements as defined in Section 4.7.2.1:
 - a) Dereham Centre (Rural Cluster); and,
 - b) the portion of Beachville (Village) that is served by a *municipal water system*.
- ii) on any *lot* containing a *boarding or lodging house*, a *group home*, a *garden suite*, a *converted dwelling*, a *duplex dwelling*, a *mobile home*, or a *bed and breakfast establishment*;
- iii) on any *lot* located in within a settlement defined in Section 4.7.2.1, unless adequate *municipal water system* and/or *municipal sewage system* capacity to service the *additional residential unit(s)* has been confirmed by the *County*;
- iv) on any *lot* containing *natural hazards*, unless clearance or approval from the Conservation Authority having jurisdiction has been obtained, or on any *lot* that does not meet Provincial access standards during a regulatory flood event;
- v) on any *lot* serviced by a *private communal water system* and/or *private communal sewage system*; and,
- vi) notwithstanding the provisions of Section 6.7 and 6.17, on any *lot* in a residential, mixed use or commercial zone, as defined in Section 3.1.1, serviced by an *individual on-site sewage system* where the *lot area* doesn't meet the minimum *lot area* provisions of this Section or the Zone in which the *lot* is located whichever is the greater.

6.4.2.3 PROVISIONS FOR ALL ADDITIONAL RESIDENTIAL UNITS

All *additional residential units* shall comply with the provisions of Table 6.4.2.3.

| TABLE 6.4.2.3 – PROVISIONS FOR ALL ADDITIONAL RESIDENTIAL UNITS | | | | |
|--|--|---|--|--|
| Provision | R1, R2, R3 and V Zones, where served by both a <i>municipal water system</i> and <i>municipal sewage system</i> | R1, R2 and V Zones, where not served by a <i>municipal sewage system</i> | RE and RR Zones in a <i>settlement area</i> (as defined in Section 4.7.2.1) | A1, A2, RR, and RE Zones outside of a <i>settlement area</i> (as defined in Section 4.7.2.1) |
| Number of <i>Additional Residential Units</i> per <i>lot</i>, Maximum | 1, in the Village of Mount Elgin | 1, except in settlements listed in 6.4.2.2 i) | 1 | 2 |
| <i>Cumulative Gross Floor Area</i> for all <i>Additional Residential Units</i>, Maximum | 50% of the <i>gross floor area</i> of the <i>principal dwelling</i> , or 100 m² (1076 ft ²) of <i>gross floor area</i> , whichever is the lesser | | | 50% of the <i>gross floor area</i> of the <i>principal dwelling</i> , or 140 m² (1507 ft ²) of <i>gross floor area</i> , whichever is the lesser |
| <i>Gross Floor Area</i> for an <i>Additional Residential Unit</i> in a <i>Basement</i> or <i>Cellar</i> | Notwithstanding the maximum gross floor area provision, the entire <i>basement</i> or <i>cellar</i> of the <i>principal dwelling</i> may be used for the purposes of an <i>additional residential unit</i> , provided there are no other <i>additional residential units</i> or <i>garden suites</i> on the <i>lot</i> | | | |
| Location of Entrances | All <i>dwelling units</i> shall be accessed through a common entrance from an internal corridor or vestibule, except that separate entrance(s) may be located in the <i>rear yard</i> or <i>interior side yard</i> . | | | |
| Location of Exterior Stairways | There shall be no exterior stairways except a required emergency exit which shall be located only in the <i>rear yard</i> or <i>interior side yard</i> . | | | |
| Unobstructed Pathway to Entrance of Unit(s), Minimum | 1.2 m (3.9 ft) wide unobstructed pathway from the <i>front lot line</i> to the entrance. Unobstructed means no obstruction or encroachments to a height of up to 2.3 m (7.5 ft). | | | |
| Parking Spaces, Minimum | 1 space per <i>additional residential unit</i> is required. Such spaces may be <i>tandem parking spaces</i> , provided no tandem parking space for an <i>additional residential unit</i> is located within a <i>private garage</i> . | | | |
| <i>Landscaped Open Space</i> in <i>Rear Yard</i>, Minimum | 75 m² (807 ft ²) per <i>lot</i> for 1 <i>additional residential unit</i> or 100 m² (1076 ft ²) per <i>lot</i> for 2 <i>additional residential units</i> and such <i>landscaped open space</i> shall be accessible to all <i>dwelling units</i> or exclusive access is apportioned to each <i>dwelling unit</i> . Swimming pools may be included within the required <i>landscaped open space</i> . | | | |

6.4.2.4 PROVISIONS FOR DETACHED ADDITIONAL RESIDENTIAL UNITS

An *additional residential unit* in a detached *accessory building* shall comply with the provisions of Table 6.4.2.3 and Table 6.4.2.4, where a conflict exists, the provisions of Table 6.4.2.4 will prevail.

| TABLE 6.4.2.4 – PROVISIONS FOR DETACHED ADDITIONAL RESIDENTIAL UNITS | | | | | |
|---|--|---|--|--|---|
| Provision | R1, R2, R3 and V Zones, where served by both a municipal water system and municipal sewage system | R1, R2 and V Zones, where not served by a municipal sewage system | RE and RR Zones, in a settlement area (as defined in Section 4.7.2.1) | RR and RE Zones, outside of a settlement area (as defined in Section 4.7.2.1) | A1 and A2 Zones |
| Lot Area, Minimum | 600 m² (6,458.5 ft ²) | 0.6 ha (1.48 ac) | 0.6 ha (1.48 ac) | 0.6 ha (1.48 ac) | 0.6 ha (1.48 ac) |
| Permitted Location | <i>Rear yard or interior side yard of principal dwelling</i> | | | | Any yard, other than a <i>required yard</i> |
| Required Yards and Setbacks and Lot Coverage | In accordance with Table 6.1.1.3 Regulations for Accessory Uses and Table 6.4.2.3 Provisions for All Additional Residential Units – Maximum Gross Floor Area for all <i>Additional Residential Units</i> , whichever is the lesser | | | | |
| Building Height, Maximum | In accordance with Table 6.1.1.3 Regulations for Accessory Uses and shall not exceed the <i>height</i> of the <i>principal dwelling</i> | | | In accordance with Table 6.1.1.3 Regulations for Accessory Uses | |
| Distance from the Principal Dwelling, Minimum | In accordance with Table 6.1.1.3 Regulations for Accessory Uses | | | | 1.0 m (3.3 ft) |
| Distance from the Principal Dwelling, Maximum | No provision | No provision | No provision | No provision | 30 m (98.4 ft) |
| Distance from Public Street, Maximum | 40 m (147.6 ft) | 40 m (147.6 ft) | 40 m (147.6 ft) | No provision | No provision |
| Privacy Fence, Minimum | A solid privacy fence with a minimum height of 1.8 m around the perimeter of the <i>rear yard</i> | A solid privacy fence with a minimum height of 1.8 m along a <i>lot line</i> where the detached dwelling unit is located within 7.5 m (24.6 ft) of that <i>lot line</i> | | No provision | No provision |
| Window Openings above Ground Floor | Not permitted in a wall facing an <i>interior side yard or rear yard</i> | | | No provision | No Provision |
| Decks, Balconies and Rooftop Patios | Not permitted | | | No provision | No Provision |

7. That Section 6.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Subsection 6.5 and replacing it with the following new subsection 6.5:

6.5 **DWELLING UNITS BELOW GRADE**

No *dwelling unit* shall be created in a *cellar* or *basement*, where the *building or structure* is located within a *natural hazard* or the *lot* does not meet Provincial access standards during a regulatory flood event.

8. That Section 6.0 to By-Law Number 25.98, as amended, is hereby further amended by deleting subsections 6.9.1 and 6.9.2 and replacing it with the following new subsections 6.9.1 and 6.9.2:

6.9.1 ZONING AMENDMENT REQUIRED

Prior to placing a *garden suite* on a *lot*, an amendment to this Zoning By-Law under Section 39 of the Planning Act, as amended, will be required. The by-law will prescribe the period of time, up to twenty (20) years, authorizing the temporary *use* of the *garden suite*.

6.9.2 GARDEN SUITE OCCUPANCY

The *garden suite* shall be occupied by:

- the retired parents or grandparents of a *lot* owner or the *lot* owner's spouse, or
- the retiring *lot* owner provided that the main *dwelling* is occupied by the child or grandchild of the retiring *lot* owner.

9. That Section 6.0 to By-Law Number 25-98, as amended, is hereby further amended by deleting the words “where the *lot* is served by *sanitary sewers* and public water supply” in subsection 6.12.1 b) and replacing them with “where the *lot* is served by both a *municipal water system* and *municipal sewage system*”.

10. That Section 6.0 to By-Law Number 25-98, as amended, is hereby further amended by deleting subsection 6.14.1 and replacing it with the following new subsection 6.14.1:

6.14.1 WHERE PERMITTED

A *home occupation* is permitted within a residential *dwelling unit* and/or an *accessory building* on the same *lot*, subject to compliance with the provisions of this Section and all other provisions of the Zone in which the *lot* is located. A *home occupation* is not permitted within an *additional residential unit*, *converted dwelling*, or *garden suite*.

11. That Section 6.0 to By-Law Number 25-98, as amended, is hereby further amended by deleting subsections 6.14.7 and 6.14.8 and replacing them with the following new subsections 6.14.7 and 6.14.8:

6.14.7 BED AND BREAKFAST ESTABLISHMENT

A *bed and breakfast establishment* shall be considered a *home occupation* located in a *single detached dwelling*. Notwithstanding the *gross floor area* limit for a *home occupation* in subsection 6.14.2, a *bed and breakfast establishment* shall be limited to three guest rooms. In a settlement defined in Section 4.7.2.1, a *bed and breakfast establishment* is not permitted on a *lot* containing *additional residential unit(s)*, a *converted dwelling*, or a *garden suite*.

6.14.8 HOME DAYCARE

A home daycare, located in a *single-detached*, a *semi-detached dwelling*, or a *duplex dwelling* with accommodation for up to and including 6 children, shall be considered a *home occupation*. The *gross floor area* limit for a *home occupation* in subsection 6.14.2, shall not apply to a *home daycare*. In a settlement defined in Section 4.7.2.1, a home daycare is not permitted on a *lot* containing *additional residential unit(s)*, a *converted dwelling*, or a *garden suite*.

12. That Section 6.0 to By-Law Number 25-98, as amended, is hereby further amended by deleting the existing Section 6.16 and replacing it with a new subsection 6.16 as follows:

6.16 **MUNICIPAL SERVICES AND MUNICIPAL DRAINS**

6.16.1 MUNICIPAL SERVICES

No land shall be used or built upon and no *building or structure* shall be *altered, erected, used* or expanded for any purpose unless the land is serviced by municipal services, including, as applicable, *municipal water system, municipal sewage system*, drainage systems and *improved streets*, which meet all applicable *County* and/or *Township* standards. Adequacy of *municipal water system* and *municipal sewage system* capacity shall be confirmed by the *County* prior to issuance of a Building Permit.

6.16.2 MUNICIPAL DRAINS

No *person* shall *erect, alter* or *use* any *building or structures* within:

- i) **30 m** (98.4 ft) from the top-of-bank of any open *municipal drain*; or
- ii) **5 m** (16.4 ft) of an enclosed *municipal drain* within a designated settlement area; or
- iii) **15 m** (49.2 ft) of an enclosed *municipal drain* outside of a designated settlement area.

13. That Section 6.0 to By-Law Number 25-98, as amended, is hereby further amended by deleting the provisions in Table 6.19.2.1 for “Residential Uses” and replacing them with the following new provisions for “Residential Uses” as follows:

| TABLE 6.19.2.1 - PARKING STANDARDS | | |
|------------------------------------|---|--|
| LAND USE CATEGORY | USE | NUMBER OF VEHICLE PARKING SPACES REQUIRED |
| Residential Uses | - <i>single detached dwelling</i> - <i>duplex dwelling</i> - <i>semi-detached dwelling</i> - <i>mobile dwelling</i> - <i>street fronting townhouse dwelling</i> | - 2 per <i>dwelling unit</i> |
| | - <i>bed and breakfast</i> - <i>boarding or lodging house</i> | - 1 per <i>guest room</i> |
| | - <i>garden suite</i> | - 1 per <i>garden suite</i> |
| | - <i>home occupation</i> | - 1 space |
| | - <i>additional residential unit</i> | - 1 per <i>additional residential unit</i> |
| | - residential units in a portion of a non-residential building - <i>multiple unit dwelling</i> - <i>apartment dwelling</i> - <i>converted dwelling</i> | - 1.5 per <i>dwelling unit</i> |
| | - <i>long term care facility</i> | - 1 per 3 beds or fraction thereof |

14. That Section 6.0 to By-Law Number 25-98, as amended, is hereby further amended by adding a new subsection 6.19.2.4 after subsection 6.19.2.3:

6.19.2.4 PARKING SPACES WITHIN A PRIVATE GARAGE

Where parking is provided at the *dwelling unit* in an individual *driveway*, *parking spaces* may be within a *private garage*, with the exception that *parking spaces* within a *private garage* shall not be used to satisfy parking requirements for *additional residential units*, *converted dwellings* and *garden suites*.

15. That Section 7.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Section 7.1: Uses Permitted and replacing it with the following:

7.1 **USES PERMITTED**

No *person* shall within any A1 Zone use any *lot* or *erect*, *alter* or use any *building* or *structure* for any purpose except one or more of the A1 *uses* in Table 7.1:

| TABLE 7.1: USES PERMITTED |
|---|
| <ul style="list-style-type: none"> • <i>an additional residential unit</i> within the <i>principal dwelling</i>, in accordance with the provisions of Section 6.4; |
| <ul style="list-style-type: none"> • <i>a communications structure</i>; |

| TABLE 7.1: USES PERMITTED |
|--|
| • a <i>conservation project</i> ; |
| • an <i>existing converted dwelling</i> , containing up to two <i>dwelling units</i> ; |
| • a <i>farm</i> , but does not include a <i>regulated farm</i> as defined in this Zoning By-Law; |
| • a <i>garden suite</i> , in accordance with the provisions of Section 6.9; |
| • a <i>group home</i> , in accordance with the provisions of Section 6.12; |
| • a <i>home occupation</i> , in accordance with the provisions of Section 6.14; |
| • an oil or gas well; |
| • an <i>on-farm composting facility</i> ; |
| • an <i>on-farm diversified use</i> , in accordance with the provisions of Section 6.18; |
| • a <i>public use</i> , in accordance with the provisions of Section 6.22; |
| • a seasonal fruit, vegetable, flower or farm produce sales outlet, provided the produce is the product of the <i>farm</i> on which the outlet is located; |
| • a <i>single detached dwelling</i> if <i>accessory to a farm</i> ; |
| • a topsoil or peat extraction operation in accordance with the provisions of Section 6.31; |
| • a <i>wayside sand or gravel pit</i> or <i>stone quarry</i> , in accordance with the provisions of Section 6.33. |

16. That Section 7.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 7.2.3.

17. That Section 7.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 7.2.4 and replacing it with the following new subsection 7.2.4:

7.2.4 LOCATION OF NEW ACCESSORY DWELLINGS, ADDITIONAL RESIDENTIAL UNITS AND GARDEN SUITES

New accessory *dwelling*s, *additional residential units*, *garden suites*, and temporary *dwelling*s, shall be required to satisfy the minimum distance separation requirements as determined through the application of the *Minimum Distance Separation Formula I (MDS I)*, or not further reduce an *existing* insufficient *MDS I setback*.

18. That Section 7.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 7.3 and replacing it with the following new subsection 7.3:

7.3 **SPECIAL PROVISIONS FOR A CONVERTED DWELLING (A1-C)**

An *existing converted dwelling* containing up to two *dwelling units* is permitted within a *single detached dwelling* on A1-C zoned *lots*.

7.3.1 LOCATION: PART LOT 15, CONCESSION 10 (DEREHAM), A1-C-1

7.3.1.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any A1-C-1 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

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

7.3.1.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any A1-C-1 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

7.3.1.2.1 CONVERTED DWELLING – MAXIMUM DWELLING SIZE

The second *dwelling* unit shall have a maximum gross floor area of **150 m²** (1614.6 ft²).

7.3.1.2.2 That all the provisions of the A1 Zone in Section 7.2 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*.

19. That Section 8.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Section 8.1: Uses Permitted and replacing it with the following:

8.1 USES PERMITTED

No *person* shall within any A2 Zone use any *lot* or *erect*, *alter* or use any *building* or *structure* for any purpose except one or more of the A2 *uses* in Table 8.1:

| TABLE 8.1: USES PERMITTED |
|--|
| • an <i>additional residential unit</i> within the <i>principal dwelling</i> , in accordance with the provisions of Section 6.4; |
| • an <i>animal kennel</i> ; |
| • a <i>communications structure</i> ; |
| • a <i>conservation project</i> ; |
| • an <i>existing converted dwelling</i> , containing up to two <i>dwelling units</i> ; |
| • a <i>regulated farm</i> ; |
| • a <i>garden suite</i> , in accordance with the provisions of Section 6.9; |
| • a <i>group home</i> , in accordance with the provisions of Section 6.12; |
| • a <i>home occupation</i> , in accordance with the provisions of Section 6.14; |
| • a <i>farm</i> ; |
| • an oil or gas well; |
| • an <i>on-farm composting facility</i> ; |

| TABLE 8.1: USES PERMITTED |
|--|
| • an <i>on-farm diversified use</i> , in accordance with the provisions of Section 6.18; |
| • a <i>private airstrip</i> ; |
| • a public <i>use</i> , in accordance with the provisions of Section 6.22; |
| • a seasonal fruit, vegetable, flower or farm produce sales outlet, provided the produce is the product of the <i>farm</i> on which the outlet is located; |
| • a <i>single detached dwelling</i> if <i>accessory</i> to a <i>farm</i> or a <i>regulated farm</i> ; |
| • a topsoil or peat extraction operation, in accordance with the provisions of Section 6.31; |
| • a <i>wayside sand and gravel pit</i> or <i>stone quarry</i> , in accordance with the provisions of Section 6.33. |

20. That Section 8.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 8.2.4.

21. That Section 8.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 8.2.5 and replacing it with the following new subsection 8.2.5:

8.2.5 LOCATION OF NEW ACCESSORY DWELLINGS, ADDITIONAL RESIDENTIAL UNITS AND GARDEN SUITES

New accessory dwellings, additional residential units, garden suites, and temporary dwellings, shall be required to satisfy the minimum distance separation requirements as determined through the application of the Minimum Distance Separation Formula I (MDS I), or not further reduce an existing insufficient MDS I setback.

22. That Section 8.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 8.3.

23. That Section 9.0 to By-law Number 25-98, as amended, is hereby further amended by deleting “a converted dwelling in accordance with the provisions of Section 6.4 of this Zoning By-law” from Table 9.1.

24. That Section 9.0 to By-law Number 25-98, as amended, is hereby further amended by deleting the words “Where sanitary sewers and public water supply not available” in Table 9.2, under “Lot Area, Minimum” and replacing them with “Where a *municipal sewage system* is not available”.

25. That Section 9.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 9.3.

26. That Section 10.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Section 10.1: Uses Permitted and replacing it with the following:

10.1 **USES PERMITTED**

No *person* shall within any RR Zone use any *lot* or *erect, alter* or use any *building* or *structure* for any purpose except one or more of the RR *uses* in Table 10.1:

| TABLE 10.1: USES PERMITTED |
|--|
| • <i>an additional residential unit</i> , in accordance with the provisions of Section 6.4; |
| • <i>an existing converted dwelling</i> , containing up to two <i>dwelling units</i> ; |
| • <i>a garden suite</i> , in accordance with the provisions of Section 6.9; |
| • <i>a home occupation</i> , in accordance with the provisions of Section 6.14; |
| • a public use, in accordance with the provisions of Section 6.22; |
| • <i>a single detached dwelling</i> ; |
| • <i>a wayside sand or gravel pit or stone quarry</i> in accordance with the provisions of Section 6.33. |

27. That Section 10.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 10.3.

28. That Section 11.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Section 11.1: Uses Permitted and replacing it with the following:

11.1 **USES PERMITTED**

No *person* shall within any RE Zone use any *lot* or *erect, alter* or use any *building* or *structure* for any purpose except one or more of the RE *uses* in Table 11.1:

| TABLE 11.1: USES PERMITTED |
|--|
| • <i>an additional residential unit</i> , in accordance with the provisions of Section 6.4; |
| • <i>an existing converted dwelling</i> , containing up to two <i>dwelling units</i> ; |
| • <i>a garden suite</i> , in accordance with the provisions of Section 6.9; |
| • <i>a home occupation</i> , in accordance with the provisions of Section 6.14; |
| • a public use, in accordance with the provisions of Section 6.22; |
| • <i>a single detached dwelling</i> ; |
| • <i>a wayside sand or gravel pit or stone quarry</i> , in accordance with the provisions of Section 6.33. |

29. That Section 11.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsections 11.3 and 11.4.

30. That Section 12.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Section 12.1: Uses Permitted and replacing it with the following:

12.1 **USES PERMITTED**

No *person* shall within any R1 Zone use any *lot* or *erect, alter* or use any *building* or *structure* for any purpose except one or more of the R1 *uses* in Table 12.1:

| TABLE 12.1: USES PERMITTED |
|---|
| • <i>an additional residential unit</i> , in accordance with the provisions of Section 6.4; |
| • <i>an existing converted dwelling</i> , containing up to two <i>dwelling units</i> ; |
| • <i>a garden suite</i> , in accordance with the provisions of Section 6.9; |
| • <i>a group home</i> , in accordance with the provisions of Section 6.13; |
| • <i>a home occupation</i> , in accordance with the provisions of Section 6.14; |
| • a public use, in accordance with the provisions of Section 6.22; |
| • <i>a single detached dwelling</i> . |

31. That Section 12.0 to By-law Number 25-98, as amended, is hereby further amended by deleting all instances of the words “where sanitary sewers are not available” in Table 12.2 and replacing them with “where a *municipal sewage system* is not available” and deleting all instances of the words “where served by both sanitary sewers and public water supply” in Table 12.2 and replacing them with “where served by both a *municipal sewage system* and *municipal water system*”.

32. That Section 12.0 to By-law Number 25-98, as amended, is hereby further amended by deleting the preamble to subsection 12.3 Special Provisions for a Converted Dwelling (R1-C) and replacing it with the following:

12.3 **SPECIAL PROVISIONS FOR A CONVERTED DWELLING (R1-C)**

An existing converted dwelling containing up to two *dwelling units* is permitted within a *single detached dwelling* on R1-C zoned *lots*.

33. That Section 13.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Section 13.1: Uses Permitted and replacing it with the following:

13.1 **USES PERMITTED**

No *person* shall within any R2 Zone use any *lot* or *erect, alter* or use any *building* or *structure* for any purpose except one or more of the R2 *uses* in Table 13.1:

| TABLE 13.1: USES PERMITTED |
|---|
| • <i>an additional residential unit</i> in accordance with the provisions of Section 6.4; |
| • <i>an existing converted dwelling</i> , containing up to two <i>dwelling units</i> ; |

| TABLE 13.1: USES PERMITTED |
|---|
| • a <i>duplex dwelling</i> ; |
| • a <i>home occupation</i> , in accordance with the provisions of Section 6.14; |
| • a public use, in accordance with the provisions of Section 6.22; |
| • a <i>semi detached dwelling</i> . |

34. That Section 13.0 to By-law Number 25-98, as amended, is hereby further amended by deleting the preamble to Section 13.2 and replacing it with the following:

13.2 **ZONE PROVISIONS**

No *person* shall within any R2 Zone use any *lot* or *erect, alter* or use any *building* or *structure* unless the *lot* is served by both a *municipal sewage system* and *municipal water system* and is in accordance with the provisions in Table 13.2:

35. That Section 13.0 to By-law Number 25-98, as amended, is hereby further amended by deleting the term “converted dwelling” from the heading of the 3rd column of Table 13.2.

36. That Section 14.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Section 14.1: Uses Permitted and replacing it with the following:

14.1 **USES PERMITTED**

No *person* shall within any R3 Zone use any *lot* or *erect, alter* or use any *building* or *structure* for any purpose except one or more of the R3 *uses* in Table 14.1:

| TABLE 14.1: USES PERMITTED |
|---|
| • an <i>additional residential unit</i> , in accordance with the provisions of Section 6.4; |
| • an <i>apartment dwelling</i> ; |
| • a <i>boarding or lodging house</i> ; |
| • a <i>converted dwelling</i> , containing up to four <i>dwelling units</i> , in accordance with the provisions of Section 6.4; |
| • a <i>home occupation</i> , in accordance with the provisions of Section 6.14; |
| • a <i>multiple unit dwelling</i> ; |
| • a public use, in accordance with the provisions of Section 6.22; |
| • a <i>street fronting townhouse</i> . |

37. That Section 14.0 to By-law Number 25-98, as amended, is hereby further amended by deleting the preamble to Section 14.2 and replacing it with the following:

14.2 **ZONE PROVISIONS**

No *person* shall within any R3 Zone use any *lot* or *erect, alter* or use any *building* or *structure* unless the *lot* is served by both a *municipal sewage system* and *municipal water system* and is in accordance with the provisions in Table 14.2:

38. That Section 14.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 14.2.2.
39. That Section 15.0 to By-law Number 25-98, as amended, is hereby further amended by deleting all instances of the words “where communal water system and communal sewage facilities are provided” in Table 15.2 and replacing them with “where a *private communal sewage system* and *private communal water system* are provided”.
40. That Section 16.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Section 16.1: Uses Permitted and replacing it with the following:

16.1 **USES PERMITTED**

No *person* shall within any V Zone use any *lot* or *erect, alter* or use any *building* or *structure* for any purpose except one or more of the V *uses* in Table 16.1:

| TABLE 16.1: USES PERMITTED |
|---|
| • an <i>additional residential unit</i> , in accordance with the provisions of Section 6.4; |
| • an <i>automobile service station</i> ; |
| • a bakeshop; |
| • a <i>business</i> or <i>professional office</i> ; |
| • a <i>commercial school</i> ; |
| • an <i>existing converted dwelling</i> , containing up to two <i>dwelling units</i> ; |
| • a <i>dwelling unit</i> in a portion of a non-residential <i>building</i> except that in the case of an <i>automobile service station</i> such <i>dwelling</i> shall not be permitted; |
| • an <i>eating establishment</i> ; |
| • a financial institution; |
| • a funeral home; |
| • a <i>home occupation</i> , in accordance with the provisions of Section 6.14; |
| • a laundromat; |
| • a <i>medical centre</i> ; |
| • a <i>parking lot</i> ; |
| • a <i>personal service establishment</i> ; |
| • a <i>place of entertainment</i> ; |
| • a <i>public use</i> , in accordance with the provisions of Section 6.22; |

| TABLE 16.1: USES PERMITTED |
|---|
| • a <i>retail store</i> ; |
| • a retail outlet, a wholesale outlet or a <i>business office accessory</i> to a permitted use; |
| • a <i>service shop</i> ; |
| • a <i>single detached dwelling</i> ; |
| • a <i>studio</i> ; |
| • a <i>veterinary clinic</i> , with no outside runs or kennels. |

41. That Section 16.0 to By-law Number 25-98, as amended, is hereby further amended by deleting the preamble to Section 16.2 and replacing it with the following:

16.2 **ZONE PROVISIONS**

No *person* shall within any V Zone use any *lot* or *erect, alter* or use any *building* or *structure* except in accordance with the provisions in Table 16.2:

The *lot area* provision for residential *uses* are cumulative with the *lot area* provision for non-residential *uses* when such residential *use* is located on the same *lot* with a permitted non-residential *use*. No *person* shall use any *lot* or *erect, alter* or use any *building* or *structure* for the any of the *uses* in Table 16.1 unless the *lot* is served by partial services (a *municipal sewage system* or a *municipal water system*) or by private services (*individual on-site sewage system* and *individual on-site water system*).

42. That Section 16.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 16.3.
43. That Section 17.0 to By-law Number 25-98, as amended, is hereby further amended by deleting all instances of the words “where sanitary sewers are not available” and replacing them with “where a *municipal sewage system* is not available” and deleting all instances of the words “where served by both sanitary sewers and public water supply” and replacing them with “where served by both a *municipal sewage system* and *municipal water system*” throughout Table 17.2.
44. That Section 18.0 to By-law Number 25-98, as amended, is hereby further amended by deleting the words “where sanitary sewers are not available” and replacing them with “where a *municipal sewage system* is not available” and deleting all instances of the words “where served by sanitary sewers” and replacing them with “where served by a *municipal sewage system*” in Table 18.2.
45. That Section 19.0 to By-law Number 25-98, as amended, is hereby further amended by deleting the words “where sanitary sewers are not available” and replacing them with “where a *municipal sewage system* is not available” and deleting the words “where served by sanitary sewers” and replacing them with “where served by a *municipal sewage system*” in Table 19.2.
46. That Section 24.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Section 24.1: Uses Permitted and replacing it with the following:

24.1 **USES PERMITTED**

No person shall within any I Zone use any *lot* or *erect*, *alter* or use any *building* or *structure* for any purpose except one or more of the I uses in Table 24.1:

| TABLE 24.1: USES PERMITTED |
|--|
| • an administrative office of the <i>Corporation</i> , the <i>County</i> , the Government of Ontario or the Government of Canada; |
| • a cemetery; |
| • a community centre; |
| • a <i>daycare centre</i> ; |
| • a <i>dwelling unit</i> in a portion of a non-residential <i>building</i> , if <i>accessory</i> to a permitted <i>use</i> on the <i>lot</i> , and if occupied by the owner or an employee of the institutional <i>use</i> on the <i>lot</i> ; |
| • a <i>fraternal lodge</i> or <i>institutional hall</i> ; |
| • a funeral home; |
| • a <i>group home</i> , in accordance with the provisions of Section 6.12; |
| • a <i>home occupation</i> , in accordance with the provisions of Section 6.14; |
| • a <i>long term care facility</i> ; |
| • a <i>medical centre</i> ; |
| • a <i>municipal yard</i> ; |
| • a museum; |
| • a <i>place of worship</i> ; |
| • a <i>public</i> or <i>private school</i> ; |
| • a public <i>use</i> , in accordance with the provisions of Section 6.22; |
| • a <i>public</i> or <i>private hospital</i> ; |
| • a <i>public library</i> ; |
| • a <i>single detached dwelling</i> if occupied by the owner or an employee of the institutional <i>use</i> on the <i>lot</i> . |

45. That Section 24.0 to By-law Number 25-98, as amended, is hereby further amended by deleting all instances of the words “where sanitary sewers are not available” and replacing them with “where a *municipal sewage system* is not available” and deleting all instances of the words “where served by both sanitary sewers and public water supply” and replacing them with “where served by both a *municipal sewage system* and *municipal water system*” throughout Table 24.2.

46. That Section 24.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 24.3.
47. That Section 25.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Section 25.1: Uses Permitted and replacing it with the following:

25.1 **USES PERMITTED**


No *person* shall within any REC Zone use any lot or *erect, alter* or use any *building* or *structure* for any purpose except one or more of the REC uses in Table 25.1:

| TABLE 25.1: USES PERMITTED |
|---|
| • an arena; |
| • a community centre; |
| • a <i>conservation project</i> ; |
| • a curling facility; |
| • a flood control structure; |
| • a golf course; |
| • a <i>home occupation</i> , in accordance with the provisions of Section 6.14; |
| • a museum; |
| • an oil or gas well, outside of a designated settlement; |
| • an <i>outdoor commercial recreation facility</i> ; |
| • a <i>park</i> ; |
| • a picnic area; |
| • a playground; |
| • a <i>public use</i> , in accordance with the provisions of Section 6.22; |
| • a <i>recreation or athletic facility or club</i> ; |
| • a <i>seasonal trailer park or campground</i> , existing on the date of passing of this Zoning By-law; |
| • a <i>single detached dwelling</i> if occupied by the owner or an employee of the <i>recreational use</i> on the lot; |
| • a sportsfield; |
| • a <i>wayside sand or gravel pit</i> or <i>stone quarry</i> , outside of a designated settlement, in accordance with the provisions of Section 6.33. |

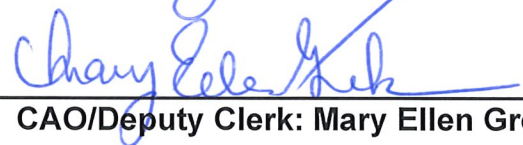
48. That Section 25.0 to By-law Number 25-98, as amended, is hereby further amended by deleting all instances of the words "where sanitary sewers are not available" and replacing them with "where a *municipal sewage system* is not available" and deleting all instances of the words "where sanitary sewers and public water supply" and replacing them with "where served by both a *municipal sewage system* and *municipal water system*" throughout Table 25.2.
49. That Section 25.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 25.3.
50. This By-Law comes into force in accordance with Sections 34(21) and (30) of the Planning Act, R.S.O. 1990, as amended.

READ a first and second time this 11th day of July, 2023.

READ a third time and finally passed this 11th day of July, 2023.



Mayor: David Mayberry



CAO/Deputy Clerk: Mary Ellen Greb