

3.1 APPLICATION

- 3.1.1 The provisions of this Zoning By-Law shall apply to all lands within the limits of the Corporation of the Township of South-West Oxford.
- 3.1.2 No *person* shall use any land, or *erect, alter* or use any *building, structure* or part thereof within the limits of the *Corporation* except in conformity with the provisions of this Zoning By-Law.
- 3.1.3 No *person* shall use any *building, structure* or part thereof, erected, or altered in contravention of this Zoning By-Law so long as such *building, structure* or part thereof, continues to contravene the provisions of this Zoning By-Law.
- 3.1.4 No *person* shall change the purpose of which any lot, *building or structure* is used or *erect, alter* or use any *building or structure* or sever any lands from any *existing lot* if the effect of such action is to cause the original, adjoining, remaining or new *building, structure* or *lot* to be in contravention of this Zoning By-Law.

3.2 ADMINISTRATION

This Zoning By-Law shall be administered and enforced by such *person or persons* as shall be appointed from time to time by by-law of the *Corporation* as the "*Chief Building Official*".

(Deleted and Replaced by By-Law 60-2021)

3.3 INSPECTION

The *Zoning Officer* or an officer or employee of the *Corporation* acting under the direction of *Council* may enter upon any property or premises at any reasonable time for the purpose of administering or enforcing this Zoning By-Law.

3.4 APPLICATION FOR PERMITS

- 3.4.1 In addition to all the requirements of the Corporation's Building By-Law, or any other by-law of the *Corporation*, every application for a building permit shall be accompanied by a plan in duplicate, (a copy of which shall be retained by the *Corporation*), drawn to scale and showing the following:
- 3.4.1.1 The true dimensions of the *lot* to be built upon or otherwise used.
- 3.4.1.2 The proposed location, *height* and dimensions of any *building, structure* or *use* proposed for such *lot*.

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- 3.4.1.3 The proposed location and dimensions of any *yards, setback, landscaped open space, off-street parking spaces* or off-street loading facilities required by this Zoning By-Law.
- 3.4.1.4 The location of all *existing buildings or structures* on the *lot* shown on the plan.
- 3.4.1.5 A statement signed by the owner, indicating the exact use proposed for each aforesaid *building, structure, or I* and giving all information necessary to determine if such proposed or existing *building, structure or use* conforms with the requirements of this Zoning By-Law.
- 3.4.2 In addition to the requirements of Subsection 3.4.1, an application for a building permit for a *building* to house livestock and poultry and/or for a manure storage facility, shall include information required for the application of the *Minimum Distance Separation Formula II (MDS II)*. An application for a building permit for a *building* to house livestock and poultry and/or manure storage facility shall require surveyed distances by an Ontario Land Surveyor where such distances are within **60 m** (196.85 ft) of the required distance, unless specifically exempted. All applications for minor variances to MDS I and II shall require surveyed distances by an Ontario Land Surveyor, where required by the *Chief Building Official*.

(Amended by By-Law 15-2009)

- 3.4.3 In addition to the requirements of Subsection 3.4.1, information for the application of the *Minimum Distance Separation Formula I (MDS I)* shall be required in accordance with the provisions of the following zones: A1, A2, AB, RE, RR, MG, MA, MR, HC, I, REC, and V.

This information shall include certified surveyed distances, completed by an Ontario Land Surveyor, for all required MDS I setbacks, where required by the *Chief Building Official*.

(Amended by By-Law 36-2007)

3.5 VIOLATIONS AND PENALTIES

Every *person* who uses any lot, or *erects, alters* or uses any *building or structure* or any part of any lot, *building or structure* in a manner contrary to any requirements of this Zoning By-Law or who causes or permits such *use, erection, or alteration* or who violates any provision of this Zoning By-Law or causes or permits a violation, shall be guilty of an offence and upon conviction therefore shall forfeit and pay a penalty in accordance with the Planning Act, 1990, and every such penalty shall be recoverable under The Municipal Act, 2001 and The Provincial Offences Act, R.S.O. 1990.

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3.6 VALIDITY

If any section, clause or provision of this Zoning By-Law, including anything contained in Schedules "A", "B", "C", "D", and "E" attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole or any part thereof other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this Zoning By-Law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

3.7 REMEDIES

In case any *building or structure* is to be *erected, altered*, reconstructed, extended or part thereof is to be used, or any *lot* is to be used, in contravention of any requirement of this Zoning By-Law, such contravention may be restrained by action at the direction of the *Corporation* and such contravention may be remedied at the expense of the *person* in default with the *Corporation* recovering the expenses pursuant to the provisions of The Municipal Act, 2001 in that behalf.

3.8 REPEAL OF EXISTING BY-LAWS

By-Law 34-80 of the Township of South-West Oxford and all subsequent amendments are hereby repealed.

3.9 CONTRAVENTION

- 3.9.1 Each day on which a person contravenes Section 6.29 of this By-law shall be deemed to constitute a separate offence under this By-law as provided for in section 429 of the Municipal Act, S.O. 2001, c. 25
- 3.9.2 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

(Added by By-Law 9-2019)

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