

BY-LAW NO. 43-08

ZONING BY-LAW OF THE MUNICIPALITY OF STRATHROY-CARADOC



Consolidated: ~~September 2023~~
June 2024

MUNICIPALITY OF STRATHROY-CARADOC COMPREHENSIVE ZONING BY-LAW 43-08
LIST OF ZONING BY-LAW AMENDMENTS

BY-LAW	DATE	APPLICANT	LOCATION	PARENT ZONE	ZONE CHANGE	Text Section	SCHEDULE	DESCRIPTION	CONSOLIDATED	STATUS
48-08		Kensington Village	Pt Lot 13, Con 10; Pt Lot 38, RP 433; Pt 2, RP 33R-15011	A1/FD	R1-33-H, R1-34-H & P; now R1-5, R1-6 & OS		Sch B - Map 15/16	facilitates developent of single detached building lots & reduced lot sizes & alternative design standards; additional provisions for construction & plcement of private garages; further amended by Bylaw 45-15	Y	PASSED
67-08		Ramsey	6947 Olde Drive	A1	A1-1		Sch A - Map 13	permitted use exception - allow secondary suite dwelling on the ground floor of an accessory building	Y	PASSED
68-08		Campbellvale Estates Inc	Block 14, RP 33M-573 Campbellvale	OS	R5-1-H		Sch A - Map 36	facilitates the creation of two (2) residential building lots	Y	PASSED
10-09		Vibrent Properties	8562 Glendon Drive	FD	R1 & FD-1; now FD-2		Sch C - Map 3	facilitates residential development of land; future development remnant parcel; further amended by Bylaw 45-15	Y	PASSED
11-09		Elliott-Madill Funeral Home	22414 Adelaide Road, Mt. Brydges	R1 & C1	C1 & R1		Sch C - Map 6	facilitates development of a parking lot and creation of a residential building lot	Y	PASSED
18-09		Estate of Earl Gregory	7607 Scotchmere Drive	A1	A2 & A3-1		Sch A - Map 9	permit an undersized agricultural parcel & prohibit any residential use on the farm parcel; recognizes reduced side yard of 2 m for an existing bunker silo	Y	PASSED
38-09		Zekveld	Part Lot 20, Con 4 (geo Twp of Adelaide)	FD	R1		Sch B - Map 6	permits the creation of a residential lot	Y	PASSED
39-09		Bethel Baptist Church	24513 Adelaide Road, Strathroy	A1 & FD	I-1-H		Sch B- Map 17	permits institutional use of lands with restrictive front yard setback of 80 m for a public park and recreational facilities	Y	PASSED
48-09		Welke	7125 Century Drive	A2	A2-T		Sch A - Map 20	permits a mobile home - expired September 8, 2012		EXPIRED
52-09		Robinson	139 Egerton Street	M2	M2-4		Sch B - Map 16	permits a recreational facility	Y	PASSED
53-09		Dept of Family Medicine - UWO	25 McNab Avenue	M2	M2-5		Sch B - Map 16	permits a clinic	Y	PASSED
66-09		Slegers	7216 Olde Drive	A1	A2-1 & A3		Sch A - Map 14	permit an undersized agricultural parcel & prohibit any residential use on the farm parcel	Y	PASSED
19-10		Municipality of Strathroy-Caradoc	Part Lot 25, Con 2 SER (geo Twp of Adelaide)	FD	M2		Sch B - Map 2	facilitates part of the property as part of an industrial sub'd	Y	PASSED
20-10		Municipality of Strathroy-Caradoc	24321 Saxton Road	U, A1	A1-1, now A1-3		Sch A - Map 9	facilitates the use as agri and recognize lands are no longer used for public purposes; further amended by Bylaw 45-15	Y	PASSED
21-10		Municipality of Strathroy-Caradoc	24364 Saxton Road	U	A1-2, now A1-4		Sch A - Map 10	facilitates the use as agri and recognize lands are no longer used for public purposes; further amended by Bylaw 45-15	Y	PASSED
34-10		Campbellvale Estates Inc	Block 14, RP 33M-573	R1-5-H	R5-1		Sch A - Map 36	remove holding symbol	Y	PASSED
41-10		Parish (Peidro Farms)	8305 Longwoods Road	A1	A2 & A3		Sch A - Map 34	permit an undersized agricultural parcel & prohibit any residential use on the farm parcel	Y	PASSED
42-10		Smits	Part Lot 22, Con 2, Troops Road	A1	R5-2 & A1-2		Sch A - Map 30	facilitate the creation of three (3) rural residential lots and permit an undersized farm parcel	Y	PASSED
43-10		Cobblestone Gate Land Corp	317 Queen Street	FD	R3-1-H		Sch B- Map 15	facilitate the development of 33 single detached dwellings, as part of a VLC	Y	PASSED
54-10		Van Den Heuvel	Part Lot 23, Con 10; 9236 Gengyle Dr	A1	A2 & A3		Sch A - Map 6	permit an undersized agricultural parcel & prohibit any residential use on the farm parcel	Y	PASSED
55-10		Brenair Farms - McCracken	7816 Century Drive	A1	A2 & A3		Sch A - Map 15	permit an undersized agricultural parcel & prohibit any residential use on the farm parcel	Y	PASSED
61-10		Brenair Farms - McCracken	7719 Century Drive	A1	A2-1 (now A2-4) & A3		Sch A - Map 21	permit an undersized agricultural parcel, recognizes existing accessory buildings on said parcel & prohibit any residential use on the farm parcel; further amended by Bylaw 45-15	Y	PASSED
62-10		Mt. Brydges Baptist Church	22393 Adelaide Road	I	R1		Sch C - Map 6	facilitates the residential development of the lands	Y	PASSED
63-10		Demeulenaere	8296 Parkhouse Drive	A1	A2 & A3		Sch A - Map 28	permit an undersized agricultural parcel & prohibit any residential use on the farm parcel	Y	PASSED

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74-10		Beer	8312 Walkers Line	A1	A2 & A3		Sch A - Map 4	permit an undersized agricultural parcel & prohibit any residential use on the farm parcel	Y	PASSED
75-10		Masterpiece Financial	101 Metcalfe Street East	R1	C2-8		Sch B - Map 9	permitted uses limited to a professional office and a single detached dwelling	Y	PASSED
9-11		DuMaresq	8533 Glendon Drive	FD	R1 & FD-1		Sch C - Map 3	facilitates the conveyance of a single detached dwelling and recognizes existing uses and lotting standards for retained balance	Y	PASSED
33-11		666178 Ontario Ltd	Part of Lot 22, Con III (geo Twp of Adelaide)	FD	R1-H		Sch B - Map 3	facilitates the development of a 39-lot single detached dwelling plan of subdivision	Y	PASSED
46-11		IBI Group (Sydenham Community Credit Union)	214 Caradoc Street South	C2	C2-9		Sch B - Map 14	permits financial institution plus parent C2 uses	Y	PASSED
47-11		Mitre Corporation/Linker	314 Metcalfe Street East	R1	R2		Sch B- Map 16	facilitate the construction of a linked dwelling	Y	PASSED
54-11		Cowan	22710 Christina Road	A1	A2		Sch A - Map 28	permit an undersized agricultural parcel	Y	PASSED
55-11		David	9139 Oriole Drive	A1	A1-T		Sch A - Map 30	permits a second single detached dwelling - expires August 15, 2014		EXPIRED
56-11		Noblera Developments	Part of Lot 25, Con II (geo Twp of Adelaide)	M2	M2-6		Sch B - Map 2	permits a recreational facility use plus parent M2 uses	Y	PASSED
70-11		Denning	7748 Olde Drive	A1	A1-T		Sch A - map 15	permits a second single detached dwelling - expires October 3, 2014		EXPIRED
71-11		818650 Ontario Ltd (Dykstra)	Part of Lot 23, Con II (geo Twp of Adelaide)	FD	R1-H		Sch B - Map 1	facilitates the development of a 56-lot single detached dwelling plan of subdivision	Y	PASSED
72-11		Queens Gate Land Corporation	290 - 298 Mogg Street	R3-1	R3-2 (now R3-1)		Sch B - Map 15	housekeeping matter; further amended by Bylaws 45-15 & 56-15	Y	PASSED
79-11		Dobrenty	6736 Calvert Drive	A1	A2 & A3		Sch A - Map 1	permit an undersized agricultural parcel & prohibit any residential use on the farm parcel	Y	PASSED
80-11		TVDSB	Lot 10, Con X (geo Twp of Caradoc)	FD	I		Sch B - Map 14	facilitate the development of a public school	Y	PASSED
84-11		MacDonald	Part Lot 22, Con 3 SER (geo Twp of Adelaide)	FD	R1-H		Sch B - Map 3	facilitate the development of a 43 lot sfd subdivision	Y	PASSED
85-11		Southwest Crematoriums	Part Lot 22, Con 3 SER, Pts 1 & 2, RP 33R-18132 (geo Twp of Adelaide)	M2	M2-7; now M2-8		Sch B- Map 1	provide definition of "crematorium" and facilitate use of crematorium; further amended by 45-15	Y	PASSED
86-11		Glover	Lot 37 & Part Lots 48 & 49, Plan 34M-5	FD	R1		Sch C - Map 3	bring zoning into conformity with the parcel to which it is going to be deeded	Y	PASSED
91-11		Vibrent Farms	Part Lot 16, Con 3	A1	A2 & A3		Sch A - Map 22	facilitate the severance of an existing dwelling & accessory bldgs	Y	PASSED
7-12		Strathroy Carstar Collision	680 Wright St	M2	M2-7		Sch B - Map 1	facilitate the use of the property as a "Public Garage"	Y	PASSED
8-12		Teppen Corporation	15 Caradoc St South	R2	R2-2		Sch B- Map 15	facilitate the conversion of a portion of an existing dwelling into a professional office	Y	PASSED
12-12		Cowie	23698 Sutherland Road	A1	A2 & A3		Sch A - Map 15	facilitate the severance of an existing dwelling & accessory bldgs	Y	PASSED
14-12		Saxonville Ph. 5 - March 2012	Part Lot 9, Con 10, P Lots 14 & 15, Plan 33M-419	FD	R1-H & R1-1-H; now R1-1 & R1-7		Sch B - Map 13	facilitate the development of 84 sf building lots; further amended by Bylaws 53-12, 45-15 & 56-15	Y	PASSED
19-12		Strathroy Land Corp	Part Lot 23, RCP 370 and Parts 3 to 9, RP 33R-17015	C2	C2-9; now C2-10		Sch B- Map 18	permit construction of additional retail development; further amended by Bylaw 45-15	Y	PASSED
21-12		Denning	7718 Inadale Drive	A1	2 & A3		Sch A - Map 9	facilitate the severance of an existing dwelling & accessory bldgs	Y	PASSED
22-12		1040721 Ontario Ltd	24661 Adelaide Road	C2	C2-9; now C2-11		Sch B - Map 17	permit use of hardware store in addition to other permitted uses; further amended by Bylaw 45-15	Y	PASSED
28-12		Lupine Properties	Part Lot 21, Plan 34M-11 and Part Lots 13, 14-A and 15, Plan	FD	R1-H, R1-2-H and OS		Sch C - Maps 2 & 4	facilitate the development 164 single detached building lots	Y	PASSED
33-12		Findley Cosmiano	21257 Muncey Road	A1	A2 & A3		Sch A - Map 37	facilitate the severance of an existing dwelling & accessory bldgs	Y	PASSED
34-12		McLean Estates Holding	Darcey Dr	R1-H	R1		Sch B- Map 3	remove holding symbol	Y	PASSED
39-12		Bates (DeWinter Farms)	9386 Oriole Drive	A1	A2-2		Sch A - Map 24	facilitate the severance of existing barn and surrounding lands	Y	PASSED

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43-12		Boersma	7694 Middlemiss Drive	A1	A2 & A3		Sch A - Map 40	facilitate the severance of an existing dwelling & accessory bldgs	Y	PASSED
44-12		J. R. Investments (Tjoekler)	Part Lots 7 & 8, Block A, Plan 230	R2	R2-2; now R2-3		Sch B - Map 14	recognize deficient frontage, lot area & exterior side yard setback for 4 unit townhouse complex; further amended by Bylaw 45-15	Y	PASSED
48-12		Municipality of Strathroy-Caradoc	Municipal Wide					amend provisions for attached and detached garages in R1 & R2 zone: min. front yard/exterior side yard setback & max. width; removed existing max. front yard/exterior side yard setback requirements from R1 zone	Y	PASSED
52-12		Peidro Farms	Lot 19, Range 4 SLR, Part 1, RP 3R-10593	A1	A2 & A3		Sch A - Map 42	facilitate the severance of an existing dwelling & accessory bldgs	Y	PASSED
53-12		Saxonville Ph. 5 - August 2012	Part Lot 9, Con 10, P Lots 14 & 15, Plan 33M-419	R1-H	R1-2-H; now R1-1 & R1-7		Sch B - Map 13	facilitate the development of 84 sf building lots; further amended by Bylaws 45-15 & 56-15	Y	PASSED
74-12		Daponte	Part Lot 9, Con 10, and Part of Lots 14 & 15, Plan 33M-419	C3-H	R1-3		Sch B - Map 16	facilitate the development of 2 single detached building lots	Y	PASSED
75-12		Brenair Farms	8229 Longwoods Road	A1	A2-3 & A3		Sch A - Map 34	permit severance of surplus farm dwelling, barn and surrounding lands	Y	PASSED
1-13		Boersma	8557 Longwoods Road	A1	A2-4 & A3; now A2-6		Sch A - Map 35	Facilitate the severance of an existing dwelling, barn and surrounding lands; further amended by Bylaw 45-15	Y	PASSED
13-13		Drabbant	6858 Calvert Drive	A1	A2 & A3		Sch A - Map 1	permit severance of surplus farm dwelling	Y	PASSED
24-13		Arts	8251 Parkhouse Drive	A1	A2 & A3		Sch A - Map 28	permit severance of surplus farm dwelling	Y	PASSED
25-13		Wright Boersma	8955 Wrightman	A1	A2 & A3		Sch A - Map 42	permit severance of surplus farm dwelling	Y	PASSED
26-13		Camara	8887 Century Drive	A1	A1-T		Sch A - Map 23	permits a second single detached dwelling - expires March 18, 2016	Y	PASSED
35-13		Van Meppelin Schippink	22370 & 22366 Adelaide	R1	R1-4		Sch C - Map 6	reduced frontage and side yard width	Y	PASSED
36-13		Van Meppelin Schippink	22370 & 22366 Adelaide	R1	R1-4-T		Sch C - Map 6	permits a second single detached dwelling - expires March 4, 2014		EXPIRED
38-13		JP Homes	77 Clarence Street	R1	R2		Sch B - Map 15	allow link or semi-detached dwellings	Y	PASSED
46-13		Slegers	6924 Calvert Drive	A1	A2-5 & A3; now A2-8		Sch A - Map 1	permit severance of surplus farm dwelling and reduced rear yard depth; further amended by Bylaw 45-15	Y	PASSED
59-13		Boersma	7360 Longwoods Road	A1	A2 & A3		Sch A - Map 32	permit severance of surplus farm dwelling	Y	PASSED
61-13		York Developments Inc.	22534 - 22542 Adelaide Road	C1	C1-3		Sch C - Map 4	permit drive-thru restaurant and retrofit of commercial plaza	Y	PASSED
62-13		2348143 Ontario Ltd.	423 Saulsbury Street	FD	R3-2-H		Sch B - Map 6	increased side yard and reduced rear yard	Y	PASSED
63-13		Kustermans	9014 Century Drive	A1	A1-T		Sch A - Map 18	permits a second single detached dwelling - expires July 15, 2016	Y	PASSED
65-13		Legue	7707 Longwoods Road	A1	A2		Sch A - Map 33	permits surplus farm dwelling severance	Y	PASSED
66-13		Noxell	21957 Christina Road	A1	A1-T		Sch A - Map 33	permits machine shop use - expires July 15, 2016	Y	PASSED
77-13		Evans	7641 Olde Drive	A1	A2-7 & A3		Sch A - Map 15	permits surplus farm dwelling severance and existing accessory buildings	Y	PASSED
78-13		Brothers	Saxton Road	A1	R1-H, R3-H & OS		Sch B - Map 18	facilitates development of residential subdivision	Y	PASSED
81-13		Parkhouse Drive Subdivision	Lots 107-151 and Lots 186-214, Plan 33M-662	R1-H	R1		Sch C - Map 7	remove holding symbol	Y	PASSED
3-14		Lowthian	8887 Century Drive	A1 & EP	A3, A2 & EP		Sch A - Map 23	facilitates the severance of an existing single detached dwelling	Y	PASSED
4-14		Henderson Farms Ltd	8059 Scotchmere Drive	A1	A2-9 & A3		Sch A - Map 10	permit severance of surplus farm dwelling and reduced lot area, reduced rear yard depth, and reduced MDS I setback; further amended by Bylaws 45-15 & 56-15	Y	PASSED
5-14		Linker	960 Ellor Street	FD	R1		Sch B - Map 15	facilitate the construction of single detached dwellings	Y	PASSED
22-14		Lupine Developments	Part of Lot 21, Plan 34M-12, and Part of Lots 14, 14-A and 15, Plan 34M-11, Lots 1-40 and Blocks 41, 41 and 45	R1-H	R1		Sch C - Map 2 & 4	removal of holding symbol	Y	PASSED
24-14		1732467 Ontario Ltd	22486 Melbourne Road	A4	A2		Sch A - Map 25	permits a residential use in the form of a single detached dwelling	Y	PASSED

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35-14		Van Grinsven	145 High Street East	M2	M2-7		Sch B - Map 15	permits an additional commercial use in the form of a 'public garage'	Y	PASSED
40-14		MacDonald	Part of lot 22, Concession 3 SER, Lots 1-3, RP 33M-645	R1-H	R1		Sch B - Map 3	removal of holding symbol	Y	PASSED
41-14		McLeod	8981 Parkhouse Drive	R5	R5-T		Sch A - Map 30	permits a second single detached dwelling - expires July 21, 2017	Y	PASSED
48-14		1787954 Ontario Inc	24221 Sutherland Road	A1	A2 & A3		Sch A - Map 8	facilitates the severance of a parcel into two lots	Y	PASSED
57-14		Reman Corporation	343 & 369 Metcalfe Street E	R1 & EP	R1-8-H & EP		Sch B - Map 10	permits a residential condominium with single detached dwellings and to maintain lands for conservation purposes	Y	PASSED
59-14		232337 Ontario Inc	775 & 785 Wright Street	M2	M2-9		Sch B - Map 1	permits a motor vehicle sales establishment and compatible commercial uses	Y	PASSED
60-14		Nauvoo Investments	Ewart Street	M1-H	M1		Sch B - Map 11	removal of holding symbol	Y	PASSED
61-14		TVDSB (Looman)	25 Colborne Street	I	I-2-H, R3-4-H		Sch B - Map 8	permits residential development; further amended by Bylaws 45-15 & 56-15	Y	PASSED
4-15		Bear Creek Golf & Country Club	571 Metcalfe Street E	OS	R3-5-H-3		Sch B - Map 10	permits residential development; further amended by Bylaws 45-15 & 56-15	Y	PASSED
5-15		Holman's Welding Ltd	697 & 701 Railroad Street	M1-H, R2	C1-4, C1-5-H-4			permits additional uses: contractor's yard or shop; industrial, light; office, support; public garage; self-service storage warehouse; service shop; warehouse.	Y	OMB APPEAL DISMISSED
26-15		Hudson	320 Metcalfe St. West	C3	R2 & C3-5		Sch B - Map 14	permits residential development and recognizes deficient rear yard for existing commercial use	Y	PASSED
27-15		Linker	357 Park Street	OS	R1		Sch B - Map 13	permits residential development	Y	PASSED
29-15		Dennings	Part of Lot 63, Plan 412	C1-H	C1		Sch B - Map 14	removal of holding symbol	Y	PASSED
45-15		Municipality of Strathroy-Caradoc		Municipal Wide				general amendment regarding a number of issues	Y	PASSED
N/A		1822039 Ontario Inc.	534 Albert Street	R1	R3		Sch B - Map 11	permits apartment building	Y	OMB ORDER PL150117
51-15		Zavitz	6972 Century Drive	A1	A2 & A3		Sch A - Map 13	permits surplus farm dwelling severance	Y	PASSED
52-15		Hillen	23216 Christina Road	A1	A2 & A3		Sch A - Map 22	permits surplus farm dwelling severance	Y	PASSED
53-15		Pet Care Crematorium Ltd.	775 Wright Street	M2-9	M2-11		Sch B - Map 1	permit the use of a crematorium	Y	PASSED
54-15		Baptist Church of Canada	22397 Adelaide Road	I	R2-4		Sch C - Map 6	permit conversion of a church into apartment units	Y	PASSED
55-15		Giffen	516 Albert Street	R1	R3		Sch B - Map 11	permits apartment building	Y	PASSED
56-15		Municipality of Strathroy-Caradoc		Municipal Wide				general amendment regarding a number of issues	Y	APPEAL PERIOD
57-15		D. Vink Holdings	22828 Rougham Rd	FD	R1 & FD-3		Sch C - Map 3	recognize an existing residential use and recognizes a new lot area and frontage	Y	PASSED
60-15		Van Bree	343/369 Metcalfe St E	R1-8-H	R3-6-H-2		Sch B - Map 10	facilitates development of a 2-3 storey apartment building and allows parking in the front yard	Y	PASSED
65-15		Sea Can				Section 4.29.1 and Def'n 208.1		regulate the use of a shipping container as a building or structure accessory to a main use	Y	PASSED
74-15		Piskorowski	7142 Falconbridge Dr	A1	A2 & A3		Sch A - Map 20	permits surplus farm dwelling severance	Y	PASSED
75-15		Ruby	9204 Glengyle Dr	A1 & EP	A1-5 (H) and EP		Sch A - Map 6	permit ag-industrial use (woodchips for heating greenhouse) and agricultural secondary farm occupation (sale of nursery material - mulch)	Y	PASSED
01-16		Viaene	7724 Walkers Dr	A1	A2 and A3		Sch A - Map 3	permits surplus farm dwelling severance	Y	PASSED
4-16	Feb 1, 16	Roes Stairs Inc.	Lot 1 - 6 33M-693	R5-3-H	R5-3		Sch A - Map 29	remove holding symbol	Y	PASSED
9-16	Mar 7, 16	John Lean	Lupine Subdivision Ph 2	R1(H) & R1-2(H)	R1 & R1-2		Sch C - Map 2 & 4	remove holding symbol	Y	PASSED
11-16	Mar 21, 16	2503544 Ontario Inc	Blk 199-201, 203-206 33M-322	R2-1	R2-1	6.5.1 revised	none	amend provision to increase lot coverage from 34 to 42%, increase garage width from 40 to 50%, decrease landscape/open space from 50-40%	Y	PASSED
12-16	Mar 21, 16	Vegso Farms Ltd.	7407 Calvert Drive	A1 / A2	A1-6 / A2-11		Sch A - Map 2	permit surplus farm dwelling severance	Y	PASSED
		Patty Pearn	Falconbridge / Adelaide Rd	A2	RR			to reflect proposed severance of 2 rr lots		consent failed
21-16	April 18, 16	DeGroot	Part Lot 24, Concession 2	FD	M2		Sch B - Maps 1 & 2	to permit general industrial use	Y	PASSED
22-16	April 18, 16	Mintz	273 Queen St	R1	R2, R2-5		Sch B - Map 15	permits medium density residential	Y	PASSED
23-16	April 18, 16	Viaene	7724 Walkers Dr	A2-10 and A3	A2		Sch A - Map 3	permit expansion to surplus farm severance	Y	PASSED
24-16	April 18, 16	JASLO properties Ltd	25 Colborne Street/Place	I-2-H	I-2		Sch B - Map 8	remove holding symbol	Y	PASSED
25-16	April 18, 16	South Grove Meadows Inc. (Ph 2)	Lot 1-32 33M694	R1-H	R1		Sch B - Map 18	remove holding symbol	Y	PASSED
26-16	April 18, 16	Kensington Village (Ph2)	Lots 126 & 143-159 33M-619	R1-5-H-5	R1-5		Sch B - Map 15	remove holding symbol	Y	PASSED
27-16	April 18, 16	K. Peters	423 Saulsbury Street	R3-2-H	R3-2		Sch B - Map 6	remove holding symbol	Y	PASSED

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28-16	May 16, 16	Holman's Welding Ltd	701 Railroad Street	C1-5-H-4	C1-5		Sch C - Map 6	remove holding symbol	Y	PASSED
29-16	May 16, 16	Noor Allidina	Part Lot 18, Plan 147	R1	R2-6		Sch B - Map 16	permit 'duplex'	Y	PASSED
30-16	May 16, 16	Petree	534 Head Street	R1	R2-7 & R2-8		Sch B - Map 3	facilitates creation of two (2) semi-detached building lots with reduced rear yard, increase to required front yard depth	Y	PASSED
50-16	June 20, 16	Mt.Brydges Animal Clinic	Part Lot 19, Conc 1	C4	C4-6		Sch A - Map 29	to add clinic as additional permitted use	Y	PASSED
59-16	Sept. 6, 16	Chimo Farms	7568 Longwoods Road	A1	A2-12 & A3		Sch A - Map 33	permit surplus farm dwelling severance	Y	PASSED
60-16	Aug 16, 17	Zavitz	Ellor St	FD	R2-9		Sch B - Map 15	permits development of semi-detached and multiple dwelling units	Y	BOARD ORDER
63-16	Aug 16, 17	Zavitz	Ellor St	FD	R3-6-H-2		Sch B - Map 15	permits development of an apartment building	Y	BOARD ORDER
66-16	Oct. 17, 16	Strathroy Shopping Centre Partnership	360 Caradoc Street South	C2-1		11.5.1 revised	none	to add 'retail store - florist' as an additional permitted use	Y	PASSED
71-16	Nov. 7, 16	Vibrent Farms	7682 Glendon Drive	A1	A2-13 & A3		Sch A - Map 21	permit surplus farm dwelling severance	Y	PASSED
72-16	Nov. 21, 16	Bakker/Piedro Farms	20786 Burwell Road	A1	A1-7		Sch A - Map 41	facilitates the severance of a parcel into two lots	Y	PASSED
01-17	Jan. 9, 17	Amber Meadows	Part Lot 23, Con 2 SER	R1-H	R1		Sch B - Map 1	removal of holding symbol	Y	PASSED
02-17	42810	Snoeys	Part Lot 3, Range 1 North	A1	A2 & A3		Sch A - Map 31	permit surplus farm dwelling severance	Y	PASSED
03-17	March 16, 17	Bakker Design & Build Inc.	Lot 2-7, 33M-495	R2	R2-9		Sch B - Map 15	permit reduced lot frontage for semi-detached/link dwellings	Y	PASSED
6-17	Feb. 21, 17	Jaslo Properties Ltd	Lot 14, Plan 244	FD	R3-7-H-2		Sch B - Map 15	facilitates residential development of land	Y	PASSED
7-17	March 1, 17	Wickett / Dannenhold	Part Lot 6, Concession 4	A1	A1-8-T		Sch A - Map 20	permits a second single detached dwelling - expires February 21, 2018	Y	PASSED
8-17	Feb. 21, 17	Duval	S Part Lot 20, Concession R 1N	A2 & C4-4	C4-4		Sch A - Map 35	permits additional uses: restaurant, garden centre, market garden, retail store - antique, retail store - general, single detached dwelling, warehouse and flea market and antique fair	Y	PASSED
17-17	Mar. 20, 17	Johnston Homes	Lots 152-185, Registered Plan 33M-662	R1-H	R1		Sch C - Map 7	removal of holding symbol	Y	PASSED
25-17	May 15, 17	McGugan	Pt Lot 18 & 19, Concession 7	A1	A3-2		Sch A - Map 11	rezoned to recognize the lot area and frontage and prohibit residential use of the land.	Y	PASSED
26-17	May 15, 17	Southgrove Subdivision - Phase 2	Pt Lot 13, Concession 9	R1-H	R1		Sch B - Map 18	removal of holding symbol	Y	PASSED
27-17	May 15, 17	Jaslo Proprties - 350 Ellor St	Lot 14, Pan 244	R3-7-H-2	R3-7-H-2		Sch B - Map 15	removal of holding symbol	Y	PASSED
34-17	June 19, 17	Morrish	70 North Street	C1	R2, R2-10		Sch B - Map 12	rezoned to permit residential development	Y	PASSED
35-17	June 19, 17	Southgrove Meadows	Lot 210, 185, 178, 164, 152, 107, Blocks 218, 219, 220 33M-662, South Creek	R1	R1-10, OS, EP		Sch C - Map 7	rezoned to facilitate residential development	Y	PASSED
40-17	July 17, 17	Nauvoo Investments/Bakker	75 Caradoc Street S	C1	C1-6-H-2		Sch B - Map 15	permit additional uses: contractor's yard and shop, outdoor storage and self-service storage warehouse facility	Y	PASSED
42-17	July 17, 17	Jaslo Properties/Looman	York Street	I	I-3		Sch B - Map 16	rezoned to permit light industrial uses	Y	PASSED
43-17	July 17, 17	Heisler	8486-8494 Longwoods Road	C4-5	A2-14		Sch A - Map 34	permit additional use: restaurant	Y	PASSED
55-17	Aug 21, 17	Brunet	9202 Oriole Dr	A1	A1-9-T		Sch A - Map 20	permit two dwellings on the subject lands for a temporary period of time	Y	PASSED
56-17	Aug 21, 17	Bruinik	8896 Glendon Dr	R3	R2-11		Sch C - Map 4	rezoned to facilitate residential development	Y	PASSED
57-17	Aug 21, 17	Ruby	9204 Glengyle Dr	A1-5-H		18.5.5	Sch A - Map 6	to permit, as an additional permitted use, a commercial motor vehicle inspection station accessory to a permitted agricultural industrial establishment	Y	PASSED
60-17	Sept 18, 17	DTL	Part Lot 23 Concession 2 SER, Lots 1-50, and Block 51-52, 33M-708	R1	R1-11, OS, EP		Sch B - Map 1	permit reduced rear yard depth, update zoning to reflect existing uses	Y	PASSED
61-17	Sept 18, 17	Buesink Welding & Repair	Lot 9 & Pt Lot 12, Reg Comp Plan 433, Pts 1 & 2, RP 34R-1569	M2	M2-12-T		Sch B - Map 15	permit a public garage and motor vehicle sales establishment as additional permitted uses	Y	PASSED
67-17	Nov 6, 17	Southgrove Meadows Condominium	N Pt Lot 13, Concession 9	R3-H	R3-8-H		Sch B - Map 18	permit residential development	Y	PASSED
74-17	Dec 18, 17	Davis & McMichael	Pt Lot 4, Concession 7	A1	A2-15 & A3		Sch A - Map 7	permit agricultural use and rural residential use	Y	PASSED

BY-LAW	DATE	APPLICANT	LOCATION	PARENT ZONE	ZONE CHANGE	Text Section	SCHEDULE	DESCRIPTION	CONSOLIDATED	STATUS
09-18	Feb. 20, 18	Vanderlinde	Pt Lot 4, Range 1 S	A1	A2-16, & A3		Sch A - Map 31	permit agricultural use and residential use	Y	PASSED
10-18	Feb 20, 18	Wickett/ Dannenhold	7225 Century Drive	A1	A1-8-T	18.5(8)	Sch A - Map 20	permit two single detached dwellings - not to exceed 2 months	Y	PASSED
11-18	Feb. 20, 18	Livermore	Pt Lot 12 N, Concession 2	A1	A1-10		Sch A - Map 27	permit secondary farm occupation	Y	PASSED
12-18	Mar 5, 18	Van Bree	Part Lot 20 - 22, Plan 217	R3-6-H-2	R3-6		Sch B - Map 16	remove holding symbol	Y	PASSED
25-18	Apr. 16, 18	Rosborough	22681 Adelaide Rd	C3-6		12.5 (6)		to include permitted uses of dwelling, single detached; public garage; retail store, neighbourhood; all other permitted uses of the C3 zone excluding a gas bar	Y	PASSED
26-18	Apr. 16, 18	Campbell	Pt Lot 24 E, Concession 2	FD	M2		Sch B - Map 2	permit industrial uses	Y	PASSED
27-18	Sept. 11, 18	Johnson	170 Victoria St	R1	R2-12-H-2		Sch B - Map 11	rezoned to permit multi unit residential development	Y	PASSED
28-18	Apr. 16, 18	Fawcett	7859 Parkhouse Dr	A1	A1-11-T		Sch A - Map 27	permit two dwellings on the subject lands for a temporary period of time	Y	PASSED
29-18	Apr. 16, 18	Wickett & Dannenhold	Pt Lot 6, Concession 4; Pt 1, RP 33R-13791	A1	A1-8-T		Sch A - Map 20	rezoned to extend a temporary use that permits two dwellings on the subject lands for a temporary period of time	Y	PASSED
33-18	Apr. 3, 18	Sibley	Pt Lot 12 S, Concession 2	A1	R5-4, EP	9.5(4)	Sch A - Map 30	facilitates residential development	Y	PASSED
41-18	Jan 25, 19	1960765 Ontario Inc	Pt Lot 62, Registrar's Compiled Plan No 34M-6	FD	R3-9-H-2, OS, R1-12		Sch C - Map 3	facilitates residential development	Y	PASSED
48-18	Sept. 11, 18	75 Caradoc St	75 Caradoc St S	C1-6-H-2	C1-6		Sch B - Map 15	removal of holding symbol	Y	PASSED
51-18	Jul. 18, 18	Williams/Rehmanji	3 Brennan Dr	R1	R2-13		Sch B - Map 6	rezoned to permit internal conversion of an existing dwelling to a two-unit dwelling	Y	PASSED
52-18	Sept. 11, 18	Altus Commercial	Lot 56, Plan M6	FD	R1-14		Sch C - Map 3	rezoned to recognize the existing residential use on the property	Y	PASSED
53-18	Sept. 11, 18	1945941 Ontario Ltd	22270 Mill Rd	C4-6		13.5 (6)		add child care as an additional permitted use	Y	PASSED
54-18	Sept. 11, 18	Aerts	Pt Lot 16, Concession 6	A1	A2-17 & A3		Sch A - Map 16	rezoned to recognize the size of accessory structures and prohibit new residential use of the land.	Y	PASSED
66-18	Aug 13, 18	Fieldcrest	Lot 219-251 Plan 33M619	R1-6-H-5	R1-5-H-5	5.5 (6)	Sch B - Map 15	rezone to facilitate construction of two-storey dwellings	Y	PASSED
68-18	Sept. 11, 18	Bear Creek G & CC	Part 1, 33R-12877	R3-5-H-3	R3-5		Sch B - Map 10	removal of holding symbol	Y	PASSED
70-18	Aug 13, 18		Lot 17, Concession 2	FD	R1-H-6, R1-H-5, OS, OS-H-6	3.3(7)	Sch C - Map 5	to facilitate an 82 lot residential plan of subdivision		
75-18	Oct. 1, 18	SaltHaven	24478 Glen Oak Road	A1	A1-12	2.1	Sch A - Map 2	facilitates uses accessory to a wildlife preserve, including a rehabilitation clinic and education centre	Y	PASSED
80-18	Nov 5, 18	Williams/Rehmanji	22417 Adelaide Road	R1	R1-12-T-H-2	5.5(12), 2.1(169)	Sch C - Map 6	to permit the use of lands as a 'residential care home'	Y	PASSED
81-18	Nov, 5, 18	Aarts Delaware West	Part of Lot 23, Range 1	A2	R5-1, R5-5-H-5, OS	9.5(5)	Sch A - Map 36	to facilitate 10 lot rural subdivision that has been draft approved.	Y	PASSED
87-18	Dec. 17, 18	Posthumus	Glengyle Drive	A1	A2 & A3		Sch A - Map 4	permit surplus farm dwelling severance	Y	PASSED
88-18	Dec. 17, 18	Vibrent Farms	Glendon Drive	A1	A2 & A3		Sch A - Map 25	permit surplus farm dwelling severance	Y	PASSED
89-18	Dec. 17, 18	Swatuk	9274 Union Drive	A1	A1-T		Sch A - Map 12	rezoned to permit a garden suite on the subject lands for a temporary period of time	Y	PASSED
90-18	Dec. 17, 18	Luis	6916 Calvert Drive	A1	A1-13-H	18.5(13)	Sch A - Map 1	rezoned to permit a contractor's yard and shop	Y	PASSED
01-19	Jan. 7, 19	Pattyn/Rosborough	Adelaide Road	FD	C3-6		Sch C - Map 1	rezoned to provide a single zone category	Y	PASSED
04-19	Jan 21, 19	Bluewater Trailer	Part Lot 14, Concession 10	FD	M1-1-H-2	14.5(1)	Sch B - Map 2	rezoned to permit light industrial uses	Y	PASSED
08-19	Feb 7, 19	Rougham Road	Part Lot 60, Plan 34-M6	FD-3	R1-15-H-5 & R1-16	5.5(15&16)	Sch C - Map 3	to facilitate the development of a 67 lot residential plan of subdivision in Mount Brydges	Y	PASSED
12-19	Mar. 4, 19	1985626 Ontario Ltd	8319 Century Drive	A1	A2-18 & A3	12.5 (18)	Sch A - Map 22	permit surplus farm dwelling severance	Y	PASSED
13-19	Mar. 4, 19	Brenair Farms Inc	22708 Glen Oak Road	A1	A2-19 & A3	12.5 (19)	Sch A - Map 26	permit surplus farm dwelling severance	Y	PASSED
17-19	Apr. 23, 19	Ellor Street	Part of Lot 12 & 13, Plan 144, Parts 1,2 & 3 on 33 R-19924	R3-6-H-2 & R2-5	R3-6 & R3-10	6.5(9) deletion 7	Sch B - Map 15	rezone to High Density Residential to add townhomes to permitted use and establish setbacks for the townhouses	Y	PASSED
18-19	Apr. 15, 19	Tupholme	140 York Street	R3-H-1	M2-2 & R2		Sch B - Map 16	permits development of semi-detached dwellings	Y	PASSED
19-19	Apr. 15, 19	Scott Stallaert	9449 Glendon Dr	A1	A1-14-T	18.5(8)	Sch A - Map 30	permits two dwellings for a temporary period of time - not to exceed 1 year	Y	PASSED
27-19	May 21, 19	Wastell	Part Lot 9, Concession 10	FD	R2-14	16.5(14)		rezone to facilitate a 22 lot subdivision		
31-19	June 3, 19	Curran Capital Development Corporation	105-119 Caradoc Street	C1-7-H-2	C1-7		Sch B - Map 15	removal of holding symbol	Y	PASSED
34-19	July 12, 19	Medeiros	196 Caradoc Street South	R1	R2		Sch B - Map 14	permits development of semi-detached dwellings	Y	PASSED
35-19	June 17, 19	Southcreek	Part of Lot 18, Concession 1	R1-H	R1, R1-15	5.5(15)	Sch C - Map 7	removal of holding symbol	Y	PASSED
40-19	July 15, 19	Strathroy Crossings	RCP 370 Pt Lot 23 RP 33R17015 Parks 3 to 9 and RCP 370 Pt Lot 23 RP 33R17015 Parts 11 to 15	C2-10, C2	C2-12, C2-13	11.5(10)	Sch B - Map 18	rezone to create Highway Commercial Zone to add Clinic Professional office and support office to the permitted use as well as establish setbacks for the commercial buildings, landscaping and expanding the parking space coverage	Y	PASSED
41-19	July 15, 19	Bluewater	940 Wright Street	M1-1-H-2	M1-1		Sch B - Map 2	remove holding symbol to facilitate the use of lands for industrial uses	Y	PASSED
50-19	Sept 3, 19	Fieldcrest	Lots 219 -225, Plan 33M619	R1-6-H-5	R1-5-H-5		Sch B - Map 15	amend by-law 66-2018 in order to maintain a 6 m height provision for residential units	Y	PASSED
51-19	Sept 3, 19	Ellor Street	Part of Lot 12 & 13, Plan 144, Parts 1,2 & 3 on 33 R-19924	R3-10-H-2	R3-10		Sch B - Map 15	remove holding symbol	Y	PASSED
52-19	Sept 3, 19	Delaware West	Part Lot 23, Range 1, Lots 1 to 10 Plan 33M-766	R5-5-H-5	R5-5		Sch A - Map 36	remove holding symbol	Y	PASSED

BY-LAW	DATE	APPLICANT	LOCATION	PARENT ZONE	ZONE CHANGE	Text Section	SCHEDULE	DESCRIPTION	CONSOLIDATED	STATUS
56-19	Sept 16, 19	Ann & Dorothy Molnar	125 Metcalfe St West	FD	FD-4-T	26.5(4) 2.1, 4.23	Sch B - Map 12	to permit commercial uses on subject lands for a period of time.	Y	PASSED
57-19	Sept 16, 19	Molnar Industries SC Initiated	Concession 2 SER, Part Lot 23	FD	M2		Sch B - Map 2	to allow for a wide range of industrial uses	Y	PASSED
62-19	Sept 16, 19	Delaware West	Part of Lot 23, Range 1, Lots 1-10, Plan M766, North of Longwoods Road			9.5(5)		to allow for reduced side yard setbacks, increase of maximum lot coverage, and to establish a maximum floor area.	Y	PASSED
63-19	Oct 21, 19	Fieldcrest	Part of Block 271, Blocks 272 - 274, Plan 33M619	OS	R1-5-H-5		Sch B - Map 15	to allow for single detached dwellings to be developed on blocks that were previously proposed to convey stormwater flows	Y	PASSED
67-19	Oct 21, 19	Luis	Part Lot 3, Concession 9	A1-13-H	A1-13		Sch A - Map 1	remove holding symbol	Y	PASSED
69-19	Nov 4, 19	Banman Developments	Part Lot 62, Plan 34M-6	R3-9-H-2	R3-9		Sch C - Map 3	remove holding symbol	Y	PASSED
93-19	Dec 16, 19	Lions Gate Subdivision	Part of Lot 60, 34M-6	R1-15-H-5, R1-16	R1-15, R1-16		Sch C - Map 3	remove holding symbol	Y	PASSED
08-20	Feb 3, 20	234876 Ontario Inc.	Part Lot 24, Concession 3	FD	R1-17-H-5, EP, OS	5.5(17)	Sch B - Map 4		Y	PASSED
17-20	Apr 6, 20	Linker	Part Lot 5, Concession 2	A1	A2-20, A3	19.5(20)	Sch A - Map 5	to facilitate the severance of an existing single detached dwelling and accessory structures from the balance of the farm	Y	PASSED
18-20	June 1, 20	Trouthaven	24749 Park Street	OS	OS-1	23.5(1)	Sch B - Map 13	allow for existing accessory buildings to be legally recognized and to restrict the size of future decks, enclosed decks and sheds	Y	PASSED
26-20	May 19, 20	Pattyn	Part Lot 62, Plan 34M-6	R3-8-H, R1-H	R3-8, R1		Sch B - Map 18	H removal	Y	PASSED
27-20	June 1, 20	Regent Street	Part 2 and Part 3 Registered Plan 33R-20589	R3	R1		Sch C - Map 4	to allow for single detached dwellings to be constructed on the subject lands	Y	PASSED
31-20	June 15, 20	Banman	Part of Lot 17, Concession 1	A3	A3-3, A2-21	19.5(21), 20.5(3)	Sch A - Map 29	to facilitate the severance of an existing single detached dwelling and an accessory from the balance of the farm	Y	PASSED
35-20	July 6, 20	2503544 Ontario Inc	385 High St	M2	M2-13	15.5(13)	Sch B - Map 16	to add Public Garage and Motor Sales Vehicle Establishment (maximum 12 vehicles)	Y	PASSED
36-20	July 6, 20	Dykstra and Vegso Farms	7477 Calvert Drive	A1, A2	A1-15, A2-22	18.5(15), 19.5(2)	Sch A - Map 2	to facilitate a consent for lot addition	Y	PASSED
43-20	Aug 4, 20	Jason and Lindsey Smith	20957 Cooks Road	A2	A2-23	19.5(23)	Sch A - Map 42	to permit the existing repurposed barn and an attached residential garage	Y	PASSED
44-20	Aug 4, 20	Kowaluk	24321 Saxton Road	A1-3, A2-24	A2-24, EP	19.5(24)	Sch A - Map 9	to allow for a single detached dwelling to be constructed within table lands and to restrict future construction within and adjacent to significant woodland and wetlands	Y	PASSED
42-20	Aug 4, 20	Brunet	9202 Oriole Drive			18.5(9)	Sch A - Map 24	to extend temporary rezoning to permit two single detached dwellings on the subject lands not to exceed three years	Y	PASSED
45-20	Aug 4, 20	Baker	55 Head Street	R1	R2		Sch B - Map 15	to permit construction of a semi-detached residential dwelling on the lands	Y	PASSED
48-20	Aug 4, 20	Smith	20957 Cooks Road	A2-23	A2-23-T	19.5(23b)	Sch A - Map 42		Y	PASSED
51-20	Sep 8, 20	Prowler Holding	56 Canaan Street	M1	M1-3	14.5(3)	Sch B - Map 15	to add crematorium to permitted uses	Y	PASSED
52-20	Oct 19, 20	Pattyn	22701 Adelaide Road	FD, C3-6	R2-14-H-7, EP, OS	3.3(8), 6.5(14)	Sch C - Map 1	to allow for 36 future residential units in the vacant land condominium. Open space for stormwater management and Environmental Protection for land designated as significant woodlands	Y	PASSED
56-20	Oct 5, 2020	Sifton	South Part Lot 17, Concession 2	FD	R1-18-H-5, R3-11-	5.5(18), 7.5(11)	Sch C - Map 5	to allow of 104 future residential lots, stormwater management facilities and environmental protection of significant woodlands		PASSED
57-20	Oct 19, 20	Jeffrey Jackson	8595 Longwoods Road	A1	A1-16-T	18.5(16)	Sch A - Map 35	to permit two dwellings on the subject lands for a temporary period, not to exceed one (1) year	Y	PASSED

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58-20	Oct 19, 20	John Kilbourne and Hanna Stadler	7221 Longwoods Road	A1	A3-4, A2-22	19.5(22), 20.5(4)	Sch A - Map 32	to facilitate the severance of an existing single detached dwelling and an accessory from the balance of the farm.	Y	PASSED
60-20	Oct 19, 20	Jeffrey Jackson	8595 Longwoods Road					temporary use agreement to permit construction of a second dwelling	Y	PASSED
61-20	Nov 2, 20	2560944 Ontario Ltd	22417 Adelaide Road			5.5(12)		to extend temporary site specific low density residential R1-12-T-H2	Y	PASSED
65-20	Nov 2, 20	Strathroy Shopping Centre Partnership	360 Caradoc Street			11.5(1)	Sch B - Map 14	to amend site specific Highway Commercial C2-1 zone	Y	PASSED
66-20	Nov 2, 20	John Henderson	8338 Scotchmere Dr	A1	A3-5, A2-26	19.5(26), 20.5(5)	Sch A - Map 10	to rezone retained lands to site-specific Agricultural Purposes only and to rezone severed lands to site-specific agricultural small holdings zone	Y	PASSED
76-20	Nov 16, 20	1279451 Ontario Inc	11 Carroll St West	R1	R2-15	6.5(15)	Sch B - Map 14	to rezone lands to be severed from Low Density R1 zone to site-specific Medium Density Residential zone	Y	PASSED
77-20	Dec 7, 20	Luis and Flavia Ponte	50 Carroll St West	A1	R3-11, FD-5	7.5(11), 26.5(5)	Sch B - Map 17	to permit 49 future residential townhouse units	Y	PASSED
78-20	Dec 7, 20	J & LJ Holdings Inc	352 High St			15.5 (1)	Sch B - Map 16	to add public garage to permitted use	Y	PASSED
03-21	Jan 18, 21	Charles & Falconer	8830 Parkhouse Drive	A1	A4-1 & EP	21.5(1)	Sch A - Map 29	rezone for proposed sand extraction operation and environmental protection for significant woodlands within the rear of the site	Y	PASSED
07-21	Feb 1, 21	White and Slingerland	21890 Muncey Road	A1	A1-17-T	18.5(17)	Sch A - Map 35	temporary use second dwelling unit	Y	PASSED
22-21	Apr 19, 21	Creekside Subdivision	Part of lot 24, Concession 3	R1-17-H-5	R1-17		Sch B - Map 4	holding symbol removal	Y	PASSED
23-21	Apr 19, 21	Garden Grove (no declaration)	Lot 33, Plan M7	R2-14-H-7	R2-14		Sch C - Map 1	holding symbol removal		PASSED
24-21	Apr 19, 21	Timberview	Part Lot 48, 57 and 69 RP 33R11554	FD, FD-1	R1, R2-17-H-5, R2-18-H-5 & OS	6.5(17), 6.5(18)	Sch C - Map 3	to facilitate development of a residential plan	Y	PASSED
25-21	May 3, 21	David and Sharon Peters	Part Lot 1, Concession 1N	A1	A3 & A2-27	19.5(27)	Sch A - Map 25	to facilitate the severance of an existing dwelling and two accessory structures and to recognize the use of the severed lands for non-farm rural residential use on the farm parcel	Y	PASSED
29-21	June 7, 21	Lupine Properties Limited (John Lean)	Lot 21, Plan 34M-12, Lots 43-47 part of Block 77, 78 and 79, Plan 33M-740	R1-2-H & R1-H	R1-2 & R1		Sch C - Map 4	holding symbol removal	Y	PASSED
33-21	July 5, 21	Skyline Retail Real Estate Holdings Inc.	Plan 370 Part Lot 23 RP 33R16670 - 70 Carroll Street	C2-2		11.5(2)	Sch B - Map 18	Addition of clinic use of subject lands	Y	PASSED
38-21	July 19, 2021	Strathroy-Caradoc		R2-14 & A2-22	R2-16 & A2-25	2(36, 2(52), 4.6(5), 4.23(1), 4.23(5), 4.23(13), 4.23(7), 4.29(4), 6.2(2a), 6.5(16), 15.3(4), 15.3(5), 18.2(8a), 19.2(6a), 19.5(25),	Sch C - Map 1 & Sch A - Map 32	Municipal wide zoning amendment	Y	PASSED
44-21	August 3, 2021	Municipality of Strathroy-Caradoc	22647 Adelaide Rd	I	R3-13	7.5(13)	Sch C - Map 1	to permit a 37 unit dwelling		PASSED
50-21	September 7, 2021	Municipality of Strathroy-Caradoc	61 Brennan Dr	OS	R2-19	6.5 (19)	Sch B - Map 6	to permit construction of 3 semi-detached dwellings	Y	PASSED
55-21	November 1, 2021	Gerald Seeler	653 Railroad St	C1	C1-7	10.5(7)	Sch C - Map 6	to allow for additional use more specifically a "Public Garage" and a Shipping Container on the subject lands	Y	PASSED
56-21	November 1, 2021	Eric Goncalves	8585 Walkers Dr	A1	A1-18-H-2	18.5(18)	Sch A - Map 5	to permit the use of a secondary farm operation	Y	PASSED
60-21	November 15, 2021	2410172 Ontario Ltd. (Troops Road)	22661 Troops Rd	A1	A1-19 & R5-6	9.5(6), 18.5(19)	Sch A - Map 30	to permit proposed residential lots	Y	PASSED
67-21	December 20, 2021	Mavis Home Care (2560944 Ontario LTD)	22417 Adelaide Road, Mt. Brydges	R1-12-T-H2	R1-19	5.5(12) & 5.5(19)	Sch C - Map 6	to allow for additional occupancy	Y	PASSED
09-22	February 22, 2022	Eric Goncalves	8584-8606 Walkers Dr	A1-18-H-2	A1-18		Sch A - Map 5	to remove the 'H' Holzing Zone Symbol to facilitate the use of the lands for a public garage and vehicle inspection station for the repair and inspection of agriculturally related commercial vehicles	Y	PASSED
13-22	March 7, 2022	Adam and Ingrid Vieira	6864 Olde Dr	A1	A1-20-T	18.5(17)	Sch A - Map 13	to permit two single detached dwellings for a temporary period of time, not to exceed two (2)	Y	PASSED
14-22	March 7, 2022	Municipality of Strathroy-Caradoc	351 Frances St	C2	C2-14	11.5(14)	Sch B - Map 15	to allow the addition of a clinic and retail store	Y	PASSED
17-22	March 21, 2022	Ben Hillen	8249 Century Dr	A3	A2-28	19.5(26)	Sch A - Map 22	to recognize existing single detached dwelling and an accessory structure as permitted uses	Y	PASSED
18-22	March 21, 2022	Peter and Tracy Gubbels	22130 Christina Rd	A1	A1-21-T	18.5(21)	Sch A - Map 34	to permit seasonal farm worker dwellings	Y	PASSED
28-22	April 19, 2022	Robert Frederick Butcher	22268 & 22264 Adelaide Rd	R1	R2 & R2-20	6.5(20)	Sch C - Map 6	to rezone lands to be severed from Low Density R1 zone to site-specific Medium Density	Y	PASSED
29-22	April 19, 2022	Michael Morrish	392 Second St	FD	R3-14-H-2	7.5(14)	Sch B - Map 5	to facilitate development of a residential plan	Y	PASSED
38-22	June 6, 2022	Municipality of Strathroy-Caradoc	Municipal Wide	N/A	N/A	2.1(165.1) & 4.24(2)	N/A	to allow for temporary outdoor patios	Y	PASSED

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45-22	June 20, 2022	Pedro & Fernanda Ferreira	8338 Scotchmere Dr	A2-26	A2-26-T	19.5(26)	Sch A - Map 10	to permit two single detached dwellings for a temporary period of time, not to exceed one (1) year	Y	PASSED
54-22	July 18, 2022	Saulsbury Developments Inc.	Saulsbury St	FD	R1-19-H-5 & R2-22-H-5 & R2-21-H-5 & R3-15-H-5 & OS	5.5(19) & 6.5(21) & 6.5(22) & 7.5(15)	Sch B - Map 6	to permit future single detached residential lots, two sections with smaller single detached lots and other with street townhouses, grouped townhouses, and stormwater management facilities and parkland. The Hold provision is added to the residential zones to ensure the subdivision agreement between the property owner and the Municipality is completed	Y	PASSED
56-22	July 18, 2022	Ted Wayne & Muriel Elaine McCracken	6859 Irish Dr	A1	A3 & A2-28	19.5(28)	Sch A - Map 31	to facilitate the severance of an existing single detached dwelling and an accessory structure from the balance of the farm parcel	Y	PASSED
58-22	August 2, 2022	Max Kemmerling	100 Second St	C2-H	R2-23-H-2-H-8 & C2-17-H-2-H-8	3.3(9) & 11.5(17) & 6.5(23)	Sch B - Map 3	to rezone the subject lands currently within the "Highway Commercial zone" with a hold to a site specific "Medium Density Residential zone" for future townhouses and site specific "Highway Commercial zone" for future commercial plazas	Y	PASSED
63-22	September 6, 2022	Ronald and Nancy Ogg	7505 Scotchmere Dr	A1	A3 & A2-29	19.5(29)	Sch A - Map 8	to rezone lands to be severed from "General Agricultural zone" to "Agricultural Purposes Only zone" and to rezone the lands to be retained from "General Agricultural zone" to a site-specific "Agricultural Small Holdings zone"	Y	PASSED
68-22	September 19, 2022	Southwest Investments	Adelaide Concession 3 SER West Part Lot 22 RP 33R19421 Part 3	C1	R3-16-H-2	7.5(16)	Sch B - Map 3	to permit a multiple unit residential building	Y	PASSED
71-22	October 17, 2022	Women's Rural Resource Centre of Strathroy & Area	145 / 155 Beech St	R2 & R3	I-4-H-2	2.1(57.1) & 4.23(1) & 22.5(4)	Sch B - Map 14	to permit an emergency shelter and associate office space	Y	PASSED
72-22	November 7, 2022	Marlene Nunes	24648 Adelaide Rd	R1	C2-15-H-2-H-9	3.3(10) & 11.5(15)	Sch B - Map 18	to permit a mixed use building commercial grade and residential apartment units above	Y	PASSED
76-22	December 5, 2022	1279451 Ontario Inc. c/o Ken Tupholme	85 Erie St	R1	R2-24	6.5(24)	Sch B - Map 14	to allow for a multi-unit dwelling, and recognize the deficient lot frontage of 17,869 m (58.6 ft), whereas 20 m (65.6 ft) is required in the 'R2' zone	Y	PASSED
78-22	December 5, 2022	Daryl LeLacheur	1 Firestone Rd	M2	M2-14	15.5(14)	Sch B - Map 15	to add one 2,200m2 Public Garage (vehicle repair facility) to the permitted use list	Y	PASSED
85-22	December 19, 2022	2348123 Ontario Ltd.	430 Head St	R1	R2-25	6.5(25)	Sch B - Map 3	to permit twenty-one single detached residential dwellings	Y	PASSED
09-23	February 21, 2023	Municipality of Strathroy-Caradoc	PLAN 142 PT BLKS B C T RP 34R1430 PT PART 3 & PLAN 142 PT BLKS B,C,T RP 34R1526 PARTS 1 AND 2	C2	C2-16	1.8(1) & 1.9(3) & 22.2(19) & 4.2(3) & 4.23(7) & 10.4(3) & 11.4(3) & 11.5(16)	Sch B - Map 15	to permit emergency care shelter in institutional zone, amend residential accessory structure setbacks, mend driveway width provision residential lots with exactly 15 m frontage, amend front yard setback for commercial buildings, amend outdoor amenity area requirement to apply to dwelling units constructed in commercial zones, addition of site specific zoning by-law amendment By-law No: 89-07, additional administrative changes that address enforcement protocol	Y	PASSED
10-23	March 20, 2023	Integral Farms Inc.	9388 Scotchmere Dr	A1	A1-22 & A2-30 & A3-6	18.5(22) & 19.5(30) & 20.5(6)	Sch A - Map 12	to recognize the deficient lot area, to limit agricultural uses on the residential property, and to prohibit any new residential use of the lands and recognize the setback between the existing agricultural building and the new lot line	Y	PASSED
12-23	March 20, 2023	1787956 ONTARIO INC. c/o Ben Hillen	7938 Inadale Dr	A1	A3 & A2-32	19.5(32)	Sch A - Map 9	to facilitate the severance of an existing single detached dwelling from the balance of the farm parcel	Y	PASSED
13-23	March 20, 2023	Strathroy Turf Farms Ltd. (James Glover)	7870 Falconbridge Dr	A1	A3-7 & A2-31	19.5(31) & 20.5(31)	Sch A - Map 21	to facilitate the severance of an existing single detached dwelling from the balance of the farm parcel	Y	PASSED
14-23	March 20, 2023	Northgrove Meadows Inc.	Con 3 SER, Part of Lot 25	FD	R3-17-H-5 & R3-18-H-5 & R2-26-H-5 & OS	2.1(29.1) & 7.5(17) & 7.5(18) & 6.5(26)	Sch B - Map 5	to permit residential apartment buildings, medium density residential multiple unit or townhouse dwellings, single and/or semi detached dwellings, and municipal services specifically stormwater facility	Y	PASSED
22-23	April 17, 2023	Candace & Osvaldo Fiorino	9213 Thorn Dr	A2	A2-33-H-2	19.5(33)	Sch A - Map 24	to permit a contractor's yard as a Secondary Farm Occupation	Y	PASSED
23-23	April 17, 2023	Pedro & Fernanda Ferreira	8338 Scotchmere Dr	A2-26-T	A2-26-T	19.5(26)	Sch A - Map 10	to permit two single detached dwellings on the subject lands for a temporary period of time, for approximately (1) year until June 2024	Y	PASSED
29-23	May 15, 2023	Cirrus Developments Limited	Queen St, Glendon Dr	R2-17-H-5 & R2-18-H-5	R2-17 & R2-18		Sch C - Map 3	to facilitate the use of the lands for residential single detached homes	Y	PASSED
44-23	July 17, 2023	Sunslab Precast & Modular Inc.	999 Wright St	M2	M2-15	15.5(15)	Sch B - Map 2	to permit the construction of a concrete production and batching plant on the lands	Y	PASSED

BY-LAW	DATE	APPLICANT	LOCATION	PARENT ZONE	ZONE CHANGE	Text Section	SCHEDULE	DESCRIPTION	CONSOLIDATED	STATUS
45-23	July 17, 2023	Daniel Mathys	8120 Irish Dr	A1	A3 & A2-34	19.5(34)	Sch A - Map 28	to facilitate the severance of an existing single detached dwelling from the balance of the farm parcel	Y	PASSED
47-23	July 17, 2023	Michelle Cotie and Jeff Brunet	9202 Oriole Dr	A1-9-T	A1-9-T	18.5(9)	Sch A - Map 24	to permit two single detached dwellings on the subject lands for a period of time, not to exceed three (3) years	Y	PASSED
47-23	August 18, 2023	Michelle Cotie and Jeff Brunet	9202 Oriole Dr	A1-9-T	A1-9-T	18.5(9)	Sch A - Map 24	to permit two single detached dwellings on the subject lands for a period of time, not to exceed three (3) years	Y	PASSED
38-23	July 4, 2023	Burnbrae Processco Holdings 19 Inc.	311 Ellor St	R1	R1-21-T	5.5(21)	Sch B - Map 15	to permit a temporary site specific Low Density Residential (R1-20-T) to permit a Parking Lot on the subject lands for a temporary period of time, for approximately (2) year until July 2025. The effect of the zone change is to permit the owner to park vehicles associate with adjacent industrial operation while they look for other sites to conduct their business	Y	PASSED
55-23	September 11, 2023	Brody Luis	130 Beech St	R1	R2-27	6.5(27)	Sch B - Map 14	to permit a four (4) unit townhouse dwelling	Y	PASSED
68-23	November 1, 2023	John Barnett and Ashley Podolsinsky (McKenzie Lake Lawyers for Anne Collins	8028 Walkers Dr	A1	A3 & A2-36	19.5(36)	Sch A - Map 4	to facilitate the severance of an existing single detached dwelling from the balance of the farm parcel. The 'A2-36' zone recognizes the use of the severed lands for non-farm rural residential use and the accessory structures. The 'A3' zone would prohibit the construction of a new residential use on the farm parcel.	Y	PASSED
52-23	September 11, 2023	Michael Arts	8157 Inadale Dr	A3	A3-8-T	20.5(8)	Sch A - Map 16	to permit four (4) bunkhouse dwellings on the subject lands for a temporary period of time, not to exceed three (3) years. The effect of the zone change is to permit the applicants to install four (4) bunkhouses that will be used for farm labour to live on site.	Y	PASSED
61-23	October 4, 2023	Jaslo Farms Ltd	7620 Walkers Dr	A1	A3-8 & A2-35	19.5(35) & 20.5(8)	Sch A - Map 3	to facilitate the severance of an existing single detached dwelling from the balance of the farm parcel. The 'A2-35' zone recognizes the use of the severed lands for non-farm rural resident use and the accessory structures. The 'A3-8' zone would prohibit the onstruction of a new residential use on the farm parcel and recognize the deficient side yard setback of the existing driveshed	Y	PASSED
69-23	November 1, 2023	Andrea Bezaire	40 Caradoc St N	C1	R1-22	5.5(22)	Sch B - Map 12	to rezone a building that was originally constructed as a single detached dwelling to Low Density Residential. The property was within the General Commercial (C1) zone to recognize a commercial use that is no longer existing on the property	Y	PASSED
105-23	December, 2023	Buchanan Crossings	ADELAIDE CON 4 SER PT LOTS 19 AND 20 RP 33R19731 PARTS 1 to 7 and 10 to 14	FD & R3	R2-28-H-5 & R3-21-H-5 & OS	6.5(28) & 7.5(20)	Sch B - Map 6	to permit the development of a subdivision with various dwelling units and for stormwater management facilities and parkland	Y	PASSED
84-23	November, 2024	Debanski Inc	599 Albert Street	I	R3-20-H-10	7.5(20)	Sch B - Map 6	to permit the devolpmnt of a 85 unit residential apartment building	Y	PASSED
19-24	March, 2024	Jaslo Properties Ltd.	24633 Adelaide Road and 22 Carroll Street West	A1, FD, R1	R3-22-H-11	7.5(21)	Sch B - Map 17	to permit the devolpmnt of townhouses with an amenity building while retaining a existing single detached dwelling	Y	PASSED
98-23	January, 2024	Tye McAuley	21861 Cooks Road	A1	A1-23-T	18.5(23)	Sch A - Map 35	to permit two single detached dewllings on the subject lands for a temporary period of 1 year	Y	PASSED
Last Verified June 2024										

TABLE OF CONTENTS

PREAMBLE		
SECTION 1: INTERPRETATION & ADMINISTRATION		1-1
1.1	Title	1-1
1.2	Application & Scope	1-1
1.3	Interpretation	1-1
1.4	Schedules & Figures	1-2
1.5	Minimum Requirements	1-2
1.6	Licences & Permits	1-3
1.7	Application Of Other Legislation & By-Laws	1-3
1.8	Violations & Penalties	1-3
1.9	Remedies	1-3
1.10	Administration	1-4
1.11	Inspection	1-4
1.12	Risk, Expense & Compliance	1-4
SECTION 2: DEFINITIONS		2-1
2.1	Definitions	2-1
SECTION 3: ZONES & ZONING MAPS		3-25
3.1	Zone Maps	3-25
3.2	Zones & Zone Symbols	3-25
3.3	Holding Symbols	3-26
3.4	Temporary Use By-Laws	3-28
3.5	Defined Areas	3-28
3.6	Existing Status Zoning	3-28
3.7	Exceptions For Defined Areas	3-28
3.8	Lots With More Than One Use Or Zone	3-29
3.9	Zone Boundaries	3-29
3.10	Zone Boundaries: When Amendment Is Not Required	3-30
SECTION 4: GENERAL PROVISIONS		4-1
4.1	Application	4-1
4.2	Accessory Uses	4-1
4.3	Access To A Public Road	4-4
4.4	Bed & Breakfast Establishments	4-4
4.5	Drive-Through Facilities	4-5
4.6	Dwellings Units	4-5
4.7	Factory Outlets	4-6
4.8	Food Service Vehicles	4-7
4.9	Garden Suites	4-7
4.10	Gas Stations, Motor Vehicle Sales Establishments & Public Garages	4-8
4.11	Greenhouses	4-8
4.12	Height	4-9
4.13	Home Occupations	4-9
4.14	Infilling Lots, Residential	4-10
4.15	Landscaping & Planting	4-11
4.16	Lighting, External	4-11
4.17	Loading Spaces	4-12
4.18	Minimum Distance Separation (MDS) Formulae	4-13

4.19	Non-Complying Buildings, Structures And Lots & Non-Conforming Uses	4-13
4.20	Outside Display & Sales Areas	4-15
4.21	Outside Storage	4-15
4.22	Outside Swimming Pools & Hot Tubs	4-16
4.23	Parking Regulations	4-16
4.24	Public Outdoor Patios	4-24
4.25	Public Uses	4-25
4.26	Seasonal Farm Worker Dwellings	4-25
4.27	Secondary Farm Occupations	4-26
4.28	Servicing: Water & Sewers	4-28
4.29	Setbacks & Separation Distances	4-28
4.29.1	Shipping Containers	4-30
4.30	Sight Visibility Triangles	4-30
4.31	Telecommunication Transmitting Facilities & Towers	4-31
4.32	Temporary Uses & Structures	4-31
4.33	Uses Not Permitted	4-32
4.34	Yard Encroachments	4-34

SECTION 5: LOW DENSITY RESIDENTIAL (R1) ZONE 36

5.1	General Provisions	36
5.2	Use & Building Provisions	36
5.3	Lot Provisions	36
5.4	Special Provisions	37
5.5	Exceptions	37

SECTION 6: MEDIUM DENSITY RESIDENTIAL (R2) ZONE 6-1

6.1	General Provisions	6-1
6.2	Use & Building Provisions	6-1
6.3	Lot Provisions	6-1
6.4	Special Provisions	6-2
6.5	Exceptions	6-2

SECTION 7: HIGH DENSITY RESIDENTIAL (R3) ZONE 7-1

7.1	General Use Provisions	7-1
7.2	Use & Building Provisions	7-1
7.3	Lot Provisions	7-1
7.4	Special Provisions	7-2
7.5	Exceptions	7-3

SECTION 8: LIFESTYLE COMMUNITY (R4) ZONE 8-1

8.1	General Provisions	8-1
8.2	Use & Building Provisions	8-1
8.3	Lot Provisions	8-1
8.4	Special Provisions	8-2
8.5	Exceptions	8-2

SECTION 9: RURAL RESIDENTIAL (R5) ZONE 9-1

9.1	General Provisions	9-1
9.2	Use & Building Provisions	9-1
9.3	Lot Provisions	9-1
9.4	Special Provisions	9-2
9.5	Exceptions	9-2

Table of Contents

	SECTION 1 INTERPRETATION & ADMINISTRATION.....	1
1.2	APPLICATION & SCOPE.....	1
1.3	INTERPRETATION.....	1
1.4	SCHEDULES & FIGURES.....	2
1.5	MINIMUM REQUIREMENTS.....	2
1.6	LICENCES & PERMITS.....	2
1.7	APPLICATION OF OTHER LEGISLATION & BY-LAWS.....	2
1.8	VIOLATIONS & PENALTIES.....	3
1.9	REMEDIES.....	3
1.10	ADMINISTRATION.....	4
1.11	INSPECTION.....	4
1.12	RISK, EXPENSE & COMPLIANCE.....	4
	SECTION 2 DEFINITIONS.....	5
2.1	DEFINITIONS.....	5
	SECTION 3 ZONES & ZONING MAPS.....	32
3.1	ZONE MAPS.....	32
3.2	ZONES & ZONE SYMBOLS.....	32
3.3	HOLDING SYMBOLS.....	33
3.4	TEMPORARY USE BY-LAWS.....	34
3.5	DEFINED AREAS.....	35
3.6	EXISTING STATUS ZONING.....	35
3.7	EXCEPTIONS FOR DEFINED AREAS.....	35
3.8	LOTS WITH MORE THAN ONE USE OR ZONE.....	35
3.9	ZONE BOUNDARIES.....	36
3.10	ZONE BOUNDARIES: WHEN AMENDMENT IS NOT REQUIRED.....	37
3.11	Grammar Changes.....	37
	SECTION 4 GENERAL PROVISIONS.....	38
4.1	APPLICATION.....	38
4.2	ACCESSORY USES, BUILDINGS AND STRUCTURES.....	38
4.3	ACCESS TO A PUBLIC ROAD.....	40
4.4	BED & BREAKFAST ESTABLISHMENTS.....	41
4.4	DRIVE-THROUGH FACILITIES.....	41
4.5	DWELLING UNITS.....	42

4.6	FACTORY OUTLETS	43
4.7	FARM WORKER DWELLINGS	44
4.8	FOOD SERVICE VEHICLES	45
4.9	GARDEN SUITES	45
4.10	GAS STATIONS, MOTOR VEHICLE SALES ESTABLISHMENTS & PUBLIC GARAGES.....	46
4.11	GREENHOUSES	46
4.12	HEIGHT	46
4.13	HOME INDUSTRIES.....	47
4.14	HOME OCCUPATIONS	47
4.15	INFILLING LOTS, RESIDENTIAL	48
4.16	LANDSCAPING & PLANTING	49
4.17	LIGHTING, EXTERNAL	49
4.18	LOADING SPACES.....	50
4.19	MINIMUM DISTANCE SEPARATION (MDS) FORMULAE.....	51
4.20	SHORT TERM ACCOMMODATION	51
4.21	ON-FARM DIVERSIFIED USE	51
4.22	NON-COMPLYING BUILDINGS, STRUCTURES AND LOTS & NON- CONFORMING USES 53	
4.23	OUTSIDE DISPLAY & SALES AREAS	54
4.24	OUTSIDE STORAGE	55
4.25	OUTSIDE SWIMMING POOLS & HOT TUBS	55
4.26	PARKING REGULATIONS	56
4.27	PUBLIC OUTDOOR PATIOS.....	67
4.28	PUBLIC USES	68
	SEASONAL FARM WORKER DWELLINGS	68
	SECONDARY FARM OCCUPATIONS.....	69
4.29	SERVICING: WATER & SEWERS	70
4.30	SETBACKS & SEPARATION DISTANCES	70
4.31	SHIPPING CONTAINERS	73
4.32	SIGHT VISIBILITY TRIANGLES	73
4.33	TELECOMMUNICATION TRANSMITTING FACILITIES & TOWERS.....	73
4.34	TEMPORARY USES & STRUCTURES	74
4.35	USES NOT PERMITTED	75
4.36	YARD ENCROACHMENTS.....	77
	LOW-DENSITY RESIDENTIAL (R1) ZONE	79

	SECTION 5 URBAN RESIDENTIAL FIRST DENSITY (R1) ZONE.....	79
5.1	GENERAL PROVISIONS.....	79
5.2	USE & BUILDING PROVISIONS.....	79
5.3	LOT PROVISIONS.....	79
5.4	SPECIAL PROVISIONS	80
5.5	EXCEPTIONS.....	80
	MEDIUM DENSITY RESIDENTIAL (R2) ZONE.....	87
	SECTION 6 URBAN RESIDENTIAL SECOND DENSITY (R2) ZONE.....	87
6.1	GENERAL PROVISIONS.....	87
6.2	USE & BUILDING PROVISIONS.....	87
6.3	LOT PROVISIONS.....	87
6.4	SPECIAL PROVISIONS	88
6.5	EXCEPTIONS.....	89
	HIGH DENSITY RESIDENTIAL (R3) ZONE.....	101
	SECTION 7 URBAN RESIDENTIAL THIRD DENSITY (R3) ZONE	101
7.1	GENERAL USE PROVISIONS	101
7.2	USE & BUILDING PROVISIONS.....	101
7.3	LOT PROVISIONS.....	101
7.4	SPECIAL PROVISIONS	103
7.5	EXCEPTIONS.....	104
	SECTION 8 LIFESTYLE COMMUNITY (R4) ZONE	120
8.1	GENERAL PROVISIONS.....	120
8.2	USE & BUILDING PROVISIONS.....	120
8.3	LOT PROVISIONS	120
8.4	SPECIAL PROVISIONS	121
8.5	EXCEPTIONS.....	121
	SECTION 9 RURAL RESIDENTIAL (R5) ZONE	122
9.1	GENERAL PROVISIONS.....	122
9.2	USE & BUILDING PROVISIONS.....	122
9.3	LOT PROVISIONS.....	122
9.4	SPECIAL PROVISIONS	123
9.5	EXCEPTIONS.....	123
	SECTION 10 GENERAL COMMERCIAL (C1) ZONE.....	126
10.1	GENERAL PROVISIONS.....	126
10.2	USE & BUILDING PROVISIONS.....	126
10.3	LOT PROVISIONS.....	127

10.4	SPECIAL PROVISIONS	127
10.5	EXCEPTIONS.....	128
	SECTION 11 HIGHWAY COMMERCIAL (C2) ZONE.....	132
11.1	GENERAL PROVISIONS.....	132
11.2	USE & BUILDING PROVISIONS.....	132
11.3	LOT PROVISIONS	133
11.4	SPECIAL PROVISIONS	133
11.5	EXCEPTIONS.....	134
	SECTION 12 NEIGHBOURHOOD COMMERCIAL (C3)	141
12.1	GENERAL PROVISIONS.....	141
12.2	USE & BUILDING PROVISIONS.....	141
12.3	LOT PROVISIONS	141
12.4	SPECIAL PROVISIONS	142
12.5	EXCEPTIONS.....	143
	SECTION 13 RURAL COMMERCIAL (C4) ZONE.....	145
13.1	GENERAL PROVISIONS.....	145
13.2	USE & BUILDING PROVISIONS.....	145
13.3	LOT PROVISIONS	145
13.4	SPECIAL PROVISIONS	146
13.5	EXCEPTIONS.....	146
	SECTION 14 LIGHT INDUSTRIAL (M1) ZONE	148
14.1	GENERAL PROVISIONS.....	148
14.2	USE & BUILDING PROVISIONS.....	148
14.3	LOT PROVISIONS	148
14.4	SPECIAL PROVISIONS	149
14.5	EXCEPTIONS.....	149
	SECTION 15 GENERAL INDUSTRIAL (M2) ZONE	151
15.1	GENERAL PROVISIONS.....	151
15.2	USE & BUILDING PROVISIONS.....	151
15.3	LOT PROVISIONS	151
15.4	SPECIAL PROVISIONS	152
15.5	EXCEPTIONS.....	152
	SECTION 16 HEAVY INDUSTRIAL (M3) ZONE	156
16.1	GENERAL PROVISIONS.....	156
16.2	USE & BUILDING PROVISIONS.....	156
16.3	LOT PROVISIONS	156

16.4	SPECIAL PROVISIONS	157
16.5	EXCEPTIONS.....	157
	RURAL INDUSTRIAL (M4) ZONE.....	158
17.1	GENERAL PROVISIONS.....	158
17.2	USE & BUILDING PROVISIONS.....	158
17.3	LOT PROVISIONS.....	158
17.4	SPECIAL PROVISIONS	159
17.5	EXCEPTIONS.....	159
	SECTION 17 GENERAL AGRICULTURAL (A1) ZONE.....	160
17.1	GENERAL PROVISIONS.....	160
17.2	USE & BUILDING PROVISIONS.....	160
17.3	LOT PROVISIONS.....	161
17.4	SPECIAL PROVISIONS	161
17.5	EXCEPTIONS.....	161
	SECTION 18 AGRICULTURAL SMALL HOLDINGS (A2) ZONE.....	171
	SECTION 19 AGRICULTURAL EXISTING SMALL LOT (A2) ZONE.....	171
19.1	GENERAL PROVISIONS.....	171
19.2	USE & BUILDING PROVISIONS.....	171
19.3	LOT PROVISIONS.....	171
19.4	SPECIAL PROVISIONS	172
19.5	EXCEPTIONS.....	172
	SECTION 20 AGRICULTURAL PURPOSES ONLY (A3)	181
20.1	GENERAL PROVISIONS.....	181
20.2	USE & BUILDING PROVISIONS.....	181
20.3	LOT PROVISIONS.....	181
20.4	SPECIAL PROVISIONS	182
20.5	EXCEPTIONS.....	182
	SECTION 21 AGRICULTURAL INDUSTRIAL (A4) ZONE.....	185
	AGRICULTURE-RELATED (A4) ZONE	185
21.1	GENERAL PROVISIONS.....	185
21.2	USE & BUILDING PROVISIONS.....	185
21.3	LOT PROVISIONS.....	185
21.4	SPECIAL PROVISIONS	186
21.5	EXCEPTIONS.....	186
	SECTION 22 SURPLUS FARM DWELLING (A5) ZONE	187

22.1	GENERAL PROVISIONS	187
22.2	USE & BUILDING PROVISIONS	187
22.3	LOT PROVISIONS	187
22.4	SPECIAL PROVISIONS	187
	SECTION 23 NEIGHBOURHOOD INSTITUTIONAL (I1) ZONE	190
23.1	GENERAL PROVISIONS	190
23.2	USE & BUILDING PROVISIONS	190
23.3	LOT PROVISIONS	190
23.4	SPECIAL PROVISIONS	191
23.5	EXCEPTIONS	191
	SECTION 24 MAJOR INSTITUTIONAL (I2) ZONE	193
24.1	GENERAL PROVISIONS	193
24.2	USE & BUILDING PROVISIONS	193
24.3	LOT PROVISIONS	193
24.4	SPECIAL PROVISIONS	194
	SECTION 25 OPEN SPACE (OS) ZONE	195
25.1	GENERAL PROVISIONS	195
25.2	USE & BUILDING PROVISIONS	195
25.3	LOT PROVISIONS	195
25.4	SPECIAL PROVISIONS	195
25.5	EXCEPTIONS	196
	SECTION 26 PUBLIC UTILITY (U) ZONE	198
26.1	GENERAL PROVISIONS	198
26.2	USE & BUILDING PROVISIONS	198
26.3	LOT PROVISIONS	198
26.4	SPECIAL PROVISIONS	198
26.5	EXCEPTIONS	198
	SECTION 27 ENVIRONMENTAL PROTECTION (EP)	199
27.1	GENERAL PROVISIONS	199
27.2	USE & BUILDING PROVISIONS	199
27.3	LOT PROVISIONS	199
27.4	SPECIAL PROVISIONS	199
27.5	EXCEPTIONS	200
	SECTION 28 FUTURE DEVELOPMENT (FD) ZONE	201
28.1	GENERAL PROVISIONS	201
28.2	USE & BUILDING PROVISIONS	201

28.3	LOT PROVISIONS	201
28.4	SPECIAL PROVISIONS	201
28.5	EXCEPTIONS.....	202
	SECTION 29 ENACTMENT.....	204
29.1	CONFLICT WITH OTHER BY-LAWS	204
29.2	REPEAL OF EXISTING BY-LAWS	204
29.3	SEVERABILITY	204
29.4	EFFECTIVE DATE	204
	BUILDING ENVELOPES & LOT LINES	1
	LOT DEFINITIONS	2
	EXAMPLES OF HEIGHT DEFINITIONS.....	3

SCHEDULE 'A': RURAL AREA ZONE MAPS

SCHEDULE 'B': STRATHROY ZONE MAPS

SCHEDULE 'C': MOUNT BRYDGES ZONE MAPS

SCHEDULE 'D': MELBOURNE ZONE MAP

FIGURE 1: BUILDING ENVELOPES & LOT LINES

FIGURE 2: LOT DEFINITIONS

FIGURE 3: EXAMPLES OF HEIGHT DEFINITIONS

**THE CORPORATION OF
THE MUNICIPALITY OF STRATHROY-CARADOC
BY-LAW NO. 43-08**

**BEING A BY-LAW TO REGULATE THE USE OF LAND AND THE CHARACTER, LOCATION
AND USE OF BUILDINGS AND STRUCTURES AND TO PROHIBIT CERTAIN USES,
BUILDINGS AND STRUCTURES IN VARIOUS DEFINED AREAS OF THE MUNICIPALITY OF
STRATHROY-CARADOC**

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, provides that the council of a municipality may pass by-laws to prohibit and restrict the use of land; the erecting, locating or using of buildings structures; the use of land that is hazardous or subject to flooding; the use of contaminated land or sensitive groundwater recharge areas; the use of land within woodlands, wetlands and other natural features; the use of land on the site of archaeological resources, and the use of land based on the provision of municipal services;

AND WHEREAS additionally under Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, the council of a municipality may pass by-laws to regulate the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures; the minimum frontage, depth of a parcel of land and the proportion of the area thereof that any building or structure may occupy; the minimum elevation of doors, windows or other openings in buildings or structures; and to require the provision and maintenance of loading and parking facilities;

AND WHEREAS the Council of the Corporation of the Municipality of Strathroy-Caradoc has deemed it to be in the public interest that such a by-law be enacted to restrict, prohibit and regulate the use of land, buildings and structures situated within the Municipality for the purpose of implementing the policies of the Official Plan of the Municipality of Strathroy-Caradoc; ensuring the orderly and controlled development of the Municipality; preventing development which would create an adverse effect on the Corporation; preventing development that may have a negative impact on the natural environment; and to protect the health, safety and general welfare of the inhabitants of the Municipality of Strathroy-Caradoc;

AND WHEREAS the requirements under the Planning Act, R.S.O. 1990, c.P. 13 for the giving of public notice and the holding of a public open house and a public meeting have been met;

- a) NOW THEREFORE BE IT ENACTED BY THE COUNCIL OF THE CORPORATION
OF THE MUNICIPALITY OF STRATHROY-CARADOC AS FOLLOWS:

SECTION 1 INTERPRETATION &ADMINISTRATION

1.1 TITLE

This By-law shall be known as the "Zoning By-law" of the Corporation of the Municipality of Strathroy-Caradoc.

1.2 APPLICATION & SCOPE

(1) Lands Subject to this By-law

The provisions of this By-law shall apply to all lands within the boundaries of the Municipality as legally constituted on the effective date.

(2) Conformity with this By-law

No land shall be used, and no building or structure shall be erected, altered, or used within the Municipality except in accordance with the regulations of this By-law and except as permitted by this By-law.

1.3 INTERPRETATION

(1) Definitions

For the purpose of this By-law, unless the context requires otherwise, the definitions and interpretations set out in Section 2 of this By-law shall apply.

(2) Text

Unless specified otherwise, the following shall apply throughout the text of this By-law:

- a) Unless the contrary intention specifically appears otherwise, words imparting the singular number or the masculine gender only shall include more persons, parties, or things of the same kind than one, and females as well as males, and the converse.
- b) The meaning of the word "shall" shall be interpreted as being mandatory.
- c) A building or structure shall include any part thereof.
- d) The particular shall supersede the general. Where a term or phrase is defined in general terms in this By-law, it shall not be construed to mean any other term or phrase which is more specifically defined herein unless it is specifically stated otherwise.
- e) Any Act or Regulation referred to herein shall include any amendments or revisions made thereto, or any subsequent Act or Regulation enacted in place thereof.
- f) Any municipality, ministry, board, agency or other public authority referred to herein shall include any successor public authority.
- g) All numerical, mathematical and scientific abbreviations, notations and symbols shall have their semantic meaning.

- h) Any italicized text shall not be considered part of this By-law but used for information and explanatory purposes only.

(3) Measurements

All measurements of length, height or area used in this By-law shall be subject to the normal rules of rounding numbers, within the degree of precision specified by the number of digits following the decimal point (if any), so that:

- a) For a whole number, measurements of less than 0.5 shall be rounded downward to the next whole unit;
- b) For a whole number, measurements of 0.5 and greater shall be rounded upward to the next whole unit;
- c) For a number having one decimal place, measurements of less than 0.05 shall be rounded downward to the next one-tenth unit.
- d) For a number having one decimal place, measurements of 0.5 and greater shall be rounded upward to the next whole unit.
- e) Ratios and percentage figures shall not be subject to rounding.

1.4 SCHEDULES & FIGURES

(1) Schedules

The Schedules which are attached hereto are hereby made part of this By-law as fully and to all intents and purposes as though recited in full herein.

(2) Figures

The Figures which are attached hereto shall not be considered part of this By-law but used for information and explanatory purposes only.

1.5 MINIMUM REQUIREMENTS

- (1) In interpreting and applying the provisions of this By-law, they are held to be the minimum requirements for the promotion of the health, safety, comfort, convenience, and general welfare of the inhabitants of the Municipality.

1.6 LICENCES & PERMITS

- (1) No permit, certificate, or license shall be issued by the Municipality where the said permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in violation of this By-law.

1.7 APPLICATION OF OTHER LEGISLATION & BY-LAWS

- (1) Nothing in this By-law shall serve to relieve any person from the obligation to comply with the requirements of the Ontario Building Code Act or any other by-law of the Municipality, any other statute of the Province of Ontario or the Government of Canada, in force from time to time, or the obligation to obtain any license, permit, authority or approval required by the Municipality or any other public authority or body.

- (2) Wherever the requirements of this By-law are at variance with the requirements of any other By-law, the most restrictive, or the By-law imposing the higher standards, shall govern and apply.

1.8 VIOLATIONS & PENALTIES

(1) Persons Guilty

Every person, other than a corporation, who contravenes this By-law is guilty of an offence and on conviction is liable on a first conviction to a fine of not more than \$25,000 and, on a subsequent conviction, to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was convicted, as prescribed by the Planning Act, R.S.O. 1990, c. P.13. Each day that a contravention exists shall constitute a separate offence.

(2) Corporations Guilty

Every corporation who contravenes this By-law is guilty of an offence and on conviction is liable on a first conviction, to a fine of not more than \$50,000, and on a subsequent conviction, to a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted, as prescribed by the Planning Act, R.S.O. 1990, c. P.13.

1.9 REMEDIES

(1) Legal Recourse

Where any building or structure is or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure that is, or is proposed to be used, in contravention of this By-law, the same may be restrained by an action of any person or of the Municipality under the Planning Act, the Municipal Act, or the Courts of Justice Act.

(2) Payment of Costs and Reimbursement

Where a person or corporation is in default of the provisions of this By-law and has been notified or directed by the Municipality to remedy this default and fails to do that matter or thing required, such matter or thing shall be done at the person or corporation's expense. Where a person or corporation has refused or neglected to reimburse the Municipality for the cost of such work, thing or matter done, the same may be recovered by the Municipality in like manner as taxes.

(3) Prohibiting the Continuation or Repetition

The court in which a conviction has been entered and any court of competent jurisdiction thereafter may make an Order prohibiting the continuation or repetition of the offence.

Violations, Penalties, and Remedies i) Pursuant to the provisions of Section 67 of The Planning Act, R.S.O., 1990, as amended from time to time, any person who breaches any provision of this By-law is guilty of an offence and, on conviction, is liable:

- a) On a first conviction to a fine of not more than \$25,000.00; and

b) On a subsequent conviction, to a fine of not more than \$10,000.00 for each day, or part thereof, upon which the contravention has continued after the day on which he was convicted.

c) Where a Corporation breaches any provision of this By-law and is found guilty of an offence on conviction is liable:

d) On a first conviction, a fine of not more than \$50,000.00; and

e) On a subsequent conviction, a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

1.10 ADMINISTRATION

- (1) This By-law shall be administered by the Chief Building Official or such other persons as the Council of the Municipality designates.

1.11 INSPECTION

(1) Right to Inspect

Subject to Clause 2 of this Subsection, the By-law Enforcement Officer, or any other officer or employee of the Municipality appointed by Council to administer or enforce the provisions of this By-law, is hereby authorized, upon producing proper identification, to enter at all reasonable times upon any property or premises to inspect any property on reasonable grounds that this By-law is being contravened.

(2) Inspection of Dwellings

Notwithstanding Clause 1 of this Subsection, no officer or employee of the Municipality shall enter any room or place occupied as a dwelling unit, or part thereof, without the consent of the occupier, except under the authority of a search warrant issued under the Planning Act **R.S.O. 1990, c. P.13, s. 49 (3); 1994, c. 2, s. 45 (1)**. The occupant shall be informed that the right of entry may be refused, and entry made only under the authority of a search warrant.

1.12 RISK, EXPENSE & COMPLIANCE

- (1) The facilities, yards or other matters required by this By-law shall be provided and maintained at the sole risk and expense of the owner of the lands in respect of such matters as are required hereby, and the said owner shall at all times bear full responsibility for ensuring compliance in all respects with this By-law.

SECTION 2 DEFINITIONS

2.1 DEFINITIONS

For the purposes of this By-law, the definitions given herein shall govern.

“Abattoir”, shall mean lands, buildings or structures designed, used or intended for the slaughtering of animals for the purposes of processing meat into food for human consumption, and where meat products are produced, processed, handled, or stored.

~~**“Accessory”**, shall mean a use, a building, or structure that is incidental, subordinate, and exclusively devoted to a main use, building or structure and that is located on the same lot therewith, and shall not include a residential use unless specifically stated otherwise.~~

“Accessory Building”, shall mean a building or structure which is incidental and subordinate to the main use of the lot and must be separate (detached) from the main building and located on the same lot as the main building.

“Accessory Use”, shall mean a use incidental, subordinate, and exclusively devoted to the main use and carried on with such main use on the same lot.

“Additional Residential Unit”- see **“Dwelling, Additional Residential Unit”**

“Adult Entertainment Establishment”, shall mean a building or structure designed, used or intended for use in the pursuance of any trade, calling, business or occupation, for the purpose of a live performance, exhibition or activity designed to appeal to erotic or sexual appetites or inclinations, a principal feature or characteristic of which is the nudity or partial nudity of any person, and in respect of which the word nude, naked, topless, bottomless, or sexy, or any other word, picture, symbol or representation having like meaning or implication is used on a sign, advertisement, or advertisement device and, without restricting the generality of the foregoing, includes any performance, exhibition, or activity involving striptease dancers, go-go dancers, exotic dancers, wet clothing contests or best body parts contests and additionally includes a body-rub parlour but **not** a massage therapy establishment.

“Agriculture-Related Use”, shall mean those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit farm operations from being in close proximity, and provide direct products and/or services to farm operations as a primary activity. These uses shall be compatible with and shall not hinder surrounding agricultural operations. Such uses may generally include abattoirs, grain drying and storage operations, feed mills, produce auctions or locally grown food and similar uses that provide a direct service to the farm community.

~~**“Agricultural Industrial Establishment”**, shall mean the use of land, buildings or structures for the manufacturing and wholesale and / or retail sale of goods that are necessary to support agricultural uses. These include such goods as farm machinery and equipment, products used for the housing and husbandry of livestock, the storage, handling and processing of agricultural products, and the manufacture of sub-surface drainage materials and equipment.~~

~~“Agricultural Processing Establishment”~~, shall mean ~~the use of land, buildings or structures for the processing of products derived from agricultural uses, as defined by this By-law. These shall include such products as seed, grain, feed and forage processing, storage and transport, fruit and vegetable storage and treatment, livestock and poultry assembly, sales and transport, a cheese factory, an egg grading station, a saw mill.~~

~~“Agricultural Service Establishment”~~, shall mean ~~the use of land, buildings or structures for the purposes of buying or selling commodities and services that are necessary to support agricultural uses as defined by this By-law. These shall include such sales and services as welding and machinery repairs, farm drainage and excavation, agricultural related trucking, well drilling, contracting and trades related to farm buildings and structures, and custom spraying, tillage, planting and harvesting services and agriculturally related trucking.~~

~~“Agricultural Supply Establishment”~~, shall mean ~~the use of land, buildings or structures for the purpose of supply of goods, materials or services that are necessary to support agricultural uses as defined by this By-law. These shall include such goods and services as sale, processing and storage of seed, feed, fertilizers and chemical products, farm machinery and equipment sales and service, and animal and poultry health and breeding services.~~

~~“Agricultural Use”~~, shall mean ~~the growing of crops including nursery, biomass, and horticultural crops; the raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agroforestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to, livestock facilities, manure storages, value-retaining facilities, and accessory accommodation for full-time farm labour relative to the size and nature of the primary agricultural use for the operation requiring additional employment.. For the purposes of this By-law, agricultural use shall not include an Animal Kennel.~~

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- ~~a) the growing of crops, including nursery and horticultural crops;~~
- ~~b) the raising of livestock and the raising of other animals for food, fur or fibre, including poultry and fish;~~
- ~~c) aquaculture;~~
- ~~d) apiaries; and / or~~
- ~~e) agro-forestry and maple syrup production;~~
- ~~f) and may include associated on-farm buildings and structures.~~

“Aisle”, shall mean lands used by a motor vehicle for access to and from an off-street parking space, but does not include a driveway.

“Alter”, shall mean, when used in reference to a building or structure, to change, extend, enlarge, or renovate any one or more of the interior or external dimensions or walls or roof thereof. When used in reference to a lot, the word “alter” shall mean to change the width, depth, or area thereof or to change the setback, or parking area, or to change the location of any boundary of such lot with respect to a road, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise.

“Amenity Area”, shall mean an area of areas within the boundaries of a lot intended for recreational and aesthetic purpose and may include landscaped open space, patios, balconies, swimming pools, recreational facilities and other areas which may be used for recreational or aesthetic purposes, but shall not include any driveway or parking area.

“Amenity Area, Common”, shall mean an amenity area which is located inside or outside a building or structure including open landscaped areas with associated recreational facilities, building rooftops, patios, terraces, above ground decks, swimming pools, tennis courts, and the like, for the exclusive use of all dwelling units within the building(s) on the same lot or plan of condominium.

“Amenity Area, Private”, shall mean an amenity area, excluding a walkway, or other communal area, outside of a dwelling unit and for the exclusive use of a dwelling unit.

“Animal Kennel”, shall mean lands, buildings or structures designed, used or intended for use on or within which animals are, in return for a fee, housed, groomed, bred, boarded, trained or sold and which may offer provisions for minor veterinary treatment.

“Asphalt / Concrete / Ready Mix Batching Plant”, shall mean an individual establishment used for the production of asphalt, concrete, ready mix products used in the building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process, or a finished product manufactured on the premises and the storage and maintenance required equipment.

“Arena / Hall”, shall mean a building or structure designed, used or intended for athletic, civic, educational, recreational, political, religious, or social events and, without limiting the generality of the foregoing, may include an assembly hall, auditorium, banquet hall, curling rink, gymnasium, ice rink, recreational centre or stadium.

“Attached”, shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an abutting building or structure.

“Attic”, shall mean the portion of a building situated wholly or in part within the roof and which is not a half storey.

“Auction Sales Establishment”, shall mean lands, buildings or structures designed, used or intended for the sale of merchandise by means of public auction conducted by an accredited auctioneer.

“Auction Sales Establishment, Agricultural” shall mean the use of land, buildings or structures for the sale of livestock and related agricultural items by means of public auction conducted by an accredited auctioneer.

“Basement”, shall mean that portion of a building between two floor levels which has at least one half of its height, measured from finished floor to finished ceiling, above grade level.

~~**“Bed & Breakfast Establishment”**, shall mean a single detached dwelling, in which the proprietor resides, where rooms are made available for the temporary accommodation of the travelling public and within which meals may be offered to such guests.~~

“Bicycle Parking Space”, shall mean a designated area for the exclusive parking of bicycles equipped with a rack/stand designed to lock the wheel and/or frame of a bicycle.

“Boarding / Rooming House”, shall mean a dwelling in which lodging with or without meals is supplied for gain to three or more persons other than the lessee, tenant or owner of said dwelling, where the kitchen and other areas of the dwelling unit are shared amongst persons occupying the dwelling unit, but does not mean or include a motel, hotel, short term accommodation, bed and breakfast establishment, hospital, similar commercial or institutional use or apartment building

“Building”, shall mean a structure, whether temporary or permanent, designed, used or intended for sheltering any use or occupancy and consisting of a wall, roof, and floor or any one or more of them, or a structural system serving the functions thereof, including all the works, fixtures, and service systems appurtenant thereto, but shall not include a boundary wall, fence, travel trailer, camping trailer, truck camper, motor home or tent.

“Bulk Sales Establishment”, shall mean lands, buildings or structures designed, used or intended for the purpose of buying, selling, and storing fuel oil, wood, lumber, building materials or similar bulk commodities but excludes any manufacturing, assembling, or processing of such commodities.

“Campground”, shall mean a use, consisting of at least 5 camping sites, and comprising land used for seasonal recreational activity as grounds for the camping or parking of tents, park model trailers, travel trailers, truck campers, but not mobile homes.

“Car Wash”, shall mean lands, buildings or structures designed, used, or intended for washing and cleaning of motor vehicles by the use of automatic or semi-automatic equipment, and may include hand-washing and car detailing.

“Cellar”, shall mean that portion of a building between two floor levels which is partly or wholly underground, but which has more than one-half of its height from finished floor to ceiling below adjacent finished ground surface or grade.

“Cemetery”, shall mean lands, buildings or structures designed, used or intended for the interment of ~~human remains the deceased or in which human bodies are buried~~ and may include a crematorium, mausoleum and/or a columbarium.

“Child Care, Home”, shall mean child care that is provided within a dwelling that is overseen by a licensed agency and its size is in accordance with the *Child Care and Early Years Act, 2014*, or its successor.

“Child Care, Unlicensed” shall mean child care that is provided within a dwelling, that meets the unlicensed child care regulations outlined in the *Child Care and Early Years Act, 2014*, or its successor.

“Child Care Centre” shall mean a building or structure operated by a person licensed under the *Child Care and Early Years Act, 2014*, or its successor, to provide child care;

“Clinic”, shall mean a building or structure designed, used or intended for the purposes of medical or dental practice and, without limiting the generality of the foregoing, may include the offices or consulting rooms of members of the health care profession.

“Club”, shall mean a building or structure designed, used or intended as a meeting place for the members of an organization, association, fraternal order or similar group, and wherein athletic facilities, dining rooms and / or banquet facilities may be provided.

“Cluster Housing”, means a group or groups of dwelling units which may be in various forms, and so located on a lot that the individual units are not required to have legal frontage on a public road, and more than one dwelling unit may exist on a lot.

“Commercial Use”, shall mean lands, buildings or structures designed, used or intended for the purposes of buying or selling commodities and supplying services for profit or intended for profit.

“Community Garden”, shall mean land used for the growing and harvesting of plants, vegetables or fruits and provided the crops are for the sole use, donation, or consumption by the individual(s) growing or working the community garden.

“Condominium” shall mean a building or structure, or complex of buildings and/or structures, containing a number of individually owned units or lots, whereby common elements, including, but not limited to recreational facilities, corridors, elevators, lobbies, parking areas, landscaped open space, and amenity areas, are jointly owned and managed by a condominium corporation.

“Consent”, shall mean the approval to the severance or division of land, or the approval to the use of land for a period of 21 years or more pursuant to the provisions of the *Planning Act*.

“Conservation Authority”, shall mean a conservation authority established under the *Conservation Authorities Act*.

“Contractor’s Yard or Shop”, shall mean lands, buildings or structures designed, used or intended for use by any building trade or other construction or service contractor for the purpose of:

- a) storing equipment, vehicles, or materials and may include construction and heavy equipment and commercial motor vehicles but not including derelict motor vehicles; or
- b) performing shop work or assembly work; or
- c) the base of operations for persons who are employed by or associated with the business, including the assembly or rally of such persons for transportation to a work site off the premises.

“County”, shall mean the Corporation of the County of Middlesex.

“Crematorium”, shall mean a building designed, used or intended for the cremation of human and domestic animals remains, but shall not include a funeral home, hall, cemetery, clinic, or place of worship as defined by this By-law. (as amended by 85-11 and further amended by 45-11).

“Custom Workshop”, shall mean a building or structure designed, used or intended for use where goods are produced to special order and sold but shall not include a building or structure where the manufacture of goods is performed on a mass production or assembly line basis.

~~**“Day Care Centre”**, shall mean a building or structure designed, used or intended for accommodating more than 5 children who may not be of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are:~~

- ~~a) under 18 years of age in the case of a day care centre for children with a developmental disability, and~~
- ~~b) thirteen years of age and under in all other cases.~~

“Day Care Centre, Adult”, shall mean a building or structure designed, used or intended for accommodating more than **five (5)** adults primarily for the purpose of providing temporary care or guidance, or both temporary care and / or guidance, including but not limited to programs and activities such as dancing, horticulture, crafts, cooking, baking and reading for a continuous period not exceeding twelve hours.

“Designated” shall mean the land use designations in the County of Middlesex Official Plan and / or the Strathroy-Caradoc Official Plan

“Development Assessment Report”, shall mean a study prepared in accordance with the procedures established in the County of Middlesex Official Plan to identify and assess the impacts of development on a specified natural feature or systems.

“Domesticated Animal ~~Dog~~ Pound”, shall mean lands, buildings or structures designed, used or intended for the purpose of the detention, maintenance or disposal of dogs or cats **or other domesticated animal** that have been impounded pursuant to a by-law of the Municipality or the *Dog Owners’ Liability Act*, but does not include any premises, or part thereof, that are not used by any person, including the Ontario Society for the Prevention of Cruelty to Animals or any society affiliated therewith, for the detention, maintenance or disposal of dogs or cats so impounded.

“Drive-through Facility” shall mean a facility or structure that is designed to allow drivers to remain in their vehicles before and during an activity on the site. Drive-through facilities may serve the primary use of the site or may serve accessory uses.

“Downtown Area” shall mean, for the purposes of a calculating a reduced parking ratio for a residential use, the area designated Downtown Core on Schedule B and the area designated Commercial on Schedule F in the Official Plan for the Municipality of Strathroy-Caradoc, as may be amended from time to time.

“Driveway”, shall mean a private passageway for a motor vehicle, having at least one end thereof connected to a road, and providing the principal means of vehicular access to a lot.

“Dry Cleaning Establishment”, shall mean a building or structure designed, used or intended for use where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric is carried on and in which only non-flammable solvents are used which emit no odours or fumes, and in which no noise or vibration is created which causes a nuisance outside the building.

“Dry Cleaning Depot” shall mean a building or structure designed, used or intended for use as drop off and pick up of clothes. For greater clarity the property would not be used for dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric is carried on and in which only non-flammable solvents are used which emit no odours or fumes.

“Dwelling”, shall mean a building, occupied or capable of being occupied exclusively as a home, residence or sleeping place by one or more persons, but excludes hotels, boarding/ rooming houses, bed and breakfast establishments, hotels, group homes, institutions; or living quarters for a caretaker, watchman, or other person or persons using living quarters which are accessory to a non-residential building or structure.

“Dwelling Unit”, shall mean one or more habitable rooms occupied or capable of being occupied by a person or household as an independent place of residence in which kitchen and sanitary facilities are provided for the use of such person or household, with a private entrance from outside the building or from a common hallway or stairway inside the building in which the dwelling unit is located.

“Dwelling, Additional Residential Unit”, shall mean a dwelling unit that is self-contained, subordinate to, and located within the same building or on the same lot of a primary dwelling unit.

“Dwelling, Apartment”, shall mean a dwelling consisting of more than 6 dwelling units which may have a common entrance from the street level and the occupants of which have the right to use, in common, halls and/or elevators and yards.

“Dwelling, Linked”, shall mean 2 dwelling units designed and erected with a common footing or foundation wall and having a fire resistance rating of at least one hour dividing the individual basement or cellar units, notwithstanding the physical separation of the individual dwelling units above grade. No dwelling unit or units can be altered, modified or converted into a linked dwelling.

“Dwelling, Modular”, shall mean a prefabricated dwelling unit, constructed to C.S.A. A277 standards or its successor standard, occupied or designed for occupancy by one or more persons on a permanent basis, designed to be transported in separate sections and joined together as integral units to form one dwelling unit and placed on a permanent foundation, but shall not include a mobile home, a park model trailer, or a single detached dwelling constructed on-site.

“Dwelling, Mobile Home”, shall mean a pre-fabricated dwelling unit, constructed to C.S.A. Z240 standards or its successor standard, occupied or designed for occupancy by one or more persons on a permanent basis, designed to be towed on a trailer on its own chassis, as a whole or in separate sections to be joined together to form one dwelling unit and placed on a permanent foundation, but shall not include a park model trailer or a trailer otherwise designed or a modular home or single detached dwelling constructed on-site.

“Dwelling, Multi-unit”, shall mean a dwelling designed, intended or used for occupancy by 2 or more households living independently of each other in individual dwelling units but excludes any other dwelling as may be defined herein.

“Dwelling, Seasonal Farm Worker”, shall mean a dwelling that is used ~~for not more than 9-months within a 12-month period in any given year~~ for the temporary housing of seasonal farm labour, and their families, who are employees of the owner or operator of a farm and may include a mobile home, bunkhouse or similar dwelling. **For the purposes of this By-law, a Dwelling, Farm Worker shall not include a Boarding / Rooming House.**

~~**“Dwelling, Secondary Suite”**, shall mean a self-contained space or enclosure, within a single detached dwelling, semi-detached dwelling or accessory building, designed for habitation by a person or household, and which shall contain at least one room, a kitchen and sanitary facilities designated for the use of its occupants. Secondary suites may be designed to be used by next-of-kin or a dependant, or may be designed to be used as a separate dwelling unit to be used by an independent person or household.~~

“Dwelling, Semi-detached”, shall mean a dwelling that is divided vertically into 2 dwelling units, each of which has an independent entrance either directly or through a common vestibule.

“Dwelling, Single Detached”, shall mean a free-standing, separate, completely detached building consisting of one dwelling unit and may contain an additional residential unit ~~dwelling unit designed, used, or intended for occupancy by not more than one household.~~

“Dwelling, Stacked Townhouse” shall mean a building designed to contain three (3) or more dwelling units attached side by side, with each dwelling unit having a separate private entrance from the exterior or common vestibule.

“Dwelling, Street Townhouse”, shall mean a townhouse with each unit on a separate lot and having legal frontage on a public road.

“Dwelling, Townhouse”, shall mean a dwelling that is divided vertically into 3 or more dwelling units, each of which has a separate entrance at grade, and so located on a lot that the individual units are not required to have legal frontage on a public road, but shall not include a linked dwelling.

“Effective Date”, shall mean the date that this By-law shall be deemed to come into full force and effect pursuant to the *Planning Act*.

“Emergency Care Shelter”, shall mean an institutional use that provides a means of immediate, temporary accommodation and assistance for a short-term period, generally less than six weeks for the majority of the residents. "Emergency care establishments" are distinct from "group homes" in that the former has a shorter length of stay, and that their capacity usually exceeds eight residents (excluding staff or the receiving family).

“Erect”, shall mean to build, construct, reconstruct, alter or relocate and, without limiting the generality of the foregoing, may include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

“Established Building Line”, shall mean the average setback between 5 existing dwellings on the same side of the street that are no more than 150 m apart.

“Existing”, shall mean existing as of the effective date of the passing of this Bylaw, **being XXXX**.

“Factory Outlet”, shall mean a building or part thereof accessory to, and clearly secondary to, an industrial use or a service trade, wherein products manufactured, produced, processed or stored on the premises are kept or displayed for wholesale or retail sale, or wherein orders are taken for the delivery of such products.

“Fence”, shall mean a wall (other than the wall of a building), gate or other barrier constructed of wood, masonry, metal or combination thereof, which may be continuous throughout its entire length where required, save and except where access areas and lines of sight are required for safety purposes.

“Fertilizer Blending Station”, shall mean a building or portion thereof, wherein different grades of fertilizers to be used by farmers are mixed to create compounds for use by the agricultural industry.

“Financial Institution”, shall mean a building or structure designed, used or intended for use where money is deposited, withdrawn, kept, loaned, invested, and/or exchanged and, without limiting the generality of the foregoing, includes a bank, trust company, credit union or an investment or brokerage firm, but shall exclude automated teller machines.

“Firing Range / Paintball Park”, shall mean the use of land for any form of play, sport or amusement involving firearms, pellet or paint ball guns, crossbows or other similar devices for target practice or simulated war games.

~~**“Flea market and Antique Fair” shall mean the use of land, buildings or structures open to the general public and operated for gain or profit, for the sale of general merchandise, food, goods, crafts, antiques and wares, and may include outdoor displays and shows, including the display of antique or custom motor vehicles, and may include the sale of prepared food out of a building or portion thereof for consumption on the premises, but shall not include a retail store or any other use more specifically defined in the Bylaw.**~~

“Floor Area”, shall mean the sum of the areas of all floors of a building or structure measured from the outside of all exterior walls. In the case of a dwelling, the floor area shall be exclusive of any attic, cellar, garage, verandah, porch or sunroom unless such enclosed porch or sunroom is an integral part of the dwelling and habitable in all seasons and excluding any floor area with a ceiling height of less than 2 metres. 'Gross Floor Area' shall have the same meaning as 'Floor Area'.

“Food Service Vehicle” shall mean any vehicle from which ready-made food is sold for consumption by the public offsite and includes, without limiting the generality of the foregoing, wagons, trailers and trucks, but does not include push carts, bicycle carts or other similar devices which rely on human motive power to move from one point to another or a restaurant as defined elsewhere in this By-law.

“Forestry Use”, shall mean the use of land for the raising and harvesting of wood and, without limiting the generality of the foregoing, may include the raising and cutting of fuel wood, pulp wood, lumber, trees and other forest products.

“Fruit & Vegetable Stand”, shall mean a temporary structure, designed and erected in a manner so as to be readily portable and open to the air on at least one side primarily for the purpose of the sale of produce during the season in which it is harvested.

“Funeral Home”, shall mean a building designed, used or intended for use wherein a licensed undertaker prepares corpses for interment, and may include a chapel for funeral services.

“Garage, Government”, shall mean a municipal or provincial facility used for the storage and servicing of road construction and maintenance equipment and materials.

“Garage, Private”, shall mean a building or structure or part thereof designed, used or intended for the storage of not more than 3 private motor vehicles and the storage of household equipment incidental to residential occupancy, wherein no service for profit is rendered. Additional associated terms are as follows:

- a) **Garage, Attached**: shall mean a private garage accessory to a dwelling unit on the same lot and attached thereto by a common wall and / or common roof structure.
- b) **Garage, Detached**: shall mean a private garage accessory to a dwelling unit on the same lot, but not attached to the dwelling unit by a common wall and / or common roof structure

“Garage, Public”, shall mean a building or structure designed, used or intended for use where motor vehicles are repaired or stored for remuneration, and may include the complete repair to motor vehicle bodies, frames, or motors, and the painting, upholstering, washing, and cleaning of such vehicles, and may include the accessory sale of no more than 3 motor vehicles.

“Garden Centre”, shall mean the use of land, buildings or structures designed, used or intended for the purpose of buying and selling lawn and garden equipment, furnishings, supplies and related garden or nursery material.

“Garden Suite”, ~~shall mean a single secondary dwelling that is accessory to a main single detached dwelling and that is intended to be occupied by the next of kin of the owners of the main dwelling as a place of residence for a limited period of time and designed to be portable and, thereafter, removed from its site or converted to a non-residential use.~~ shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable and is erected in accordance with Section 39.1 of the Planning Act. A Garden Suite is not an additional residential unit.

“Gas Station”, shall mean a building or structure designed, used or intended for the sale of gasoline, propane, oil, and similar products for motor vehicles, but shall not include provisions for motor vehicle repairs, oil changes, lubrications, or similar mechanical services.

“Golf Course”, shall mean the use of land for the purpose of playing golf and without limiting the generality of the foregoing may include a golf driving range, a miniature golf course or combination thereof.

“Grade Level”, shall mean, when used with reference to a building, the average elevation of the finished surface of the ground, and when used with reference to a structure means the average elevation of the finished grade of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment or entrenchment, and when used with reference to a road means the elevation of the road established by the authority having jurisdiction.

“Greenhouse, Commercial” shall mean a building used for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outside on the same lot containing such greenhouse, and are sold, at wholesale directly from the lot.

“Greenhouse, Farm” shall mean a building used for the growing of plants, shrubs, trees and similar vegetation which are transplanted outside on the same lot containing such greenhouse.

~~**“Group Home – Type 1”**, shall mean a dwelling licensed or funded under a federal or provincial statute for the accommodation of 3 to 10 persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition, require a group living arrangement for their wellbeing.~~

~~**“Group Home – Type 2”**, shall mean a dwelling licensed or funded under a federal or provincial statute for the accommodation of 3 to 10 persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their legal status either being on probation or parole, require a group living arrangement as a condition of their legal status.~~

“Group Home” shall mean a dwelling used to provide supervised living accommodation as per the requirements of its residents, which is licensed or funded under the Province of Ontario or Government of Canada legislation, for a maximum of ten (10) persons, exclusive of staff, living together in a single housekeeping unit.

“Grouped Housing”, shall mean 2 or more **separate single detached dwelling units** located on the same lot, and are retained under one ownership.

“Habitable Room”, shall mean any room designed, used or intended to be used for living, sleeping, cooking or eating purposes and where the ceiling height is at least 2.3 m over one-half the floor area.

“Hazard Lands”, shall mean lands **that, because of their physical characteristics in combination with their location, pose a risk for the loss of life, property damage, environmental disruption and/or social disruption, if developed. which exhibit a hazardous condition as a result of their instability; susceptibility to flooding, erosion, subsidence; or the presence of organic soils; or steep slopes and includes lands lying below the regulatory flood line as established from time to time by the conservation authority having jurisdiction and may include lands within the draft Regulation Limit of the conservation authority having jurisdiction.**

"Height", shall mean, when used with reference to a building or structure, the vertical distance between finished grade at the front of such building or structure to the highest point thereon. Where an irregular finished grade occurs abutting the building, the average depth of finished grade shall be used in calculating the building height. The highest point shall be determined as follows: ~~the horizontal plane through grade level and a horizontal plane through:~~

- a) the highest point of the roof assembly in the case of a building with a flat roof or a deck roof;
- b) In the case of a mansard roof, the deck roof line.
- c) In all other cases, the median level between eaves and ridges.
- d) ~~the average level of a one slope roof, between ridge and the eaves, provided that such roof having a slope of less than 20 degrees with the horizontal shall be considered a flat roof;~~
- e) ~~the average level between eaves and ridges in the case of a roof type not covered in subsections a) and b).~~

"Hereafter", shall mean after the date of the passing of this By-law, being XXX.

"Herein", shall mean anywhere in this By-law.

"Hereof / Hereto", shall mean of this By-law and to this By-law respectively.

"Home Occupation", shall mean an occupation or business secondary to a permitted residential use, conducted for gain or profit and located entirely within a dwelling unit by any permanent resident of said unit. A Home Occupation shall not include or permit the following: a clinic, a retail store, a service shop, a restaurant, a bed and breakfast establishment, a funeral home, a dance school, a workshop, a storage yard, a parking area, or a site for any of the building or construction trades.

"Home Industry" shall mean an occupation secondary to a residential use, conducted for a profit or gain and located in whole or in part in an accessory building to a single detached dwelling, which occupation may include an electrical shop, woodworking, window frame, welding, plumbing, machine shop, or other similar use.

"Hotel", shall mean lands, buildings or structures used or indented to be used for the purposes of supplying temporary living accommodation, or no less than 6 bedrooms, to the public, for a fee, and may include, a restaurant, convention and banquet facilities and 1 accessory dwelling unit for the owner or operator of the hotel and includes all such establishments as defined by the *Hotel Registration of Guests Act*, or its successor.

"Industrial Mall", shall mean a building or group of buildings designed, used or intended for use which are held in single ownership or by participants in a condominium corporation or cooperative, and divided into units for separate and independent occupancy by industrial uses for which common loading and parking facilities and other common services may or may not be provided.

"Industrial Facility, Class I" shall mean a building or structure used during the day time only for a small scale, self-contained plant which produces or stores a product, has a low probability of fugitive emissions, with infrequent movement of products and/or heavy trucks, and which contains no outside storage. The outputs of a Class I Industrial Facility are infrequent and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration.

“Industrial Facility, Class II” shall mean a building or structure used for medium scale processing and manufacturing with outdoor storage of wastes or materials and/or periodic outputs of minor annoyance, including either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. A Class II Industrial Facility may include shift operations and frequent movement of products and/or heavy trucks during daytime hours.

“Industrial Facility, Class III” shall mean a building or structure used for large scale manufacturing or processing, characterized by large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. A Class III Industrial Facility has frequent outputs of point source and fugitive emissions of significant impact.

~~**“Industrial Use, General”**, shall mean the use of land, buildings, or structures designed, used or intended for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, distributing, warehousing, storing or adapting for sale any goods, substance, article or thing, including the storage of building and construction equipment and materials.~~

~~**“Industrial Use, Light”**, shall mean the use of land, buildings or structures designed, used or intended for the manufacturing, assembling, or processing of component parts to produce finished products suitable for retail, wholesale or service trade and includes repairing, servicing, distributing, warehousing, storing or adapting for sale any good, substance, article or thing but does not include operations which create a nuisance as a result of an emission that can be smelled, heard or otherwise detected outside of the building or structure in which the use is conducted.~~

“Institutional Use”, shall mean the use of land, buildings or structures designed, used or intended for public or social purposes but not **solely** for commercial purposes and, without limiting the generality of the foregoing, may include governmental, religious, educational, charitable, philanthropic or other similar uses, **and which may include a secondary commercial use, such as a gift shop, cafeteria, restaurant, or other similar use.**

“Landing Strip”, shall mean the use of land for the landing and taking-off of aircraft.

“Landscaped Open Space”, shall mean open space used for the growth and maintenance of grass, flowers, shrubbery and other landscaping materials, both natural and artificial, and includes any surfaced walk, patio, or similar area but does not include any access driveway or ramp, parking area, deck or any open space beneath or within any building or structure.

“Laundry Establishment”, shall mean a building or structure designed, used or intended for the washing, drying, ironing and finishing of laundered goods and where no odours, fumes noise or vibration which create a nuisance outside the building are emitted and may include a self-service, coin-operated Laundromat.

“Library” shall mean a building or structure, designed, used or intended to be used as a library, branch library or distributing station operated under the *Public Libraries Act* **or its successor.**

“Lifestyle Community”, shall mean the use of land, buildings or structures designed, used, or intended for residential purposes, including the locating, keeping or maintaining of any mobile home, modular home, and is suitable for year-round occupancy, and where common areas and facilities may be provided including a retail store and **one (1)** single detached dwelling.

~~“Liquid Manure Storage Facility”, shall mean a building or structure designed, used, or intended for the storage of manure accessory to an agricultural use, and may include a concrete or metal holding tank or earth excavation commonly known as a lagoon.~~

“Livestock”, shall mean animals kept for use, for propagation, or for intended profit or gain and, without limiting the generality of the foregoing, may include cattle, horses, swine, sheep, laying hens, chicken and turkey broilers, turkeys, goats, geese, ducks, mink, **game animals, ratites**, and rabbit, but excludes household pets raised or housed for recreational or hobby purposes.

“Livestock Facility” shall mean one or more barns or permanent structures with livestock occupied portions, intended for keeping or housing of livestock. A livestock facility also includes all manure or material storages and anaerobic digesters.

“Long Term Care Facility”, shall mean a building or structure designed, used or intended for use where accommodation is provided for the sick, elderly or infirm and which provides long term health, social and similar care for such persons and may include a retirement home, home for the aged, nursing home, rest home and all such facilities operated under the *Long Term Care Act*, the *Charitable Institutions Act* and the *Homes for the Aged* and *Rest Homes Act*.

“Lot”, shall mean a parcel or tract of land:

- a) which is the whole of a lot on a registered plan of subdivision, so long as such registered plan is not deemed, pursuant to the *Planning Act*, not to be a registered plan of subdivision; or
- b) which is all of the land held or owned under distinct and separate ownership from the ownership of the fee or equity of redemption in abutting land; or
- c) the description of which is the same as in a Deed or Transfer which has been given consent pursuant to the *Planning Act*; or
- d) is the whole remnant remaining to an owner or owners after a conveyance made with consent pursuant to the *Planning Act*; or
- e) is a vacant land condominium unit on a registered vacant land condominium plan; and

For the purposes of this definition, no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or had been conveyed to or acquired by the Municipality, ~~Her~~ **His** Majesty in Right of Ontario, or ~~Her~~ **His** Majesty in Right of Canada.

~~“Lot Area”, shall mean the total horizontal area within the lot lines of a lot, except in the case of a corner lot having street lines rounding at the corner lot area of such lot shall be calculated as if the lot lines were projected to the point of intersection thereof.~~

“Lot, Corner”, shall mean a lot situated at the intersection of and abutting upon 2 roads which intersect at an angle of not more than 135°.

“Lot Coverage”, shall mean the percentage of the area of any lot upon which buildings or structures are erected, or may be erected, measured at grade level including all covered porches, verandas, terraces, decks, but not including an uncovered deck, porch, veranda, terrace or an outside swimming pool or hot tub.

“Lot Depth”, shall mean the horizontal distance between the front and rear lot lines. Where these lines are not parallel, lot depth shall be the length of a straight line joining the mid- points of the front lot line and the rear lot line. Where there is no rear lot line, lot depth shall mean the length of a **perpendicular** straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

“Lot Frontage”, shall mean the horizontal distance **between the side lot lines measured at right angles. Where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage shall be measured by a line 6 metres back from and parallel to the chord of the lot frontage (i.e., the horizontal straight line distance between the side lot lines measured along the front lot line).** ~~measured at right angles between the side lot lines or the extension thereof of a lot where the side lot lines are parallel. Where such side lot lines are not parallel, lot frontage shall be measured perpendicularly to the line joining the mid-point of the front lot line and the mid-point of the rear lot line at a point 6 m back from the front lot line, and where such side lot lines meet, lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines to the mid-point of the front lot line at a point 6 m back from the front lot line.~~

“Lot, Interior”, shall mean a lot other than a corner or through lot.

“Lot Line”, shall mean the boundary lines of a lot.

“Lot Line, Front”, shall mean a lot line that abuts the street except that:

- a) in the case of a corner lot, the shorter lot line that abuts the street shall be deemed the front lot line and the longer line that abuts the street or unopened road allowance shall be deemed to be the exterior side lot line.
- b) in the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street or abuts a County Road shall be deemed to be the front lot line;
- c) in the case of **a corner lot with two street lines of equal lengths and where** both streets **are being** under the same jurisdiction and of the same width, **the following shall apply: a lot with an existing building or use,** the front shall be deemed to be the frontage as indicated on the municipal address of the use or building **on the lot;** or
- d) a lot without an existing building or use, the Municipality may designate either street as the front lot line.
- e) ~~in case each such lot lines should be of equal length the front lot line shall be deemed to be the front lot line as established in the block by prior construction.~~
- f) In the case of a through lot, the shorter boundary dividing the lot from the road shall be deemed to be the front lot line and the longer boundary shall be deemed to be the rear lot line.
- g) In **the case of a through lot, where** each of such lot lines **dividing the lot from the road** should be of equal length, the front lot line shall be deemed to be the front lot line as established in the block by prior construction.
- h) For the purposes of this By-law, in no case shall a lot line that abuts **Provincial Highway Number** 402 be considered a front lot line.

“Lot Line, Rear”, shall mean the lot line farthest from and opposite to the front lot line. In the case of a lot abutting a street on more than two sides, the rear lot line shall mean the rear lot line as established by prior construction or may be a point.

“Lot Line, Side”, shall mean a lot line other than a front lot line or rear lot line. ~~In the case of a corner lot, the side lot line dividing the lot from the street shall be deemed to be the exterior side lot line and the other side lot line shall be deemed to be the interior side lot line, or may be a point.~~

“Lot Line, Exterior Side”, in the case of a corner lot, shall mean a side lot line dividing the lot from the street.

“Lot Line, Interior Side”, shall mean a side lot line dividing the lot from an adjacent lot.

“Lot, Through”, shall mean a lot bounded on opposite sides by roads; provided, however, that if any lot qualifies as being both a corner lot and a through lot, such lot shall be conclusively deemed to be a corner lot.

“Machine Shop”, shall mean a building or structure designed, used or intended for use where equipment and machinery and/or small engines are serviced or repaired.

“Main Building”, shall mean a building or structure designed, used or intended for the ~~principle~~ **principal** use of the lot.

“Main Use”, shall mean the ~~principle~~ **principal** purpose for which any land, building or structures is designed, used or maintained.

“Main Wall”, shall mean the exterior front, side, or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof, but shall not include structures which are otherwise permitted as encroachments in yards, unless such structures require a foundation below grade.

“Manure Storage” shall mean a permanent storage which is structurally sound and reasonably capable of storing manure and which typically contains liquid or solid manure, and may exist in a variety of locations, materials, covering, configurations, and elevations.

“Market Garden”, shall mean the small-scale use of land, buildings or structures designed, used or intended for the purpose of buying and selling of agricultural products that are produced on the same lot that the market garden is located and may additionally include agricultural products that are grown locally.

“Minimum Distance Separation (MDS I & MDS II) Formulae”, shall mean formulae used for the purposes of determining, in the case if MDS I, the minimum distance required for non-agricultural uses establishing or expanding in proximity to livestock facilities located on a separate lot, and in the case of MDS II, the minimum distance required for establishing or expanding livestock facilities in proximity to non-agricultural uses located on a separate lot.

~~**“Minor Boundary Adjustment”**, shall mean a severance granted for legal or technical reasons such as an easement, a correction of a deed, a quit claim, or a severance to slightly enlarge or reduce a parcel of land, such severance does not create a new lot or increase the usability of the lot in any substantial way.~~

“Motor Vehicle”, shall mean a wheeled self-propelled vehicle for the transportation of passengers and goods and, without limiting the generality of the foregoing, may include automobiles, trucks, buses, ambulances, hearses, motor homes and tractors.

“Motor Vehicle, Commercial”, shall mean a wheeled self-propelled vehicle for the commercial transportation of passengers and goods and, without limiting the generality of the foregoing, may include automobiles, trucks, buses, ambulances, hearses, motor homes and tractors.

“Motor Vehicle, End of Life or Inoperable Derelict or Abandoned”, shall mean a motor vehicle that is abandoned, inoperable or is being managed for the purpose of recycling it, reusing it other than as an operable motor vehicle, or disposing it. ~~in a state of disrepair having missing or damaged parts and / or deteriorated body conditions which renders it inoperative and may include a motor vehicle that has been evidently abandoned by its owner and left in a place or state of apparent disuse or disinterest by the owner regardless of whether it is either operable or inoperable or licensed or unlicensed for operation.~~

“Motor Vehicle, Restorable”, shall mean a motor vehicle of such an age, or other unique quality or category, that the owner thereof can demonstrate and has demonstrated a credible intention to restore it to its original or comparable condition and, further thereto, the said motor vehicle is being stored in a manner in keeping with the said intention to restore it.

“Motor Vehicle Sales Establishment”, shall mean the use of land, buildings or structures where motor vehicles are kept for sale or lease and where minor repairs to motor vehicles may be executed or performed.

“Municipal Drain”, shall mean a drain created under the authority of the Drainage Act and constructed by any means, including the improving of a natural watercourse, and includes works necessary to regulate the water table or water level within or on any lands or to regulate the level of the waters of a drain, reservoir, lake or pond, and includes a dam, embankment, wall, protective works or any combination thereof; and shall include both open and closed municipal drains.

“Municipal Water Supply”, shall mean a system of underground piping and related storage, pumping, and treatment facilities, operated by a public authority for public use, and to which a lot has access to make connection thereto.

“Municipality”, shall mean the Corporation of the Municipality of Strathroy-Caradoc.

“Museum”, shall mean a building or structure designed, used or intended for use as a repository for historical artefacts, relics or documents which may be periodically placed on display for public viewing.

“Natural Causes, Destruction by”, shall mean the destruction of part or all of a building, structure or use by a natural event including but not limited to a fire, flood, storm event, falling tree, landslide, or human error but shall not include purposeful destruction / demolition.

“Natural Environment Overlay”, shall mean an area delineated by hatching on a zone map and representative of a natural feature or system.

“Natural Feature”, shall mean a wetland, woodland, watercourse, or hazard land as designated and / or noted in the Official Plan, ~~or mapping from a public agency having jurisdiction.~~

“Non-complying”, shall mean a building or structure which does not comply ~~or agree~~ with the regulations of this By-law, but does not include a non-conforming use, building or structure.

“Non-conforming”, shall mean a use, building or structure which is not ~~a use, building or structure~~ permitted in the zone in which the said use, building or structure is situated.

“Noxious Use”, shall mean a use which because of its nature or the materials used therein is declared to be a noxious trade, business or manufacture and includes as well, without limiting the generality of the foregoing, those uses listed below which are offensive by reason of emission of odour, smoke, dust, noise, gas, fumes, cinders, vibration, refuse matter, or water-carried waste: Abattoir, fowl killing establishment, piggery, blood boiling, bone boiling, animal or fish glue manufacturing, fertilizer factory or fertilizer shipment depot,

tannery, storage of hides, rags, bones, bottles, junk, scrap iron, and other metals, auto wrecking yard, gas manufacturing and distributing plant.

“Nursery”, shall mean the use of land, buildings, or structures designed, used or intended for use where trees, shrubs or plants are grown for the purposes of transplanting, for use as stocks, for building or grafting, or for the purpose of retail or wholesale trade.

“Occupancy”, shall mean to reside in as owner or tenant on a permanent or temporary basis.

“Office” shall mean a building, or part thereof, which is used for the practice of a profession, operating of a business, the conduct of government services or where not conducted on the site, the administration of an industry, including business, professional, commercial offices and government services.

~~**“Office, Professional”**, shall mean a building, or part thereof, in which a personal professional service is performed or consultation given, and includes the offices of a lawyer, an architect, a surveyor, an engineer, a chartered accountant, travel agent, insurance agent, real estate agent, a branch of government (including agencies, boards, commissions and other government services) or the headquarters (regional or branch office) of a business, but does not include a personal service establishment, a clinic, a veterinary clinic or any adult entertainment establishment as defined by this by-law.~~

~~**“Office, Support”**, shall mean a building, or part thereof, in which technical, professional or consulting services are performed to directly serve industrial uses, and includes the offices of supporting engineering, technological, and construction services directly and solely related to industrial uses and an industrial training facility for manufacturing, assembly, processing or repair skills, but does not include personal service establishment, a clinic, a veterinary clinic, or professional office as defined by this by-law.~~

“Official Plan”, shall mean, unless otherwise stated, the Official Plan of the Municipality of Strathroy-Caradoc, as amended.

“On-Farm Diversified Use”, shall mean any use that is secondary to the principal agricultural use of a property, and is limited in area, including, but not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

“Open Space”, shall mean an unoccupied space open to the sky except such land as is used or required for parking purposes other than a private driveway herein, and shall include recreational facilities in residential and institutional zones, landscaped areas, patios, walkways, and residential driveways; but shall not include a commercial parking lot.

“Outside Display and Sales Area”, shall mean an area set aside out of doors, covered or uncovered, to be used in conjunction with an established use or business located in adjacent permanent premises for the display or sale of fresh produce and new goods or merchandise.

“Outside Storage”, shall mean the storage of goods, materials, or equipment in the open air on a lot or portion thereof, in association with a permitted use.

“Owner”, shall mean the person, or persons, who hold legal title to a lot.

“Park”, shall mean a park, playground or playfield including therein one or more athletic fields, field houses, community centres, bleachers, swimming pools, wading pools, greenhouses, botanical gardens, zoological gardens, bandstand, skating rinks, tennis courts, bowling greens, boat liveries, bathing stations, curling rinks, refreshment rooms, camping areas, fairgrounds, arenas, golf courses, or similar uses.

“Park, Private”, shall mean a park not open to the general public, which may be operated for commercial gain.

“Park, Public”, shall mean a park and / or an area of open land, maintained or owned by the Municipality or another public authority for the enjoyment, health and well-being of the public and normally open to the public.

“Parking Lot”, shall mean a lot used or intended for the temporary parking of 2 or more motor vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a road.

“Parking Lot, Commercial”, shall mean an open area other than a street used for the temporary parking of 2 or more vehicles for profit or gain.

“Parking Space”, shall mean a space, whether or not enclosed, ~~having a minimum width not less than 2.6 metres and a minimum length of not less than 5.4 metres, exclusive of aisles, entrance and exit lanes,~~ accessible to a road, **used for the temporary parking of motor vehicles.** ~~and designed, used or intended for being occupied by a motor vehicle .~~

“Parking Space, Accessible (Type A)”, shall mean a parking space intended for the use of persons with disabilities and has signage that identifies the space as “van accessible”.

“Parking Space, Accessible (Type B)”, shall mean a parking space, other than a Type A Accessible Parking Spaces, intended for the use of persons with disabilities.

“Parking Space, Dedicated Electric Vehicle”, shall mean a parking space designed and constructed to be electric vehicle ready, allowing for the future installation of electronic vehicle supply equipment that conforms to Section 86 of the Electrical Safety Code, or its successor.

“Permitted”, shall mean permitted by this By-law.

“Person”, shall mean any individual, company, corporation, partnership, firm, trust, sole proprietorship, government or government agency, authority or entity, however constituted, joint venture, syndicate or any other legal entity, and includes all successors, assigns or other legal representatives of any such entities.

“Personal Care Establishment”, shall mean a building or structure designed, used or intended for use wherein a service is performed directly to an individual, and includes, without limiting the generality of the foregoing, a barber shop, a beauty salon, a tanning salon, a manicurist or a beautician's establishment.

“Personal Service Establishment”, shall mean a building or structure designed, used or intended for use wherein a service is provided for the alteration, care, making of, and repair of wearing apparel, and includes, without limiting the generality of the foregoing, a shoe repair shop, a furrier, or a tailor or dressmaking shop.

“Pet Grooming Establishment” shall mean a building or structure or part thereof, used or intended for the grooming of pets. It may include the following accessory uses; the sale of accessory items related to pets and minor medical procedures such as flea treatments but shall not include a Veterinary Clinic

“Pit”, shall mean any opening, quarrying, or excavation of, or in, the ground, which is licensed under the Aggregate Resources Act, for the purpose of removing soil, rock, sand, gravel, earth, clay, muck, or limestone, and may include the processing thereof such as screening, sorting, washing, crushing and other similar operations.

“Place of Entertainment”, shall mean lands, buildings or structures designed, used or intended for the purposes of a billiard or pool room, bowling alley, ice or roller rink, arcade, and places of amusement, but does not include a cinema or theatre or adult entertainment establishment as defined by this By-law.

“Place of Worship”, shall mean a building or structure designed, used or intended for religious worship and may include a church, mosque, synagogue or temple.

“Planting Strip”, shall mean an area of landscaped open space located immediately adjacent to a lot or portion thereof, on which is situated 1 or more of the following screening devices:

- a) a continuous row of trees;
- b) a continuous hedgerow of evergreens or shrubs;
- c) a berm; or,
- d) an opaque fence, arranged in such a way as to form a dense or opaque screen.

Planting strips shall be landscaped and may be planted with ornamental shrubs, flowering shrubs, flower beds, man-made landscape materials or a combination thereof.

“Porch”, shall mean a roofed, open gallery or portico attached to the exterior of a building.

“Province”, shall mean the Province of Ontario.

“Public Authority”, shall mean:

- a) the Municipality of Strathroy-Caradoc;
- b) the County of Middlesex;
- c) any department or ministry of the Government of Canada or the Province of Ontario;
or
- d) any agency, board, commission, committee, authority or other body established or exercising any power or authority under any general or special statute of Ontario with respect to any of the affairs or purposes of the municipality or a portion thereof and includes any committee or local authority established by by-law of the Council of the Municipality.

“Public Outdoor Patio” shall mean an area outside of a restaurant, club, arena / hall, recreation facility or place of entertainment, covered or uncovered, for the use of the patrons of said establishment which may, or may not, be licensed by the Liquor Control Board of Ontario.

“Public Outdoor Patio, Temporary” shall mean an area outside of a restaurant, club, arena / hall, recreation facility or place of entertainment, covered or uncovered, for the temporary use not to exceed seven consecutive months between April 1 and October 31 annually for the use of patrons of said establishment which may, or may not, be licensed by the Liquor Control Board of Ontario.

“Public Use” shall mean a use carried on by a public authority or public utility on a temporary or permanent basis.

“Public Utility”, shall mean any electric power, telecommunication, railway, or natural gas company or public authority.

“Recreational Facilities”, shall mean lands, buildings or structures designed, used or intended to accommodate one or more leisure or sporting activities and shall include an arena, aquatic centre, tennis, squash and racquetball courts, dance studios and fitness centres.

“Rehabilitation Clinic and Education Centre Accessory to a Wildlife Preserve”, ~~is proposed to be defined as~~ **“shall mean** a building or structure that specializes in providing the necessary care associated with rehabilitating wildlife on-site and may include a viewing / demonstration component for the purposes of providing wildlife rehabilitation education to volunteers and members of the public on a limited basis. The rehabilitation centre / clinic and education centre is not permitted to be open to the general public on a daily basis.

“Renewable Energy System”, shall mean wind, solar, hydroelectric bioenergy, or battery storage projects proposed under an Ontario Electricity System Operator (IESO) or similar program where a Renewable Energy Approval or similar is mandated under the Environmental Protection Act or subsequent legislation for which a site-specific zoning by-law amendment is required.

“Residential Care Home” shall mean a single-detached dwelling in which the proprietor or operator may reside and rooms are available for residency and in which special care is provided directly through its staff or indirectly through another provider, to residents of the facility, some of whom may require special care because of cognitive or physical limitations and excludes any other housing type as may be defined here in.”

“Research & Development Facility”, shall mean a building or structure, designed, used or intended for product and / or process testing and development.

“Residential Use”, shall mean the use of a building or structure as a dwelling.

“Restaurant”, shall mean a building or structure, designed, used or intended for the serving of food or refreshments to the public where the serving and consumption of food or refreshment takes place entirely within such building and may include a dining lounge licensed by the Liquor Control Board of Ontario, and may include take-out service, but does not include drive-through facilities.

“Restaurant, Drive-through or Take-out”, shall mean a building or structure, designed, used or intended for the sale of food or refreshments to the public, and where such food or refreshment may be made available to a person while in his motor vehicle or while within the building, and where provision may be made for the consumption of such food or refreshment by the person while in his motor vehicle, or within the building, or elsewhere on the site.

“Retail Store”, shall mean a building or structure, designed, used, or intended for the selling or buying of goods, wares, merchandise, articles, or things at retail or the providing of a service, primarily to or from the public, and uses accessory thereto and includes all retail stores not defined elsewhere in this By-law.

~~**“Retail Store, Antique” shall mean a retail store devoted to the buying, selling, reselling, of goods in whose value and worth are directly connected to the item’s age, history or heritage value and may include the buying and selling of furniture and furnishings, books, magazines and papers, collectibles, used electronics, and jewellery and accessories.**~~

~~“Retail Store, Apparel & Accessories” shall mean a retail store devoted to the selling of one or more of the following commodities: men’s wear, ladies’ wear, children’s wear, men’s shoes, ladies’ shoes, children’s shoes, lingerie, hosiery, maternity, millinery, furrier, fabric, wool, bridal, apparel accessories (i.e. neckties, purses) or any combination thereof.~~

~~“Retail Store, Arts & Crafts” shall mean a retail store devoted to the selling of art and craft supplies such as paint, paper, stationary, canvass, and related accessories and such use may include the incidental offering of related classes and instruction in the store.~~

~~“Retail Store, Book & Music” shall mean a retail store devoted to the selling of books, magazines, musical recordings and / or musical instruments both new and used and such use may include booking binding, book repair, musical instrument repair and refurbishment services.~~

~~“Retail Store, Brewing” shall mean a retail store where individuals produce beer, wine and / or cider, for personal use and consumption off the premises; and where beer, wine and / or cider ingredients and materials are purchased, and an equipment and storage area is used for a fee by the same individuals.~~

~~“Retail Store, Duplication”, shall mean a retail store engaged in reproducing drawings, plans, maps or other copy, by computer graphics, blueprinting, photocopying or small offset process.~~

~~“Retail Store, Florist” shall mean a retail store devoted to the sale of fresh cut flowers, plants, florist accessories, and artificial flowers and plants and such use may include the incidental raising and arranging of flowers and plants for sale in the store.~~

~~“Retail Store, Food” shall mean a retail store devoted in the sale of food products, without limiting the generality of the foregoing includes grocery store, meat market / butcher, fish market, produce store, candy store, health food store, catering service or a bake shop / bakery, and may include a restaurant but does not include a general retail store.~~

~~“Retail Store, General”, shall mean a retail food store, confectionery, delicatessen, grocery store or groceteria having a gross floor area of 186 m² or less, where a variety of both household and grocery items are offered for sale, primarily to serve the daily needs of people, and may include the rental of videos, an automated banking machine and / or depots for such items as film, laundry or dry cleaning, and an area devoted to food preparation for consumption on or off premises, provided the gross floor area for the sale of food preparation does not exceed 10% of the gross floor area to a maximum of 30 m².~~

~~“Retail Store, Gifts & Novelty” shall mean a retail store devoted to the sale of cards, stationary, scrap book material, ornaments, knick-knacks, curios, and other accessories but does not include a jewellery store.~~

~~“Retail Store, Hardware” shall mean a retail store devoted to the retail sale of goods or materials associated with residential construction, maintenance or repair projects and may include the sale of home appliances, home décor, and home furnishings.~~

~~“Retail Store, Home Appliances” shall mean a retail store devoted to the sale of household equipment such as major and small appliances, electronic devices, computers and audio or visual equipment.~~

~~“Retail Store, Home Decoration” shall mean a retail store devoted to the sale of goods and materials required for decorating the interior of a home or office, including floor, wall and window coverings, lighting fixtures, bathroom and kitchen fixtures, paint and decorating accessories.~~

~~“Retail Store, Home Furnishings” shall mean a retail store devoted to the sale of moveable contents of a room, home or office. Such goods may include furniture, light fixtures, clocks, art, organs or pianos, carpets and indoor window coverings.~~

~~“Retail Store, Jewellery” shall mean a retail store devoted to the sale and setting of jewellery, precious metals and stones, watches, art, clocks, china, crystal, and porcelain items and may include the repair and servicing of such items.~~

“Retail Store, Large Format”, shall mean a building or part thereof, consisting of a minimum gross floor area of 930 m² used for the retail sale of goods, wares, merchandise, and may include accessory eating establishments, and includes all retail stores defined elsewhere in this by-law subject to meeting the minimum area requirement of 930 m², but shall not include a bulk storage and sales establishment or factory outlet as defined by this By-law.

~~“Retail Store, Liquor, Beer & Wine”, shall mean a retail store devoted to the sale of liquor and / or beer and / or wine and accessory related items.~~

“Retail Store, Neighbourhood”, shall mean a building or part thereof, consisting of a maximum gross floor area of 186 m² (2,000 ft²) used for the retail sale of goods, wares and merchandise and includes both retail stores defined elsewhere in this by-law and retail stores not defined in this by-law.

~~“Retail Store, Pet”, shall mean a retail store devoted to the sale of household and / or exotic pets, and accessory items. Such accessory items may include cages or other shelters or enclosures, pet clothing, food, and may include grooming services.~~

~~“Retail Store, Pharmacy” shall mean a retail store which dispenses prescription drugs and which sells, among other things, non-prescription medicines, health and beauty products, and associated sundry items.~~

~~“Retail Store, Thrift / Charity” shall mean a retail store devoted to the buying, selling and reselling of used goods of every nature, either directly or on consignment, but shall not include a motor vehicle sales establishment.~~

~~“Retail Store, Video Rental” shall mean a retail store devoted to the rental of video tapes, DVD, and equipment. Accessory uses may include the sale of video tapes, DVD and equipment or convenience foods, restricted to an area not to exceed 10 m².~~

“Road, Public”, shall mean a common and public highway and includes a bridge forming part of a highway or on, over or across which a highway passes, but does not include an unopened road allowance.

“Road, Private”, shall mean an improved highway, street or road which affords the principal means of vehicular access to a dwelling or a dwelling unit, and which is not under the jurisdiction of the Municipality, the County or the Province.

“Salvage Yard”, shall mean the use of land, buildings, or structures where merchandise, articles and goods or things are stored wholly or partly in the open, kept for sale and/or processed for further use and, without limiting the generality of the foregoing, may include a junk yard, a scrap metal yard, and a motor vehicle wrecking yard.

“School”, shall mean a building designed, used, or intended to be used as an educational or training establishment, which may or may not be under the jurisdiction of a board as defined in the *Education Act*, as amended or revised from time to time.

“School, Commercial” shall mean a school operated by one or more persons for gain or profit specializing in vocational or specialized training such as English as a second language, cosmetic, computer, or music.

“School, Private”, shall mean an educational or training establishment which is not under the jurisdiction of a board as defined by the *Education Act* or its successor.

“School, Public”, shall mean a school operated by and under the jurisdiction of a public authority.

“Sewage Treatment Facility”, shall mean any facility used for the collection, transmission, treatment and disposal of sewage, but does not include individual on-site sewage treatment system within the meaning of Subsection 8.1.2, O.Reg. 403/97 of the *Building Code Act*.

“Self-service Storage Warehouse”, shall mean a building divided into independent storage units rented or leased to persons for the storage of goods, wares, merchandise, foodstuffs, substances, articles or things but shall not include the storage of fuels, solvents, paints or other inflammable substances.

~~**“Secondary Farm Occupation”**, shall mean an occupation accessory to an agricultural use, conducted on a lot for profit or gain within a building other than a dwelling, by persons residing in a dwelling situated on the said lot.~~

“Service Shop”, shall mean a building where appliances and household machinery are serviced, repaired and / or rented, and may include the business premises of a tradesman such as a carpenter, an electrician, a plumber and similar trades but excludes any manufacturing, processing or wholesaling.

“Setback”, shall mean the horizontal distance from the centre line of a road allowance, measured at right angles to such centre line, to the nearest part of any building or structure on a lot.

“Settlement Area” shall mean the urban settlements of Strathroy, Mount Brydges and Melbourne as designated in the Municipality’s Official Plan.

“Shall”, shall always be construed as mandatory.

“Shipping Container”, shall mean an article of transportation equipment, including one that is carried by a chassis, that is strong enough to be suitable for repeated use and is designated to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal shipping containers, body of transport trailer or straight truck box but does not include a motor vehicle.

“Shopping Centre”, shall mean a building or group of buildings designed, erected and managed as a unit and which building or buildings are designed to function as a unit accommodating a minimum of five (5) separate and independent commercial uses.

“Short Term Accommodation”, shall mean a building or structure or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way or concession, permit, lease, license, rental agreement or similar commercial arrangement for any period less than thirty (30) consecutive calendar days, throughout all or any part of a calendar year. Short term accommodation uses may include bed and breakfast establishments but shall not mean or include a motel, hotel, tourist cabin or cottage, hospital, commercial resort unit, village commercial resort unit or similar commercial or institutional use.

“Sight Visibility Triangle”, shall mean a triangular space formed by the intersecting street lines of a corner lot and a line from a point on one of the street lines to a point on the other street line, each point being measured the distance prescribed by this By-law from the point of intersection of the street lines.

“Sign”, shall mean any surface, structure and other component parts, which are used or capable of being used as a visual medium or display to attract attention to a specific subject matter for identification, information or advertising purposes and includes an advertising device or notice.

“Stable”, shall mean the use of land, buildings, or structures for the purpose of riding, training, showing, and boarding of horses and where persons are given instructions in the riding of horses and other aspects of horsemanship.

“Stacking Lane”, shall mean a portion of a drive-through facility, which provides standing room for vehicles in a queue and without limiting the generality of the foregoing this may include a queue for a drive-through restaurant, a drive-through bank, or a drive-through car wash.

“Storey”, shall mean the portion of the building, other than the basement, which lies between the surface of the floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling or roof next above it.

“Storey, First”, shall mean the lowest storey of a building excluding the basement.

“Storey, Half”, shall mean the portion of a building located wholly or partly within a sloping roof, having side walls not less than 1 metre in height, and a ceiling with a minimum height of 2 m over an area equal to at least 50% of the area of the floor next below.

“Street”, please refer to the definition of “Road”.

“Street Line”, shall mean the limit of a road allowance and is the dividing line between a lot and a road.

“Structure”, shall mean any material, object, or work erected as a unit or constructed or put together of connected or dependent parts or elements whether located under, on, or above the surface of the ground, but shall not include a sign, fence or boundary wall.

“Swim School”, shall mean an occupation accessory to a residential use offering group swimming instructions where such services may be provided indoors and / or outside.

“Swimming Pool”, shall mean a body of water located outside contained in whole by artificial means, in which the depth of the water at any point is capable of exceeding 0.6 metres, and has a surface area greater than 1 square metre, and used or capable of being used for swimming, bathing or diving but shall not include a farm pond, irrigation pond or fish pond.

“Taxi Service”, shall mean the use of land, buildings, or structures as a dispatch office or an area, site or location for the parking of taxis and / or limousines when not engaged in the transporting of persons or goods

“Theatre / Cinema”, shall mean a building or structure used for the production and viewing of the performing arts or for the screening and viewing of motion pictures by the public.

“Top-of-Bank”, shall mean a line delineated at a point where the oblique plane of the slope meets the horizontal plane except in the case of the Thames River and Sydenham River where the top-of-bank shall mean the river bank immediately above the elevation of the regulatory flood level. If the regulatory flood level is above the elevation of the general tableland then the top-of-bank line is indefinite.

“Trailer, Park Model”, shall mean a recreational unit that is built on a single chassis mounted on wheels, which is designed to facilitate relocation, is designed as living quarters for seasonal camping only, may be connected to those utilities necessary for the operation of installed fixtures and appliances and which is manufactured in accordance with CSA Z-241 series of standards or its successor. A park model trailer shall only include those recreational units described herein with a gross floor area not exceeding 50 m² when set up, and with a width not exceeding 2.6 m when in transit. For the purposes of this By-law a park model trailer shall not include a mobile home and shall not constitute a dwelling ~~vehicle, including a camper trailer, designed, used or intended for the living, sleeping, eating or accommodation of persons therein for seasonal recreational activity and being either self-propelled or constructed such that it is suitable for being attached to a motor vehicle but does not include a mobile home.~~

“Trailer, Travel”, shall mean a vehicle, including a camping trailer, designed, used, or intended for the living, sleeping, eating, or accommodation of persons therein for seasonal recreational activity and being either self-propelled or constructed such that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle.

“Temporary Buildings & Structures”, shall mean any building or structure designed, used or intended to be used on a non-permanent basis, designed to be removed, relocated, disassembled or reassembled and without limiting the generality of the foregoing may include, tents, portable carports, or structures made of cloth or other like material.

“Truck Camper”, shall mean a portable structure designed to be loaded onto, or affixed to, the bed or chassis of a truck, and capable of providing temporary living quarters for recreation, camping or travel use.

“Truck Terminal”, shall mean the use of land, buildings or structures where transports are stored, rented, or leased, or parked for remuneration or from which trucks or transports are dispatched as common carriers, or where goods are stored temporarily for further shipment.

“Use”, shall mean, when used as a noun, the purpose for which any land, building or structure is designed, used, or intended to be used, or for which it is occupied, used or maintained. When used as a verb, or as in the expression "to use", shall mean anything done or permitted to be done by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant, or agent, acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land, building, or structure.

“Utility Station”, shall mean the use of land, buildings, or structures by a public utility in connection with the supply and distribution of utilities and, without limiting the generality of the foregoing, may include a water or sewage pumping station, a water storage reservoir, an electric power transformer station, a telephone repeater station, but excludes a waste disposal site or a transmission utility corridor.

“Veterinary Clinic”, shall mean a building, designed, used or intended for use by a veterinarian and their assistants for the purpose of providing for the care and treatment of animals raised or housed for recreational, hobby, or agricultural purposes, and without limiting the generality of the foregoing may include dogs, cats, birds and livestock.

“Warehouse”, shall mean a building, designed, used or intended for the storage of goods, wares, merchandise, articles or things and may include the selling or distribution thereof at wholesale.

“Waste Disposal Site”, shall mean any land or land covered by water, licensed under the provisions of the Environmental Protection Act, upon, into, or through which, or building or structure in which, waste is deposited or processed, and any machinery and equipment or operation required for the treatment or disposal of waste.

“Wetland”, shall mean lands that are seasonally or permanently covered by shallow water as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and have favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purpose of this definition.

“Wildlife Habitat / Preserve”, shall mean areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specifically, wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their life cycle; and areas which are important to migratory or non-migratory species.

“Winery, Farm Fruit” shall mean the use of land, buildings or structures for the processing of fruit, fermentation, production, aging and storage of wine and wine related products as a secondary use to a vineyard, where the fruit used in the production of the wine shall be predominantly from the vineyard located on the same land as the farm winery. A farm winery may also include a retail outlet, hospitality room, winery offices and a laboratory.

“Woodland” shall mean treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested area and vary in their level of significance at the local regional and provincial levels.

“Yard”, shall mean a space, appurtenant to a building or structure, located on the same lot as the main building or structure, and which space is open, structurally uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures, or uses as are specifically permitted by this By-law.

“Yard, Exterior Side”, shall mean a side yard immediately adjoining a road.

“Yard, Front”, shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest main wall of any main building or structure on the lot. Front Yard Depth means the least horizontal dimension between the front lot line of the lot and the nearest main wall of any main building or structure on the lot.

“Yard, Interior Side”, shall mean a side yard other than an exterior side yard.

“Yard, Rear”, shall mean a yard extending across the full width of the lot between the rear lot line of the lot and the nearest main wall of any main building or structure on the lot. Rear Yard Depth means the least horizontal dimension between the rear lot line of the lot and the nearest main wall of a main building or structure on the lot.

“Yard, Side”, shall mean a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest main wall of any main building or structure on the lot. Side Yard Width means the least horizontal dimension between the side lot line of the lot and the nearest main wall of any main building or structure on the lot.

“Yard Sale” shall mean the temporary sale of household goods conducted on a residential lot, by the occupant of said lot.

“Zone”, shall mean an area delineated on a zoning map and established and designated by this By-law for a specific use.

“Zone Map”, shall mean a map or maps incorporated in, and constituting part of, this By-law and showing graphically the location and boundaries of zones established together with other explanatory text and symbols.

SECTION 3 ZONES & ZONING MAPS

3.1 ZONE MAPS

For the purposes of this By-law, the maps hereto attached as Schedule "A", Map No. 1 to Map No. 42 inclusive, Schedule "B", Map No. 1 to Map No. 18 inclusive, Schedule "C", Map No. 1 to Map No. 7 inclusive, Schedule "D", Map No. 1 shall be referred to as the "Zone Maps" for the Municipality.

3.2 ZONES & ZONE SYMBOLS

(1) General

The zone maps shall be divided into one or more of the following zones and identified by the accompanying zone symbols:

(2) Residential Zones

- a) ~~Low Density Residential~~ R1
Urban Residential First Density
- b) ~~Medium Density Residential~~ R2
Urban Residential Second Density
- c) ~~High Density Residential~~ R3
Urban Residential Third Density
- d) Lifestyle Community R4
- e) Rural Residential R5

(3) Commercial Zones

- a) General Commercial C1
- b) Highway Commercial C2
- c) Neighbourhood Commercial..... C3
- d) Rural Commercial C4

(4) Industrial Zones

- a) Light Industrial M1
- b) General Industrial M2
- c) Heavy Industrial M3
- e) Rural Industrial M4

(5) Agricultural Zones

- a) General Agricultural A1
- b) Agricultural Small Holdings A2
- c) Agricultural Purposes Only A3
- d) Agricultural Industrial A4

- e) Surplus Dwelling A5

(6) Other Zones

a) Environmental Protection	EP
b) Neighbourhood Institutional,	I1
c) Major Institutional	I2
d) Open Space	OS
e) Public Utility	U
f) Future Development	FD

(7) Natural Environment Overlay

In addition to the underlying zones, lands may be denoted with a Natural Environment Overlay, as noted on the Zone Maps. Lands located within the Natural Environment Overlay are subject to the underlying zone and zone provisions.

3.3 HOLDING SYMBOLS

Where a zone symbol listed in Subsection 3.2 is used in conjunction with the letter “H” on the zone maps, no buildings or structures shall be erected or altered until the “H” symbol has been removed in accordance with the provisions of the *Planning Act*. Notwithstanding the above, the only uses permitted in the interim shall be:

- a) Existing uses; and,
- b) Public uses.

(1) To ensure the order development of the lands, the “H-1” symbol shall not be removed until:

- a) a noise study, following the guidelines established by the Ministry of the Environment, completed to the satisfaction of the Municipality; and
- b) a site plan agreement for the subject lands has been entered into with and to the satisfaction of the Municipality addressing the issues identified under Section 41 of the *Planning Act, R.S.O. 1990, c. P. 13* including the implementation of mitigation or abatement measures identified in the noise study.

(2) To ensure the order development of the lands, the “H-2” symbol shall not be removed until:

- a) a site plan agreement for the subject lands has been entered into with and to the satisfaction of the Municipality addressing the issues identified under Section 41 of the *Planning Act, R.S.O. 1990, c. P. 13*.

Permitted Interim Uses: existing uses.

(3) To ensure the order development of the lands, the “H-3” symbol shall not be removed until:

- a) The Owner shall provide confirmation of the subject lands’ suitability for residential uses through a qualified person which may include but is not limited to the completion of an environmental site assessment, record of site condition and any identified remedial measures, all in accordance with Ontario Regulation 153/04 of the *Environmental Protection Act*; and
- b) a site plan agreement for the subject lands has been entered into with and to the satisfaction of the Municipality addressing the issues identified under Section 41 of the *Planning Act* including the implementation of any identified remedial work in accordance with the foregoing.

Permitted Interim Uses: existing uses.

- (4) To ensure the order development of the lands, the “H-4” symbol shall not be removed until:
- a) a site plan agreement for the subject lands has been entered into with and to the satisfaction of the Municipality addressing the issues identified under Section 41 of the *Planning Act*.

Permitted Interim Uses: existing uses as of July 1, 2013.

- (5) To ensure the order development of the lands, the “H-5” symbol shall not be removed until:
- a) a subdivision agreement, including but not necessarily limited to the requirement for the development to be connected to a public water supply system and a public sanitary sewer system, has been entered into with the Corporation for the affected lands.
- (6) To ensure the order development of the lands, the “H-6” symbol shall not be removed until:
- a) the Municipality receiving confirmation from the Lower Thames Valley Conservation Authority that they are satisfied with the development of the subject lands, and
 - b) a subdivision agreement being entered into with the Municipality for the affected lands.
- (7) To ensure the order development of the lands, the “H-7” symbol shall not be removed until:
- a) a condominium agreement, including but not necessarily limited to the requirement for the development to be connected to a public water supply system and a public sanitary sewer system, has been entered into with the Corporation for the affected lands.
- (8) To ensure the order development of the lands, the “H-8” symbol shall not be removed until:
- a) a traffic study, including but not necessarily limited to the completion of analysis of the traffic and transportation impacts of the development to the satisfaction of the Municipality.
- (9) To ensure the orderly development of the lands, the “H-9” symbol shall not be removed until:
- a) The drainage outlet is complete (fully installed and operational) by municipal drain, storm sewer, or other method that may to the satisfaction of the Municipality.

3.4 TEMPORARY USE BY-LAWS

- (1) Where the symbol “T” followed by a zone symbol listed in Subsection 3.2 appears on Schedules “A” through “D”, it indicates that a Temporary Use By-law has been passed in accordance with the Planning Act, to permit the use of lands, buildings or structures in accordance with the zone represented by that zone symbol within the area indicated. Upon the expiry of the Temporary Use By-law, the underlying zone indicated on Schedule “A” through “D” shall apply.

3.5 DEFINED AREAS

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

3.6 EXISTING STATUS ZONING

- (1) Where an existing use of land does not conform to the land use designations and policies of the Official Plan, it may, at the discretion of the Municipality, be zoned to recognize its existing status, subject to meeting the criteria as set out in the Official Plan. No amendment to the Zoning By-law submitted under the auspices of recognizing the existing status of land shall be permitted except at the time of a comprehensive zoning by-law review completed as part of the requirements of Section 34 of the *Planning Act*.

3.7 EXCEPTIONS FOR DEFINED AREAS

- (1) Within any zone there may apply exceptions with respect to a defined area, in addition to such exceptions, all provisions of this By-law including the general use regulations and the special use regulations applicable to the zone within which the defined area is located shall apply to the defined area. Unless a contrary intention appears from the exception, the following shall apply:
- a) if the exception establishes regulations different from the General or the applicable Zone Provisions of this By-law, the exception shall supersede and prevail over such corresponding provisions and apply to all uses permitted, including any additional permitted uses; and,
 - b) unless indicated by the exception, if the exception establishes one or more specifically permitted uses for the defined area, such permitted use or uses shall be the only purpose or purposes for which land, building or structures within the defined area may be used.

3.8 LOTS WITH MORE THAN ONE USE OR ZONE

(1) More Than One Use

- a) Where a lot contains more than one permitted use defined herein, other than an accessory use, each use shall conform to the provisions of this By-law which are applicable to each use in the zone in which the said lot is located as if such use existed independently of any other use; and,
- b) Where the standards or provisions pertaining to two or more uses on one lot are in conflict, the highest or more restrictive standards or provisions shall prevail.
- c) Notwithstanding Clause a), where a lot contains a Shopping Centre or an Industrial Mall, as defined by this By-law, the parking requirements of said lot shall be based on the parking requirements for a Shopping Centre or Industrial Mall as opposed to each individual use contained in said Shopping Centre or Industrial Mall.

(2) More Than One Zone

- a) Where a lot is divided into 2 or more zones, each portion of the said lot shall be treated as if it were a separate lot as defined herein and shall be used in accordance with the provisions of this By-law which are applicable to the zone wherein such portion of the said lot is located; and,
- b) Notwithstanding anything to the contrary in paragraph a) of this clause, where the use(s) of a lot are divided into 2 or more zones and are permitted in all zones applying to the lot, the said lot shall be considered to be a single lot as defined herein. The more restrictive zone requirements pertaining to such use or uses in all the said zones shall apply to only the said portion of the lot found in that zone.

3.9 ZONE BOUNDARIES

Zone boundaries, are construed to be property lines, lot lines, centrelines of the road allowance, railway right-of-ways, or boundaries of registered plans as interpreted in accordance with the zone maps. Where uncertainty exists as to the location of the boundary of any of the said zones as shown on the zone maps, the following shall apply:

(1) Lot Lines

Where the zone boundaries on the Zoning Maps are approximately lot lines, the said lot lines shall be construed to be the zone boundaries unless the said boundaries are otherwise indicated on the maps.

(2) Schedule Limits

The limit of any map comprising any Schedule forming part of this By-law as shown on the Map Index of such Schedule shall be deemed to be the boundary of the Zone adjoining such limit.

(3) Symbol of Zones

Where one symbol is used on the Zone Maps to indicate the zone classification of an area divided by a road, watercourse or other right-of-way the said symbol shall be deemed to be the boundary of the Zone adjoining such limit.

(4) Centreline of Roads, Railways & Watercourses

Unless otherwise indicated, a road, railway or water course included on the zone maps is included within the zone of the adjoining lands on either side thereof. Where such road, railway or water course serves as a boundary between two or more different zones, a line midway in such road, railway or water course and extending in the general direction of the long division thereof is considered the boundary between zones unless specifically indicated otherwise.

(5) Boundaries Other Than Roads, Railways or Lot Lines

Where a zone boundary is not a road, lot line or railway right-of-way, and a specific measurement indicating the position of the said boundary is not shown on the Zone Map, or indicated in the text of the By-law, the position thereof shall be determined by scaling from the zone map located in the Office of the Chief Building Official. The centreline of the boundary line shall be used for purposes of scaling.

(6) Wetland & Hazard Land Boundaries

The Environmental Protection Zone is deemed to be the limits of the natural feature it represents, as mapped by the appropriate authority and noted in the Official Plan. Where a dispute arises regarding the zone boundary of the Environmental Protection Zone, the Municipality shall refer to the most current mapping of the appropriate conservation authority or the Ministry of Natural Resources to determine the actual extent of the natural feature and the corresponding zone.

3.10 ZONE BOUNDARIES: WHEN AMENDMENT IS NOT REQUIRED

(1) Consents to Facilitate Minor Boundary Adjustments

Where consent has been granted for the purpose of a minor boundary adjustment, as defined by this By-law, the appropriate zoning shall extend to incorporate the lands which are severed and merged without the requirement for an amendment to this By-law.

(2) Closed Road & Abandoned Railway Right-of-Ways

Where the land formerly included in a road or railway right-of-way is indicated as a zone boundary and is purchased by an abutting landowner, or landowners, said lands shall be incorporated in the abutting zone or zones to which the land has been conveyed, without the requirement for an amendment to this By-law.

(3) Referral of an Environmental Protection Zone Boundary

Where the boundary of the Environmental Protection Zone has been realigned as a result of referral as described in Subsection 3.9 f), the appropriate zoning shall extend or retract in a linear fashion as per the referral without the requirement for an amendment to this By-law.

(4) Exception

Notwithstanding Subsections 3.10 (1), (2) or (3), should said consent, conveyance or referral create a situation of non-compliance or non-conformity with any provision of this By-law, there shall be no exemption from the requirement of an amendment to this By-law.

3.11 Grammar Changes

- (1)** In the event an obvious grammatical or graphical error has been made in the preparation of this By-law the Chief Building Official or designated Administrator of this By-law may interpret the intent of this By-law in a reasonable manner without amendment to this By-law.

SECTION 4 GENERAL PROVISIONS

4.1 APPLICATION

- (1) The provisions of this section apply in all zones except as may be indicated otherwise by this By-law.

4.2 ACCESSORY USES **BUILDINGS AND STRUCTURES**

Unless otherwise stated in the zone provisions, the following provisions shall apply to accessory uses:

(1) **Accessory Uses ~~Buildings and Structures~~ Permitted in All Zones**

Where this By-law permits a lot to be used or a building, structure or part thereof to be erected or used for a purpose, that purpose shall include any building, structure or use accessory thereto provided that no accessory building, structure or use:

- a) shall be used for human habitation, except in the case of an **additional residential unit** ~~secondary suite~~ **that may be located within an accessory building**, subject to the provisions of Subsection 4.56(5);
- b) shall, with the exception of buildings and structures for agricultural uses, be erected closer to the front lot line or side lot lines than the minimum distance required by this By-law for the main building or structure on the lot;
- c) shall, with the exception of buildings and structures for agricultural uses, be erected in the front yard or exterior side yard in the case of a corner lot;
- d) shall not be considered accessory if attached to the main building in any **way** ~~except in the case of a private garage in a residential zone which, if attached to the main building, shall be considered an accessory use.~~

~~Notwithstanding the above, a home occupation, secondary farm occupation, open storage or secondary suite shall not be considered an accessory use.~~

(2) **Lot Coverage / Maximum Size**

The maximum lot coverage / size of accessory buildings or structures shall be subject to the following:

Zone	Maximum Size
Residential Zones (any size) and A2 Zone where the lot size is 4 0.5 ha or smaller	15% of the lot coverage but and not exceeding 80% of the ground floor area of the dwelling including the attached garage (calculation of floor area shall exclude any attached private garage). This shall not apply to additional residential units.
Residential Zones and A2 Zone where the lot size is greater than 0.5 ha	7% of the lot coverage and not exceeding ground floor area of the dwelling including the attached garage. This shall not apply to additional residential units.
Commercial / Other Zones	Not exceeding the size of the main building

Agricultural / Industrial Zones	No maximum size
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(3) Garages, Private

- a) Private garages shall be ~~deemed to be an accessory use in~~ **permitted in** all Residential Zones, and the A1 and A2 Zones, where a lot in the subject zones has an attached or detached private garage located thereon, the following shall apply:

	Zone	Requirements		
		Maximum Width	Minimum Front / Exterior Side Lot Line Setback	Minimum Rear / Interior Lot Line Setback
a)	R1	None	6 m	1.2 m attached private garage
b)	R2			0.6 m detached garage 1.2 m habitable building 0.6 m non-habitable building
c)	R3	40% of lot frontage	6 m	1.2 m attached private garage 0.6 m detached garage 1.2 m habitable building 0.6 m non-habitable building
d)	R5	None	15 m	1.2 m attached private garage 0.6 m detached garage 1.2 m habitable building 0.6 m non-habitable building
e)	A1	None	Subject of Subsection 4.2(1) and the zone provisions	1.2 m attached private garage
f)	A2			0.6 m detached garage 1.2 m habitable building 0.6 m non-habitable building

- b) Notwithstanding **Section 4.34 ~~Yard Encroachment~~**, architectural adornments including but not limited to: sills, belt courses, cornices, eaves, gutters, chimneys, & pilasters are permitted to encroach into all yards ~~may only~~ up to half the required distance to the property line to a maximum of 0.475 m.
- c) **Attached private garages shall not be larger than the ground floor area of the main dwelling.**

(4) Private Garages, Existing

Notwithstanding the provisions of Subsection 4.2 (2) and 4.2 (3) where an existing lot has an attached or detached private garage with a lesser setback or greater maximum width than required, and it is used for residential purposes, the private garage and dwelling may be altered or expanded providing all other requirements of this By-law are complied with. The private garage will be deemed to conform to the By-law with respect to the minimum setbacks and maximum width.

(1) Height Restrictions

No accessory building or structure in any zone other than an Industrial or Agricultural Zone shall exceed ~~4.5 m~~ 5.0 m in height or the height of the main building, whichever is the lesser.

(2) Yard Requirements

Any accessory building or structure shall comply with the zone requirements and all other provisions applicable to the zone in which such accessory building or structure is located, except that nothing in this By-law shall apply to prevent the erection of:

- a) a building or structure accessory to a single detached, semi-detached dwelling ~~or a linked dwelling~~, anywhere in an interior side yard, exterior side yard or rear yard, provided that such accessory building or structure shall not be located closer to any exterior lot line than the main dwelling or 0.64 m to any other lot line;
- b) ~~Notwithstanding the above, a detached additional residential unit will be subject to the setback requirements of the parent zone.~~
- c) a mutual ~~detached garage~~ accessory building with a party-wall astride a side lot line in a Residential Zone, shall not be located in a front yard, nor closer than 0.64 m to any portion of a rear lot line, unless that portion of the rear lot line adjoins the interior side yard of the adjoining lot, in which case the distance shall be no closer than 4 m, and in no case shall any such accessory building be built closer than 7 m to any street line;
- d) a gatehouse, anywhere in a front yard or exterior side yard in any Industrial Zone;
- e) a kiosk for a parking lot anywhere in a front or exterior side yard in a Commercial, Institutional or Industrial Zone;
- f) an outdoor swimming pool and / or hot tub, in accordance with the provisions of Subsection 4.26 of this By-law;
- g) a boat house or boat dock at the edge of a watercourse;
- h) a satellite dish provided it is not erected in an elevated position which exceeds the maximum height requirement for accessory buildings established in this Subsection, and provided it is located in a rear yard or side yard.

4.3 ACCESS TO A PUBLIC ROAD

The following provisions apply to the access of lots to public roads:

(1) Required Access

No person shall erect any building or structure or otherwise use any lot in any zone unless:

- a) such lot abuts a public road or;
- b) such lot has access to a public road by means of a legally registered right-of-way or easement over an intervening lot or a private common element road integral to a registered plan of condominium; or,

- c) the Province, the County or the Municipality, as the case may be, has issued an entrance permit or otherwise granted permission to provide vehicular access from such lot or from such intervening lot, as the case may be, to the said public road.

4.4 ~~BED & BREAKFAST ESTABLISHMENTS~~

- (1) ~~A bed and breakfast establishment shall be permitted in single detached dwellings in the A, A2, R1 and R5 zones, and unless otherwise stated in the zone provisions, shall be subject to the following regulations in addition to the regulations of the applicable zone:~~
 - a) ~~A bed and breakfast establishment shall be clearly secondary and located entirely within a single detached dwelling;~~
 - b) ~~No more than 2 guest rooms shall be made available to accommodate the public;~~
 - c) ~~Guest rooms shall not occupy more than 25% of the gross floor area of the dwelling;~~
 - d) ~~No bed and breakfast establishment shall create or become a public nuisance, particularly with regard to noise, traffic, parking, light or night time operation, nor shall any open storage be permitted in conjunction with a bed and breakfast establishment;~~
 - e) ~~The bed and breakfast establishment shall be operated only by a person or persons residing in the dwelling as their permanent residence;~~
 - f) ~~A bed and breakfast establishment shall be permitted to display 1 sign in accordance with the Municipality's Sign By-law.~~

4.4 DRIVE-THROUGH FACILITIES

- (1) In addition to the zone requirements, where a drive-through facility is listed as a permitted use, the following provisions shall apply:
 - a) 2 m of landscaped open space shall be provided along the edge of the lot where parking areas, driveways or stacking lanes are adjacent to a public street.
 - b) The landscaped open space, in Subsection 4.5 a) shall form distinctive edge along the lot line, which shall define the lot line against the public street between a height of 30 cm to 60 cm, not including curbing.
 - c) Outdoor loading areas, garbage storage and stacking lanes shall not be located directly adjacent to any non-commercial or non-industrial lot.
 - d) Where pedestrian walkways intersect the drive-thru drive stacking lanes, they shall have clear visibility, and be emphasized by enriched paving or striping.
 - e) Drive-through stacking lanes shall accommodate a minimum length of 6 parking spaces behind the menu board.

4.5 DWELLING UNITS

In addition to the zone requirements, where a dwelling is listed as a permitted use, the following provisions shall apply:

(1) Location Within Non-Residential Buildings

Where a dwelling unit is located within or attached to a non-residential building, such building and dwelling unit shall:

- a) comply with the yard requirements which apply to the said non-residential building; and,
- b) not be located in a basement, cellar or first storey.

(2) Location within a Basement or Cellar

A dwelling unit or part thereof may be located in a basement of a residential building provided:

- a) the finished floor level of such basement is not below the level of any sanitary or storm sewer servicing the building or structure in which such basement is located; and,
- b) said residential building is not located in a "Floodplain" as determined by the Conservation Authority having jurisdiction.

(3) Dwelling Unit Area

No dwelling unit shall be erected or used unless:

- a) in the case of a single detached dwelling, the minimum floor area is 90 m²;
- b) in the case of any other dwelling unit, the minimum floor area shall be 40 m² plus 6.5 m² for each bedroom.

(4) Dwelling Units Per Lot

Where a dwelling unit is a permitted use, a maximum of 1 dwelling unit per lot shall be permitted except in the case where a zone specifically permits more than 1 dwelling unit per lot.

(5) ~~Secondary Suites~~ Additional Residential Units – Residential Zones in Settlement Area

Where an ~~secondary suite~~ additional residential unit is listed as a permitted use, the following shall apply:

- a) Up to two (2) additional residential units may be developed on a lot containing a single-detached dwelling, a semi-detached dwelling, or a townhouse dwelling in the R1, R2, or R3 Zones.
- b) No more than one (1) additional residential unit may be located in a detached ~~accessory~~ building or structure. ~~When located in a main dwelling, the gross floor area of the secondary suite additional residential unit shall not be greater than 80% of the gross floor area of the main dwelling to a maximum of 75m².~~

- c) When located in an ~~detached accessory~~ building or structure, the gross floor area of the ~~secondary suite~~ additional residential unit shall not be greater than 40% of the gross floor area of the main dwelling ~~to a maximum of 75m²~~ and shall not be permitted ~~on the ground floor or~~ below grade.
 - d) When located in a ~~detached~~-accessory building or structure, the additional residential unit shall comply with the requirements of Section 4.2 of this By-law regarding accessory uses.
 - e) An additional residential unit shall be accessed by a walkway that complies with the following provisions:
 - i) The minimum width of the walkway shall be 1.5 metres wide.
 - ii) The walkway shall be provided from a street line to the main exterior entrance, or to stairs leading to the main exterior entrance, of the additional residential unit.
 - f) One (1) off-street parking space shall be required to be provided and maintained for each additional residential unit in accordance with the requirements of Section 4.26 of this By-law.
 - a) No more than one (1) driveway access shall be provided to a property containing an additional residential unit.
 - g) When an ARU is proposed in the R1, R2 and R3 Zone, the maximum overall lot coverage shall be increased to 45%.
 - h) An Additional Residential Unit shall be connected to full municipal services.
- (6) Additional Residential Units – Additional Provisions in Rural Areas**
- Where an additional residential unit is listed as a permitted use in the R5, A1, A2 and A5 Zones the following provisions in addition to section 4.5.(5) shall apply:
- a) When located in a detached building or structure, the additional residential unit shall comply with the Minimum Distance Separation formulae in accordance with the requirements of Section 4.19 of this By-law.
 - b) When located in a detached building or structure, the additional residential unit shall not be located more than 30 metres from the main dwelling.
 - c) Notwithstanding Section 4.5.(5).h), an Additional Residential Unit shall connect to water and septic or sewer services.

4.6 FACTORY OUTLETS

- (1) In addition to the zone requirements, where a factory outlet is listed as a permitted use, the following provisions shall apply:
 - a) Factory outlets shall be permitted in all industrial zones with the exception of the M3 Zone. A factory outlet shall be clearly incidental and secondary to the main industrial use to which it is accessory;

- b) The floor area of a factory outlet shall not exceed a maximum of 186 m² or 40% of the floor area of the industrial use, whichever is lesser. The area of any outside display and sales area shall not be included in calculating the size of the factory outlet;
- c) A factory outlet shall only be located in the main building;
- d) A factory outlet shall be directly related to the manufacturing or warehousing operation associated with the lot;
- e) No factory outlet shall create or become a public nuisance, particularly with regard to traffic, parking, nor shall any open storage be permitted in conjunction with a factory outlet;
- f) The following uses are not permitted as factory outlets:
 - i) Dry cleaning or laundry establishments;
 - ii) Garden centres;
 - iii) Market gardens;
 - iv) Motor vehicle sales establishments;
 - v) Nurseries;
 - vi) Restaurants; and,
 - vii) Salvage Yards.

4.7 FARM WORKER DWELLINGS

- (1) A farm worker dwelling shall be permitted as an accessory use to the principal agricultural use of property in accordance with the following provisions:
 - a) A farm worker dwelling shall be located within a cluster of existing buildings, and in no case shall be located more than 30 m from the main dwelling on the lot.
 - b) Farm worker dwellings shall be only permitted where the size and nature of the agricultural operation requires additional employment and shall be used for full time or seasonal farm help.
 - c) Singular, shared driveway access shall be provided to the farm worker dwelling and the main dwelling on the lot in accordance with the provisions of Section 4.26 of this By-law.
 - d) Sufficient servicing shall be provided.
 - e) Required parking shall be provided in accordance with the provisions of Section 4.26 of this By-law.
 - f) The farm worker dwelling shall comply with the Minimum Distance Separation formulae in accordance with the provisions of Section 4.20 of this By-law.
 - g) The maximum lot coverage for farm worker dwellings shall be 4%, including parking areas.

4.8 FOOD SERVICE VEHICLES

- (1) Where an Industrial or Commercial Zone permits a food service vehicle it shall be subject to the following regulations:
 - a) The lot shall comply with the zone requirements of the subject zone;
 - b) The food service vehicle shall not exceed 19 m² in size;
 - c) A food service vehicle shall be set back a minimum of 3 m from the lot line from which service is being conducted and 1.5 m from all other lot lines;
 - d) No food service vehicle shall be permitted within ~~5~~**100** m from an existing restaurant on a separate lot as defined by this By-law.
 - e) No food service vehicle shall be permitted within ~~5~~**100** m from a Residential Zone.

4.9 GARDEN SUITES

Garden suites are permitted in the A1 and A2 Zones-in accordance with the provisions of Subsection 39.1 of the Planning Act, as amended, and the following provisions:

(1) Lot Requirement

In addition to the Zone Provisions of the A1 and A2 Zones, the following shall apply to Garden Suites:

- a) The minimum lot area for a garden suite shall be 2 ha;
- b) A garden suite shall not be located in a front or exterior side yard of a lot;
- c) ~~A garden suite shall not be permitted on a lot with a detached additional residential unit.~~

(2) Requirement for Agreement

As a condition of passing a by-law authorizing the temporary use of a garden suite under the Planning Act, Council shall require the owner of the suite to enter into an agreement with the Municipality dealing with such matters as Council considers necessary or advisable including:

- a) the installation, maintenance and removal of the garden suite;
- b) the period of occupancy of the garden suite by any of the persons named in the agreement; and,
- c) the monetary security that Council may require for actual or potential costs to the Municipality related to the garden suite.

4.10 GAS STATIONS, MOTOR VEHICLE SALES ESTABLISHMENTS & PUBLIC GARAGES

- (1) In addition to the zone requirements, where a gas station, motor vehicle sales establishment or public garage is listed as a permitted use, the following provisions shall apply:
- a) Subsection 11.4(1) a), c) and Subsection 12.4(4) a) shall not apply, however no parking or outside display and sales area shall be permitted in any required front or exterior side yard.
 - b) 2 m of landscaped open space shall be provided along the edge of the lot where parking areas, driveways and / or stacking lanes are adjacent to a public street.
 - c) The landscaped open space shall form distinctive edge along the lot line, which shall define the lot line against the public street between a height of 30 cm to 60 cm, not including curbing.
 - d) Service-bays, car wash openings, vacuum stations, outdoor loading areas, garbage storage and stacking lanes shall not be located directly adjacent to any non-commercial or non-industrial lot.
 - e) When a retail store is operated in association with a use it shall abut a public street, subject to the setback requirements of the zone.

4.11 GREENHOUSES

- (1) Notwithstanding the zone requirements of an Agricultural Zone, where a farm greenhouse or commercial greenhouse is listed as a permitted use it shall be subject to the following regulations:
- a) The minimum lot area shall be 2 ha;
 - b) The maximum lot coverage shall be 40% of the lot area;
 - c) A greenhouse having a gross floor area greater than 500 m² shall not be permitted unless a site plan agreement has been entered into with the Municipality; **and**
 - d) No manure, compost or equipment may be stored within 30 m of a road allowance, or a watercourse, or a residential use on an adjacent lot; **and**
 - e) **A farm greenhouse shall not be used for human habitation.**

4.12 HEIGHT

(1) **Height Restrictions**

Unless otherwise specifically stated in this By-law, or as set out below, no building or structure shall exceed a height limit of 15 m.

(2) Height Exemption

The height regulation above shall not apply in any Agricultural or Industrial zone or to restrict the height of any of the following structures provided that no such structure, other than a structure for a public use, occupies a maximum 5% of the lot area, where such structure is situated on the roof of a building, 10% of the roof area, and provided no such structure contains a habitable room.

- | | | | |
|----|--------------------|----|--|
| a) | Antenna | k) | Ornamental dome |
| b) | Belfry | l) | Roof-top structure containing a stairway enclosure or heating, cooling or other mechanized equipment |
| c) | Chimney | m) | Silo |
| d) | Church spire | n) | Skylight |
| e) | Clock tower | o) | Solar Panels |
| f) | Construction crane | p) | Steeple |
| g) | Cupola | q) | Telecommunications tower |
| h) | Transmission tower | r) | Water storage tower |
| i) | Flag pole | s) | Wind Energy Generation System |
| j) | Solar collector | | |

4.13 HOME INDUSTRIES

- (1) A home industry shall be permitted in the R5, C4, A1, and A2 Zones, and unless otherwise stated in the zone provisions, shall be subject to the following regulations in addition to the regulations of the applicable zone:

- a) The home industry shall be clearly incidental and secondary to the principal use of the lot.
- b) A home industry shall be carried out by a resident of the dwelling and shall not employ more than two (2) employees not residing within the dwelling to which such home industry is accessory.
- c) No home industry shall occupy any portion of a dwelling.
- d) No home industry shall occupy more than 100 m² of the useable floor area of the building in which it is located. In cases where there is more than one home industry, the cumulative total useable floor area of the building occupied by the home industries shall not exceed 100 m².
- e) There shall be no product on display and no sign shall be permitted other than one (1) non-illuminated sign of 0.5 m² in size in accordance with the Municipality's Sign By-law to advertise the home occupation to the public.
- f) No outdoor storage accessory to a home industry shall be permitted.
- g) No home industry shall be located in a building which is closer than 10 m from an interior lot line.

4.14 HOME OCCUPATIONS

- (1) A home occupation shall be permitted in the A1, A2 and all Residential Zones, and unless otherwise stated in the zone provisions, shall be subject to the following regulations in addition to the regulations of the applicable zone:

- a) The home occupation shall be clearly incidental and secondary to the main residential use of the lot and shall not change the residential character of the dwelling.
- b) Home occupations shall be carried out by a resident of the dwelling and shall not employ more than **one (1)** person not residing within the dwelling to which such home occupation is accessory.
- c) Home occupations shall be located entirely within the dwelling or **within an attached or detached garage, and are not permitted within any** accessory building or structure. ~~No more than 25% of the dwelling unit or 30 m², whichever is lesser, may be devoted to a home occupation.~~
- d) **No more than 25% of the dwelling unit's gross floor area to a maximum of 30 m², whichever is lesser, may be devoted to a home occupation.**
- e) No home occupation shall create or become a public nuisance, particularly with regard to noise, traffic, parking, light or night-time operation, nor shall any open storage be permitted in conjunction with a home occupation.
- f) There shall be no product on display and no sign shall be permitted other than 1 non-illuminated sign of 0.5 m² in size, to advertise the home occupation to the public.
- g) Home occupations shall be limited to such occupations as insurance agents, sales agents, accountants, telephone sales, computer graphics, seamstress / tailor, artist, music teacher, crafts, hobbies, small goods repair, tradesmen, hairdresser / barber, **and caterer / baker, home child care, and unlicensed child care provided in accordance with the requirements of the Child Care and Early Years Act or its successor. Also included is a day care that for remuneration provides temporary care to no more than 5 children or no more than 3 adults.**
- h) The following uses are prohibited as home occupations:
 - i) Boarding / Rooming House;
 - ii) Dry Cleaning Establishment;
 - iii) Garage, Public;
 - iv) Industrial Use;
 - v) Long Term Care Facility;
 - ix) Machine Shop;
 - x) Restaurant;
 - xi) Retail Store;
 - xii) Salvage Yard;
 - xiii) Taxi Service; and
 - xiv) Use of a swimming pool in a Settlement Area

4.15 INFILLING LOTS, RESIDENTIAL

Where a residential lot, or lots, have been created between **five (5)** existing dwellings, other than apartment dwellings, and said existing dwellings are no more than 150 m apart, the following provisions shall apply, unless otherwise stated:

(1) Established Building Line

- a) The established building line shall be the required minimum setback, and the required front yard depth shall be adjusted accordingly.
- b) The maximum setback shall be no more than 1 m greater than the established building line.

(2) Established Building Height & Massing

- a) The maximum height of the proposed dwelling shall be no more than 2 m greater than the average height of the existing adjacent dwellings.
- b) The side exterior walls of the proposed dwelling shall extend no further than 1 m past side wall of adjacent dwelling facing the subject lot.

4.16 LANDSCAPING & PLANTING

(1) Landscaped Open Space

Landscaped open space shall be provided in accordance with the zone provisions set out herein for each zone and the following provisions:

- a) Any part of a lot which is not occupied by buildings, structures, parking areas, loading spaces, driveways, excavations, agricultural uses or outdoor storage areas shall be maintained as landscaped open space.
- b) Except as otherwise specifically provided herein, no part of any required front yard or required exterior side yard shall be used for any purpose other than landscaped open space.
- c) Where landscaped open space of any kind, including a planting strip, is required adjacent to any lot line or elsewhere on a lot, nothing in this By-law shall apply to prevent such landscaped open space from being traversed by pedestrian walkways or driveways.
- d) No part of any driveway, parking area, loading space, stoop, roof-top terrace, balcony, swimming pool or space enclosed within a building, shall be considered part of the landscaped open space on a lot.
- e) Any area used for the tilling of soil, growing of crops, or the grazing of livestock shall be considered as part of the landscaped open space requirement when associated with an agricultural use.

(2) Planting Strips

Where the lot line of a lot containing a non-residential use located in a Commercial or Industrial Zone abuts a lot line containing a Residential, Institutional or Open Space Zone, then that part of the lot line shall be used for no other purpose other than a planting strip having a minimum width of 3 m measured perpendicularly to the said lot line and designed to have an ultimate height of 1.8 m above the elevation of the ground of the Residential, Institutional or Open Space Zone, except within a daylight triangle where the maximum height of any landscaping materials shall be 0.6 m.

4.17 LIGHTING, EXTERNAL

- (1) The type, location, height, intensity and direction of lighting shall be designed to ensure that lighting is confined to the building face, parking area and the vicinity of the site and does not cast glare onto adjacent properties adversely affecting the use of the property or onto an adjacent public street which would pose a vehicular safety hazard.

4.18 LOADING SPACES

In addition to the other provisions of this By-law, the following shall apply to loading spaces:

(1) Loading Spaces Required

The owner or occupant of a lot, building or structure used or erected for any purpose involving the receiving, shipping, loading or unloading of animals, goods, wares, merchandise or raw materials, shall provide and maintain, on the same lot, facilities comprising 1 or more loading spaces in accordance with the provisions of this subsection.

(2) Location of Loading Spaces

Required loading spaces shall be provided on the same lot occupied by the building or structure for which the said spaces are required and shall not form a part of any street or lane. Loading spaces shall be permitted in any yard, except the front or exterior side yard.

(3) Number of Loading Spaces (Minimum)

The number of loading spaces required on a lot shall be based on the total gross floor area of all the uses on the said lot for which loading spaces are required, in accordance with the following:

a)	Less than 250 m ²	0
b)	Greater than 250 m ² up to 7 500 m ²	1
c)	Greater than 7 500 m ² up to 14 000 m ²	2
d)	Greater than 14 000 m ²	3*

*plus 1 additional loading space for each additional 10 000 m² or part thereof in excess of 14 000 m² of gross floor area

(4) Dimensions of Loading Spaces (Minimum)

A required loading space shall have minimum dimensions of 3.5 m by 10 m and a minimum vertical clearance of 4 m.

(5) Access to Loading Spaces

Access to loading spaces shall be provided by means of one or more unobstructed driveways which:

- have a minimum width of at least 3.5 m, regardless of the direction of traffic flow, and provide sufficient space to permit the **maneuvering** of vehicles on the lot so as not to obstruct adjacent streets;
- are contained within the lot on which such loading spaces are located and lead to a public highway; and,
- comply in all other respects with the requirements for driveways providing entrances to parking areas as set out in Subsection 4.27.

(6) Surface and Drainage of Loading Spaces and Driveways

All loading spaces and driveways are to be provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles, including but not limited to:

- a) Crushed stone or gravel or material prescribed by the site plan agreement; and / or
- b) Asphalt, concrete or other hard surfaced material.

All loading spaces and driveways shall be drained so as to prevent the pooling of surface water onto adjacent lots or public highways.

4.19 MINIMUM DISTANCE SEPARATION (MDS) FORMULAE

- (2) All lands within the Municipality shall be subject to MDS I and MDS II; which in the case of MDS I, provides the minimum distance separation for new development from existing livestock facilities; and in the case of MDS II, provides minimum distance separation for new or expanding livestock facilities from existing development.

4.20 SHORT TERM ACCOMMODATION

- (1) Short term accommodations, including bed and breakfast establishments, may be permitted in single detached, semi-detached and townhouse dwellings in the A, A2, R1, and R5 zones, and unless otherwise stated in the zone provisions, shall be subject to the following regulations in addition to the regulations of the applicable zone:
 - a) A bed and breakfast establishment shall be clearly secondary and located entirely within a single detached dwelling;
 - b) A short-term accommodation shall not occur on the same lot as a home occupation, home industry, or accessory building or structure;
 - c) Where permitted, the maximum occupant load of a short-term accommodation use shall be eight (8).
 - d) A short-term accommodation shall be located on a lot with access to a year-round municipally maintained road;
 - e) A minimum of 1-off street parking space shall be required per guest room; and
 - f) A short-term accommodation establishment shall be permitted to display 1 sign in accordance with the Municipality's Sign By-law.

4.21 ON-FARM DIVERSIFIED USE

- (1) In addition to the zone requirements of the applicable zone, where an on-farm diversified use is listed as a permitted use, the following provisions shall apply:
 - a) An on-farm diversified use shall be clearly secondary to the primary farming operation located on the same lot within the applicable zone, are operated by the person(s) residing on the lot, and do not interfere with the farm operation nor conflict with surrounding uses.
 - b) An on-farm diversified use shall only be permitted on lots greater than 4 ha in size.

- c) The size of a permitted on-farm diversified use shall not exceed 2% of the lot area of the farm lot up to a maximum of 1 ha. This shall include the total area of buildings, structures, outdoor storage, landscaped areas, wells and septic systems, berms, laneways, and parking areas used solely for the on-farm diversified use but shall not include those areas shared between the on-farm diversified use and the primary farming operation.
- d) 100% of the area needed for parking areas and outdoor storage for the on-farm diversified use shall be included in the area calculation.
- e) Where an on-farm diversified use uses an existing farm laneway, or parking area, the area of the laneway or parking area shall not be included in the area calculations.
- f) The total gross floor area of all buildings and/or structures used for an on-farm diversified use shall not exceed 20% of the lot area dedicated to the on-farm diversified use.
- g) No more than one non-illuminated sign, may be permitted to indicate to persons outside that any part of the property is being used for a purpose other than residential or agricultural.
- h) None of the following uses shall be considered an on-farm diversified use, except where such uses are specifically permitted in accordance with the provisions of the zone within which the primary farming operation is located:
 - i) Auction Sales Establishment
 - ii) Bulk Sales Establishment
 - iii) Campground
 - iv) Funeral Home
 - v) Garage, Public
 - vi) Golf Course
 - vii) Long-Term Care Facility
 - viii) Motor Vehicle Sales Establishment
 - ix) Motor Vehicle Service Shop
 - x) Park, Private
 - xi) Salvage Yard
 - xii) Taxi Service
 - xiii) Truck Terminal
- i) A veterinarian clinic may be considered an on-farm diversified use where the clinic's primary clientele is the agricultural community.
- j) Only one on-farm diversified use shall be permitted on a lot.
- k) An on-farm diversified use shall be subject to the Minimum Distance Setbacks (MDS) Guidelines, except where an on-farm diversified use does not include agri-tourism, event or food services or provide accommodation on site.
- l) Site plan control shall apply to any development.

4.22 NON-COMPLYING BUILDINGS, STRUCTURES AND LOTS & NON- CONFORMING USES

(1) Expropriations & Dedications

Lots altered as a result of expropriation or dedication to a public authority or public utility and having less than the minimum lot area, lot frontage and / or lot depth required by this By-law, may be used and a building or structure may be erected, altered or used thereon, provided all other regulations of this By-law are satisfied.

(2) Loss By Natural Causes

Where a building or structure is destroyed or partially destroyed by fire or other natural causes, replacement or reconstruction of the said building or structure shall be permitted to the same dimensions and on the same basic site, or in greater compliance with the provisions of this By-law.

(3) Existing Lots

Notwithstanding any other provisions of this By-law, existing lots with less than the required area, lot frontage, or lot depth, or which exceed the maximum lot area, may be used, and buildings and structures erected or altered thereon, for the purpose specified in the zone in which they are situated, provided all other regulations of this By-law are satisfied.

(4) Existing Undersized Lots

Where a lot is created or altered, as a result of a consent being given following the effective date, in greater compliance with the minimum lot area and/or the minimum lot frontage requirements of this By-law, the lot shall be deemed to comply with the minimum lot area and/or minimum lot frontage requirements, of this By-law.

(5) Non-complying Buildings & Structures on Existing Lots

Where a building or structure has been lawfully erected prior to the effective date on a lot having less than the minimum lot frontage, lot depth, lot area, setback, front yard depth, side yard width, rear yard depth and / or distance from a railway and / or more than the maximum lot area permitted by this By-law, the said building may be used, altered, repaired, replaced or renovated provided all other regulations of this By-law are satisfied.

(6) Non-complying Buildings & Structures on New Lots

Where ~~an existing building or structure on a lot~~ is created ~~containing an existing non-complying building or structure after the effective date of this By-law, said building or structure may be used, altered, repaired or renovated provided the external dimensions of the building or structure do not further contravene the provisions of the zone.~~

~~as a result of a consent being given following the effective date and having less than the minimum setback and/or minimum front, side, or rear yard; or having more than the maximum floor area or maximum height permitted by this By-law, the said building or structure may be used, altered, repaired, or renovated provided the external dimensions of the building or structure remain as they were on the day the lot was created.~~

(7) Non-conforming Uses

Nothing in this By-law shall apply:

- a) to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose; or
- b) to prevent the erection or use of any land, building or structure for a purpose prohibited by this By-law of any building or structure for which a permit has been issued under the Building Code Act, prior to the day of the passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under the Building Code Act; or,
- c) to prevent the strengthening, to a safe condition **in accordance with the requirements of the Ontario Building Code and Fire Code**, any building or structure which does not comply with this By-law, so long as such alteration or repair does not increase the height, size or volume or change the use of such building or structure.

(8) Discontinuation & Replacement of Non-conforming Uses

The following shall apply to the discontinuation and replacement of non-conforming uses:

- a) Where a non-conforming use has been discontinued for a period of 24-months or longer, the property, building or structure may only be used for a use that conforms to this By-law;
- b) If a building or structure used for a non-conforming use is destroyed or partially destroyed by natural causes, such building or structure and its non-conforming use may only be re-established within 24-months from the date of destruction;
- c) If a building or structure used for a non-conforming use is purposefully removed or demolished, the subject lot can only be used for a purpose permitted by this By-law.

(9) Deemed Legal Non-complying & Legal Non-conforming

For the purposes of this By-law any lot and the location of any building or structure thereon and / or any use that existed prior to January 1, 1980 shall be deemed legal non-complying and / or non-conforming.

4.23 OUTSIDE DISPLAY & SALES AREAS

- (1) In addition to the zone requirements, where an outside display and sales area is listed as a permitted use, the following provisions shall apply:
 - a) No outside display and sales area shall be permitted in any required yard.
 - b) No outside display and sales area shall be located closer than 2 m to any lot line.
 - c) Any outside display and sales area shall be maintained as landscaped open space or provided and maintained in accordance with Subsection 4.27(10) of this By-law. Notwithstanding this clause, no outside sales and display area shall be considered part of any required landscaped open space.
 - d) No required parking spaces or loading spaces shall be used for an outside display and sales area.

4.24 OUTSIDE STORAGE

(1) General

In addition to the zone requirements, where outside storage is listed as a permitted **accessory** use, the following provisions shall apply:

- a) No outside storage area shall be permitted in any required yard or, except in the case of an agricultural use, or in any part of a front yard or exterior side yard.
- b) No outside storage area shall be located closer than 3 m to any lot line.
- c) No outside storage area shall be visible from **the street** ~~an adjacent lot~~, and to this end, any outside storage area shall be screened, by a planting strip not less than 1.8 m in height. This provision shall not apply to any outside storage area accessory to an agricultural use.
- d) Any outside storage area shall be maintained as landscaped open space or provided and maintained in accordance with Subsection 4.27(10) of this By-law. Notwithstanding this, no outside storage area shall be considered part of any required landscaped open space.
- e) No required parking or loading spaces shall be used for outside storage purposes.

(2) Special Exceptions

Nothing in Subsection 4.25~~8~~(1) shall apply to prevent or otherwise restrict the use as an outside storage area of any part of:

- a) the front yard on a lot containing an agricultural use, for a fruit and vegetable stand or market garden; or
- b) a lot containing a residence, for a yard sale, by auction or otherwise.

4.25 OUTSIDE SWIMMING POOLS & HOT TUBS

(1) Pool & Hot Tub Location

Unless specifically stated otherwise, no outside swimming pool or hot tub, or associated walls, deck or exterior walkways adjacent to such swimming pool or hot tub shall be erected anywhere except in:

- a) an interior side yard or rear yard on a residential lot.
- b) any yard other than a required yard on a lot occupied by a hotel or club and located within any zone other than a residential zone provided that such swimming pool or hot tub, or related walls, deck or exterior walkways are not closer than 1 m to any lot line or, closer to any street than the setback required therefrom, nor in any sight triangle.

(2) Equipment Location

No water circulating or treatment equipment, such as pumps or filters, shall be located closer than 3 m to any side lot line or 1 m to any rear lot line. Where a rear lot line abuts a side lot line the required setback shall be 3 m. This subsection shall not apply where said circulating or treatment equipment is entirely located within an enclosed structure.

(3) Fencing

No outside swimming pool or hot tub shall be erected unless enclosed by a fence with a lockable gate in accordance with all municipal by-laws and shall have a minimum height of 1.5 m above average grade level.

4.26 PARKING REGULATIONS

(1) Parking Ratios for Uses & Zones

The following minimum required off-street parking space regulations shall apply unless specifically stated otherwise:

(1)	Abattoir	1 / 100 m² of gross floor area
(2)	Adult Entertainment Establishment	1 / 10 m² of gross floor area
(3)	Animal Kennel	1 / 100 m² of gross floor area
(4)	Auction Sales Establishment	1 / 30 m² of gross floor area for retail space and 1 / 200 m² of remaining floor area
(5)	Arena / Hall	1 / 7 units of seating capacity
(6)	Bed & Breakfast Establishment	1 / room to let
(7)	Boarding / Rooming House	1 / room to let
(8)	Bulk Sales Establishment	1 / 100 m² of gross floor area
(9)	Car Wash	2 / bay
(10)	Child Care Centre	1 / 7 charges
	Club	1 / 10 m² of gross floor area
(11)	Clinic	1 / 40 m² of gross floor area
(12)	Commercial Use (Not Specified Elsewhere)	1 / 50 m² of gross floor area
(13)	Contractor's Yard	1 / 100 m² of gross floor area
(14)	Custom Grain Handling Facility	1 / 300 m² of gross floor area
(15)	Custom Workshop	1 / 30 m² of gross floor area
(16)	Day Care Centre	1 / 7 charges
(17)	Dog Domesticated Animal Pound	1 / 100 m² of gross floor area
(18)	Dry Cleaning Establishment	1 / 30 m² of gross floor area
(19)	Dwelling Additional Residential Unit	1.0 spaces per dwelling unit
(20)	Dwelling Apartment	1.25 spaces per dwelling unit
(21)	Dwelling within a Lifestyle Community	1.0 spaces per dwelling unit
(22)	Dwelling Linked	1.5 spaces per dwelling unit

(23)	Dwelling Modular	2.0 spaces per dwelling unit
(24)	Dwelling Mobile Home	2.0 spaces per dwelling unit
(25)	Dwelling Multi Unit	1.5 spaces per dwelling unit
(26)	Dwelling Seasonal Farm Worker	1 space per dwelling unit
(27)	Dwelling Secondary Suite	1 space per dwelling unit
(28)	Dwelling Semi-Detached	1.5 spaces per dwelling unit
(29)	Dwelling Single Detached	3 2 spaces per dwelling unit
(30)	Dwelling Street Townhouse	1.5 spaces per dwelling unit
(31)	Dwelling Townhouse	1.5 spaces per dwelling unit
(32)	Dwelling Unit (Not specified elsewhere)	1.0 spaces per dwelling unit
(33)	Factory Outlet	1 / 30 m ² of gross floor area
(34)	Farm Equipment Sales & Service	1 / 30 m ² of gross floor area for retail space and 1 / 200 m ² of remaining floor area
(35)	Fertilizer Blending Station	1 / 300 m ² of gross floor area
(36)	Financial Institution	1 / 30 m ² of gross floor area
(37)	Food Service Vehicle	3 spaces
(38)	Fruit & Vegetable Stand	3 spaces
(39)	Funeral Home	1 / 10 m ² of gross floor area
(40)	Garage, Public	1 / 100 m ² of gross floor area
(41)	Garden Centre	1 / 30 m ² of gross floor area for retail space and 1 / 300 m ² of remaining floor area
(42)	Gas Bar	3 (excluding pump stations)
(43)	Golf Course, Miniature Golf / Driving Range	1.5 / tee
(44)	Group Home	1 / bed
(45)	Hotel	1.25 / room to let
(46)	Emergency Care Shelter	1 space per bedroom
(47)	Industrial Use	1 / 100 m ² of gross floor area for the first 1 000 m ² and 1 / 300 m ² of remaining floor area
(48)	Institutional Use	1 / 10 m ² of gross floor area
(49)	Laundry Establishment	1 / 30 m ² of gross floor area
(50)	Library	1 / 30 m ² of gross floor area
(51)	Lifestyle Community Zone	1 / dwelling unit
(52)	Long Term Health Care Facility	1 / 2.5 beds
(53)	Machine Shop	1 / 30 m ² of gross floor area
(54)	Market Garden	1 / 30 m ² of gross floor area
(55)	Motor Vehicle Sales Establishment	1 / 100 m ² of gross floor area
(56)	Museum	1 / 30 m ² of gross floor area
(57)	Nursery	1 / 100 m ² of gross floor area
(58)	Nursing Home	1 / 2.5 beds

(59)	Office, Medical / Dental	1 / 30 m² of gross floor area
(60)	Office, Professional	1 / 30 m² of gross floor area
(61)	Office, Support	1 / 30 m ² of gross floor area
(62)	Paintball Park	1 / 50 m ² of gross floor area
(63)	Park, Private	1 / 50 m ² of gross floor area
(64)	Personal Care Establishment	1 / 30 m ² of gross floor area
(65)	Personal Service Establishment	1 / 30 m ² of gross floor area
(66)	(52)(a) Pet Grooming Establishment	Requires a minimum of 1 parking space per 39 square meters of gross floor area.
(67)	Place of Entertainment	1 / 50 m ² of gross floor area
(68)	Place of Worship	1 / 10 m ² of gross floor area
(69)	Public Garage	1 / 100 m ² of gross floor area
(70)	Recreation Facilities	1 / 50 m ² of gross floor area
(71)	Research & Development Facility	1 / 30 m ² of gross floor area for office space and 1 / 300 m ² of remaining floor area
(58)	Deleted as per by-law 38-21	
(59)	Deleted as per by-law 38-21	
(60)	Deleted as per by-law 38-21	
(61)	Deleted as per by-law 38-21	
(72)	Restaurant	1 / 10 m ² of gross floor area
(73)	Restaurant, Drive-in & Take-out	1 / 12 m ² of gross floor area
(74)	Retail Store	1 / 30 m ² of gross floor area
(75)	Salvage Yard	1 / 30 m ² of gross floor area
(76)	Service Shop	1 / 30 m ² of gross floor area
(77)	School, Public or Private	5 plus 1 per classroom
(78)	Self-storage Warehouse	1 / 1,000 m ²
(79)	Senior Citizen's Home	1 / 2.5 beds
(80)	Shopping Centre	1 / 25 m ² of gross floor area
(81)	Short Term Accommodation	1 spaces per STA unit
(82)	Stable	1 / 30 m ² of gross floor area of office space and 1 / 300 m ² of remaining floor area
(83)	Theatre / Cinema	1 / 50 m ² of gross floor area
(84)	Veterinary Clinic	1 / 40 m ² of gross floor area
(85)	Warehouse	1 / 150 m ² of gross floor area

- | | | |
|------|---------------------------------|--|
| (86) | Winery, Fruit Farm | 1 / 30 m² of gross floor area of retail / commercial space and 1 / 300 m² of remaining floor area |
| (87) | Any use not otherwise specified | 1 / 30 m² of gross floor area |

(2) Calculation of Parking Requirements

When calculating the number of parking spaces required under Subsection 4.24(1), the following shall apply:

- a) Where a building, structure or lot accommodates more than one use or purpose, the required parking spaces shall be the sum of the required parking spaces for the individual uses or purposes. Parking spaces for one use shall not be considered as providing the required parking spaces for any other use. Notwithstanding the above, the parking requirement of a shopping centre shall be calculated using the shopping centre parking ratio and not the individual use.
- b) Where seating accommodation is provided by benches, 0.6 m of bench space shall be considered as equivalent to 1 seat.
- c) If calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next highest whole number notwithstanding Subsection 1.8 of this By-law.

(3) Addition or Change to Existing Uses

Where an addition to an existing building or structure and/or a change in use is proposed, the parking requirement shall be the sum of the parking spaces located on the lot immediately prior to the addition and/or change of use together with the net difference of the requirements between the previous and proposed uses calculated in accordance with the standards set out in Subsection 4.26(1).

(4) Accessible Parking Spaces

Accessible parking spaces shall be provided adjacent and accessible to the building and clearly marked as accessible parking spaces **with both a painted accessibility insignia and an accessible permit parking sign**. The number of such spaces required shall be part of the total parking requirement in accordance with the following:

Required Spaces	Required Number of Spaces for Accessible Parking	
	Type A Space	Type B Space
1 - 50	1	1
51 - 75	1	2
76 - 100	2	2
101 - 150	3	3
150 - 300	4	4
300 - 400	5	5
400 - 500	6	6

~~To facilitate access to the motor vehicle, every accessible parking space shall have an aisle, 1.5 m in width, extending the full length of the parking space which aisle may be shared by two accessible parking spaces.~~

Note: Accessible parking spaces shall not be required for residential uses, except for apartment dwellings, and condominium townhouse dwellings, where they shall be calculated and designated based on the required number of visitor parking spaces.

(5) Calculation of Accessible Parking Spaces

When calculating the number of parking spaces required under Subsection 4.26(2), the following shall apply:

- a) **Rounding:** Where part of an accessible parking space is required, such part shall be considered one accessible parking space for the purpose of calculating the minimum total accessible parking space requirements.
- b) **Type of Accessible Parking Space Required:**
 - i) Where an even number of accessible parking spaces are required, an equal number of Type A and Type B accessible parking spaces shall be provided.
 - ii) Where an odd number of accessible parking spaces are required, the number of accessible parking spaces shall be divided equally between Type A and Type B accessible parking spaces, but the additional odd-numbered accessible parking space may be a Type B accessible parking space.
- c) **Building Additions:** Accessible parking spaces shall be provided for any addition to a building or structure or a change in use, except that, where a building or structure has less than the required accessible parking spaces as of the effective date of this By-law, this By-law shall not be interpreted to require that the deficiency be made up in the event of an addition or change of use provided that any accessible parking space required for such addition or change of use is provided.

Additions to Existing Uses

~~The parking requirements of this By-law shall apply to any existing building or structure so long as the gross floor area of the said building or structure is not increased and the building or structure is used for a purpose which does not require additional parking spaces as required in this By-law, than were required by virtue of its size or use on the effective date. Where a use is changed or a building or structure is enlarged in floor area or there is an increase in the number of divisible units (i.e. seating capacity, etc.), then such additional parking spaces shall be provided to the number required for such change.~~

Calculation of Parking Requirements

~~When calculating the number of parking spaces required under Subsection 4.27(1) through (76), the following shall apply:~~

- ~~d) Where a building, structure or lot accommodates more than one use or purpose, the required parking spaces shall be the sum of the required parking spaces for the individual uses or purposes. Parking spaces for one use shall not be considered as providing the required parking spaces for any other use. Notwithstanding the above, the parking requirement of a shopping centre shall be calculated using the shopping centre parking ratio and not the individual use.~~
- ~~e) Where seating accommodation is provided by benches, 0.6 m of bench space shall be considered as equivalent to 1 seat.~~

- ~~f) If calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next highest whole number notwithstanding Subsection 1.8 of this By-law.~~

(6) Accessible Parking Space Dimensions and Requirements

Where accessible parking spaces are required in accordance with this By-law, the following shall apply:

	Type A Space	Type B Space
Minimum Length	5.8 m	5.8 m
Minimum Width	3.4 m	3.0 m
Minimum Vertical Clearance	2.1 m	2.1 m

- a) To facilitate access to the motor vehicle, every accessible parking space shall have an aisle, 1.5 m in width, extending the full length of the parking space, which may be shared by two accessible parking spaces.
- b) Accessible parking spaces shall be located on the same lot and provided the nearest point of an accessible entrance to the building.
- c) Barrier free access shall be provided from each accessible parking space to an accessible building entrance. The paths between the accessible parking spaces and the building(s) main entrance shall be accessible to persons with disabilities, such as being level with the established grade through appropriate means such as ramps and depressed curbs, and comprise a hard surface such as asphalt, concrete or some other hard surface.

(7) Residential Parking Requirements

Where lands are in a residential zone, all parking spaces shall be located in an attached or detached private garage, in a driveway, in a designated parking area, or in a side or rear yard provided:

- a) no motor vehicle shall be parked or stored on a residential lot other than a private passenger automobile, a motor home, travel trailer, or truck camper, or a commercial motor vehicle in accordance with Subsection 4.27(5) b);
- b) no motor vehicle having a registered vehicle weight equal to, or greater than, 5000 Kg shall be parked or stored on a residential lot. No cargo trailer having dimensions greater than 2.4 m of width, 2.4 m of height above ground or 6 m of length shall be parked or stored on a residential lot;
- c) no motor home, travel trailer, truck camper, boat or other recreational vehicle equal to, or greater than, 6 m in length shall be stored on a residential lot unless it is parked or stored in a side or rear yard, or in a main building, private garage or accessory building; Notwithstanding this, a motor home, travel trailer, truck camper, boat or other recreational vehicle equal to, or greater than, 6 m in length can be continuously parked on a driveway in the front for a period of no greater than 30 days per year and the parking spaces for the aforementioned vehicles shall have be minimum 0.3 m setback from the front lot line and shall be setback from any sight triangle identified in Section 4.30;
- d) no derelict, or abandoned motor vehicle is permitted on a residential lot.
- e) no more than one (1) restorable motor vehicle per lot;

- f) the area devoted to parking, other than in a garage but including the driveway, in the front yard shall not exceed 50% of the yard area;

- g) tandem parking spaces may be provided where additional residential units are permitted in accordance with this By-law.

Notwithstanding the above, nothing in this Subsection shall relieve any person from the obligation to comply with the requirements of the Province of Ontario, the County of Middlesex or any other by-law of the Municipality, in force from time to time, or the obligation to obtain any licence, permit, authority or approval required for the purposes of accessing a public highway under the jurisdiction of said authorities.

(8) Parking Space Dimensions

A parking space required hereby shall have the following minimum rectangular dimensions:

Parking Angle	Minimum Space Width*	Minimum Space Length*	Minimum Aisle Width
90°	2.6 m	5.4 m 5.8 m	7.3 m 6.0 m
60°	2.6 m	5.8 m	5.0 m
45°	2.6 m	5.5 m	4.5 m
30°	2.6 m	4.8 m	4.0 m
0° (parallel)	2.6 m	6.5 m	3.0 m

~~* Accessible parking spaces shall, in the case of Type A, have a minimum width of 3.4 m and, in the case of Type B, have a minimum width of 2.4 m.~~

(9) Access

Parking shall be accessed from a public highway in accordance with the following:

	Zone	Requirements		
i)	Residential (23 units or less)	Driveway Width (min.)	2.75 m	
		Driveway Width (max.)	Lot Frontage	Width (in Metres)
			On County Road	6 m
			Under 12 m	4 m
			12 m to less than 15 m	6 m
			15 m to 18 m	7.3 m
			Above 18 m	8 m
		Maximum Number of Driveways	1 driveway	
ii)	Residential (3 units or more)	Driveway Width (min.)	3 m	

	Zone	Requirements	
		Driveway Width (max.)	Lesser of 6 m or 40% of the street line along the street used to gain access to the driveway.
		Maximum Number of Driveways	1 driveway for the first 15 m of street line, 2 driveways for the first 30 m of street line plus 1 additional driveway for each additional 30 m of street line thereafter, to a maximum of 3 driveways per lot.
iii)	Commercial, & any zone not specified	Driveway Width (min.)	3 m (one-way traffic) 6 m (two-way traffic)
		Driveway Width (max.)	10 m
		Maximum Number of Driveways	1 driveway for the first 15 m of street line, 2 driveways for the first 30 m of street line plus 1 additional driveway for each additional 30 m of street line thereafter, to a maximum of 4 driveways per lot.
iv)	Industrial	Driveway Width (min.)	3 m (one-way traffic) 6 m (two-way traffic)
		Driveway Width (max.)	12 m
		Maximum Number of Driveways	1 driveway for the first 15 m of street line, 2 driveways for the first 30 m of street line plus 1 additional driveway for each additional 100 m of street line thereafter, to a maximum of 4 driveways per lot.
v)	Agricultural	Driveway Width (min.)	3 m
		Driveway Width (max.)	12 m
		Maximum Number of Driveways	1 driveway for the first 15 m of street line, 2 driveways for the first 30 m of street line plus 1 additional driveway for each additional 100 m of street line thereafter, to a maximum of 4 driveways per lot.

* For the purposes of this by-law, driveway width shall be measured parallel to the street providing access to the driveway at any point on the lot closer to the said street than the street setback required therefrom.

- a) Each required parking space shall be readily accessible at all times for the parking or removal of a vehicle and vehicular access to any such parking space shall not be impeded by any obstruction. Except as denoted in clause f) of this subsection, this provision shall not apply to prevent the use, as a parking space, of any part of a driveway accessory to a residential building provided that no parking space shall obstruct access to a parking area on any other lot or to any other dwelling unit.

- b) Nothing in this By-law shall prevent the obstruction of a driveway by a gate, a temporary barrier or similar obstruction used solely to restrict access to the said driveway.
- c) The minimum angle of intersection between a driveway and a street line shall be 60°.

(10) Location

The location of a parking space required hereby shall be subject to the following:

- a) Parking shall be located on the same lot or within the same building as the use for which said parking is required.
- b) Notwithstanding clause a), parking in the C1 Zone may be located on a separate lot provided that said lot is within 150 m of the lot to which the parking is to apply.

(11) Designated Electric Vehicle Parking

All parking spaces for:

- a) Multi-unit residential development containing four or more dwelling units; or,
- b) Non-residential development constructed on or after January 1, 2025 shall include designated electric vehicle parking spaces in accordance with the below table:

Required Spaces	Required Number of Spaces for Electric Vehicles
0-19	0
20-49	1
50-84	2
85-119	3
120-149	4
150 or more	3% of total required parking

(12) Bicycle Parking Requirements

A minimum number of bicycle parking spaces shall be provided and maintained on a lot in accordance with the below table:

Use	Minimum Number of Bicycle Parking Spaces
Residential Uses	
Apartment Dwelling	0.25 spaces per apartment dwelling unit
Long Term Care Facility	0.25 spaces per suite, room, or unit
Office and Commercial Uses	
Professional Office	1.0 spaces per 200 m ² of gross leasable floor area
Medical / Dental Office	
Retail Store	
Restaurant	1.0 spaces per 100 m ² of gross leasable floor area
Institutional Uses	
Elementary School	1.0 space per 20 students/employees
Secondary School	1.0 space per 10 students/employees
Post-Secondary School	1.0 space per 20 students/employees
Community Centre	2.0 spaces plus 1.0 space per 500 m ² of gross leasable floor area
Trade School	1.0 space per 200 m ² of gross leasable floor area

(13) Calculation of Bicycle Parking Spaces

When calculating the number of bicycle parking spaces required under Subsection 4.26(12) through, the following shall apply:

- a) **Rounding:** Where part of a bicycle parking space is required, such part shall be considered one bicycle parking space for the purpose of calculating the minimum total bicycle parking space requirements.
- b) **Multiple Uses on a Lot:** Where a building or structure accommodates more than one type of use, as defined in this By-law, the bicycle parking space requirement for the whole building shall be the sum of the requirements for the individual uses.
- c) **Building Additions:** Bicycle parking spaces shall be provided for any addition to a building or structure or a change in use, except that, where a building or structure has less than the required bicycle parking spaces as of the effective date of this by-law, this by-law shall not be interpreted to require that the deficiency be made up in the event of an addition or change of use provided that any bicycle parking required for such addition or change of use is provided.

(14) Bicycle Parking Space Dimensions and Requirements

Where required by this By-law, bicycle parking spaces shall be provided in accordance with the following:

- a) A bicycle parking space shall be an unobstructed space with a minimum dimension of 0.6m wide by 1.8 m in length. A bicycle rack shall be provided to enable a bicycle to be locked in place.

- b) Bicycle parking spaces shall be accessed by an unobstructed aisle with a minimum width of 1.5m.
- c) Bicycle parking spaces shall be provided within the building or outside within 35m of a principal building entrance.
- d) Bicycle parking spaces shall not occupy or impede any pedestrian access or parking area.
- e) Notwithstanding any other provision of this By-law, bicycle parking spaces shall be permitted in any yard, provided they are no closer than 0.6m to any lot line and shall not be located within a required sight triangle.

(15) When Required

Parking spaces shall be provided at the time any use, building or structure is established, erected or enlarged.

(16) Surface and Drainage of Parking Areas and Driveways

- a) All parking areas and driveways shall be provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles, using such surfacing materials as any asphalt, concrete or other hard-surfaced material or crushed stone or gravel.
- b) All parking areas and driveways shall be drained so as to prevent the pooling of surface water or the flow of surface water onto adjacent lots or streets, unless specifically designed for stormwater management.

(17) Parking & Storage of Unused Vehicles

Automobiles, vehicles and trailers lacking current valid license plates shall be parked or stored only within a private garage or other building. This provision shall not apply to a permitted vehicle sales or rental establishment or salvage yard or to the storage of agriculturally related vehicles.

(18) Cash-in-lieu of Parking

Notwithstanding Clauses 4.26(1), (2), (10) and (15) of this Section, the owner and / or occupant of a lot, building or structure in the C1 Zone may be exempted from providing and maintaining some or all of the minimum parking space requirements associated with the said lot provided the following conditions are met:

- a) That Council has entered into an agreement in accordance with the Municipality's Cash-in-lieu of Parking By-law;
- b) Such agreement shall be registered on title of the lands to which the parking exemption applies.

(19) Visitor Parking for Residential Uses

In addition to the requirements set out in Subsection 4.26 (1):

- a) where there are more than 10 single detached dwelling units or semi-detached dwelling in one development, visitor parking spaces shall be provided at a minimum rate of 0.1 parking spaces per unit. Notwithstanding the forgoing, if all the dwellings directly access a public street the visitor parking rate shall be nil (0).

- b) where there are more than 10 residential units, other than single detached dwellings, located in one development, visitor parking spaces shall be provided at a minimum rate of 0.15 parking spaces per unit.

(20) Parking Ratios for the Downtown Area

Notwithstanding Subsection 4.26 (1) of this By-law, where a residential use is permitted in the Downtown Area, as defined in Section 2 of this By-law, the number of required parking spaces associated with the residential use are permitted to be reduced to one (1) parking space per dwelling unit, plus the required visitor parking in accordance with this By-law.

4.27 PUBLIC OUTDOOR PATIOS

- (1) Notwithstanding any other provisions of this By-law, the following shall apply to a public outdoor patio:

- a) A public outdoor patio shall be deemed to be a permitted use in a zone where the following uses are permitted:

- i) Arena / Hall;
- ii) Club;
- iii) Place of Entertainment;
- iv) Recreation Facility;
- v) Restaurant; or
- vi) Restaurant, Drive-through or Take-out.

- b) No public outdoor patio shall accommodate more than 50% of the capacity of the establishment with which the patio is associated.
- c) No public outdoor patio shall be permitted where said patio abuts a Residential zone.
- d) Where a public outdoor patio is used for the service and consumption of food and/or beverage, parking shall be provided at the same ratio as the main use.
- e) No public outdoor patio shall be permitted to occupy any required parking.

- (2) Notwithstanding any other provisions of this By-law, the following shall apply to a public outdoor patio, temporary:

- a) A public outdoor patio shall be deemed to be a permitted use in a zone where the following uses are permitted:

- i) Arena / Hall;
- ii) Club;
- iii) Place of Entertainment;
- iv) Recreation Facility;
- v) Restaurant; or
- vi) Restaurant, Drive-through or Take-out.

- b) No public outdoor patio, temporary shall accommodate more than 50% of the capacity of the establishment with which the patio is associated.
- c) No public outdoor patio, temporary shall be permitted where said patio abuts a residential zone.

- d) Where a public outdoor patio, temporary is used for the service and consumption of food and / or beverage, no additional parking shall be provided that the temporary patio does not increase the capacity of the main use.
- e) No public outdoor patio, temporary shall be permitted to occupy up to 15% of any required parking area.

4.28 PUBLIC USES

- (1) The provisions of this By-law shall not apply to the use of any land or to the erection, alteration or use of any building or structure, or portion thereof, by a public authority or public utility provided:
 - a) the lot coverage, setback, and yard requirements of the zone in which such land, building or structure is located are complied with;
 - b) no outside storage occupies land in a residential zone; in a yard on a lot adjacent to a residential zone; or in a yard on a lot lying opposite a residential zone.
- (2) For greater clarity, the use of any land or to the erection, alteration or use of any building or structure, or portion thereof, by a public authority or public utility shall be permitted in any zone, regardless of the permitted uses of the zone in which such land, building, or structure is located, provided that the criteria established by Section 4.29 above are met.

SEASONAL FARM WORKER DWELLINGS

~~Seasonal farm worker dwellings shall only be permitted on a temporary basis in accordance with Section 39 of the Planning Act, as amended, and the following provisions:~~

~~(1) — General~~

~~In addition to the zone requirements, where a seasonal farm worker dwelling is listed as a permitted use, the following provisions shall apply:~~

- ~~a) The minimum lot area for a seasonal farm worker dwelling shall be 40 ha; and~~
- ~~b) A seasonal farm worker dwelling shall not be located in a front or exterior side yard.~~

~~(2) — Requirement for an Agreement~~

~~As a condition of passing a by-law authorizing the temporary use, under Section 39 of the Planning Act, of a seasonal farm worker dwelling, Council shall require the owner of the seasonal farm worker dwelling to enter into an agreement with the Municipality dealing with such matters as Council considers necessary or advisable including:~~

- ~~a) the installation, maintenance and removal of the seasonal farm worker dwelling;~~
- ~~b) the period of occupancy of the seasonal farm worker dwelling; and,~~

- ~~c) the monetary security that Council may require for actual or potential costs to the Municipality related to the seasonal farm worker dwelling.~~

SECONDARY FARM OCCUPATIONS

- (1) ~~In addition to the zone requirements, where a secondary farm occupation is listed as a permitted use, the following provisions shall apply:~~

- ~~a) A secondary farm occupation shall be clearly secondary to the primary farming operation located on the same lot within an the applicable zone;~~
- ~~b) A secondary farm occupation shall only be permitted on lots greater than 4 ha in size.~~
- ~~c) A secondary farm occupation must be operated by a person residing on the lot, and at no time shall any secondary farm occupation employ more than 3 persons who do not reside on the lot to which such secondary farm occupation is secondary and who do not attend or work on the lot where the dwelling is located.~~
- ~~d) The size and nature of the secondary farm occupation shall not reduce the ability of the land to be used for agricultural purposes.~~
- ~~e) No secondary farm occupation shall create or become a public nuisance, particularly with regard to noise, traffic, parking, light or night time operation nor shall open storage in conjunction with a secondary farm occupation be located within the front or exterior side yard.~~
- ~~f) There shall be no product on display and no sign shall be permitted other than 1 non-illuminated sign, in accordance with the Municipality's Sign By-law, to indicate to persons outside that any part of the property is being used for a purpose other than residential or agricultural.~~
- ~~g) None of the following uses shall be considered secondary farm occupations, except where such uses are specifically permitted in accordance with the provisions of the Agricultural Zones within which the agricultural home occupation is located:~~

- | | |
|--|--|
| i) Auction Sales Establishment; |) Golf Course; |
| ii) Bulk Sales Establishment; | vii) Long Term Care Facility; |
| iii) Campground; | viii) Motor Vehicle Service Shop |
| iv) Funeral Home; | x) Motor Vehicle Sales Establishment; |
| v) Garage, Public; | |
| x) Park, Private; | xiii) Salvage Yard; and / or |
| xi) Retail Store; | xiv) Truck Terminal |
| xii) Restaurant; | xv) Taxi Service |

- ~~h) Only 1 secondary farm occupation shall be permitted on a lot.~~

4.29 SERVICING: WATER & SEWERS

(1) Development in Fully Serviced Settlement Areas

In fully serviced settlement areas, no land shall be used or built upon and no building or structure shall be erected, used or expanded for any purpose unless all municipal services (sanitary sewers and water mains) are available and adequate.

(2) Un-serviced Lots in Fully Serviced Settlement Areas

It is recognized that there are lots in the serviced settlement areas that are not connected to full municipal services. In those instances, only additions to buildings and accessory buildings for existing residential dwellings are permitted if the said additions and / or accessory buildings comply with all other regulations of the zone in which the dwelling unit is located. **Notwithstanding, an attached ARU may be permitted in accordance with Section 4.5(6).**

(3) Partially Serviced / Un-serviced Areas

In instances where no municipal services or only partial services exist the following shall apply:

- a) In designated Rural Residential areas or partially serviced Settlement Areas, only development consisting of 5 lots or less shall be permitted to occur by private municipal wells and / or septic disposal systems.
- b) No commercial, industrial or institutional use shall be permitted on a private septic system except in areas designated Rural or Agricultural in the Official Plan.
- c) Prior to the issuance of a building permit in partially or un-serviced areas, an applicant may, at the discretion of the Municipality:
 - i) be required to complete a soils report, to the satisfaction of the Municipality, demonstrating the suitability of the lot to enable a properly functioning private independent sewage disposal system that meets provincial guidelines;
 - ii) be required to provide a letter from a **licensed** qualified professional to the satisfaction of the Municipality, demonstrating an adequate and potable water supply exists on the property.

4.30 SETBACKS & SEPARATION DISTANCES

In addition to the zone provisions of this by-law, the following shall apply:

(1) Adult Entertainment Establishments

Where permitted by this By-law, adult entertainment establishments shall comply with the following provisions, in addition to the provisions of the applicable zone. Adult Entertainment Establishments shall not be erected or used closer than:

- a) 100 m from any institutional, open space or residential zone; or,
- b) 400 m from an existing adult entertainment establishment.

(2) Animal Kennels

Where permitted by this By-law, animal kennels shall comply with the following provisions, in addition to the provisions of the applicable zone. Animal kennels shall not be erected or used closer than:

- a) 250 m from a separate lot on which a residential use is permitted or from a dwelling located on a separate lot, or from an I Zone; or,
- b) 300 m from the Settlement Area boundaries of Strathroy, Mount Brydges and Melbourne.

(3) County Roads

- i) Development with frontage onto an arterial road as designated and under the jurisdiction of the County shall be setback a minimum of 38 m from the centreline of said road, and development with frontage onto a collector road as designated and under the jurisdiction of the County shall be setback a minimum setback of 33 m.
- ii) **Notwithstanding the above, where a County Road has been constructed to zone setbacks, the setbacks established in section 4.31(3).i) shall not apply to any lot shown on Schedule B, C or D of the Zoning By-law.**
- iii) Nothing in this section shall be construed to provide relief from the minimum yard requirements or any other regulation of the applicable zone.

Group Homes

~~**Group Homes – Type 2 are permitted only within those zones which specifically permit the use. The minimum separation distance between another Type 2 Group Home and / or a school shall be 450 m in any direction.**~~

(4) Municipal Drains & Natural Watercourses

No buildings or structures, with the exception of those designed, used, or intended for flood or erosion control purposes, shall be erected or used except in accordance with the following:

	Type of Municipal Drain or Watercourse	Required Setback
a)	Municipal Drain (less than 4.5 m wide)	7.5 m from top-of-bank
b)	Municipal Drain (between 4.5 and 7.5 m wide)	18.5 m from top-of-bank
c)	Municipal Drain (greater than 7.5 m wide)	30 m from top-of-bank
d)	Natural Watercourse (other than Thames or Sydenham Rivers)	15 m from top-of-bank or within 30 m of the centreline of the watercourse (whichever is greater)
e)	Thames River or Sydenham River	30 m from top-of-bank
f)	Municipal Tile Drain (sealed sewer pipe)	1.5 m from the centreline of the tile
g)	Municipal Tile Drain (all others)	4.5 m from the centreline of the tile

(5) Structures for the Growing of Mushrooms

Structures for the growing of mushrooms shall comply with the following provisions, in addition to the provisions of the applicable zone. Structures for the growing of mushrooms shall not be erected or used closer than:

- a) 250 m from a separate lot on which a residential use is permitted or from a dwelling located on a separate lot, or from an I Zone;
- b) 300 m from the Settlement Area boundary of Strathroy, Mount Brydges and Melbourne

(6) Railways

The following setbacks shall apply to lands located adjacent to railways:

- a) 30 m from the nearest main wall of a dwelling or a building containing an institutional use to the edge of a railway right-of-way.
- b) 23 m from the nearest main wall of a building to the edge of a railway right-of-way.
- c) Where an industrial or agricultural zone abuts a railway right-of-way, no yard shall be required along the lot line abutting the said railway right-of-way for industrial and agricultural buildings and structures.

(7) Sewage Treatment Plants

No residential or institutional use shall be constructed within 100 m of a sewage treatment plant.

(8) Provincial Highway

The following setbacks shall apply to lands located adjacent to provincial highways:

- a) Any development will be subject to the setback and frontage requirements, along with the access and building permit controls, of the Ministry of Transportation. Any proposed access to a provincial highway will be subject to the prior approval of the Ministry of Transportation. Permits from the Ministry must be obtained prior to any construction and/or grading being undertaken on the site.
- b) Buildings or structures erected adjacent to a provincial highway shall be required to comply with the setback requirements of the Province, and in any case, shall not be located less than 14 m from a provincial highway.

(9) Industrial Uses

Where an Industrial Zone abuts a Residential Zone, Institutional Zone, residential use, or institutional use, the following regulations shall apply:

- a) No part of any building used for a purpose identified as "Class I Industrial", as defined herein, shall be located closer than 20 m to a Residential Zone, Institutional Zone, residential use, or institutional use.
- b) No part of any building used for a purpose identified as "Class II Industrial", as defined herein, shall be located closer than 70 m to a Residential Zone, Institutional Zone, residential use, or institutional use.

- c) No part of any building used for a purpose identified as "Class III Industrial", as defined herein, shall be located closer than 300 m to a Residential Zone, Institutional Zone, residential use, or institutional use.

4.31 SHIPPING CONTAINERS

- (1) Where a Shipping Container is used for the purpose of storage accessory to main use, the following provisions shall apply:
- a) A shipping container shall **only** be permitted in any Industrial Zone, and general Agricultural Zone (A1) or associated to a retail store, large format, Garage, Public, or a Motor Vehicle Sales Establishment as defined in this Bylaw; and
 - b) A shipping Container shall only be permitted in a rear yard in compliance with the rear yard depth requirements of the zone in which the said container is located.
 - c) A shipping container shall not be used for human habitation.

4.32 SIGHT VISIBILITY TRIANGLES

- (1) In all zones, no building, structure, fence or sign shall be erected, and no shrubs or foliage shall be planted in such a manner as to impede vision between a height of 60 cm and 3 m above the centreline grade of intersecting road or railway in the triangular area bounded by the street lines and / or railway, except as follows:

	Intersection Type	Sight Triangle Size
a)	Protected At-Grade Railway Crossing	50 m
b)	Unprotected At-Grade Railway Crossing	400 m along railway & 90 m along street
c)	Intersection of Roads*	10 m
d)	Intersection Containing a Public Road and County Road	15 m

* Does not apply to the C1 Zone.

4.33 TELECOMMUNICATION TRANSMITTING FACILITIES & TOWERS

- (2) Communications towers used for transmitting or receiving telephone, cellular, radio, microwave or other electronic or optical signals, shall be subject to the following:
- a) no communication tower shall be located on a lot unless the said lot has a minimum lot area of 2 ha;
 - b) no communication tower shall be permitted in any Residential Zone, C1 or C3 Zone; **and,**
 - c) no communication tower and accessory buildings, structures, compounds and enclosures shall be located within 150 m of any Residential Zone or a dwelling on a separate lot; **and,**

- d) the approval of the location of a new telecommunications tower has been granted by Innovation, Science and Economic Development Canada (ISED), or its successor.

4.34 TEMPORARY USES & STRUCTURES

In addition to the zone provisions of this by-law the following shall apply to temporary structures and uses:

(1) Construction Uses

Uses, buildings or structures such as a work camp, a tool shed, mobile home, trailer, scaffold or sign incidental to construction are permitted in any zone provided that:

- a) any sign which is erected does not exceed 3 m² in area;
- b) such uses, buildings or structures are situated on the lot or within 150 m of the lot which is the subject of the construction project;
- c) such uses, buildings or structures are used only for as long as they are necessary for construction work in progress which has neither been finished nor abandoned, or a period of 1 year whichever is the lesser;
- d) such uses, buildings or structures are removed when the construction for which they are required is completed, terminated or otherwise abandoned.

(2) Model Homes

Model homes shall be permitted in all Residential zones subject to the following:

- a) the lands on which the model homes are to be constructed have received draft plan approval under the Planning Act and the subdivision agreement has been executed;
- b) the model homes shall comply with the provisions and regulations of this By-law upon registration of the subdivision agreement;
- c) the number of model homes for any draft approved plan of subdivision shall not exceed the lesser of 10% of the total number of lots draft approved or 10 structures.

(3) Mobile Homes

The use of any travel trailer, truck camper, or motor home for the living, sleeping, or eating accommodations of persons for a period of more than 30 days in any period of 10 consecutive months shall not be permitted.

(4) Temporary Buildings & Structures

Temporary buildings and structures shall be permitted in all zones subject to the following provisions:

- a) No temporary buildings or structures shall be permitted in the front or exterior side yard in any residential zone.
- b) In all zones, the use or erection of temporary buildings or structures shall not be permitted for more than 120 days in any period of 10 consecutive months
- c) All temporary buildings and structures shall comply with the parking provisions of this By-law and not remove any required parking for any building, structure or use.

(5) Yard Sales

Notwithstanding anything in this By-law to the contrary, a yard sale may be conducted in any zone up to a maximum of 2 such sales not more than 2 days in duration in any calendar year.

(6) Wayside Pits and Quarries, Portable Asphalt and Concrete Plants

Wayside pits and quarries, portable asphalt plants and portable concrete plants used by public authorities are permitted in all zones provided they are used only for as long is necessary for the duration of construction by the public authority.

4.35 USES NOT PERMITTED

(1) The following uses are not permitted in all zones, either alone or in conjunction with other uses, unless specifically listed as a permitted use in a specific zone:

- a) the making or establishment of pits and quarries;
- b) the tanning or storage of uncured hides or skins;
- c) the boiling of blood, tripe, bones, or soaps for commercial purposes;
- d) the manufacturing of glue or fertilizers from dead animals or from human or animal waste;
- e) an abattoir, livestock yard, livestock exchange, or dead stock depot, except where specifically listed herein as a permitted use in a specific zone;
- f) the extracting of oil from fish;
- g) a track for the driving, racing or testing of automobiles, motorcycles, snowmobiles, or any other motor vehicle, but not including recreational trails for snowmobiles or other recreational vehicles;
- h) a salvage or scrap yard, or the collection, storage or sale of:
 - i) one or more derelict or abandoned motor vehicles;
 - ii) one or more partially or completely dismantled motor vehicles or other vehicles or,
 - iii) parts of motor vehicles or other vehicles;

except where any of the above are accessory to a permitted motor vehicle use or where the owner has demonstrated that the vehicle is a restorable motor vehicle;

- i) a disposal site for solid waste;
- j) the refining, storage or use in manufacturing of coal, rock, fuel, oil, natural gas, propane, burning fluids, naphtha, bensole, benzene, gasoline, dynamite, dualim, nitro-glycerine, gun powder, petroleum or any other combustible, inflammable, volatile or otherwise dangerous liquids, gasses or solid materials except where specifically permitted hereby or in conjunction with a permitted industrial use. This provision shall not apply to prevent the above ground storage of such substances in an A1 or A2 zone, where such storage is incidental and accessory to an agricultural use, or the use of natural gas, propane or fuel oil for domestic purposes, such as heating and cooking, in conjunction with a residential, commercial or industrial use;

- k) an occupied vehicle for human habitation other than a mobile home, park model trailer, travel trailer, of truck camper where specifically permitted;
- l) an airport or landing strip;
- m) any use which causes the emission of corrosive gasses, toxic gasses, or radioactive gasses or into any zone other than an M3 Zone, of electromagnetic fields, heat, glare, dust, dirt, fly ash, or smoke, or which does not comply with emission regulations as may be established from time to time by the Province of Ontario, the Government of Canada, or any agencies thereof;
- n) the location or storage on any land for any purpose whatsoever any disused railroad car or part thereof, street car or part thereof, truck body or part thereof, bus body or part thereof, whether or not the same is situated on a foundation;
- o) use of any land or building, except those lands appropriately zoned for the repair or servicing of motor vehicles unless such motor vehicle is owned by and registered in the name of an owner or occupant of such land or building;
- p) undertaking anything but minor repairs and servicing such as the changing of tires or oil, outside of a garage or other suitable building, on any motor vehicle within the Municipality, except on lands lawfully occupied and used for an motor vehicle use;
- q) any establishment used as an adult entertainment establishment as defined by this By-law;
- r) any outdoor furnace used, or intended to be used, to supply heat or hot water to any dwelling in the R1, R2, or R3 Zones;
- s) any form of the following:
 - i) Underground transmission of oil, gasoline, or other petroleum liquid products;
 - ii) Wood preserving and treating;
 - iii) Outdoor storage of road salt, or other de-icing materials and dumping of salt laden snow;
 - iv) Petroleum production, refining and manufacturing;
 - v) Furniture and wood stripping and refining;
 - vi) Electroplaters and metal fabricators;
 - vii) Peat extraction;
 - viii) Landfills
 - ix) Chemical / biological laboratories;
 - x) Chemical manufacturing / industrial uses;
 - xi) Facilities generating, treating or disposing hazardous waste;
 - xii) Asphalt / concrete / tar plants;
 - xiii) Automotive junk yards;
 - xiv) Bulk fuel oil storage yards;
 - xv) Car washes;
 - xvi) Cemeteries;
 - xvii) Dry cleaning facilities;
 - xviii) Gasoline service stations;
 - xix) Underground storage tanks.

4.36 YARD ENCROACHMENTS

(1) General

Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky provided however, the fences, landscaping, planting strips and hedges in accordance with the provisions of the this By-law shall be permitted and that those structures listed in the following table shall be permitted to project into the required yards indicated for the distances specified below:

	Structure	Yard in Which Projection is Permitted	Maximum Projection into a Required Yard
a)	Architectural adornments including but not limited to sills, belt courses, cornices, eaves, gutters, chimneys, & pilasters	All yards	0.75 m provided that no part of the structure extends closer than 0.75 m to any lot line
b)	Fire escapes & exterior staircases	Rear yards or Side yards	1.5 m provided that no part of the structure extends closer than 1.5 m to any lot line
c)	Awnings, atriums and bay windows	Front, rear & exterior side yards	1 m over a width of 3 m provided that no part of the structure extends closer than 1.5 m to any lot line
d)	Balconies	Front, rear & exterior side yard	1.5 m provided that no part of the structure extends closer than 1.5 m to any lot line
e)	Uncovered porches, decks and terraces.	Front, rear & exterior side yards for residential uses	2.5 m including eaves and steps provided that no porch, deck or patio extends closer than 1.5 m to any lot line
f)	Covered roofed porches, decks and terraces not exceeding one storey in height	Front, rear & exterior side yards for residential uses	1.5 m including eaves and steps provided that no porch, deck or patio extends closer than 1.5 m to any lot line
g)	Retaining walls or similar accessory structures	All yards	No maximum or minimum requirements provided that no part of the structure extends beyond the property line.
h)	Wheelchair ramps	Front, rear & exterior side yards	3.5 m including landings and provided that no wheelchair ramp extends closer than 0.8 m to any lot line

	Structure	Yard in Which Projection is Permitted	Maximum Projection into a Required Yard
i)	Solar panels	Rear yard, exterior and interior side yard	1 metre provided that no part of the unit extends closer than 1.5 metres to any lot line

(2) Encroachments of Awnings, Canopies, Balconies & Signs in Commercial Zones

Awnings, canopies, balconies and signs may extend over municipal property in Commercial Zones a maximum of 1.5 m provided:

- a) That no portion of the awning, canopy, balcony or sign is closer than 1 metre from a parking or from the travelled portion of the street;
- b) That no portion of the awning, canopy, balcony or sign obstructs the view at any intersection; and,
- c) That the vertical distance clearance of 3 m be maintained from the surface of the sidewalk to the lowest portion of the awning, canopy, balcony or sign.

~~LOW DENSITY RESIDENTIAL (R1) ZONE~~

SECTION 5 URBAN RESIDENTIAL FIRST DENSITY (R1) ZONE

PURPOSE & INTENT: The ~~Low Urban Residential First Density Residential~~ (R1) Zone applies to single detached residences on individual lots in Strathroy, Mount Brydges and Melbourne in the “Residential” and “Hamlet” designations in the Official Plan. Within the R1 zone, standards which apply to such matters as minimum lot area, frontage, yard setbacks and coverage vary depending on how they are serviced (i.e. municipal water supply and sanitary sewer systems vs. partial services). ~~One secondary suite is~~ **Additional residential units are** permitted in addition to the primary residential use on the property. Restrictions relating to the location and size of garages are to ensure the streetscape is not dominated by garages and to enhance the pedestrian environment.

5.1 GENERAL PROVISIONS

- (1) No person shall, within the R1 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

5.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the R1 Zone:
- a) Dwelling, ~~Secondary Suite~~ **Additional Residential Unit (in conjunction with a single detached dwelling or semi-detached dwelling)**
 - b) Dwelling, Single Detached
 - c) **Dwelling, Semi-detached**
 - d) Group Home ~~—Type I~~
 - e) **Dwelling, Multi-Unit (maximum four units), with full municipal services.**
 - f) **School, Public**
 - g) **School, Private**
 - h) **Short Term Accommodation in accordance with Section 4.20.**

5.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the R1 Zone:

	Provision	Lots on Full Municipal Services	Lots Without Municipal Sewer Service
a) —	Minimum Lot Area	460 m²	930 m²

b) —	Minimum Lot Frontage	15 m	23 m
c) —	Front Yard Depth / Exterior Side Yard Width*	5 m (minimum)	7 m (minimum)
d) —	Side Yard Width*	1.2 m	2 m
e) —	Rear Yard Depth	8 m	10 m
f) —	Maximum Lot Coverage	40%	30%
g) —	Landscaped Open Space	40%	40%

*** Where no private garage is attached, the minimum width shall be 1.2 m / 2 m on one side of the dwelling and a minimum of 3 m on the other side of the dwelling.**

Provision		Lots on Full Municipal Services		Lots Without Municipal Sewer Service
		Single-detached, Group Home	Semi-detached, Multi-unit	Single-detached, semi-detached, Group Home
a)	Minimum Lot Area	400 m ²	500 m ²	930 m ²
b)	Minimum Lot Frontage	15 m	20 m	23 m
c)	Minimum Front Yard Depth / Exterior Side Yard Width*	5 m	5 m	7 m
d)	Minimum Interior Side Yard Width*	1.2 m	2 m	2 m
e)	Minimum Rear Yard Depth	8 m	8 m	10 m
f)	Maximum Lot Coverage	45%	45%	30%
g)	Landscaped Open Space	40%	30%	40%

*** Where no private garage is attached, the minimum width shall be 1.2 m / 2 m on one side of the dwelling and a minimum of 3 m on the other side of the dwelling.**

5.4 SPECIAL PROVISIONS

- (1) The following provisions shall apply in the R1 Zone:

5.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "R1" Zone. If a regulation or use is not specified, the permitted uses of Subsection 5.2 and the regulations of 5.3 and 5.4 shall apply.

- (1) **R1-1 (Saxonville Estates Phase 5)**

- a) **Defined Area:** R1-1 as shown on Schedule 'B', Map No. 13 to this By-law.
- b) **Lot Provisions:**
- | | |
|------------------------------|--------------------|
| i) Minimum Lot Area | 460 m ² |
| ii) Minimum Lot Frontage | 13.5 m |
| iii) Front Yard Depth | 5 m |
| iv) Exterior Side Yard Width | 1.2 m |
| v) Side Yard Width | 1.2 m |
| vi) Rear Yard Depth | 8 m |
| vii) Maximum Lot Coverage | 40% |
- c) **Private Garages:** That subsection 4.2(3) shall not apply in the R1-1 Zone.
- (2) **R1-2** (Lupine Developments Mount Brydges)
- a) **Defined Area:** R1-2 as shown on Schedule 'C', Map No. 2 and Map No. 4 to this By-law.
- b) **Lot Provision:**
- | | |
|-------------------------|------|
| i) Minimum Lot Frontage | 12 m |
|-------------------------|------|
- (3) **R1-3** (York Street and Parkview Drive)
- a) **Defined Area:** R1-3 as shown on Schedule 'B', Map No. 16 to this By-law.
- b) **Lot Provisions:**
- | | |
|------------------------------|-------|
| i) Side Yard Width | 1.2 m |
| ii) Exterior Side Yard Width | 1.2 m |
- (4) **R1-4** (22370 and 22366 Adelaide Road)
- a) **Defined Area:** R1-4 as shown on Schedule 'C', Map No. 6 to this By-law.
- b) **Lot Provisions:**
- | | |
|-------------------------|------------------------------------|
| i) Minimum Lot Frontage | 13 m |
| ii) Side Yard Width | 0.45 m from the northerly lot line |
- (5) **R1-5** (Kensington Village)
- a) **Defined Area:** R1-5 as shown on Schedule 'B', Map No. 15 to this By-law.
- b) **Lot Provisions:**
- | | |
|---|--------------------|
| i) Minimum Lot Area | 250 m ² |
| ii) Minimum Lot Frontage | 9.7 m |
| iii) Minimum Floor Area | 75 m ² |
| iv) Front Yard Depth/Exterior Side Yard Width | |
| v) Habitable portion of the dwelling | 4.5 m |
| vi) Attached Garage | 6.5 m |
| vii) Side Yard Width | 1 m |
| viii) Rear Yard Depth | 6 m |
| ix) Maximum Lot Coverage | 55% |
- (6) **R1-6** (Kensington Village)

- a) **Defined Area:** R1-6 as shown on Schedule 'B', Map No. 15 to this By-law.
- b) **Lot Provisions:**
- | | |
|-------------------|-----|
| i) Maximum Height | 6 m |
|-------------------|-----|
- (7) **R1-7** (Saxonville Estates)
- a) **Defined Area:** R1-7 as shown on Schedule 'B', Map No. 13 to this By-law.
- b) **Lot Provisions:**
- | | |
|------------------------------|-------|
| i) Front Yard Depth | 5 m |
| ii) Exterior Side Yard Width | 1.2 m |
| iii) Side Yard Width | 1.2 m |
- (8) Deleted
- (9) **R1-9** (Thorne Drive, Agnes Drive)
- a) **Defined Area:** R1-9 as shown on Schedule 'B', Map No. 4 to this By-law.
- b) **Lot Provisions:**
- | | |
|------------------------------|-------|
| i) Front Yard Depth | 6 m |
| ii) Exterior Side Yard Width | 3 m |
| iii) Side Yard Width | 1.2 m |
| iv) Rear Yard Depth | 7.5 m |
| v) Maximum Lot Coverage | 35% |
- (10) **R1-10** (Lot 210, 185, 178, 164, 152, 107 33M-662, South Creek)
- a) **Defined Area:** R1-10 as shown on Schedule 'C', Map No. 7 to this By-law.
- b) **Lot Provisions:**
- | | |
|-------------------------------|-----|
| i) Minimum Exterior Side Yard | 3 m |
|-------------------------------|-----|
- (11) **R1-11** (Lots 1-50, 33M-708, Amber Meadows)
- a) **Defined Area:** R1-11 as shown on Schedule 'B', Map No. 1 to this By-law.
- b) **Lot Provisions:**
- | | |
|----------------------------|-----|
| i) Minimum Rear Yard Depth | 6 m |
|----------------------------|-----|
- (12) **R1-12** (Queen Street)
- a) **Defined Area:** R1-12 as shown on Schedule 'C', Map No. 3 to this By-law.
- b) **Lot Provisions:**
- | | |
|-------------------------|--------|
| i) Minimum Lot Frontage | 12.8 m |
|-------------------------|--------|
- (14) **R1-14** (8566 Glendon Drive)
- a) **Defined Area:** R1-14 as shown on Schedule 'C' Map No. 3 to this By-law.
- b) **Lot Provisions:**

- | | | |
|--|---|--------------------|
| | i) Minimum Front Yard Depth: | 3.59 m |
| | ii) Maximum Size of Accessory Structures: | 220 m ² |
- (15) **R1-15** (Rougham Road)
- a) **Defined Area:** R1-15 as shown on Schedule 'C', Map No. 3 to this By-law.
- b) **Lot Provisions**
- | | | |
|--|---------------------------------------|--------------------|
| | i) Minimum Lot Area | 440 m ² |
| | ii) Minimum Lot Frontage | 12 m |
| | iii) Minimum Exterior Side Yard Depth | 2.5 m |
- (16) **R1-16** (Lot 15 39-SC1704 - Rougham Road)
- a) **Defined Area:** R1-16 as shown on Schedule 'C', Map No. 3 to this By-law.
- b) **Lot Provisions**
- | | | |
|--|--|--------------------|
| | i) Minimum Lot Area | 440 m ² |
| | ii) Minimum Lot Frontage | 12 m |
| | iii) Minimum Side Yard Depth-west side | 4 m |
- (17) **R1-17** (39T-SC-1303 Part Lot 24, Concession 3)
- a) **Defined Area:** R1-17 as shown on Schedule 'B', Map No. 4 to this By-law.
- b) **Lot Provisions**
- | | | |
|--|---|--------|
| | i) Minimum Lot Frontage | 14.5 m |
| | ii) Minimum East Side Yard Width of any Building or structure on Lot 15 of Plan 39T-SC1303 | 2.1 m |
| | iii) Section 4.34 – Yard Encroachments shall not apply to the east side yard of Lot 15 in Plan 39T-SC1303 | |
- (18) **R1-18-H-5** (Rougham Road and Parkhouse Drive)
- a) **Defined Area:** R1-18-H-5 as shown on Schedule 'C', Map No. 5 to this By-law.
- b) **Permitted Uses:**
- | | |
|--|--|
| | i) Dwelling, Secondary Suite Additional Residential Unit |
| | ii) Dwelling, Single Detached |
- c) **Lot Provisions:**
- | | | |
|--|---|--------------------|
| | i) Minimum Lot Area | 360 m ² |
| | ii) Minimum Lot Frontage | 12.0 m |
| | iii) Minimum Front Yard/Exterior Side Yard Width to Habitable Portion of the Dwelling: | 4.5 m |
| | iv) Despite section 5.5 (18) c) iii) the set exterior side yard width to a habitable portion of a dwelling where there are no lots fronting onto the same Street Line as the exterior side yard | 2.0 m |
| | v) Minimum Front Yard/Exterior Side Yard Width to opening of garage | 6.0 m |
| | vi) Minimum Rear Yard Depth | 6.0 m |

- | | |
|--|-----|
| vii) Maximum Lot Coverage | 45% |
| viii) All other provisions in Section 5.3 continue to apply. | |

d) **Holding Provisions:**

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-5' appears on a zoning map, following the zone category 'R1-18', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol.

e) **Hold Removal:**

- i) Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.

(19) **R1-19** (22417 Adelaide Road)

- a) **Defined Area:** R1-19 as shown on Schedule 'C', Map No. 6 to this By-law.

b) **Permitted Uses:**

In addition to the permitted uses listed in Section 5.2, the following use shall also be a permitted use in the R1-19 Zone:

- i) Residential Care Home

- c) **Lot Provisions:** In addition to the lot provisions listed in Subsection 5.3, the following lot provision shall ~~apply~~ **apply** to the R1-19 Zone

- | | |
|---|----|
| i) Maximum Number of Residential Care Home Beds | 18 |
|---|----|

(20) **R1-~~19~~20-H-5** (Saulsbury Street and Dominion Street)

- a) **Defined Area:** R1-~~19~~20-H-5 as shown on Schedule 'B', Map No. 6 to this By-law.

b) **Lot Provisions:**

- | | | |
|------|--|-------|
| i) | The minimum exterior side yard width to a habitable portion of a dwelling where a corner lot is sited so that its rear lot line abuts an adjacent interior side yard | 5.0 m |
| ii) | The minimum exterior side yard width to a habitable portion of a dwelling where a corner lot is sited so that its rear lot line abuts an adjacent rear lot line, or open space block | 1.8 m |
| iii) | Where the exterior side yard setback of the main dwelling is less than 5 m no driveways can cross the exterior side lot line. | |
| iv) | Despite section 4.34, where the exterior side yard setback of the main dwelling is less than 5 | 1.2 m |

	m, the minimum setback from an exterior lot line of any permitted encroachment	
v)	Minimum Front Yard/Exterior Side Yard Width to the opening of a garage	6.0 m
vi)	Minimum Rear Yard Depth	7.0 m
vii)	Maximum Lot Coverage	45%
viii)	All other provisions in Section 5.3 continue to apply.	

c) **Holding Provisions:**

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-5' appears on a zoning map, following the zone category 'R1-19', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol.

d) **Hold Removal:**

- i) Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.

(21) **R1-21-T (311 Ellor Street)**

- a) **Defined Area:** R1-21-T as shown on Schedule 'B' Map No. 15 to this By-law.

- b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 5.2 the following use is permitted:

- i) Parking Lot for use by 301 Ellor Street

c) **Lot Provisions:**

- i) **Surface and Drainage of Parking Lot**
All parking areas are to be provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles, including but not limited to:
 - a. Crushed stone or gravel or material prescribed by the site plan agreement; and /or
 - b. Asphalt, concrete or other hard surfaced material.
 - c. All parking areas shall be drained so as to prevent the pooling of
 - d. surface water onto adjacent lots or public highways.
- ii) **Setback of Parking Lot**
 - a. The parking lot is to be setback 3 metres from any property line adjacent to residentially zoned lot.

- d) **Time Period:** Notwithstanding any other provision of this By-law to the contrary, Parking Lot shall be permitted on those lands Zoned R1-20-T from July 4, 2023 to July 4, 2025, after which only one (1) single detached dwelling shall be permitted.

- e) **Removal:** One (1) Parking Lot shall be removed in conformity with Section 5.2 of By-law 43-08 at the conclusion of the two (2) year period or sooner if the parking lot is not needed by the existing user.
- (22) **R1-22** (*40 Caradoc Street North*)
- a) **Defined Area:** R1-20 as shown on Schedule 'B', Map No. 12 to this By-law.
 - b) **Lot Provisions:**
 - i) Minimum Lot Frontage 11 m
 - ii) Minimum Exterior Side Yard 1.2 m
 - iii) Minimum Landscape Coverage 20%
- (23) **R1-23 15** (Lot 52, 53, 72, 73, 84, and 99 on 33M-662, South Creek)
- a) **Defined Area:** R1-~~15~~-23 as shown on Schedule 'C' Map No. 7 to this By-law.
 - b) **Lot Provisions:**
 - i) Minimum Exterior Side Yard 3 m

MEDIUM DENSITY RESIDENTIAL (R2) ZONE

SECTION 6 URBAN RESIDENTIAL SECOND DENSITY (R2) ZONE

PURPOSE & INTENT: The ~~Medium~~ **Urban Residential Second Density Residential** (R2) Zone applies to residential development comprising two dwelling units in Strathroy, Mount Brydges, and Melbourne. Denser single detached dwellings are also permitted. In the case of both Strathroy and Mount Brydges, the corresponding land use designation in the Municipality's Official Plan is 'Residential'. Melbourne is designated 'Hamlet'. All development in the R2 Zone is required to be on full municipal services.

6.1 GENERAL PROVISIONS

- (1) No person shall, within the R2 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

6.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the R2 Zone:
 - a) Dwelling, Linked
 - b) Dwelling, Multi-unit (maximum **86** units)
 - c) Dwelling, ~~Secondary Suite~~ **Additional Residential Unit** (on lots in conjunction with single detached, **townhouse dwellings**, or semi-detached dwellings ~~exist~~)
 - d) Dwelling, Semi-detached
 - e) Dwelling, Single Detached
 - f) Dwelling, Townhouse (maximum **86** units)
 - g) Group Home ~~—Type I~~ (in a single-detached dwelling only)
 - h) **School, Public**
 - i) **School, Private**

6.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the R2 Zone:

	Provision	Single Detached	Semi-detached / Linked	Multi-unit	Townhouse
i)	Minimum Lot Area (per unit)	350 m ²	300 250 m ²	130 m ²	250 185 m ²
ii)	Minimum Lot Frontage	12 m	10 m (per unit)	20 m	8 m (per unit)
iii)	Front Yard Depth / Exterior Side Yard Width	5 m	5 m	5 m	5 m
iv)	Side Yard Width*	1.2 m	1.2 m	2 m	2 m
v)	Rear Yard Depth	8 m	8 m	8 m	8 m
vi)	Maximum Lot Coverage	40 5%	40 5%	40 5%	40 5%
vii)	Landscaped Open Space	30%	30%	30%	30%

* No side yard shall be required for semi-detached / multi-unit / townhouse dwellings between the common walls dividing dwelling units. Additionally, the minimum above grade separation for main walls of linked dwelling units shall be 1.2 m with a right-of-way to each abutting property in effect between the linked dwellings and 2.4 m where no right-of-way exists. Where no private garage is attached to a single detached dwelling, the minimum width shall be 1.2 m on one side of the dwelling and a minimum of 3 m on the other side of the dwelling.

6.4 SPECIAL PROVISIONS

The following provisions shall apply in the R2 Zone:

(1) Parking

In addition to Section 4.23 of this by-law, the following provisions shall apply:

- a) All parking spaces shall be located in a private garage, or in a driveway, or in an interior side or rear yard.
- b) No parking, with the exception of parking in a driveway, shall be permitted within the front or exterior yard on a lot.
- c) Parking shall not exceed 20% of lot coverage.
- d) Parking shall be set back a minimum of 2 m from an exterior lot line.

(2) Outdoor Common Private Amenity Area

Every lot containing more than **four (4)** dwelling units shall have ~~an outdoor common~~ **private** amenity area **for each dwelling unit, in accordance with the following:**

- a) The minimum size of the ~~common~~ **private amenity** area shall be 20 m² per dwelling unit.
- b) **The private amenity area shall and** have unobstructed access from the dwelling.
- c) **The private amenity area shall have a minimum depth of 4.5 m, and a minimum width equal to the width of the dwelling unit, and no less than 4.5 m, whichever is the greater.**

6.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "R2" Zone. If a regulation or use is not specified, the permitted uses of Subsection 6.2 and the regulations of 6.3 and 6.4 shall apply.

(1) R2-1 (Katie Lane west of Agnes Drive)

- a) **Defined Area:** R2-1 as shown on Schedule 'B', Map No. 4 to this By-law.
- b) **Permitted Uses:** dwelling, single detached
- c) **Lot Provisions:**

i)	Minimum Lot Area	384 m ²
ii)	Minimum Lot Frontage	13.5 m
iii)	Front Yard Depth	5 m
iv)	Exterior Side Yard Width	3 m
v)	Side Yard Width	1.2 m
vi)	Rear Yard Depth	7.5 m
vii)	Maximum Lot Coverage	34%
viii)	Minimum Landscaped Open Space	50%
ix)	Private Garage – Attached	
	a. Maximum Width	50%
	b. Front Yard Depth	6 m
	c. Exterior Side Yard Depth	6 m
x)	Private Garage – Detached	
	a. Maximum Width	50%
	b. Front Yard Depth	6 m
	c. Exterior Side Yard Depth	6 m
	d. Rear Yard Depth	6 m
	e. Side Yard Depth	6 m

(2) R2-2 (15 Caradoc Street South)

- a) **Defined Area:** R2-2 as shown on Schedule 'B', Map No. 15 to this By-law.
- b) **Permitted Uses:**
 - i) professional office
 - ii) all other permitted uses of the R2 zone

(3) **R2-3** (49-55 McKellar Street)

a) **Defined Area:** R2-3 as shown on Schedule 'B', Map No. 14 to this By-law.

b) **Permitted Uses:**

- i) dwelling
- ii) townhouse

c) **Lot Provisions:**

i)	Minimum Lot Area	160 m ²
ii)	Minimum Lot Frontage	5.2 m
iii)	Front Yard Depth	4.5 m
iv)	Exterior Side Yard Width	4.5 m
v)	Side Yard Width*	2 m
vi)	Rear Yard Depth	8 m
vii)	Maximum Lot Coverage	40%
viii)	Minimum Landscaped Open Space	30%

*a side yard width shall apply between the common wall dividing individual townhouse dwelling units.

(4) **R2-4** (22397 Adelaide Road)

a) **Defined Area:** R2-4 as shown on Schedule 'C', Map No. 6 to this By-law.

b) **Permitted Uses:**

- i) single detached dwelling
- ii) multi-unit dwelling (maximum 3 units)

(5) **R2-5** (273 Queen St)

a) **Defined Area:** R2-5 as shown on Schedule 'B', Map No. 15 to this By-law.

b) **Permitted Uses:**

- i) existing uses
- ii) semi-detached/link dwelling
- iii) multiple unit
- iv) townhouse dwelling

(6) **R2-6** (Part Lot 18, Plan 147, Part 1 RP 33R16136)

a) **Defined Area:** R2-6 as shown on Schedule 'B', Map No. 16 to this By-law.

b) **Permitted Uses:** multi-unit dwelling, separated horizontally (maximum 2 units)

c) **Lot Provisions:**

- | | | |
|----|----------------------|------|
| i) | Minimum Lot Frontage | 15 m |
|----|----------------------|------|

(7) **R2-7** (534 Head Street North)

a) **Defined Area:** R2-7 as shown on Schedule 'B', Map No. 3 to this By-law.

b) **Permitted Uses:** semi-detached dwelling

- c) **Lot Provisions:**
- | | |
|------------------------------|--------|
| i) Rear Yard Depth | 5.15 m |
| ii) Interior Side Yard Depth | 7.42 m |
- (8) **R2-8** (534 Head Street North)
- a) **Defined Area:** R2-8 as shown on Schedule 'B', Map No. 3 to this By-law.
- b) **Permitted Uses:**
- i) semi-detached dwelling
- c) **Lot Provisions:**
- | | |
|-------------------------------|--------|
| i) Rear Yard Depth | 7 m |
| ii) Front Yard Depth | 8.15 m |
| iii) Interior Side Yard Depth | 4.44 m |
- (9) **R2-9** (Lot 2-7 33M-495, Queensway Drive)
- a) **Defined Area:** R2-9 as shown on Schedule 'B', Map No. 15 to this By-law.
- b) **Permitted Uses:** semi-detached / link dwelling only
- c) **Lot Provisions:**
- | | |
|-------------------------|-------|
| i) Minimum Lot Frontage | 9.5 m |
|-------------------------|-------|
- (9) **Deleted**
- (10) **R2-10** (70 North Street)
- a) **Defined Area:** R2-10 as shown on Schedule 'B', Map No. 12 to this By-law.
- b) **Permitted Uses:**
- i) single-detached dwelling as the only permitted use
- c) **Lot Development Provisions (per Section 4.11 of Zoning By-law):**
- | | |
|---|---|
| i) Minimum Lot Frontage | 10.5 m |
| ii) Minimum Rear Yard Depth – detached garage | 6 m |
| iii) Minimum Front Yard Depth | 3.5 m |
| iv) Maximum Front Yard Depth | 4.5 m |
| v) Maximum Height | No greater than 2m higher than the height of adjacent dwellings |
| vi) Exterior Side Yard walls – shall not extend further than 1m past the longest side wall facing the lands located on the adjacent residential properties. | |
- (11) **R2-11** (8696 Glendon Dr)

- a) **Defined Area:** R2-11 as shown on Schedule 'C', Map No. 4 to this By-law.
- b) **Permitted Uses:**
- i) single-detached
 - ii) semi-detached/~~link~~ dwelling
 - iii) multi-unit (maximum 2 dwelling units), and
 - iv) townhouse dwelling (maximum of 2 dwelling units)
- c) **Lot Provisions:**
- i) Easterly Interior Side Yard Depth 6 m
- (12) **R2-12-H-2** (170 Victoria Street)
- a) **Defined area:** R2-12-H-2 as shown on Schedule 'B' to Map No. 11 to this By-law.
- b) **Parking:**
- i) Notwithstanding Section 6.4.1(b) of this By-law, parking shall be permitted within the front yard provided it is setback at least 2 m from the front lot line.
- c) **Holding Provision:**
- i) Notwithstanding any other provision of this By-law, where the symbol 'H-2' appears on a zoning map, following the zone category 'R2-12', the permitted uses on those lands shall be only uses permitted within Section 5.2 of this By-law, unless this By-law has been amended to remove the relevant 'H-2' symbol.
- d) **Removal of 'H':**
- i) Notwithstanding any other provision of this By-law, the 'H-2' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the approval and registration on title of a Site Plan Control Agreement detailing the terms and condition of the development, including the posting of financial security to the satisfaction of the Municipality.
- (13) **R2-13** (3 Brennan Drive)
- a) **Defined Area:** R2-13 as shown on Schedule 'B' Map No. 6 to this By-law.
- b) **Permitted Uses:**
- Notwithstanding the permitted uses listed in Section 6.2, the following uses shall be the only permitted uses in the R2-13 Zone:
- i) Dwelling, Single Detached
 - ii) Secondary Suite
 - iii) Dwelling, Multi-unit (maximum 2 dwelling units)
 - iv) Dwelling, Semi-detached
- c) **Lot Provisions:**
- i) Minimum lot frontage: 15 m
- (14) **R2-14** (Ridge Street Extension to Park Street)

- a) **Defined Area:** R2-14 as shown on Schedule 'A' Map No. 13 to this By-law.
- b) **Lot Provisions:**
- i) Minimum Exterior Side Yard Setback: 2.3 m
- (15) **R2-15** (11 Carroll Street West)
- a) **Defined Area:** R2-15 as shown on Schedule 'B' Map No. 14 to this By-law.
- b) **Lot Provisions:**
- i) Minimum Lot Frontage for a Multi-unit dwelling: 13 m
 - ii) Minimum Interior Side Yard Setback for a Multi-unit dwelling: 1.2 m
- (16) **R2-16** (22701 Adelaide Road)
- a) **Defined Area:** R2-16 as shown on Schedule 'C', Map No. 1 to this By-law.
- b) **Permitted Uses:**
- i) Dwelling, ~~Secondary Suite~~ **Additional Residential Unit**
 - ii) Dwelling, Single Detached
- c) **Lot Provisions:**
- i) Minimum Lot Area 335 m²
 - ii) Minimum Lot Frontage 9.0 m
 - iii) Minimum Exterior Side Yard Width 3.0 m
 - iv) Minimum Rear Yard Depth 6.0 m
 - v) All other provisions in Section 6.3 continue to apply.
- d) **Holding Provisions:**
- i) Notwithstanding any other provision of this By-law, where the symbol 'H-7' appears on a zoning map, following the zone category 'R2-16', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-7' symbol.
- e) **Hold Removal:**
- i) Notwithstanding any other provision of this By-law, the 'H-7' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Condominium Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.
- (17) **R2-17-H-5** (Glendon drive and Queen Street)
- a) **Defined Area:** R2-17-H-5 as shown on Schedule 'C', Map No. 3 to this By-law.
- b) **Permitted Uses:**
- i) Dwelling, ~~Secondary Suite~~ **Additional Residential Unit**
 - ii) Dwelling, Semi Detached Dwelling, Single Detached
- c) **Lot Provisions:**

- | | | |
|------|---|--------------------|
| i) | Minimum Lot Area(Semi-detached/Linked) | 260 m ² |
| ii) | Minimum Lot Frontage for (Semi-detached/Linked) | 9.5 m |
| iii) | Minimum Exterior Side Yard Width
to Habitable Portion of the Dwelling: | 3.0 m |
| iv) | All other provisions in Section 6.3 continue to apply. | |

d) **Holding Provisions:**

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-5' appears on a zoning map, following the zone category 'R2-17', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol.

e) **Hold Removal:**

- i) Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by- law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.

(18) **R2-18-H-5** (Glendon Drive and Queen Street)

a) **Defined Area:** R2-18-H-5 as shown on Schedule 'C', Map No. 3 to this By-law.

b) **Lot Provisions:**

- | | | |
|------|--|--------------------|
| i) | Minimum Lot Area per unit (Townhouse) | 200 m ² |
| ii) | Minimum Lot Frontage per unit (Townhouse) | 6.7 m |
| iii) | Minimum Exterior Side Yard Width | 3.0 m |
| iv) | Minimum Side Yard Width | 1.2 m |
| v) | Maximum Lot Coverage (Townhouse) | 55% |
| vi) | All other provisions in Section 6.3 and 6.4 continue to apply. | |

c) **Holding Provisions:**

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-5' appears on a zoning map, following the zone category 'R2-18', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol.

d) **Hold Removal:**

- i) Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by- law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.

(19) **R2-19** (61 Brennan Drive)

a) **Defined Area:** R2-19 as shown on Schedule 'B', Map No. 6 to this By-law.

b) **Lot Provisions:**

- i) Minimum Lot Frontage for semi-detached dwelling 9.4 m
- ii) Minimum Lot Area for semi-detached dwelling 290 m²

(20) **R2-20** (22264 & 22268 Adelaide Road)

a) **Defined Area:** R2-20 as shown on Schedule 'C', Map No. 6 to this By-law.

b) **Lot Provisions:**

- i) Maximum size of accessory buildings and garage 76 m²

(21) **R2-21-H-5** (Saulsbury Street and Dominion Street)

a) **Defined Area:** R2-21-H-5 as shown on Schedule 'B', Map No. 6 to this By-law.

b) **Lot Provisions:**

- i) The minimum exterior side yard width to a habitable portion of a dwelling where a corner lot is sited so that its rear lot line abuts an adjacent interior side yard, 5.0 m
- ii) The minimum exterior side yard width to a habitable portion of a dwelling where a corner lot is sited so that its rear lot line abuts an adjacent rear lot line, or open space block 1.8 m
- iii) Where the exterior side yard width of the main dwelling is less than 5 m no driveways can cross the exterior side lot line
- iv) Despite section 4.34, where the exterior side yard setback of the main dwelling is less than 5 m, the minimum setback from an exterior lot line of any permitted encroachment 1.2 m
- v) Minimum Front Yard/Exterior Side Yard Width to the opening of a garage 6.0 m
- vi) Minimum Rear Yard Depth 7.0 m
- vii) Maximum Lot Coverage 45%
- viii) All other provisions in Section 6.3 and 6.4 continue to apply.

c) **Holding Provisions:**

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-5' appears on a zoning map, following the zone category 'R2-21', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol.

d) **Hold Removal:**

- i) Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.

(22) **R2-22-H-5** (Saulsbury Street and Dominion Street)

- a) **Defined Area:** R2-22-H-5 as shown on Schedule 'C', Map No. 5 to this By-law.

b) **Permitted Uses:**

- i) Dwelling, Townhouse (maximum 8 units)
- ii) Dwelling, Multi-unit (maximum 8 units)
- iii) all other permitted uses of the R2 zone (Section 6.2)

c) **Lot Provisions:**

- | | |
|--|-------|
| i) The minimum exterior side yard width to a habitable portion of a dwelling where a corner lot is sited so that its rear lot line abuts an adjacent interior side yard, | 5.0 m |
| ii) The minimum exterior side yard width to a habitable portion of a dwelling where a corner lot is sited so that its rear lot line abuts an adjacent rear lot line, or open space block | 1.8 m |
| iii) Where the exterior side yard width of the main dwelling is less than 5 m no driveways can cross the exterior side lot line. | |
| iv) Despite section 4.34, where the exterior side yard setback of the main dwelling is less than 5 m, the minimum setback from an exterior lot line of any permitted encroachment | 1.2 m |
| v) Minimum Front Yard/Exterior Side Yard Width to the opening of a garage | 6.0 m |
| vi) Minimum Rear Yard Depth | 7.0 m |
| vii) Maximum Lot Coverage | 45% |
- All other provisions in Section 6.3 and 6.4 continue to apply.

d) **Holding Provisions:**

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-5' appears on a zoning map, following the zone category 'R2-22', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol.

e) **Hold Removal:**

- i) Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.

(23) **R2-23-H-2-H-8** (100 Second Street)

- a) **Defined Area:** R2-23-H-2-H-8 as shown on Schedule 'B', Map No. 3 to this By-law.

b) **Lot Provisions:**

- i) Minimum setback from centerline of a County Road 19.0 m
- ii) Minimum setback between townhouse blocks 2.4 m
- iii) All other provisions in Section 6.3 continue to apply.
- iv) Notwithstanding any future severance or lot division the provisions of this by-law and zone will be assess on the zone as whole.

c) **Holding Provisions:**

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-2' and 'H-8' appears on a zoning map, following the zone category 'R2-23', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-2' and 'H-8' symbol.

d) **Hold Removal:**

- i) Notwithstanding any other provision of this By-law, the 'H-2' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Site Plan Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.
- ii) Notwithstanding any other provision of this By-law, the 'H-8' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the completion of a traffic study to the satisfaction of the Municipality.

(24) **R2-24** (83 Erie Street)

- a) **Defined Area:** R2-24 as shown on Schedule 'B', Map No. 14 to this By-law.

b) **Lot Provisions:**

- i) Minimum Lot Frontage 17.8 m
- ii) Minimum Internal Side Yard 1.25 m

(25) **R2-25** (430 Head Street North)

- a) **Defined Area:** R2-25 as shown on Schedule 'B', Map No. 5 to this By-law.

b) **Lot Provisions:**

- | | |
|---|--------------|
| i) Minimum Rear Yard Depth | 6.0 metres m |
| ii) Minimum Exterior Side Yard setback to Head Street | 3.0 metres m |
| iii) Minimum Exterior Side Yard setback all other locations | 1.2 metres m |
| Maximum Lot Coverage | 50% |

c) **Height:**

- i) Notwithstanding 4.12 (1) no building or structure shall exceed a height of 1 storey above grade at the front wall of the dwelling.

d) **Parking and Driveways:**

- i) Notwithstanding 4.23 (1) Parking Ratios for Uses & Zones – each unit or lot will have a minimum of 4 parking spaces.

(26) **R2-26-H-5** (390 Second Street)

- a) **Defined Area:** R2-26-H-5 as shown on Schedule 'B', Map No. 5 to this By-law.

b) **Lot Provisions:**

For Single Detached Dwellings:

- | | |
|---|--------------------|
| i) Minimum Lot Area | 350 m ² |
| ii) Minimum Frontage | 10.0 m |
| iii) Minimum Rear Yard Depth | 6.0 m |
| iv) Maximum Lot Coverage | 45% |
| v) All other provisions in Section 6.3 shall continue to apply. | |

For Semi- Detached Dwellings:

- | | |
|---|-------|
| i) Minimum Rear Yard Depth | 6.0 m |
| ii) Maximum Lot Coverage | 45% |
| iii) All other provisions in Section 6.3 shall continue to apply. | |

For Multi-Unit Dwellings:

- | | |
|---|-------|
| i) Minimum Rear Yard Depth | 6.0 m |
| ii) Maximum Lot Coverage | 45% |
| iii) All other provisions in Section 6.3 shall continue to apply. | |

For Townhouse Dwellings:

- | | |
|---|------|
| i) Minimum Rear Yard Depth | 6.0m |
| ii) Maximum Lot Coverage | 45% |
| iii) All other provisions in Section 6.3 shall continue to apply. | |

c) **Special Provisions:**

Notwithstanding Section 6.3 the following shall apply:

- | | |
|---|-------|
| i) Minimum Front Yard Depth/Exterior Yard Depth: | |
| a. Arterial Road: | 4.0 m |
| b. Collector Road: | 4.0 m |
| c. Local Street: | 2.5 m |
| ii) Maximum Front Yard Depth/Exterior Yard Depth: | |

d. Arterial Road:	8.0 m
e. Collector Road:	8.0 m
f. Local Street:	6.5 m

- iii) Minimum separation between any building 2.4m
- iv) Minimum Density 15 units per ha
- v) Maximum Density 30 units per ha
- vi) Garages are to be located no closer to the private road or street than the main front wall of the dwelling.
- vii) Front Yard Depth shall be no more than 2 m greater than that of the adjacent dwellings

d) **Amenity Area:**

- i) Notwithstanding 6.4 (3) where a minimum 20 m² is provided in a private backyard, no common amenity area is required.

e) **Holding Provision:**

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-5' appears on a zoning map, following the zone category 'R3-17', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol.

f) **Removal of 'H':**

- i) Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.

(27) **R2-27** (130 Beech Street)

- a) **Defined Area:** R2-26 as shown on Schedule 'B', Map No. 14 to this By-law.
- b) **Lot Provisions:**
 - i) Minimum Lot frontage for Townhouse Dwellings: 29m

(28) **R2-28-H-5** (Albert Street west of Dominion Street)

- a) **Defined Area:** R2-28-H-5 as shown on Schedule 'B', Map No. 6 to this By-law.
- b) **Permitted Uses:**
 - i) Dwelling, Multi-unit (maximum 7 units)
 - ii) Dwelling, Townhouse (maximum 7 units)
 - iii) Secondary Suite
 - iv) all other permitted uses of the R2 zone.
- c) **Lot Provisions:**
 - i) Minimum Lot Frontage 9.5 m
 - ii) Parking spaces may be provided in tandem
 - iii) All other provisions in Section 6.3 continue to apply.

d) **Holding Provisions:**

Notwithstanding any other provision of this By-law, where the symbol 'H-5' appears on a zoning map, following the zone category 'R2-28-H-5', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol..

e) **Hold Removal:**

Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.

HIGH DENSITY RESIDENTIAL (R3) ZONE

SECTION 7 URBAN RESIDENTIAL THIRD DENSITY (R3) ZONE

PURPOSE & INTENT: The ~~High~~ *Urban Residential Third Density Residential* (R3) Zone applies to residential development comprising multiple unit dwellings in Strathroy and Mount Brydges, and Melbourne. In the cases of Strathroy and Mount Brydges, the corresponding land use designation in the Municipality's Official Plan is 'Residential' and in Melbourne it is 'Hamlet'. Development is restricted to multiple unit dwellings in buildings which do not exceed a height greater than three storeys. All development in the R3 Zone is required to be on full municipal services.

7.1 GENERAL USE PROVISIONS

- (1) No person shall, within the R3 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

7.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the R3 Zone:
- a) Dwelling, Apartment
 - b) *Dwelling, Additional Residential Unit (in conjunction with townhouse dwellings)*
 - c) Dwelling, Multiple-unit
 - d) Dwelling, Townhouse
 - e) Grouped Housing
 - f) Long Term Care Facility
 - g) *School, Public*
 - h) *School, Private*

7.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the R3 Zone:

	Multi-unit	Townhouse	Grouped Housing	Long Term Care Facility	Apartment

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a)	Minimum Lot Area (per unit)	100 m ² for first 6 units & 15 m ² for each unit thereafter	210 m ²	Not less than the sum of each type of dwelling unit	100 m ² for first 10 units & 15 m ² for each unit thereafter	130 m ²
b)	Minimum Lot Frontage	20 m	6 m per unit	30 m	25 m	30 m

		Multi-unit	Townhouse	Grouped Housing	Long Term Care Facility	Apartment
c)	Front Yard Depth / Exterior Side Yard Width*	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m
d)	Side Yard Width	2 m	2 m	3 m	3 m	3 m
e)	Rear Yard Depth	10 m	9 m	12 m	9 m	15 m
f)	Maximum Lot Coverage	45%	45%	35%	45%	not applicable
g)	Minimum Landscaped Open Space	30%	30%	30%	30%	20%

* No side yard width shall be required on the side where two dwelling units are attached by a common wall extending along the side lot line separating such lots.

7.4 SPECIAL PROVISIONS

The following provisions shall apply in the R3 Zone:

(1) Parking

In addition to Section 4.23 of this by-law, the following provisions shall apply:

- a) All parking spaces shall be located in a private garage, or in a driveway, or in an interior side or rear yard.
- b) No parking, with the exception of parking in a driveway, shall be permitted within the front or exterior yard on a lot.
- c) Parking shall not exceed 25% of lot coverage
- d) Parking shall be set back a minimum of 2 m from an exterior lot line.

(2) Accessory Uses

Other than a private garage, accessory buildings or structures shall not exceed 10 m² in floor area per dwelling unit.

(3) Outdoor Common Amenity Area

~~Every lot containing more than 4 dwelling units shall have an outdoor common amenity area~~

- a) Buildings or lots with less than 10 dwelling units are not required to provide a common amenity area.

- b) The minimum size of the common area shall be ~~determined as follows:~~ 20 m² per dwelling unit.
- c) ~~The common amenity area shall~~ **and** have unobstructed access from the dwelling..
- d) ~~Common amenity areas shall be designed and located so that the length does not exceed four times the width.~~
- e) ~~A common amenity area shall be located in any yard other than a required front yard or required exterior side yard.~~
- f) ~~Landscaped open space areas, building rooftops, patios, and above ground decks may be included as part of the common amenity area if they are associated with recreational facilities that are provided and maintained, such as swimming pools, tennis courts, lounges, and landscaped areas.~~
- g) ~~Common amenity areas shall be aggregated into areas of not less than 50 m².~~

(4) Private Amenity Area

Every lot containing more than four (4) dwelling units shall have a private amenity area for each dwelling unit, in accordance with the following:

- a) The minimum size of the private amenity area shall be 20 m² per dwelling unit.
- b) The private amenity area shall have unobstructed access from the dwelling.
- c) The private amenity area shall have a minimum depth of 4.5 m, and a minimum width equal to the width of the dwelling unit, and no less than 4.5 m, whichever is the greater.

7.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "R3" Zone. If a regulation or use is not specified, the permitted uses of Subsection 7.2 and the regulations of 7.3 and 7.4 shall apply.

(1) R3-1 (290 – 298 Mogg Street)

- a) **Defined Area:** R3-1 as shown on Schedule 'B', Map No. 15 to this By-law.
- b) **Permitted Use:**
 - i) dwelling, single detached
- c) **Lot Provisions:**

i) Minimum Lot Area	210 m ²
ii) Minimum Lot Frontage	12.0 m
iii) Front Yard Depth	6.0 m
iv) Side Yard Width	1.2 m
v) Rear Yard Depth	6.0 m
vi) Maximum Lot Coverage	45%

(2) R3-2 (423 Saulsbury Street)

- a) **Defined Area:** R3-2 as shown on Schedule 'B' Map No. 6 to this By-law.

- b) **Lot Provisions:**
- | | |
|---------------------|--------|
| i) Side Yard Width | 15.0 m |
| ii) Rear Yard Depth | 5.0 m |
- (3) **R3-3 (25 Colborne Street)**
- a) **Defined Area:** R3-3 as shown on Schedule 'B' Map No. 8 to this By-law.
- b) **Permitted Use:**
- i) townhouse dwelling
- c) **Lot Provisions:**
- | | |
|-------------------|--------------------------------|
| i) Maximum Height | 8.0 m to a maximum of 1 storey |
|-------------------|--------------------------------|
- (4) **R3-4 (Ellor Street)**
- a) **Defined Area:** R3-6 as shown on Schedule 'B', Map No. 12 to this By-law.
- b) **Permitted Uses:**
- Notwithstanding the permitted uses listed in Section 7.2, the following uses shall be the only permitted use in the R3-6 Zone:
- i) Apartment dwelling (maximum 72 units)
- c) **Lot Provisions:**
- | | |
|--------------------------------|-------|
| i) Minimum Side Yard Widths | 8.0 m |
| ii) Maximum % area for parking | 35% |
- d) **Holding Provision:**
- i) Notwithstanding any other provision of this Bylaw, where the symbol 'H-2' appears on a zoning map, following the zone symbol 'R3-6', the permitted uses on those lands shall be only the existing uses as of September 6, 2016 unless this Bylaw has been amended to remove the relevant 'H-2' symbol.
- e) **Removal of 'H':**
- i) Notwithstanding any other provision of this Bylaw, the 'H-2' holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this bylaw upon the approval and registration on title of a 'Site Plan Control Agreement' detailing the terms and condition of the development, including the posting of financial security, to the satisfaction of the Municipality.
- (5) **R3-5 (571 Metcalfe Street East)**
- f) **Defined Area:** R3-5 as shown on Schedule 'B' Map No. 10 to this By-law.
- g) **Lot Provisions:**
- | | |
|-----------------------------|--------|
| i) Minimum Frontage | 15.0 m |
| ii) Minimum Rear Yard Depth | 6.0 m |

(6) **R3-6 (343 and 369 Metcalfe Street East)**

- a) **Defined Area:** R3-6 as shown on Schedule 'B', Map No. 10 to this By-law.
- b) **Parking:**
 - i) Notwithstanding Section 7.4(1) of this Bylaw, parking shall be permitted in the front yard provided it is setback at least 2 m from the front lot line.

(7) **~~R3-6 (Ellor Street)~~**

~~c) **Defined Area:** R3-6 as shown on Schedule 'B', Map No. 12 to this By-law.~~

~~d) **Permitted Uses:**~~

~~Notwithstanding the permitted uses listed in Section 7.2, the following uses shall be the only permitted use in the R3-6 Zone:~~

- ~~i) **Apartment dwelling (maximum 72 units)**~~

~~e) **Lot Provisions:**~~

- ~~i) **Minimum Side Yard Widths** _____ **8.0 m**~~
- ~~ii) **Maximum % area for parking** _____ **35%**~~

~~f) **Holding Provision:**~~

- ~~i) **Notwithstanding any other provision of this Bylaw, where the symbol 'H-2' appears on a zoning map, following the zone symbol 'R3-6', the permitted uses on those lands shall be only the existing uses as of September 6, 2016 unless this Bylaw has been amended to remove the relevant 'H-2' symbol.**~~

~~g) **Removal of 'H':**~~

- ~~i) **Notwithstanding any other provision of this Bylaw, the 'H-2' holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this bylaw upon the approval and registration on title of a 'Site Plan Control Agreement' detailing the terms and condition of the development, including the posting of financial security, to the satisfaction of the Municipality.**~~

(7) **R3-7 (358 Ellor Street)**

a) **Defined Area:** R3-7 as shown on Schedule 'B', Map No. 15 to this By-law.

b) **Permitted Uses:**

Notwithstanding the permitted uses listed in Section 7.2, the following uses shall be the only permitted use in the R3-7 Zone:

- i) Townhouses (maximum 26 units)

a) **Lot Provisions:**

- ii) Minimum Lot Frontage 67.0 m
- iii) Minimum Rear Yard Depth 4.0 m
- iv) Maximum Lot Coverage 49%
- v) Maximum Height 8 m to a maximum of 1 storey

c) **Holding Provision:**

- i) Notwithstanding any other provision of this Bylaw, where the symbol 'H-2' appears on a zoning map, following the zone symbol 'R3-7', the permitted uses on those lands shall be only the existing uses as of February 21, 2017 unless this Bylaw has been amended to remove the relevant 'H-2' symbol.

d) **Removal of 'H':**

- i) Notwithstanding any other provision of this Bylaw, the 'H-2' holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this bylaw upon the approval and registration on title of a 'Site Plan Control Agreement' detailing the terms and condition of the development, including the posting of financial security, to the satisfaction of the Municipality.

(8) **R3-8 (Southgrove Meadows Condominium)**

- a) **Defined Area:** R3-8 as shown on Schedule 'B', Map No. 18 to this By-law.

- b) **Permitted Uses:** dwelling, single detached

c) **Lot Provisions:**

- | | |
|---|--------------------|
| i) Minimum Lot Area | 380 m ² |
| ii) Minimum Lot Frontage | 12.0 m |
| iii) Front Yard Depth | 6.0 m |
| iv) Exterior Side Yard Width | 4.5 m |
| v) Side Yard Width | 1.2 m* |
| *Where no private garage is attached to a single detached dwelling, the minimum side yard shall be 1.2 m on one side of the dwelling and 3 m on the other side of the dwelling. | |
| vi) Rear Yard Depth | 6.0 m |
| vii) Maximum Lot Coverage | 45% |
| viii) Minimum Landscaped Open Space | 30% |
| ix) Private Garage – Attached | |
| a. Maximum Width | 50% |
| b. Front Yard Depth | 6.0 m |
| c. Exterior Side Yard Depth | 4.5 m |

(9) **R3-9 (Queen Street)**

- a) **Defined Area:** R3-9 as shown on Schedule 'C', Map No. 3 to this By-law.

b) **Lot Provisions:**

- | | |
|-----------------------------|--------|
| i) Minimum Lot Frontage | 12.8 m |
| ii) Minimum Rear Yard Depth | 4.0 m |

- c) **Holding Provision:**
- i) Notwithstanding any other provision of this Bylaw, where the symbol 'H-2' appears on a zoning map, following the zone symbol 'R3-9', the permitted uses on those lands shall be only the existing uses as of May 7, 2018 unless this By-law has been amended to remove the relevant 'H' symbol.
- d) **Removal of 'H':**
- i) Notwithstanding any other provision of this Bylaw, the 'H-2' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "B" of this bylaw upon the approval and registration on title of a 'Site Plan Control Agreement' detailing the terms and condition of the development, including the posting of financial security, to the satisfaction of the Municipality.
- (10) **R3-10** (370, 382 and Part of 374 and 378 Ellor Street as of the date of the passing of By-law 17-19)
- a) **Defined Area:** R3-10 as shown on Schedule 'B', Map No. 15 to this By-law.
- b) **Permitted Uses:** Notwithstanding the permitted uses listed in Section 7.2, the following uses shall be the only permitted use in the R3-10 Zone:
- i) Dwelling, Multiple unit
 - ii) Dwelling, Townhouse
- c) **Lot Provisions:**
- i) Section 7.3 (5), rear yard setback shall not apply to townhouses.
- d) **Yard Encroachments:**
- i) Notwithstanding provisions of Section 4.35 (1), Architectural adornments including but not limited to: sills, belt courses, cornices, eaves, gutters, chimneys, & pilasters, awnings, covered roofed porches, decks and terraces not exceeding one storey in height may, together or as an individual structure project into the front yard a total of 2.0m.
- e) **Holding Provision:**
- i) Notwithstanding any other provision of this Bylaw, where the symbol 'H-2' appears on a zoning map, following the zone symbol 'R3-10', the permitted uses on those lands shall be only the existing uses as of April 15, 2019 unless this Bylaw has been amended to remove the relevant 'H-2' symbol.
- f) **Removal of 'H':**
- i) Notwithstanding any other provision of this Bylaw, the 'H-2' holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this bylaw upon the approval and registration on title of a 'Site Plan Control Agreement' detailing the terms and condition of the development, including the posting of financial security, to the satisfaction of the Municipality.
- (11) **R3-11-H-5** (Rougham Road and Parkhouse Drive)
- a) **Defined Area:** R3-11-H-5 as shown on Schedule 'C', Map No. 5 to this By-law.

b) Permitted Uses:

- i) Dwelling, Single Detached
- ii) Dwelling, Semi-detached
- iii) all other permitted uses of the R3 zone

c) Lot Provisions:

- | | |
|--|--------------------|
| i) Minimum Lot Area per unit (detached) | 200 m ² |
| ii) Minimum Lot Area per unit (semi-detached) | 170 m ² |
| iii) Minimum Lot Area per unit (townhouse) | 155 m ² |
| iv) Exterior Side Yard width to Open Space Zone | 1.2m |
| v) Minimum Rear Yard Depth | 6.0 m |
| vi) Maximum Lot Coverage (dwelling, detached) | 50% |
| vii) Maximum Lot Coverage (semi-detached, townhouse,
multiple unit) | 65% |
| viii) All other provisions in Section 7.3 and 7.4 continue to apply. | |

d) Holding Provisions:

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-5' appears on a zoning map, following the zone category 'R3-11', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol.

e) Hold Removal:

- i) Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.

(12) R3-12 (48 Carroll Street West)

- a) **Defined Area:** R3-12 as shown on Schedule 'B', Map No. 17 to this By-law.

b) Lot Provisions:

- | | |
|--|--------|
| i) Minimum Lot Frontage | 85.0 m |
| ii) All other provisions in Section 7.3 continue to apply. | |

c) Outdoor Common Amenity Area:

- i) Every lot containing more than 4 dwelling units shall have an outdoor common amenity area. The minimum size of the common area shall be determined as follows: 13 m² per dwelling unit and have unobstructed access from the dwelling.

(13) R3-13 (Part of 22647 Adelaide Road)

- a) **Defined Area:** R3-13 as shown on Schedule 'C', Map No. 1 to this By-law.

b) Permitted Uses:

- i) Arena / Hall

- ii) Clinic Club
- iii) Day Care Centre
- iv) Day Care Centre, Adult Institutional Use Museum
- v) Public Park
- vi) Recreation Facilities and
- vii) all other permitted uses of the R3 zone.

c) **Special Provisions:**

- i) Notwithstanding 7.4 (1) c), Parking shall not exceed 36% of lot coverage.

d) **Height:**

- i) Notwithstanding 4.12 (1) no building or structure shall exceed a height of 3 storeys to a maximum of 15 m.

e) **Parking:**

- i) Notwithstanding 4.23~~6~~, parking for an apartment dwelling is 1.20 spaces per dwelling.

(14) **R3-14-H-2** (392 Second Street)

a) **Defined Area:** R3-14-H-2 as shown on Schedule 'B', Map No. 5 to this By-law.

b) **Special Provisions:**

- i) Notwithstanding 7.4 (1) c), Parking shall not exceed 35% of lot coverage.

c) **Height:**

- i) Notwithstanding 4.12 (1) no building or structure shall exceed a height of 3 storeys to a maximum of 15 m.

d) **Parking and Driveways:**

- i) Notwithstanding 4.23~~6~~ (7~~9~~) Access to Driveway to parking spaces shall be a maximum width of 7.5 metres.
- ii) Notwithstanding 4.23~~6~~ (13~~9~~) Minimum visitor parking for an apartment dwelling shall be 0.1 spaces per dwelling.

e) **Setbacks & Separation Distances:**

- i) Notwithstanding 4.~~29~~ 30(3) the setback from the centerline of a County road and building or structure shall be 20 metres.

f) **Holding Provision:**

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-2' appears on a zoning map, following the zone category 'R3- 14', the permitted uses on those lands shall be only the existing uses as of April 19th, 2022, unless this By-law has been amended to remove the relevant 'H-2'symbol.

g) **Removal of 'H':**

- i) Notwithstanding any other provision of this By-law, the 'H-2' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the approval and registration on title of a Site Plan Control Agreement detailing the terms and condition of the development, including the posting of financial security to the satisfaction of the Municipality.
- (15) **R3-15-H-5** (Saulsbury Street and Dominion Street)
 - a) **Defined Area:** R3-15-H-5 as shown on Schedule 'B', Map No. 6 to this By-law.
 - b) **Permitted Uses:**
 - i) Dwelling, Multiple unit
 - ii) Dwelling, Townhouse
 - iii) Grouped Housing
 - iv) Long Term Care Facility
 - c) **Lot Provisions:**
 - i) Maximum three stories or 12 metres whichever is lesser;
 - ii) All other provisions in Section 7.3 and 7.4 continue to apply.
 - d) **Holding Provisions:**
 - i) Notwithstanding any other provision of this By-law, where the symbol 'H-5' appears on a zoning map, following the zone category 'R3-15', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol.
 - e) **Hold Removal:**
 - i) Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.
- (16) **R3-16-H-2** (Darcy Drive)
 - a) **Defined Area:** R3-14-H-2 as shown on Schedule 'B', Map No. 3 to this By-law.
 - b) **Lot Provisions:**
 - i) Minimum Rear Yard Depth (Multi-Unit) 8.5 m
 - ii) All other provisions in Section 7.3 continue to apply.
 - c) **Special Provisions:**
 - i) Minimum of 25% of units will be 1 bedroom units
 - ii) Maximum Parking Area (of lot coverage) 43%
 - iii) Minimum Outdoor Common Amenity Area 14 m² per unit
 - iv) Minimum Outdoor Private Amenity Area 8 m² per unit
 - v) All other provisions in Sections 4 and 7.4 continue to apply except as otherwise prescribed below.

- d) **Height:**
- i) Notwithstanding 4.12 (1) no building or structure shall exceed a height of 4-storeys to a maximum of 15 m.
- e) **Infilling Lots, Residential:**
- i) Notwithstanding 4.14~~5~~ the setbacks, height and massing will be subject to the R3 zone requirements as amended.
- f) **Parking and Driveways:**
- i) Notwithstanding 4.23~~6~~ (~~6~~8) Parking Aisle to parking spaces shall be a minimum width of 6.7 metres with each parking space having a depth of 5.5 metres.
- g) **Holding Provision:**
- i) Notwithstanding any other provision of this By-law, where the symbol 'H-2' appears on a zoning map, following the zone category 'R3- 16', the permitted uses on those lands shall be only the existing uses as of passing of this by-law, unless this By-law has been amended to remove the relevant 'H-2'symbol.
- h) **Removal of 'H':**
- i) Notwithstanding any other provision of this By-law, the 'H-2' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the approval and registration on title of a Site Plan Control Agreement detailing the terms and condition of the development, including the posting of financial security to the satisfaction of the Municipality.
- (17) **R3-17-H-5** (390 Second Street)
- a) **Defined Area:** R3-17-H-5 as shown on Schedule 'B', Map No. 5 to this By-law.
- b) **Permitted Uses:** In addition to the permitted uses in Section 7.2 the following use shall also be permitted:
- i) Retail Store (located on the first floor of Apartment Building only);
 - ii) Personal Care Establishment (located on the first floor of Apartment Building only);
 - iii) Personal Service Establishment (located on the first floor of Apartment Building only); and
 - iv) Cluster Housing
- c) **Lot Provisions:** Cluster Housing
- i) Minimum Lot Area 850 m²
 - ii) Minimum Frontage 20 m
 - iii) Minimum Interior Side Yard Width/Rear Yard Depth
 - iv) Where the wall of a unit contains no windows 3.0m
 - v) Where the wall of a unit contains windows to habitable rooms 6.0m
 - vi) Maximum Lot Coverage 45%
 - vii) Minimum Landscaped Open Space 30%
 - viii) Notwithstanding 2.1 (105) e) shall not apply.

ix) All other provisions in Section 7.3 shall continue to apply.

d) Special Provisions:

Notwithstanding Section 7.3 the following shall apply

i) Minimum Front Yard Depth/Exterior Yard Depth:

a. Arterial Road:	4.0 m
b. Collector Road:	4.0 m
c. Local Street:	2.5 m

ii) Maximum Front Yard Depth/Exterior Yard Depth:

d. Arterial Road:	8.0 m
e. Collector Road:	8.0 m
f. Local Street:	6.5 m

iii) The main wall shall be setback minimum 3 m above the third floor for any apartment building that is 5 or more storeys in height

- | | |
|--|------------------|
| iv) Minimum Density | 76 units per ha |
| v) Maximum Density | 150 units per ha |
| vi) Minimum separation between apartment buildings | 10.0 m |
| vii) Minimum separation between multi-unit building | 3.0 m |
| viii) Residential Buildings with access to a street will have a main entrance facing the street. | |

a) Amenity Area:

- i) Notwithstanding 7.4 (3) every lot containing more than 4 dwelling units shall have a common amenity area (indoor and/or outdoor). The minimum size of the common area shall be determined as follows: 10 m² per dwelling unit and have unobstructed access from the dwelling.

e) Height:

- i) Notwithstanding 4.12 (1) no building or structure shall exceed a height of Six (6) storeys to a maximum of 25.0 m.

f) Setbacks & Separation Distances:

- i) Notwithstanding ~~4.29~~ 30(3) the setback from the centerline of a County road and building or structure shall be a minimum of 18.0 metres.

g) Holding Provision:

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-5' appears on a zoning map, following the zone category 'R3-17', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol.

h) Removal of 'H':

- i) Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.

(18) **R3-18-H-5** (390 Second Street)

- a) **Defined Area:** R3-18-H-5 as shown on Schedule 'B', Map No. 5 to this By-law.
- b) **Permitted Use:** in addition to the permitted uses in Section 7.2 the following use shall also be permitted:

- i) Cluster Housing

c) **Lot Provisions:** Cluster Housing

- i) Minimum Lot Area 850 m²
- ii) Minimum Frontage 20.0 m
- iii) Minimum Interior Side Yard Width/Rear Yard Depth

Where the wall of a unit contains no windows	3.0 m
Where the wall of a unit contains windows to habitable rooms	6.0 m

- iv) Maximum Lot Coverage 45%
- v) Minimum Landscaped Open Space 30%
- vi) All other provisions in Section 7.3 shall continue to apply.
- vii) Notwithstanding 2.1 (105) e) shall not apply.

d) **Special Provisions:**

Notwithstanding Section 7.3 the following shall apply

- i) Minimum Front Yard Depth/Exterior Yard Depth:

a. Arterial Road:	4.0 m
b. Collector Road:	4.0 m
c. Local Street:	2.5 m

- ii) Maximum Front Yard Depth/Exterior Yard Depth:

d. Arterial Road:	8.0 m
e. Collector Road:	8.0 m
f. Local Street:	6.5 m

- iii) Minimum Density 31 units per ha
- iv) Maximum Density 75 units per ha
- v) Minimum separation between apartment building 10.0 m
- vi) Minimum separation between multi-unit building 3.0 m
- vii) Garages are to be located no closer to the private road or street than the main front wall of the dwelling.
- viii) Residential Buildings with access to a street will have a main entrance facing the street.

e) **Amenity Area:**

- i) Notwithstanding 7.4 (3) every lot containing more than 4 dwelling units shall have a common amenity area (indoor and/or outdoor). The minimum size of the common area shall be determined as follows: 10 m² per dwelling unit and have unobstructed access from the dwelling. Notwithstanding the above where a minimum 20 m² is provided in a private backyard no common amenity is required.
- f) **Setbacks & Separation Distances:**
 - i) Notwithstanding 4.29 30 (3) the setback from the centerline of a County road and building or structure shall be a minimum of 18.0 metres.
- g) **Holding Provision:**
 - i) Notwithstanding any other provision of this By-law, where the symbol 'H-5' appears on a zoning map, following the zone category 'R3-17', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol.
- h) **Removal of 'H':**
 - i) Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.
- (19) **R3-19-5-9 (22812 Adelaide Road)**
 - a) **Defined Area:** R3-19 as shown on Schedule 'C', Map No. 7 to this By-law.
 - b) **Permitted Uses:** Dwelling, Apartment
 - Dwelling, Multi-unit
 - Dwelling, Secondary Suite
 - Dwelling, Townhouse
 - c) **Lot Provisions:**
 - i) Minimum Lot Frontage 18.0m
 - ii) Minimum Front Yard Setback 8.5m
 - iii) Minimum Exterior Side Yard Width (Adelaide Road) 6.0m
 - iv) Minimum Side Yard Width (North) 6.0m
 - v) Minimum Side Yard Width (West) 6.0m
 - vi) Minimum Rear Yard Depth 7.5m
 - vii) Minimum Setback to Centreline of Adelaide Road 23.5m
 - viii) All other provisions in Section 7.3 continue to apply.
 - d) **Holding Provisions:**

Notwithstanding any other provision of this By-law, the 'H-9' appears on a zoning map, following the zone category 'R2-', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-9' symbol.
 - e) **Hold Removal**

Notwithstanding any other provision of this By-law, the 'H-9' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this By-law upon the completion of a drainage outlet (fully installed and operational) by the municipal drain, storm sewer, or other method that may to the satisfaction of the Municipality.

(20) **R3-20-H-10** (599 *Albert Street*)

a) **Defined Area:** R3-20-H-10 as shown on Schedule 'B', Map No. 6 to this By-law.

b) **Lot Provisions:**

Notwithstanding 7.3 the following lot provisions will apply to apartment dwellings:

i) Minimum Lot Area	7,800m ²
ii) Minimum Lot Frontage	30m
iii) Minimum Front/Exterior Side Yard Depth	4.5m
iv) Minimum Side Yard Width	2m
v) Minimum Rear Yard Depth	15m
vi) Minimum Landscape Open Space	20%

c) **Parking:**

- i) Notwithstanding Section 4.23~~6~~ of this by-law, Apartment Dwelling shall have a minimum of 1.02 parking spaces per dwelling unit
- ii) Notwithstanding Section 7.4 (1) c) of this by-law, the parking shall not exceed 36% of lot coverage

d) **Setbacks and separation distances:**

Notwithstanding Section 4.29~~30~~ (3) the minimum setback from the centerline of a county road and building or structure shall be 20 metres.

e) **Special Provisions:**

(1) Notwithstanding 2 (11), the following definition for Amenity Area will apply to the lands described in Schedule 'A':

Amenity Area means a space located indoors or outdoors for the passive enjoyment and active recreational needs of the residents in a building containing apartment dwelling units and/or multiple dwelling units. Amenity Area includes, but is not limited to, outdoor patios, open landscaped areas, communal indoor and/or outdoor fitness spaces, communal indoor social spaces, swimming pools, outdoor rooftop decks, and private balconies, but does not include lobbies, common laundry areas, storage areas, hallways, parking areas, and loading spaces.

(2) Notwithstanding Section 7.4 (3), a minimum Amenity Area of 20m² per dwelling unit.

f) **Holding Provisions:**

Notwithstanding any other provision of this By-law, where the symbol 'H-10' appears on a zoning map, following the zone category 'R3-20', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-10' symbol.

g) **Hold Removal:**

Notwithstanding any other provision of this By-law, the 'H-10' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the Municipal services (water, sanitary and stormwater) external to the site (including future development) has been either demonstrated to; have sufficient capacity or that municipal service improvements have been secured, to the satisfaction of the Municipality.

(21) **R3-21-H-5** (*Albert Street west of Dominion Street*)

a) **Defined Area:** R3-21-H-5 as shown on Schedule 'B', Map No. 6 to this By-law.

b) **Definitions:** The following definitions shall apply to lands zoned as R3-21-H-5:

- i) "Dwelling, Rear Lane Townhouse", shall mean a "Dwelling, Townhouse", defined in Section 2 of this By-law, which has frontage on a public road, and vehicular access that is provided at the rear from a private road on a draft plan of condominium. The front lot line shall be deemed to be the lot line adjacent to a public road.

c) **Lot Provisions (Dwelling, Rear Lane Townhouse):**

- i) Minimum Lot Area 125m²
- ii) Minimum Lot Frontage 6 m per unit
- iii) Minimum Front Yard Depth 3.0m
- iv) Minimum Side Yard Width 2m
- v) Minimum Rear Yard Depth 5.5m
- vi) Maximum Lot Coverage 50%
- vii) Minimum Landscape Open Space 25%
- viii) Maximum Private Garage Width 50% of lot frontage
- ix) Parking spaces may be provided in tandem
- x) All other dwelling provisions in Section 6.3 continue to apply.

d) **Lot Provisions (Dwelling, Townhouse):**

- i) Minimum Lot Area 155m²
- ii) Minimum Rear Yard 5.5 m
- iii) Maximum Lot Coverage 50%
- iv) Maximum Private Garage Width 50% of lot frontage
- v) Parking spaces may be provided in tandem
- vi) All other dwelling provisions in Section 6.3 continue to apply.

e) Notwithstanding 7.4 (3) every lot containing more than 4 dwelling units shall have a common amenity area (indoor and/or outdoor). The minimum size of the common area shall be determined as follows:

- i) 9 m² per dwelling unit;
- ii) Unobstructed access from the dwelling; and
- iii) The individual dwelling units have a minimum of 10m² of private amenity area.

f) **Holding Provisions:**

Notwithstanding any other provision of this By-law, the 'H-5' appears on a zoning map, following the zone category 'R3-21', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-5' symbol.

g) Hold Removal

Notwithstanding any other provision of this By-law, the 'H-5' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this By-law upon the registration on title a Subdivision Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.

(22) R3-22-H-11 (24633 Adelaide Road and 22 Carroll Street West)

a) Defined Area: R3-22-H-11 as shown on Schedule 'B', Map No. 17 to this By-law.

b) Permitted Use:

- i) One Existing Single Detached Dwelling
- ii) Common Amenity Building (accessory to permitted Townhouse Dwelling and subject 7.3 Lot provisions) all other permitted uses of the R2 zone.

c) Lot Provisions

- i) Minimum Rear Yard Setback 6 m
- ii) Maximum building height 8 m and 1 storey
- iii) Maximum coverage for Common Amenity Building 240 m²
- iv) All other provisions in Section 7.3 continue to apply

d) Notwithstanding 4.23~~6~~ (6) (minimum aisle width), the minimum aisle width is 7 metres.

e) Notwithstanding 4.34 (1)e) (Encroachments), Uncovered porches, decks and terraces are permitted to project into the Front, rear & exterior side yards for residential uses. The maximum projection into a required yard is 3 m including eaves and steps provided porch, deck or patio extends closer than 1.5m to any lot line.

f) Notwithstanding 7.3 (3) every lot containing more than 4 dwelling units shall have a common amenity area that may be located indoor and/or outdoor.

g) Notwithstanding any other provision in the zoning by-law, the frontage and access for all the lands delineated on Schedule 'A' as R3-22-H-11 shall be considered to have frontage on Carroll Street West.

h) Holding Provisions:

Notwithstanding any other provision of this By-law, where the symbol 'H-10' appears on a zoning map, following the zone category 'R3-22', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-11' symbol.

i) **Hold Removal**

Notwithstanding any other provision of this By-law, the 'H-22' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the development lands have been merged into the same parcel, to the satisfaction of the Municipality.

SECTION 8 LIFESTYLE COMMUNITY (R4) ZONE

PURPOSE & INTENT: *The Lifestyle Community (R4) Zone applies to Twin Elm Estates situated south of Strathroy and designated 'Residential' in the Official Plan. The R4 Zone may also apply to new residential development which displays the attributes of a lifestyle community, otherwise referred to as adult communities, land lease communities, mobile home parks, and retirement communities. Under such living arrangements, individual dwelling units are owned by the occupants while the lands upon which they are situated is held under single ownership and leased to the occupants. The R4 Zone does not apply to seasonal mobile home parks.*

8.1 GENERAL PROVISIONS

- (1) No person shall, within the R4 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

8.2 USE & BUILDING PROVISIONS

- (2) The following shall be on the only permitted uses and buildings in the R4 Zone:
- a) Dwellings, Mobile Home
 - b) Dwellings, Modular Home
 - c) Lifestyle Community

8.3 LOT PROVISIONS

- (3) The following provisions shall apply to lots and individual units in the R4 Zone:

	Provision	Lot	Unit
a)	Minimum Area	8 ha	350 m ²
b)	Minimum Frontage	120 m	12 m
c)	Front Yard Depth / Exterior Side Yard Width	23 m / 6 m	5 m
d)	Side Yard Width	6 m	1.2 m
e)	Rear Yard Depth	6 m	7.5 m
f)	Maximum Coverage	Not applicable	45 %
g)	Maximum Density	18 dwelling units / hectare	Not applicable
h)	Landscaped Open Space	50%	50 %

8.4 SPECIAL PROVISIONS

The following provisions shall apply in the R4 Zone:

(1) Minimum Floor Area

Notwithstanding the provisions in Subsection 4.5 the minimum floor area in the R4 Zone shall be 55 m².

(2) Prohibited Dwellings

For greater clarity, the following are prohibited from being used for residential purposes, whether on a temporary or permanent basis in the R4 Zone:

- a) Park Model Trailers
- b) Travel Trailers
- c) Truck Campers

(3) Accessory Uses

Accessory buildings or structures shall not:

- a) be erected closer to a lot line than the minimum distance required for a dwelling unit; and
- b) exceed 5% lot coverage.

8.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "R4" Zone. If a regulation or use is not specified, the permitted uses of Subsection 8.2 and the regulations of 8.3 and 8.4 shall apply.

SECTION 9 RURAL RESIDENTIAL (R5) ZONE

PURPOSE & INTENT: *The Rural Residential (R5) Zone applies to lots designated 'Rural Residential in the Official Plan, primarily these lots are located in the established areas of Delaware West and Campbellvale, and additionally on lands located southwest of Mount Brydges. More intensive development has been permitted in the past (particularly in Delaware West and Campbellvale), and as such, the R5 Zone recognizes existing this rural residential development under site-specific zoning. Recognizing the soil conditions in the Municipality large lot sizes are required to ensure proper septic attenuation, these lots sizes additionally help to maintain the rural character of the area.*

9.1 GENERAL PROVISIONS

- (1) No person shall, within the R5 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

9.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the R5 Zone:
- a) Dwelling, ~~Secondary Suite~~ Additional Residential Unit
 - b) Dwelling, Single Detached
 - c) Short Term Accommodation in accordance with Section 4.20.

9.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the R5 Zone:

a)	Minimum Lot Area	1 ha
b)	Minimum Lot Frontage	50.0 m
c)	Front Yard Depth / Exterior Side Yard Width	15.0 m
d)	Minimum Side Yard Width	5.0 m
e)	Minimum Rear Yard Depth	15.0 m
f)	Maximum Lot Coverage	10 5%
g)	Landscaped Open Space	70%

9.4 SPECIAL PROVISIONS

The following provisions shall apply in the R5 Zone:

(1) **Accessory Uses**

Notwithstanding Subsection 4.2(2) of this By-law, where an accessory building is located in the R5 Zone the minimum floor area shall not exceed 2.5% of the lot coverage or the gross floor area of the main building.

9.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "R5" Zone. If a regulation or use is not specified, the permitted uses of Subsection 9.2 and the regulations of 9.3 and 9.4 shall apply.

(1) **R5-1 (Campbellvale & Delaware West)**

a) **Defined Area:** R5-1 as shown on Schedule 'A', Map No. 19 and 25 to this By-law.

b) **Lot Provisions:** Notwithstanding the lot provisions listed in Subsection 9.3, the following lot provisions shall apply in the R5-1 Zone:

i)	Minimum Lot Area	2 000 m ²
ii)	Minimum Lot Frontage	30.0 m
iii)	Front Yard Depth / Exterior Side Yard Width	10.0 m
iv)	Minimum Side Yard Width	3.0 m
v)	Minimum Rear Yard Depth	15.0 m
vi)	Maximum Lot Coverage	20%
vii)	Landscaped Open Space	50%

(2) **R5-2 (Troops Road)**

a) **Defined Area:** R5-2 as shown on Schedule 'A', Map No. 30 to this By-law.

b) **Lot Provisions:** Notwithstanding the lot provisions listed in Subsection 9.3, the following lot provisions shall apply in the R5-2 Zone:

i)	Minimum Lot Area	4000 m ²
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(3) **R5-3 (Allen Road)**

c) **Defined Area:** R5-3 as shown on Schedule 'A' Map No. 30 to this By-law.

d) **Lot Provisions:**

i)	Minimum Lot Area:	4,000 m ²
ii)	Minimum Lot Frontage:	30.0 m

(4) **R5-4** (Part of Lot 12, Concession 2 – Troops Road)

a) **Defined Area:** R5-4 as shown on Schedule 'A', Map No. 30 to this By-law.

b) **Lot Provisions:**

- | | |
|---|--------|
| i) Minimum Lot Frontage: | 12.0 m |
| ii) Maximum Side Yard Width (Dwelling) – north side: | 15.0 m |
| iii) Maximum Side Yard Width (Dwelling) – south side: | 10.0 m |

(5) **R5-5** (Wilson Street)

a) **Defined Area:** R5-5 as shown on Schedule 'A', Map No. 36 to this By-law.

b) **Lot Provisions**

- | | |
|--|----------------------|
| i) Minimum Lot Area | 2,000 m ² |
| ii) Minimum Lot Frontage | 26.0 m |
| iii) Minimum Front Yard Depth | 9.0 m |
| iv) Maximum Front Yard Depth | 12.0 m |
| v) Minimum Exterior Side Yard Depth | 5.0 m |
| vi) Minimum Side Yard Width of any building
or structures | 3.0 m |
| vii) Minimum Rear Yard Depth | 30.0 m |
| viii) Maximum Lot Coverage | 15% |
| ix) Minimum Landscape Open Space | 70% |
| x) Maximum Floor Area of any building or
structure | 430m ² |

(6) **R5-6** (Troops Road (Con 2 South Part of 21))

a) **Defined Area:** R5-6 as shown on Schedule 'A', Map No. 30 to this By-law.

b) **Lot Provisions:**

- | | |
|--|--|
| i) Minimum Lot Frontage | 33.0 m |
| ii) Minimum Lot Area | 2000 m ² |
| iii) Minimum north side width - Parcel 4 | 7.14 m to the side lot line
OR 30 m from the lot line
of a railway right-of- way,
whichever is the greater. |

(7) **R5-7** (Troops Road (Con 2 South Part of 22))

a) **Defined Area:** R5-7 as shown on Schedule 'A', Map No. 30 to this By-law.

b) **Lot Provisions:**

- | | |
|-------------------------|---------------------|
| i) Minimum Lot Frontage | 46 m |
| ii) Minimum Lot Area | 6000 m ² |

(8) **R5-8** (Troops Road (Con 2 South Part of 22))

a) **Defined Area:** R5-8 as shown on Schedule 'A', Map No. 30 to this By-law.

b) **Lot Provisions:**

- | | |
|--------------------------|------|
| i) iMinimum Lot Frontage | 30 m |
|--------------------------|------|

125

SECTION 10 GENERAL COMMERCIAL (C1) ZONE

PURPOSE & INTENT: *The General Commercial (C1) Zone applies to lands situated in Strathroy and designated 'Downtown Core' in the Official Plan. The zoning also applies in Mount Brydges and Melbourne to lands situated in the established commercial cores. The intent of this zone is to recognise the primacy of the downtown core in its role as the commercial, social and cultural centre of the community it serves. Within the C1 zone, a wide range of commercial uses are permitted which are essentially engaged in the buying and selling of goods and services and the offering of services. Due to the compact nature of downtown cores and the desirability of maintaining it as such, minimum yard setbacks are not generally required unless the lands abut a residential zone. To ensure commercial uses retain a prominent location at 'street level', residential uses are restricted to locations above the first floor in commercial buildings.*

10.1 GENERAL PROVISIONS

- (1) No person shall, within the C1 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

10.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the C1 Zone:

a)	Arena / Hall	Retail Store, Book & Music
b)	Clinic	Retail Store, Brewing
c)	Club	Retail Store, Arts & Crafts
d)	Commercial Use	Retail Store, Duplication
e)	Custom Workshop	Retail Store, Florist
f)	Day Child Care Centre	Retail Store, Food
g)	Day Care Centre, Adult	r) ——— Retail, General
h)	Dry Cleaning Establishment	Retail Store, Gifts & Novelty
i)	Dwelling, Apartment	Retail Store, Hardware
j)	Dwelling Unit	Retail Store, Home Appliances
k)	Financial Institution	Retail Store, Home Decoration
l)	Funeral Home	Retail Store, Home Furnishings
m)	Hotel	Retail Store, Jewellery
n)	Laundry Establishment	r) Retail Store, Large Format
o)	Office, Professional	Retail Store, Liquor, Beer & Wine
p)	Recreation Facilities	Retail Store, Pet
q)	Personal Care Establishment	Retail Store, Pharmacy

- | | |
|--|---------------------------------------|
| s) Personal Service Establishment | Retail Store, Thrift / |
| t) Place of Entertainment | Charity |
| u) Recreation Facility | Retail Store, Video Rental |
| v) Restaurant | x) School, Commercial |
| w) Retail Store | y) Shopping Centre |
| Retail Store, Antique | z) Taxi Service |
| Retail Store, Apparel & | aa) Theatre / Cinema |
| Accessories | bb) Veterinary Clinic |
- (2) For greater clarity, the following buildings and structures are prohibited in the C1 Zone:
- a) Drive-through facilities

10.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the C1 Zone:
- | | |
|--|--|
| a) Minimum Lot Area | no minimum |
| b) Minimum Lot Depth | no minimum |
| c) Front Yard Depth / Exterior Side Yard Width | 0 m (minimum) to 3.0 m (maximum) |
| d) Minimum Side Yard Width | 0 m (when yard abut residential zone minimum side yard width shall be 3 m) |
| e) Rear Yard Depth | 10.0 m |
| f) Maximum Lot Coverage | no maximum |
| g) Minimum Landscaped Open Space | no minimum |

10.4 SPECIAL PROVISIONS

The following provisions apply in the C1 Zone:

(1) Building Height Range

Minimum ~~2-storeys~~ and 10 m ~~(or 2-storeys)~~ to a maximum 15 m or 4 storeys

(2) Parking

In addition to Section 4.236 of this by-law, the following provisions shall apply:

- a) No parking shall be permitted within the front or exterior yard on a lot.
- b) Parking shall cover a maximum of 40% of the lot.
- b) No parking, aisle, or driveway is permitted between a building and the street line.

- c) Parking shall be set back a minimum of 2 m from an exterior lot line.

(3) Dwelling Units & Apartment Dwellings

In addition to Section 4.65 of this by-law, a building may contain one or more dwelling units or an apartment dwelling but only in combination with a permitted commercial use provided:

- a) the dwelling unit or apartment dwelling shall form part of the main building and shall be located on a floor above the commercial use; and,
- b) the dwelling unit or apartment dwelling shall be completely self-contained and have separate and direct access to a yard or street.
- c) every lot containing more than 4 dwelling units shall have a common amenity area. The minimum size of the common area shall be determined as follows: 6 m² per dwelling unit and have unobstructed access from the dwelling. The area may be located outdoors (on the building or at grade) and/or indoors.

(4) Existing Single & Semi-Detached Dwellings

Notwithstanding the provisions of Subsection 10.2 where an existing lot has a single detached dwelling or semi-detached dwelling unit located on the lot, said dwelling may be altered or expanded providing all other requirements of this By-law are complied with. The residential use will be deemed to conform to the By-law and shall be subject to the Lot Provisions and Special Provisions of the R2 Zone.

10.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "C1" Zone. If a regulation or use is not specified, the permitted uses of Subsection 10.2 and the regulations of 10.3 and 10.4 shall apply.

(1) C1-1 (6 & 12 Metcalfe Terrace and 110 Caradoc Street South)

- a) **Defined Area:** C1-1 as shown on Schedule 'B', Map No. 14
- b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 10.2, the following uses shall be permitted uses in the C1-1 Zone:
 - i) Custom Workshop

(2) C1-2 (62 Albert Street)

- a) **Defined Area:** C1-2 as shown on Schedule 'B', Map No. 12
- b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 10.2, the following uses shall be permitted uses in the C1-2 Zone:
 - i) Agricultural Processing Establishment

(3) C1-3 (22534, 22538 & 22542 Adelaide Road)

- a) **Defined Area:** C1-3 as shown on Schedule 'C' Map No. 4 to this By-law.
- b) **Permitted Uses:**

- i) Restaurant, Drive-through
- ii) All other permitted uses of the C1 zone

c) **Lot Provisions:**

- i) Front Yard Depth/Exterior Side Yard Width existing

d) **Parking:**

- i) Parking shall be permitted within the front and exterior yard of the lot.
- ii) Parking shall cover a maximum of 44% of the lot.
- iii) Parking shall be setback a minimum of 1 m from an exterior lot line.

e) **Planting Strip:**

- i) A planting strip with a minimum width of 0.76 m shall apply from the mutual lot line of any adjacent Residential Zone.

(4) **C1-4 (697 Railroad Street)**

a) **Defined Area:** C1-4 as shown on Schedule 'C' Map No. 6 to this By-law.

b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 10.2, the following uses shall be permitted uses in the C1-4 Zone:

- i) Contractor's Yard or Shop
- ii) Industrial Use, Light
- iii) Office, Support
- iv) Public Garage
- v) Self-service Storage Warehouse
- vi) Service Shop
- vii) Warehouse

c) **Access:**

- i) Notwithstanding Section 4.27(7)(iii), the permitted uses listed in Subsection 10.5(4)b) will be permitted to have a maximum driveway width of 12.0 m.

d) **Lot Provisions:**

- i) Notwithstanding Section 10.3(3), the permitted uses listed in Subsection 10.5(4)b) will have a Minimum Front Yard Depth and Exterior Side Yard Width of 6.0 m.

e) **Height:**

- i) Notwithstanding the provisions of Section 10.4(1), the permitted uses listed in Subsection 10.5(4)b) shall not have a minimum height requirement.

f) **Parking:**

- i) The provisions of Section 10.4(2)a) and 10.4(2)c) shall not apply.

(5) **C1-5 (701 Railroad Street)**

a) **Defined Area:** C1-5 as shown on Schedule 'C' Map No. 6 to this By-law.

b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 10.2, the following uses shall be permitted uses in the C1-5 Zone:

- i) Contractor's Yard or Shop
- ii) Office, Support

c) **Access:**

- i) Notwithstanding Section 4.276(79)(iii), the permitted uses listed in Subsection 10.5(5)b) will be permitted to have a maximum driveway width of 12.0 m.

d) **Lot Provisions:**

- i) Notwithstanding Section 10.3(3), the permitted uses listed in Subsection 10.5(5)b) will have a Minimum Front Yard Depth and Exterior Side Yard Width of 6.0 m.

e) **Lot Provisions:**

- i) Notwithstanding Section 10.3(4), the permitted uses listed in Subsection 10.5(5)b) will have a Minimum Side Yard Width of 7.5 m where the yard abuts a residential zone; otherwise the Minimum Side Yard Width shall be 0 m.

f) **Height:**

- i) Notwithstanding the provisions of Section 10.4(1), the permitted uses listed in Subsection 10.5(5)b) shall not have a minimum height requirement.

g) **Parking:**

- i) The provisions of Section 10.4(2)a) and 10.4(2)c) shall not apply

(6) **C1-6 (75 Caradoc Street South)**

a) **Defined Area:** C1-6 as shown on Schedule 'B', Map No. 15 to this By-law.

b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 10.2, the following uses are permitted:

- i) Contractors Shop and Yard, excluding the storage, repair or operation of heavy equipment
- ii) Self Service Storage Warehouse
- iii) Outdoor Storage

c) **Lot Provisions:**

- i) Minimum rear yard depth 3.0 m
- ii) Front Yard Depth / Exterior Side Yard Existing as of July 17th, 2017

d) **Parking:**

- i) The provisions of Section 10.4(2)(a) and 10.4(2)(c) shall not apply.

e) **Holding Provision:**

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-2' appears on a zoning map, following the zone symbol 'C1-6', the permitted uses on those lands shall be only the existing uses as of July 17th, 2017 unless this By-law has been amended to remove the relevant 'H-2' symbol.

f) **Removal of 'H':**

- i) Notwithstanding any other provision of this By-law, the 'H-2' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the approval and registration on title of a 'Site Plan Control Agreement' detailing the terms and conditions of the development, including the positing of financial security, to the satisfaction of the Municipality

(7) **C1-7 (653-657 Railroad Street)**

- a) **Defined Area:** C1-7 as shown on Schedule 'C', Map No. 6 to this By-law.

- b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 10.2, the following uses shall be permitted in the C1-7 Zone:

- i) Public Garage with a maximum floor area of 185 m²

c) **Special Provisions:**

- i) One (1) shipping container is permitted on the property associated with a Public Garage and a shipping Container shall only be permitted in a rear yard and a minimum of 3 m from the rear lot line.
- ii) Notwithstanding Section 10.4 (1), the minimum 10 metre building height shall not apply.
- iii) Notwithstanding the definition of Public Garage, the sale of motor vehicles is not permitted associated with the Public Garage.

SECTION 11 HIGHWAY COMMERCIAL (C2) ZONE

PURPOSE & INTENT: *The Highway Commercial (C2) Zone applies to lands situated in Strathroy and Mount Brydges which are designated 'Commercial' in the Official Plan. Within the C2 zone, a range of commercial uses are permitted which are essentially engaged in the buying and selling of goods and services and the offering of services. The C2 Zone is primarily intended for commercial uses that serve the travelling public as well as other automobile-orientated commercial uses. Restrictions on retail uses in the C2 Zone (i.e. minimum floor area restrictions) are intended to avoid conflict with the Downtown areas. Lands in the C2 Zone are required to accommodate all parking on-site. Because of their close proximity to residential areas, lands in the C2 Zone are sited to encourage the ease of pedestrian use.*

11.1 GENERAL PROVISIONS

- (1) No person shall, within the C2 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

11.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the C2 Zone:

- | | |
|---------------------------------------|--|
| a) Agricultural Service Establishment | s) Motor Vehicle Sales Establishment |
| b) Agricultural Supply Establishment | t) Office, Professional (exceeding 930 m² of gross floor area) |
| c) Arena / Hall | u) Outside Display and Sales Area |
| d) Car Wash | v) Personal Care Establishment |
| e) Custom Workshop | w) Place of Entertainment |
| f) Day Child Care Centre | x) Recreation Facilities (exceeding 930 m² of gross floor area) |
| g) Clinic | y) Restaurant |
| h) Day Care Centre, Adult | z) Restaurant, Drive-in and Take out |
| i) Drive-through Facilities | Retail Store, Brewing |
| j) Dry Cleaning Establishment | aa) Retail Store General |
| k) Dwelling, Apartment | bb) Retail Store, Large Format |
| l) Dwelling Unit | cc) Service Shop |
| m) Food Service Vehicle | dd) Shopping Centre |
| n) Garage, Public | ee) Taxi Service |
| o) Garden Centre | ff) Veterinary Clinic |
| p) Gas Station | |
| q) Hotel | |
| r) Laundry Establishment | |

11.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the C2 Zone:
- | | | |
|----|---|--|
| a) | Minimum Lot Area | 500 m ² |
| b) | Minimum Lot Frontage | 15.0 m |
| c) | Front Yard Depth / Exterior Side Yard Width | 1.0 m (minimum) to 6 m (maximum) |
| d) | Side Yard Width | 0.5 m (when yard abut residential zone minimum side yard width shall be 1.2 m) |
| e) | Minimum Rear Yard Depth | 20.0 m |
| f) | Landscaped Open Space | 10% |
| g) | Maximum Lot Coverage | 45% |

11.4 SPECIAL PROVISIONS

The following provisions apply in the C2 Zone:

(1) Parking

In addition to Section 4.23~~6~~ of this by-law, the following provisions shall apply:

- a) No parking shall be permitted within the front or exterior yard of a lot.
- b) Parking shall not more than 40% of the area of a lot.
- c) No parking, aisle, or driveway is permitted between a building and the street line.
- d) Parking shall be set back a minimum of 2 m from an exterior lot line.

(2) Dwelling Units & Apartment Dwellings

In addition to Section 4.6~~5~~ of this by-law, a building may contain one or more dwelling units but only in combination with a permitted commercial use provided:

- a) the dwelling unit or apartment dwelling shall form part of the main building and shall be located on a floor above the commercial use; and,
- b) the dwelling unit or apartment dwelling shall be completely self-contained and have separate and direct access to a yard or street.
- c) every lot containing more than 4 dwelling units shall have a common amenity area. The minimum size of the common area shall be determined as follows: 10 m² per dwelling unit and have unobstructed access from the dwelling. The area may be located outdoors (on the building or at grade) and/or indoors.

(3) Existing Parking Areas

Notwithstanding the provisions of Subsection 11.4(1) where an existing lot has a parking area located in a front or exterior side yard, the parking area and building and structures on the lot may be altered or expanded providing all other requirements of this By-law are complied with. The parking area and building location will be deemed to conform to the By-law with respect to permitted location of parking areas.

11.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "C2" Zone. If a regulation or use is not specified, the permitted uses of Subsection 11.2 and the regulations of 11.3 and 11.4 shall apply.

(1) C2-1 (360 Caradoc Street South)

- a) **Defined Area:** C2-1 as shown on Schedule 'B', Map No. 14 to this By-law.
- b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 11.2, the following uses shall be permitted in the C2-1 Zone:
 - i) Clinic
 - ii) Financial Institution (maximum 2)
 - iii) Retail Store (maximum 7 units)
- c) **Special Provisions:**
 - i) Notwithstanding 11.2 (23), the minimum gross floor area of 930m² for Recreational Facilities shall not apply.
 - ii) Notwithstanding Section 2.1 (174), for the area within the site specific C2-1 zone a Retail Store shall mean a building or structure, designed, used, or intended for the selling or buying of goods, wares, merchandise, articles, or things at retail or the providing of a service, primarily to or from the public, and uses accessory thereto and includes all retail stores defined and not defined elsewhere in this By-law.

(2) C2-2 (Strathroy Crossings Plaza)

- a) **Defined Area:** C2-2 as shown on Schedule 'B', Map No. 15 to this By-law.
- b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 11.2, the following uses shall be permitted in the C2-2 Zone:
 - i) Clinic (maximum 1 unit)
 - ii) Retail Store (maximum 5 units) with a minimum floor area of 88m²

(3) C2-3 (425 Caradoc Street South)

- a) **Defined Area:** C2-3 as shown on Schedule 'B', Map No. 15

- b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 11.2, the following uses shall be permitted in the C2-3 Zone:
 - i) Retail Store (maximum 1 unit)
- (4) **C2-4** (Southdale Plaza)
 - c) **Defined Area:** C2-4 as shown on Schedule 'B', Map No. 15
 - d) **Permitted Uses:** In addition to the permitted uses listed in Subsection 11.2, the following uses shall be permitted in the C2-4 Zone:
 - i) Retail Store (maximum 6 units)
 - ii) Office, Professional (maximum 2 units)
 - iii) Clinic (maximum 1)
- (5) **C2-5** (634 Victoria Street)
 - a) **Defined Area:** C2-5 as shown on Schedule 'B', Map No. 7
 - b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 11.2, the following uses shall be permitted in the C2-5 Zone:
 - i) Financial Institution (maximum 1)
- (6) **C2-6** (83 Metcalfe Street East)
 - a) **Defined Area:** C2-6 as shown on Schedule 'B', Map No. 8 to this By-law.
 - b) **Permitted Use:**
 - i) Clinic
- (7) **C2-7** (175 Metcalfe Street East)
 - a) **Defined Area:** C2-7 as shown on Schedule 'B', Map No. 9 to this By-law.
 - b) **Permitted Uses:**
 - i) garage, public
 - ii) dwelling, single detached
- (8) **C2-8** (101 Metcalfe Street East)
 - a) **Defined Area:** C2-8 as shown on Schedule 'B', Map No. 9 to this By-law.
 - b) **Permitted Uses:**
 - i) office, professional
 - ii) dwelling, single detached

(9) **C2-9** (214 Caradoc Street South)

a) **Defined Area:** C2-9 as shown on Schedule 'B', Map No. 14 to this By-law.

b) **Permitted Uses:**

- i) financial institution
- ii) all other permitted uses of the C2 zone

(10) **C2-10** (96 Carroll Street East)

a) **Defined Area:** C2-10 as shown on Schedule 'B', Map No. 18 to this By-law.

b) **Permitted Uses:**

- i) financial institution (which may include a drive-through)
- ii) retail store (including all retail stores defined elsewhere in this By-law)
- iii) professional offices, support offices, and all other permitted uses of the C2 zone

c) **Special Provisions:**

- | | |
|---|----------------------|
| i) Maximum floor area for Large Format Retail Store | 464.5 m ² |
| ii) Maximum number of Retail Store units | 5 |
| iii) Minimum floor area for per Retail Store | 88 m ² |
| iv) Maximum number of Financial Institutions | 1 |
| v) Minimum floor area for Financial Institution | 280 m ² |
| vi) Minimum floor area for Offices, Professional is | 186 m ² |

d) **Lot Provisions:**

Notwithstanding provisions of Section 11.3 the following provisions apply:

- i) Maximum front yard depth shall be 11.3 m for the building closest to the front lot line
- ii) Minimum rear yard depth shall be 10 m

e) **Drive-Through Facilities:**

- i) Notwithstanding provisions of Section 4.54(1) e), the drive-through stacking lanes for a Financial Institution shall accommodate a minimum length of 3 parking spaces behind the menu board.

f) **Landscaping, Planting and Parking Provisions:**

- i) Notwithstanding provisions of Section 4.4516(1) b) and Section 11.4(1)a) and c), parking aisles, driveway and loading areas shall be permitted within the frontyard of the lot.
- ii) Notwithstanding provisions of Section 11.4(1) b) maximum parking coverage shall be 53%

(11) **C2-11** (24661 Adelaide Road)

a) **Defined Area:** C2-11 as shown on Schedule 'B', Map No. 17 to this By-law.

- b) **Permitted Uses:**
- i) retail store, hardware
 - ii) all other permitted uses of the C2 zone
- (12) **C2-12** (96 Carroll Street East)
- a) **Defined Area:** C2-12 as shown on Schedule 'B', Map No. 18 to this By-law.
- b) **Permitted Uses:**
- i) private park and
 - ii) all other permitted uses of the C2 zone
- c) **Lot and Special Provisions:**
- i) Notwithstanding provisions of Section 11.3(2), front yard depth shall not apply;
 - ii) Notwithstanding provisions of Section 4.15(1) b) and Section 11.4(1)a) and c), parking aisles, driveway and loading areas shall be permitted within the front yard of the lot.
 - iii) Notwithstanding provisions of Section 11.4(1) parking shall not be more than 47%
 - iv) Notwithstanding provisions of Section 2.0 (113) the front lot line will be the closest lot line to Carroll Street East.
- (13) **C2-13** (24605 Saxton Road)
- a) **Defined Area:** C2-13 as shown on Schedule 'B', Map No. 18 to this By-law.
- b) **Permitted Uses:**
- i) Clinic
 - ii) Office, Professional
 - iii) Office, Support
 - iv) Retail Store, Pharmacy and
 - v) all other permitted uses of the C2 zone;
- c) **Lot Provisions:**
- i) The maximum front yard setback is 35 m to the closest building to the front lot line.
 - ii) The minimum rear yard setback is 14 m
- d) **Special Provisions:**
- i) Minimum floor area for Clinic 186 m²
 - ii) Minimum floor area for one (1) Clinic 139 m²
 - iii) Minimum floor area for Office, Professional 186 m²
 - iv) Maximum number of Pharmacy retail store one (1)
 - v) Notwithstanding ~~the~~ provisions of Section 4.15(1)b) and Section 11.4(1)a), parking aisles, and driveways shall be permitted within the front yard of the lot.
 - vi) Notwithstanding provisions of Section ~~4.15(2)~~ **14.16(2)** landscape strip adjacent to residential zone shall be a minimum of 1.05 metres for parking or drive aisles.
 - vii) Notwithstanding provisions of Section 11.4 c) parking, aisle, or driveway is permitted between a building and the street line

(14) **C2-14** (351 Francis Street)

a) **Defined Area:** C2-14 as shown on Schedule 'B', Map No. 15 to this By-law.

i) **Permitted Uses:** In addition to the permitted uses listed in Subsection 11.2, the following uses shall be permitted in the C2-14 Zone:

- i) Clinic with a maximum floor area of 400 m²
- ii) Retail Store, Pharmacy with a maximum floor area of 100 m²

(15) **C2-15-H-2-H-9** (24648 Adelaide Road)

a) **Defined Area:** C2-15-H-2-H-9 as shown on Schedule 'B', Map No. 18 to this By-law.

b) **Height:**

- i) Notwithstanding 4.12 (1) no building or structure shall exceed a height of 5 storeys to a maximum of 18 m.
- ii) Notwithstanding 4.12 (2), a) parapets and b) architectural features can exceed the height to a maximum 19.7 m.

c) **Loading Space**

- i) Notwithstanding ~~4.17 (5)~~ 4.18(5) the minimum aisle width shall be a minimum width of 3.3 metres for each direction of traffic flow.

d) **Parking and Driveways:**

- i) Notwithstanding 4.23~~6~~ (6) Parking Space Dimensions the minimum aisle width shall be a minimum width of 6.7 metres and the minimum parking space length shall be 5.5 m.
- ii) Where there are multiple uses on the same lot the respective minimum parking spaces rates in Section 4.23~~6~~ (1) and 4.23~~6~~ (13) for each use shall apply and the total number of required parking spaces is the cumulative minimum total for all uses individual uses. If the parking spaces are shared the parking rate may be reduced by 10%.
- iii) Notwithstanding a shared parking arrangement in Section 11.5 (15) c) i), the following parking will be required to be delineated for apartment dwelling use:

Apartment Dwelling	1.0 per unit
--------------------	--------------

e) **Setbacks & Separation Distances:**

- i) Notwithstanding 4.29~~30~~ (3) the setback from the centerline of a County road and building or structure shall be 23 metres.

f) **Holding Provision:**

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-2' and 'H-9' appears on a zoning map, following the zone category 'C2- 15', the permitted uses on those lands shall be only the existing uses as of November 7th, 2022, unless this By-law has been amended to remove the relevant 'H-2' and 'H- 9' symbol.

- g) **Removal of 'H':**
- i) Notwithstanding any other provision of this By-law, the 'H-2' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the approval and registration on title of a Site Plan Control Agreement detailing the terms and condition of the development, including the posting of financial security to the satisfaction of the Municipality.
 - ii) Notwithstanding any other provision of this By-law, the 'H-9' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the completion of drainage outlet by municipal drain, storm sewer, or other method that is to the satisfaction of the Municipality
- (16) **C2-16** (45 to 95 Zimmerman Avenue and 200 to 220 Metcalfe St. E.)
- a) **Defined Area:** C2-16 as shown on Schedule 'A', Map No. 15 to this By-law.
 - b) **Permitted Uses:**
 - i) Existing Industrial Uses (as December 17, 2007)
 - ii) Recreational Facilities
 - iii) Shopping Centre (large format retail over 54.5m²)
 - iv) Offices, Professional
- (17) **C2-17-H-2** (100 Second Street)
- a) **Defined Area:** C2-17-H-2-H-8 as shown on Schedule 'B', Map No. 3 to this By-law.
 - b) **Permitted Uses:**
 - i) Clinic
 - ii) Commercial Use
 - iii) **Day Child** Care Centre
 - iv) Dry Cleaning Establishment
 - v) Financial Institution
 - vi) Office, **Professional**
 - vii) Personal Care Establishment
 - viii) Personal Service Establishment
 - ix) Recreation Facilities
 - x) Restaurant
 - xi) Restaurant, Take out
 - xii) ~~Retail Store, Brewing~~
 - xiii) ~~Retail Store, Food~~
 - xiv) Retail Store, General
 - xv) ~~Retail Store, Pet~~
 - xvi) ~~Retail Store, Pharmacy~~
 - xvii) Shopping Centre
 - c) **Use & Building Provisions:**
 - i) Minimum Floor Area per Retail Store and Restaurant (excluding Take Out) shall be 120 m².
 - ii) Minimum Floor Area of ~~Professional~~ Offices shall be 185 m².
 - iii) Maximum of one (1) Financial Institution and (1) Recreation Facilities use shall be permitted.

- iv) Maximum of five (5) commercial uses per building.
- v) Minimum gross floor area of 1400 m² for commercial uses.
- vi) No outside storage is permitted.
- vii) Maximum area for commercial Public Outdoor Patio shall be 100 m².
- viii) The calculation of total parking, coverage and floor area shall not include a Public Outdoor Patio area that is accessory to any permitted use.

d) Lot Provisions:

- i) Minimum Rear Yard Depth 6.0 m
- ii) Minimum setback to the centerline of a County Road 15.0 m
- iii) Maximum Lot Coverage 45%
- iv) All other provisions in Section 11.3 continue to apply.

e) Holding Provisions:

- i) Notwithstanding any other provision of this By-law, where the symbol 'H-2' and 'H-8' appears on a zoning map, following the zone category 'C2-17', the permitted uses on those lands shall be only uses permitted and existing as of the passing of this By-law, unless this By-law has been amended to remove the relevant 'H-2' and 'H-8' symbol.

f) Hold Removal:

- i) Notwithstanding any other provision of this By-law, the 'H-2' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the registration on title a Site Plan Agreement between the property owner and the Municipality detailing the terms and conditions of the development to the satisfaction of the Municipality.
- ii) Notwithstanding any other provision of this By-law, the 'H-8' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the completion of a traffic study to the satisfaction of the Municipality.

SECTION 12 NEIGHBOURHOOD COMMERCIAL (C3) ZONE

PURPOSE & INTENT: *The Neighbourhood Commercial (C3) Zone applies to lands situated exclusively in Strathroy and designated 'Residential' in the Official Plan. Within the C3 Zone, small-scale neighbourhood type commercial uses of a convenience nature are permitted where a mix of uses is considered desirable and otherwise compatible with the character of existing residential development.*

121 GENERAL PROVISIONS

- (1) No person shall, within the C3 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

122 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the C3 Zone:

- | | |
|-------------------------------------|---------------------------------------|
| a) Clinic | g) Laundry Establishment |
| b) Day Child Care Centre | h) Office, Professional |
| c) Day Care Centre, Adult | i) Personal Care Establishment |
| d) Dry Cleaning Establishment | j) Restaurant |
| e) Dwelling Unit | k) Retail Store General |
| f) Gas Station | Retail Store, Video Rental |
| | l) Shopping Centre |

123 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the C3 Zone:

- | | |
|--|--|
| a) Maximum Lot Area | 500 m ² |
| b) Minimum Lot Frontage | 15.0 m |
| c) Front Yard Depth / Exterior Side Yard Width | 0 m (minimum) to 3 m (maximum) |
| d) Side Yard Width | 0 m (when yard abut residential zone minimum side yard width shall be 1.2 m) |
| e) Minimum Rear Yard Depth | 15.0 m |
| f) Maximum Lot Coverage | 65% |

124 SPECIAL PROVISIONS

The following provisions shall apply in the C3 Zone:

(1) Dwelling Units

In addition to Section 4.65 of this by-law, a building may contain one or more dwelling units but only in combination with a permitted commercial use provided:

- a) the dwelling unit shall form part of the main building and shall be located on a floor above the commercial use; and,
- b) the dwelling unit shall be completely self-contained and have separate and direct access to a yard or street.

(2) Maximum Floor Area

Notwithstanding the other provisions of this By-law no commercial use shall exceed 186 m² of gross floor area

(3) Outside Storage

No outside storage is permitted.

(4) Parking

In addition to Section 4.276 of this by-law, the following provisions shall apply:

- a) no parking is permitted within the front or exterior yard on a lot.
- b) Parking shall cover a maximum of 50% of the lot.
- c) Parking shall be set back from an exterior side lot line 1.0 m.

(5) Parking Areas, Existing

Notwithstanding the provisions of Subsection 12.4(1) where an existing lot has a parking area located in a front or exterior side yard the parking area and main building may be altered or expanded providing all other requirements of this By-law are complied with. The parking area will be deemed to conform to the By-law with respect to permitted location of parking areas.

(6) Office

A building may contain one or more offices but only in combination with a permitted commercial use, provided that:

- a) the office shall form part of the main building and shall be located on a floor above the commercial use.

125 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "C3" Zone. If a regulation or use is not specified, the permitted uses of Subsection 12.2 and the regulations of 12.3 and 12.4 shall apply.

- (1) **C3-1** (281 Metcalfe Street West)
 - a) **Defined Area:** C3-1 as shown on Schedule 'B', Map No. 12
 - b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 12.2, the following uses shall be permitted uses in the C3-1 Zone:
 - i) Garage, Public
- (2) **C3-2** (201 Metcalfe Street West)
 - a) **Defined Area:** C3-2 as shown on Schedule 'B', Map No. 12
 - b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 12.2, the following uses shall be permitted uses in the C3-2 Zone:
 - i) Office, ~~Professional~~
- (3) **C3-3** (278 Metcalfe Street West)
 - a) **Defined Area:** C3-3 as shown on Schedule 'B', Map No. 14
 - b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 12.2, the following uses shall be permitted uses in the C3-3 Zone:
 - i) Place of Entertainment
- (4) **C3-4** (370 Albert Street)
 - a) **Defined Area:** C3-4 as shown on Schedule 'B', Map No. 11
 - b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 12.2, the following uses shall be permitted uses in the C3-4 Zone:
 - i) Office, ~~Professional~~
- (5) **C3-5** (320 Metcalfe Street West)
 - a) **Defined Area:** C3-5 as shown on Schedule 'B', Map No. 14 to this By-law.
 - b) **Lot Provisions:** Notwithstanding the lot provisions listed in Subsection 12.5, the following shall apply:
 - i) **Minimum Rear Yard Depth:** 7.74 m for the main building and 1 m for the detached garage.
- (6) **C3-6** (22681 Adelaide Road)
 - a) **Defined Area:** C3-6 as shown on Schedule 'C', Map No. 1 to this By-law.
 - b) **Permitted Uses:**

- i) Dwelling, single detached
- ii) Public garage
- iii) Retail store, neighbourhood
- iv) all other permitted uses of the C3 zone excluding a gas bar

SECTION 13 RURAL COMMERCIAL (C4) ZONE

PURPOSE & INTENT: *The Rural Commercial (C4) Zone applies to lands situated outside of designated settlements areas in the rural area of the Municipality, designated 'Commercial' in the Official Plan. Within the C4 Zone, the commercial uses permitted are characterized by those which are farm-related, serve the needs of the agricultural community or are ~~complementary~~ complementary to the rural community. Other commercial uses may be considered on a case-by-case basis.*

13.1 GENERAL PROVISIONS

- (1) No person shall, within the C4 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

13.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the C4 Zone:

- | | |
|---|-----------------------------------|
| a) Agricultural Service Establishment | g) Outside Display and Sales Area |
| b) Agricultural Supply Establishment | h) Market Garden |
| c) Auction Sales Establishment, Agricultural | i) Nursery |
| d) Animal Kennel | j) Veterinary Clinic |
| e) Dwelling Unit or Single Detached Dwelling, Existing | k) Winery, Farm Fruit |
| f) Greenhouse, Commercial | |

13.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the C4 Zone:

- | | |
|--|--------------------------------------|
| a) Minimum Lot Area | 1 ha |
| b) Minimum Lot Frontage | 60.0 m |
| c) Front Yard Depth / Exterior Side Yard Width | 15.0 m (minimum) to 23.0 m (maximum) |
| d) Side Yard Width | 6.0 m |
| e) Minimum Rear Yard Depth | 7.5 m |
| f) Maximum Lot Coverage | 35% |
| g) Landscaped Open Space | 50% |

134 SPECIAL PROVISIONS

The following provisions shall apply in the C4 Zone:

(1) Accessory Uses

In addition to Subsection 4.2, an accessory building or structure shall not:

- a) be erected in the front yard or, in the case of a corner lot, in the exterior side yard; and,
- b) exceed 10% lot coverage.

(2) Dwelling Units

In addition to Section 4.65 of this by-law, a building may contain one dwelling unit but only in combination with a permitted commercial use provided:

- a) the dwelling unit shall form part of the main building and shall be located on a floor above the commercial use, or on the main floor to the side or rear of the commercial use;
- b) the dwelling unit shall be completely self-contained and have separate and direct access to a yard or street;
- c) notwithstanding clause a) the dwelling unit may constitute a single detached dwelling; and,
- d) when a dwelling unit is a single detached dwelling, it shall comply with the provisions of the Rural Residential Zone.

135 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "C4" Zone. If a regulation or use is not specified, the permitted uses of Subsection 13.2 and the regulations of 13.3 and 13.4 shall apply.

(1) C4-1 (8791 Glendon Drive)

- a) **Defined Area:** C4-1 as shown on Schedule 'A', Map No. 37 to this By-law.
- b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 14.2, the following uses shall be permitted in the C4-1 Zone:
 - i) Motor Vehicle Sales Establishment

(2) C4-2 (22262 Adelaide Road)

- a) **Defined Area:** C4-2 as shown on Schedule 'A', Map No. 37 to this By-law.
- b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 14.2, the following uses shall be permitted in the C4-2 Zone:
 - i) Clinic

- (3) **C4-3** (23752 Adelaide Road)
- a) **Defined Area:** C4-3 as shown on Schedule 'A', Map No. 19 to this By-law.
 - b) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 14.2, the following uses shall be the only permitted use in the C4-3 Zone:
 - i) Restaurant
- (4) **C4-4** (8898 Longwoods Road)
- a) **Defined Area:** C4-4 as shown on Schedule 'A', Map No. 45 to this By-law.
 - b) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 14.2, the following uses shall be the only permitted uses in the C4-4 Zone:
 - i) Restaurant
 - ii) Retail Store, ~~Antique~~
- (5) Deleted
- (6) **C4-6** (Part Lot 19, Concession 1, Part 1 RP 33R1307 – 22270 Mill Road)
- a) **Defined Area:** C4-6 as shown on Schedule 'A', Map No. 29 to this By-law.
 - b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 13.2, the following uses shall be permitted use in the C4-6 Zone:
 - i) Clinic
 - ii) ~~Daycare Facility~~ **Child Care Centre**

SECTION 14 LIGHT INDUSTRIAL (M1) ZONE

PURPOSE & INTENT: *The Light Industrial (M1) Zone applies to lands situated in Strathroy which are designated 'Industrial' in the Official Plan, typically in older areas adjacent to residential uses. Within the M1 zone, a range of industrial uses are permitted that are compatible with surrounding uses. As light industrial uses are often located in close proximity to sensitive land uses (i.e. residential areas, institutional uses, natural areas) uses there is a prohibition on any noxious uses which would not be compatible with these uses.*

14.1 GENERAL PROVISIONS

- (1) No person shall, within the M1 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

14.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the M1 Zone:
- | | |
|--|------------------------------------|
| a) Agricultural Industrial Establishment | j) Office, Support |
| b) Agricultural Service Establishment | k) Outside Display and Sales Area |
| c) Bulk Sales Establishment | l) Outside Storage |
| d) Contractor's Yard or Shop | m) Public Garage |
| e) Custom Workshop | n) Research & Development Facility |
| f) Factory Outlet | o) Self-service Storage Warehouse |
| g) Farm Equipment Sales & Service | p) Service Shop |
| h) Industrial Mall | q) Warehouse |
| i) Industrial Use, Light Class I
Industrial Facility | |

- (2) For greater clarity, noxious uses are expressly prohibited in the M1 Zone.

14.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the M1 Zone:
- | | |
|--|---|
| a) Minimum Lot Area | 2 500 m ² |
| b) Minimum Lot Frontage | 15.0 m |
| c) Minimum Front Yard Depth / Exterior Side Yard Width | 6.0 m |
| d) Side Yard Width* | 3.0 m or 7.5 m where M1 zone abuts a residential, |

		institutional, or open space zone
e)	Minimum Rear Yard Depth*	7.5 m or 15 m where M1 zone abuts a residential, institutional, or open space zone
f)	Minimum Lot Depth	40 m
g)	Maximum Lot Coverage	50%
h)	Landscaped Open Space	10%

* No side or rear yard shall be required abutting a railway right-of-way.

144 SPECIAL PROVISIONS

The following provisions shall apply in the M1 Zone:

(1) Accessory Uses

In addition to Subsection 4.2, where the M1 zone abuts a residential zone, an accessory building or structure shall be setback 4.5 m from the corresponding lot line.

(2) Outside Display & Sales Area

In addition to Subsection 4.2~~03~~, an outside display and sales area shall only be permitted in association with a factory outlet.

(3) Outside Storage

Outside storage shall not be permitted in the front or exterior side yard. The storage shall have a maximum 10% lot coverage or a maximum of 1 ha which is the lesser.

145 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "M1" Zone. If a regulation or use is not specified, the permitted uses of Subsection 14.2 and the regulations of 14.3 and 14.4 shall apply.

(2) M1-1-H-2 (Wright Street)

a) **Defined Area:** M1-1-H-2 as shown on Schedule 'B', Map No. 11 to this By-law.

b) Permitted **Use:** ~~Notwithstanding~~ **Notwithstanding** the permitted uses listed in Section 14.2, the following uses shall also be permitted use in the M1-1 Zone:

i) Accessory sales of utility trailers

c) **Special Provision:**

i) Notwithstanding Section 14.4.2) and 3), an Outside Display and Sales Area and Outside Storage shall be permitted within the Rear Yard of the Lot.

- d) **Holding Provision:**
 - i) Notwithstanding any other provision of this By-law, where the symbol 'H-2' appears on a zoning map, following the zone category 'M1- 1', the permitted uses on those lands shall be only uses permitted within Section 26.2 of this By-law, unless this By-law has been amended to remove the relevant 'H-2'symbol.
 - e) **Removal of 'H':**
 - i) Notwithstanding any other provision of this By-law, the 'H- 2' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the approval and registration on title of a Site Plan Control Agreement detailing the terms and condition of the development, including the posting of financial security to the satisfaction of the Municipality.
- (3) **M1-3 (Cannan Street)**
- a) **Defined Area:** M1-3 as shown on Schedule 'B', Map No. 16 to this By-law.
 - b) **Permitted Use:**
 - i) Crematorium
 - ii) All other permitted uses of the M1 zone

SECTION 15 GENERAL INDUSTRIAL (M2) ZONE

PURPOSE & INTENT: *The General Industrial (M2) Zone applies to lands situated in Strathroy which are designated 'Industrial' in the Official Plan. Within the M2 Zone, a wide range of industrial uses are permitted as well as certain secondary commercial uses which are considered compatible with industrial areas or share similar attributes with the industrial uses, they are accessory to.*

15.1 GENERAL PROVISIONS

- (1) No person shall, within the M2 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

15.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the M2 Zone:

- | | |
|---|--------------------------------------|
| a) Agricultural Industrial Establishment | o) Industrial Mall |
| b) Agricultural Processing Establishment | Industrial Use, General |
| c) Agricultural Service Establishment | p) Machine Shop |
| d) Auction Sales Establishment | q) Outside Display and Sales Area |
| e) Animal Kennel | r) Outside Storage |
| f) Bulk Sales Establishment | s) Office, Support |
| g) Contractor's Yard or Shop | t) Research and Development Facility |
| h) Custom Workshop | u) Self-service Storage Warehouse |
| i) Dog Domesticated Animal Pound | v) Service Shop |
| j) Factory Outlet | w) Truck Terminal |
| k) Farm Equipment Sales and Service | x) Warehouse |
| l) Food Service Vehicle | |
| m) Garage, Public | |
| n) General Industrial Use Class II Industrial Facility | |

- (2) For greater clarity, noxious uses are expressly prohibited in the M2 Zone.

15.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the M2 Zone:

- | | |
|-------------------------|----------------------|
| a) Minimum Lot Area | 2 500 m ² |
| b) Minimum Lot Frontage | 15.0 m |

c)	Minimum Front Yard Depth / Exterior Side Yard Width	6.0 m
d)	Side Yard Width*	6.0 m or 30.0 m where M2 zone abuts a residential, institutional, or open space zone
e)	Minimum Rear Yard Depth*	7.5 m or 30.0 m where M2 zone abuts a residential, institutional, or open space zone
f)	Minimum Lot Depth	75.0 m
g)	Maximum Lot Coverage	6.5%
h)	Landscaped Open Space	10%

* No side or rear yard shall be required abutting a railway right-of-way.

15.4 SPECIAL PROVISIONS

The following provisions shall apply in the M2 Zone:

(1) Accessory Uses

In addition to Subsection 4.2 of this By-law, where the M2 zone abuts a residential zone, an accessory building or structure shall be setback 4.5 m from the corresponding lot line.

(2) Height

Notwithstanding, Subsection 4.13~~2~~ of this By-law, there shall be no height restrictions on buildings and structures in the M2 Zone.

(3) Outside Storage

In addition to the provisions of Subsection 4.25~~4~~ of this By-law, outside storage shall not be permitted in any yard where such yard lies opposite to or abuts a residential, institutional, or an open space zone.

(4) Outside Display & Sales Area

In addition to the provisions of Subsection 4.26~~3~~ of this By-law, outside display and sales areas shall only be permitted in association with a factory outlet.

15.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "M2" Zone. If a regulation or use is not specified, the permitted uses of Subsection 15.2 and the regulations of 15.3 and 15.4 shall apply.

- (1) **M2-1** (352 High Street East)
 - a) **Defined Area:** M2-1 as shown on Schedule 'B', Map No. 16 to this By-law.
 - b) **Permitted Use:**
 - i) garage, public and
 - ii) all other permitted uses of the M2 Zone
- (2) **M2-2** (412 High Street East)
 - a) **Defined Area:** M2-2 as shown on Schedule 'B', Map No. 16 to this By-law.
 - b) **Permitted Use:**
 - i) recreational facilities
 - ii) all other permitted uses of the M2 Zone
- (3) **M2-3** (390 York Street)
 - a) **Defined Area:** M2-3 as shown on Schedule 'B', Map No. 16 to this By-law.
 - b) **Permitted Use:**
 - i) nursery greenhouse, farm
 - ii) all other permitted uses of the M2 Zone
- (4) **M2-4** (139 Egerton Street)
 - a) **Defined Area:** M2-4 as shown on Schedule 'B', Map No. 16 to this By-law.
 - b) **Permitted Use:**
 - i) recreational facilities
 - ii) all other permitted uses of the M2 Zone
- (5) **M2-5** (25 McNab Avenue)
 - a) **Defined Area:** M2-5 as shown on Schedule 'B', Map No. 16 to this By-law.
 - b) **Permitted Use:**
 - i) clinic
 - ii) all other permitted uses of the M2 Zone
- (6) **M2-6** (Wright Street and Adair Boulevard)
 - a) **Defined Area:** M2-6 as shown on Schedule 'B', Map No. 2 to this By-law.
 - b) **Permitted Use:**
 - i) recreational facilities
 - ii) all other permitted uses of the M2 Zone
- (7) **M2-7** (680 Wright Street and 145 High Street East)

- a) **Defined Area:** M2-7 as shown on Schedule 'B', Map No. 1 to this By-law and on Schedule 'B', Map No. 15 to this By-law.
- b) **Permitted Use:**
- i) garage, public
 - ii) all other permitted uses of the M2 Zone
- (8) **M2-8** (760 Wright Street)
- a) **Defined Area:** M2-8 as shown on Schedule 'B', Map No. 1 to this By-law.
- b) **Permitted Use:**
- i) crematorium
 - ii) all other permitted uses of the M2 Zone
- (9) **M2-9** (785 Wright Street)
- a) **Defined Area:** M2-9 as shown on Schedule 'B', Map No. 1 to this By-law.
- b) **Permitted Use:**
- i) agricultural supply establishment
 - ii) garage, public laundry establishment
 - iii) motor vehicle sales establishment
 - iv) office, ~~professional~~ (minimum floor area of 930 m²) retail store, brewing
 - v) taxi service veterinary clinic
 - vi) all other permitted uses of the M2 Zone
- (10) **M2-10** (420 and 432 High Street East)
- a) **Defined Area:** M2-10 as shown on Schedule 'B', Map No. 16 to this By-law.
- b) **Permitted Uses:**
- i) single unit dwelling
 - ii) all other permitted uses of the M2 Zone
- c) **Lot Provisions:**
- i) Side Yard Width 6.0 m
 - ii) Rear Yard Depth 7.5 m
- (11) **M2-11** (775 Wright Street)
- a) **Defined Area:** M2-11 as shown on Schedule 'B', Map No. 1 to this By-law.
- b) **Permitted Uses:**
- i) crematorium
 - ii) all other permitted uses of the M2-9 Zone
- (12) **M2-12-T**
- a) **Defined Area:** M2-12-T as shown on Schedule 'A' to this By-law.

- b) **Permitted Uses:**
 - i) Notwithstanding Section 15.2 of By-law No. 43-08, as amended, a motor vehicles sales establishment and a public garage shall be permitted as additional permitted uses, in addition to those uses permitted by Section 15.2 on the lands shown in heavy solid lines on Schedule "A" of this by-law.
- c) **Time Period:**
 - i) Notwithstanding any other provision of this By-law to the contrary, a motor vehicles sales establishment and a public garage shall be permitted on those lands Zoned M2-12-T from September 18th, 2017 to September 18th, 2020, after which a motor vehicles sales establishment and a public garage shall no longer be a permitted use.
- (13) **M2-13 (385 High St)**
 - a) **Defined Area:** M2-13 as shown on Schedule 'B' Map 16 to this By-law.
 - b) **Permitted Uses:**
 - i) garage, public with an accessory motor vehicle sales establishment (maximum 12 vehicles for sale at one time) and
 - ii) all other permitted uses of the M2 Zone
- (14) **M2-14 (1 Firestone Road)**
 - a) **Defined Area:** M2-14 as shown on Schedule 'B', Map No. 15 to this By-law.
 - b) **Permitted Uses:**
 - i) one garage, public with a maximum floor area of 2,200 m² an accessory motor vehicle sales establishment (no vehicles for sale is permitted) and
 - ii) all other permitted uses of the M2 zone.
- (15) **M2-15 (999 Wright Street)**
 - c) **Defined Area:** M2-15 as shown on Schedule 'A', Map No. 2 to this By-law.
 - d) **Permitted Uses:** In addition to the permitted uses listed in Subsection 15.2, the following uses are also permitted:
 - i) asphalt/concrete/ready mix batching plant

SECTION 16 HEAVY INDUSTRIAL (M3) ZONE

PURPOSE & INTENT: *The Heavy Industrial (M3) Zone applies to lands situated in Strathroy which are designated 'Industrial' in the Official Plan. Within the M3 Zone, a range of industrial uses are permitted, which would otherwise not be permitted in the other Industrial zones. The M3 Zone is designed to accommodate all heavy industrial uses, which because of the nature of their operation require mitigation measures to ensure compatibility with surrounding areas.*

16.1 GENERAL PROVISIONS

- (1) No person shall, within the M3 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

16.2 USE & BUILDING PROVISIONS

- (1) The following uses and buildings are permitted in the M3 Zone:
- a) Abattoir
 - b) Asphalt / Concrete / Ready Mix Batching Plant
 - c) ~~General Industrial Use~~ Class III Industrial Facility
 - d) Noxious Uses
 - e) Outside Storage

16.3 LOT PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the M3 Zone:
- a) Minimum Lot Area 4 000 m²
 - b) Minimum Lot Frontage 25.0 m
 - c) Minimum Front Yard Depth / Exterior Side Yard Width 10.0 m
 - d) Side Yard Width* 10.0 m
 - e) Minimum Rear Yard Depth* 10.0 m
 - f) Minimum Lot Depth 60.0 m
 - g) Maximum Lot Coverage 50%
 - h) Landscaped Open Space 20%

* No side or rear yard shall be required abutting a railway right-of-way.

16.4 SPECIAL PROVISIONS

The following provisions shall apply in the M3 Zone:

(1) Abutting Uses

No M3 Zone shall abut a non-Industrial Zone with the exception of a FD Zone.

(2) Height

Notwithstanding, Subsection 4.1~~23~~²³ of this By-law, there shall be no height restrictions on buildings and structures in the M3 Zone.

(3) Outside Storage

In addition to the provisions of Subsection 4.2~~45~~⁴⁵ of this By-law, outside storage shall not be permitted in any yard where such yard lies opposite to or abuts a residential, institutional, or an open space zone.

16.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard “M3” Zone. If a regulation or use is not specified, the permitted uses of Subsection 16.2 and the regulations of 16.3 and 16.4 shall apply.

SECTION 17 ~~RURAL INDUSTRIAL (M4) ZONE~~

~~**PURPOSE & INTENT:** The Rural Industrial (M4) Zone applies to rural areas of the Municipality that have been designated 'Industrial' in the Official Plan. Specifically this zone applies to industrially designated land to the south and east of the Mount Brydges. While a wider range of industrial uses are permitted in this zone, as opposed to the 'Agricultural Industrial (A4)' Zone which requires development to be agriculturally-related, it is the intent of these provisions to preserve the rural character of the area and avoid intensive industrial development intended for settlement areas with large lots sizes and landscaping requirements. Other industrial uses may be considered on a site-specific basis.~~

~~17.1 GENERAL PROVISIONS~~

- (1) ~~No person shall, within the M4 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:~~

~~17.2 USE & BUILDING PROVISIONS~~

- (1) ~~The following shall be on the only permitted uses and buildings in the M4 Zone:~~

- | | |
|---|--|
| a) Abattoir | j) Custom Workshop |
| b) Agricultural Use | k) Factory Outlet |
| c) Agricultural Industrial Establishment | l) Fertilizer Blending Station |
| d) Agricultural Processing Establishment | m) Machine Shop |
| e) Agricultural Service Establishment | n) Office, Support |
| f) Animal Kennel | o) Outside Display and Sales Area |
| g) Auction Sales Establishment, Agriculturally Related | p) Outside Storage |
| h) Bulk Sales Establishment | q) Truck Terminal |
| i) Contractor's Yard or Shop | |

~~17.3 LOT PROVISIONS~~

- (1) ~~The following provisions shall apply to lots in the M4 Zone:~~

- | | |
|---|-----------------|
| a) Minimum Lot Area | 6 ha |
| b) Minimum Lot Frontage | 30 m |
| c) Minimum Front Yard Depth / Exterior Side Yard Width | 40 m |

d) Side Yard Width*	10 m
e) Minimum Rear Yard Depth*	10 m
f) Minimum Lot Depth	60 m
g) Maximum Lot Coverage	30%
h) Landscaped Open Space	60%

~~* No side or rear yard shall be required abutting a railway right of way.~~

~~17.4 SPECIAL PROVISIONS~~

~~The following provisions shall apply in the M4 Zone:~~

~~(1) Outside Storage~~

~~In addition to the provisions of Subsection 4.25 of this By-law, outside storage shall not be permitted in any yard where such yard lies opposite to or abuts a residential, institutional, or an open space zone.~~

~~17.5 EXCEPTIONS~~

~~The following site-specific zones apply to existing or unique situations that are not the standard "M4" Zone. If a regulation or use is not specified, the permitted uses of Subsection 17.2 and the regulations of 17.3 and 17.4 shall apply.~~

~~(1) M4-1 (22302 & 22030 Adelaide Road)~~

~~a) Defined Area: M4-1 as shown on Schedule 'A', Map No. 29 to this By-law.~~

~~b) Permitted Uses: _____~~

~~i) Industrial Use, General (maximum 1)~~

~~ii) All other permitted uses of the M4 Zone~~

SECTION 17 GENERAL AGRICULTURAL (A1) ZONE

PURPOSE & INTENT: *The General Agricultural (A1) Zone is the primary agricultural zoning in the Municipality and applies the majority of farm parcels in the 'Agricultural' designation of the Official Plan. The A1 zone applies not only to productive agricultural land under active cultivation, but also to non-active farm land, and pasture land. Lands zoned A1 are typically large, contiguous farm parcels. Permitted uses range from the cultivation of land and production of crops to the breeding, raising, and care of livestock. Secondary uses such as home occupations, secondary farm occupations and stables are permitted in recognition that such uses are clearly secondary to the ~~principle~~ **principal** use of the property, are limited in size, appropriately located in the rural area and are complementary to agricultural uses.*

17.1 GENERAL PROVISIONS

- (1) No person shall, within the A1 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

17.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the A1 Zone:

- | | |
|--|---|
| a) Agricultural Use | j) Livestock Facility |
| b) Animal Kennel (as a secondary farm occupation) | k) Market Garden |
| c) Dwelling, Secondary Suite Additional Residential Unit, in accordance with Section 4.7 of this By-law. | l) Nursery |
| d) Dwelling, Single Detached | m) On-Farm Diversified Use, in accordance with Section 4.20 of this By-law |
| e) Dwelling, Farm Worker | n) Short Term Accommodation in accordance with Section 4.20. |
| f) Forestry Use | |
| g) Fruit and Vegetable Stand | o) Stable |
| h) Greenhouse, Commercial | |
| i) Greenhouse, Farm | p) Wildlife Preserve |
| j) Group Home —Type 4 (in a single detached dwelling only) | q) Winery, Farm Fruit |

- (2) **For greater clarity, the following uses and buildings are expressly prohibited in the A1 Zone, unless otherwise permitted by site specific amendment:**

- a) Animal Kennel**

17.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the A1 Zone:
- | | | |
|----|---|---------|
| a) | Minimum Lot Area | 40 ha |
| b) | Minimum Lot Frontage | 150.0 m |
| c) | Minimum Front Yard Depth / Exterior Side Yard Width | 20.0 m |
| d) | Minimum Side Yard Width | 15.0 m |
| e) | Minimum Rear Yard Depth | 30.0 m |
| f) | Minimum Lot Depth | 500.0 m |
| g) | Maximum Lot Coverage | 20% |

17.4 SPECIAL PROVISIONS

The following provisions shall apply in the A1 Zone:

(1) Fruit & Vegetable Stands

Seasonal fruit and vegetable stands shall:

- a) be restricted to a maximum of 50 m² including both floor area;
- b) be setback from the front lot line a minimum of 7.5 m;
- c) be operated only by those persons residing on the lot on which the fruit and vegetable stand is located, including not more than one person, who is not a resident of said lot.

(2) Existing Agricultural Lots (Under Minimum Lot Area Requirement)

Notwithstanding Subsection 18.3(1), where an existing lot has an area of less than 40 ha, buildings and structures for permitted uses may be erected, altered or expanded providing that all other requirements of this By-law are complied with. The existing lot area will be deemed to conform to the By-law.

17.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "A1" Zone. If a regulation or use is not specified, the permitted uses of Subsection 18.2 and the regulations of 18.3 and 18.4 shall apply.

(1) A1-1 (6947 Olde Drive)

- a) **Defined Area:** A1-1 as shown on Schedule 'A', Map No. 13 to this By-law.
- b) **Permitted Uses:**
 - i) **Dwelling, Secondary Suite:** one (1) secondary suite shall be permitted on the ground floor of an accessory building.

- (2) **A1-2** (Troops Road)
- a) **Defined Area:** A1-2 as shown on Schedule 'A', Map No. 30 to this By-law.
- b) **Lot Provisions:**
- i) Minimum Lot Area: 12 ha
- (3) **A1-3** (24321 Saxton Road)
- a) **Defined Area:** A1-3 as shown on Schedule 'A', Map No. 9 to this By-law.
- b) **Lot Provisions:**
- i) Minimum Lot Area: 19 ha
- (4) **A1-4** (24364 Saxton Road)
- a) **Defined Area:** A1-4 as shown on Schedule 'A', Map No. 10 to this By-law.
- b) **Lot Provisions:**
- i) Minimum Lot Area: 10 ha
- (5) **A1-5** (9204 Glengyle Drive)
- a) **Defined Area:** A1-5 as shown on Schedule 'A', Map No. 6 to this By-law.
- b) **Permitted Uses:**
- i) In addition to the permitted uses listed in Subsection 18.2, an agricultural industrial establishment and a 'fleet' vehicle inspection station as an accessory use to the agricultural industrial establishment shall also be permitted.
- c) **Lot Provisions:**
- i) **Maximum Lot Coverage – Agricultural Industrial Establishment:** Notwithstanding Subsection 18.3(7), the agricultural industrial establishment shall be limited to a maximum lot coverage of 12%.
- ii) Maximum Gross Floor Area – Vehicle Inspection Station: 169 m² (1,820 ft²)
- iii) **Secondary Farm Occupation:** Notwithstanding Subsection 4.21(27e), a secondary farm occupation shall be permitted in the absence of a resident being the operator and subject to a maximum lot coverage of 2%."
- d) **Holding Provision:**
- i) Notwithstanding any other provision of this By-law, where the symbol 'H' appears on a zoning map, following the zone symbol 'A1-5', the permitted uses on those lands shall only be the existing uses as of August 21st, 2017 unless this By-law has been amended to remove the relevant 'H' symbol.

- e) **Removal of 'H':**
- i) Notwithstanding any other provision of this By-law, the 'H' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the approval and registration on title of a 'Site Plan Control Agreement' detailing the terms and conditions of the development, including the positing of financial security, to the satisfaction of the Municipality.
- (6) **A1-6** (7407 Calvert Drive)
- a) **Defined Area:** A1-6 as shown on Schedule 'A', Map No. 2 to this By-law.
 - b) **Lot Provisions:**
 - i) Minimum Lot Area: 18.86 ha
- (7) **A1-7** (20786 Burwell Road)
- a) **Defined Area:** A1-7 as shown on Schedule 'A', Map No. 41 to this By-law.
 - b) **Lot Provisions:**
 - i) Minimum Lot Area: 19 ha
- (8) **A1-8-T** (7225 Century Drive)
- a) **Defined Area:** A1-8-T as shown on Schedule 'A', Map No. 20 to this By-law.
 - b) **Permitted Uses:**
 - i) Notwithstanding Section 18.2 of By-law No. 43-08, as amended, which restricts the permitted uses to agricultural uses, one single-detached dwelling and various secondary and accessory uses on lands zoned "General Agricultural (A1)", a second "Single Detached Dwelling" as defined under By-law 43-08 shall be permitted on the lands shown in heavy solid lines on Schedule "A" of this by-law.
 - c) **Time Period:**
 - i) Notwithstanding any other provision of this By-law to the contrary, two (2) single detached dwellings shall be permitted on those lands Zoned A1-8-T from February 22, 2017 to June 22, 2018, after which only one (1) single detached dwelling shall be permitted.
 - d) **Removal:**
 - i) One (1) single detached dwelling shall be removed or repurposed in conformity with Section 18.2 of By-law 43-08 at the conclusion of the fifteen (15) month period.
- (9) **A1-9-T** (9202 Oriole Drive)
- a) **Defined Area:** A1-9-T as shown on Schedule 'A', Map No. 24 to this By-law.

- b) **Permitted Uses:**
- i) Notwithstanding Section 18.2 of By-law No. 43-08, as amended, which restricts the permitted uses to agricultural uses, one single- detached dwelling and various secondary and accessory uses on lands zoned “General Agricultural (A1)”, a second “Single Detached Dwelling” as defined under By-law 43-08 shall be permitted on the lands shown in heavy solid lines on Schedule “A” of this by-law.
- c) **Time Period:**
- i) Notwithstanding any other provision of this By-law to the contrary, two (2) single detached dwellings shall be permitted on those lands Zoned ‘A1-9-T’ from July 17, 2023 to July 17, 2026, after which only one (1) single detached dwelling shall be permitted.
- d) **Removal:**
- i) One (1) single detached dwelling shall be removed or repurposed in conformity with Section 18.2 of By-law 43-08 at the conclusion of the three (3) year period.
- (10) **A1-10** (7927 Glendon Drive)
- a) **Defined Area:** A1-10 as shown on Schedule ‘A’, Map No. 27 to this By-law.
- b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 18.2, the following uses are also permitted:
- i) a street maintenance / repair and snow removal business shall be permitted only as a secondary farm occupation;
 - ii) outdoor vehicle and equipment storage located in the rear and side yard only as a use accessory to a street maintenance / repair and snow removal business only; and,
 - iii) a ‘fleet’ vehicle inspection station as a use accessory to a street maintenance/ repair and snow removal business only.
- c) **Lot Provisions:**
- i) Maximum Gross Floor Area – Secondary Farm Occupation: 572 m² (6, 157 ft²)
 - ii) Maximum Gross Floor Area – Vehicle Inspection Station: 187 m² (2,012 ft²)
 - iii) Maximum Coverage - Outdoor Vehicle and Equipment Storage Accessory to a Secondary Farm Occupation: 0.405 ha (1 ac)
- d) **Secondary Farm Occupation:**
- i) Notwithstanding Subsection 4.21~~27(c)~~, a secondary farm occupation comprising a street maintenance / repair and snow removal business and accessory uses shall be permitted to have a maximum of twelve (12) full time employees who do not reside on the subject lands.
- (11) **A1-11-T** (7859 Parkhouse Drive)
- a) **Defined Area:** A1-11-T as shown on Schedule ‘A’, Map No. 27 to this By-law.

- b) **Permitted Uses:**
- i) Notwithstanding Section 18.2 of By-law No. 43-08, as amended, which restricts the permitted uses to agricultural uses, one single-detached dwelling and various secondary and accessory uses on lands zoned “General Agricultural (A1)”, a second “Single Detached Dwelling” as defined under By-law 43-08 shall be permitted on the lands shown in heavy solid lines on Schedule “A” of this by-law.
- c) **Time Period:**
- i) Notwithstanding any other provision of this By-law to the contrary, two (2) single detached dwellings shall be permitted on those lands Zoned A1-11-T from April 16, 2018 to April 16, 2019, after which only one (1) single detached dwelling shall be permitted.
- d) **Removal:**
- i) One (1) single detached dwelling shall be removed or repurposed in conformity with Section 18.2 of By-law 43-08 at the conclusion of the one (1) year period.
- (12) **A1-12** (24478 Glen Oak Road)
- a) **Defined Area:** A1-12 as shown on Schedule ‘A’ Map No. 2 to this By-law.
- b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 18.2, the following use shall also be permitted in the A1-12 Zone:
- i) Rehabilitation Clinic / Education Centre, Accessory to a Wildlife Preserve
- c) **Lot Provisions:**
- i) Minimum Side Yard Width (North Lot Line): 50.0 m
 - ii) Minimum Lot Coverage for Rehabilitation Clinic and Education Centre, Accessory to a Wildlife Preserve: 404 m² (4,348 ft²)
- (13) **A1-T** (9274 Union Drive)
- a) **Defined Area:** A1-T as shown on Schedule ‘A’ Map No. 12 to this By-law.
- b) **Permitted Uses:**
- i) Notwithstanding Section 18.2 of By-law No. 43-08, as amended, which restricts the permitted uses to agricultural uses, one single-detached dwelling and various secondary accessory uses on lands zoned “General Agricultural (A1)”, a garden suite as defined under By-law 43-08 shall be permitted on the lands shown in heavy solid lines on Schedule “A” of this by-law
- c) **Time Period:**
- i) Notwithstanding any other provision of this By-law to the contrary, the garden suite shall be permitted on those lands Zoned A1-T until December 17, 2028, after which the garden suite must be removed.

- d) **Removal:**
- i) The garden suite shall be removed or repurposed in conformity with Section 18.2 of By-law 43-08 at the conclusion of the ten (10) year period.
- (14) **A1-13-H** (6919 Calvert Drive)
- a) **Defined Area:** A1-13-H as shown on Schedule 'A', Map No. 1 to this By-law.
 - b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 18.2, the following uses are also permitted:
 - i) a contractor's yard and shop shall be permitted only as a secondary farm occupation;
 - ii) outdoor vehicle and equipment storage located in the rear and side yard only as a use accessory to a contractor's yard and shop; and,
 - c) **Lot Provisions:**
 - i) Maximum Gross Floor Area – Secondary Farm Occupation: 511 m² (5,500 ft²)
 - ii) Maximum Coverage – Outdoor Storage Associated with a Secondary Farm Occupation: 1942.5 m² (20,908 ft²)
- (15) **A1-14-T** (9449 Glendon Drive)
- a) **Defined Area:** A1-14-T as shown on Schedule 'A', Map No. 30 to this By-law.
 - b) **Permitted Uses:**
 - i) Notwithstanding Section 18.2 of By-law No. 43-08, as amended, which restricts the permitted uses to agricultural uses, one single-detached dwelling and various secondary and accessory uses on lands zoned "General Agricultural (A1)", a second "Single Detached Dwelling" as defined under By-law 43-08 shall be permitted on the lands shown in heavy solid lines on Schedule "A" of this by-law.
 - c) **Time Period:**
 - i) Notwithstanding any other provision of this By-law to the contrary, two (2) single detached dwellings shall be permitted on those lands Zoned A1-14-T from April 15, 2019 to April 15, 2020, after which only one (1) single detached dwelling shall be permitted.
 - d) **Removal:**
 - i) One (1) single detached dwelling shall be removed or repurposed in conformity with Section 18.2 of By-law 43-08 at the conclusion of the one (1) year period.
- (16) **A1-15** (Calvert Drive)
- a) **Defined Area:** A1-15 as shown on Schedule 'A' Map No. 2 to this By-law.
 - b) **Lot Provisions:**
 - i) Minimum Lot Area: 39 ha
- (17) **A1-16-T** (8595 Longwoods Road)

- a) **Defined Area:** A1-16-T as shown on Schedule 'A', Map No. 35 to this By-law.
 - b) **Permitted Uses:**
 - i) Notwithstanding Section 18.2 of By-law No. 43-08, as amended, which restricts the permitted uses to agricultural uses, one single-detached dwelling and various secondary and accessory uses on lands zoned "General Agricultural (A1)", a second "Single Detached Dwelling" as defined under By-law 43-08 shall be permitted on the lands shown in heavy solid lines on Schedule "A" of this by-law.
 - c) **Time Period:**
 - i) Notwithstanding any other provision of this By-law to the contrary, two (2) single detached dwellings shall be permitted on those lands Zoned A1-16-T from October 19, 2020 to October 19, 2021, after which only one (1) single detached dwelling shall be permitted.
 - d) **Removal:**
 - i) One (1) single detached dwelling shall be removed or repurposed in conformity with Section 18.2 of By-law 43-08 at the conclusion of the one (1) year period.
- (18) **A1-17-T (21890 Muncey Road)**
- a) **Defined Area:** A1-17-T as shown on Schedule 'A', Map No. 35 to this By-law.
 - b) **Permitted Uses:**
 - i) Notwithstanding Section 18.2 of By-law No. 43-08, as amended, which restricts the permitted uses to agricultural uses, one single-detached dwelling and various secondary and accessory uses on lands zoned "General Agricultural (A1)", a second "Single Detached Dwelling" as defined under By-law 43-08 shall be permitted on the lands shown in heavy solid lines on Schedule "A" of this by-law.
 - c) **Time Period:**
 - i) Notwithstanding any other provision of this By-law to the contrary, two (2) single detached dwellings shall be permitted on those lands Zoned A1-17-T from February 1, 2021 to February 1, 2023, after which only one (1) single detached dwelling shall be permitted.
 - d) **Removal:**
 - i) One (1) single detached dwelling shall be removed or repurposed in conformity with Section 18.2 of By-law 43-08 at the conclusion of the two (2) year period or at the occupancy of the new dwelling.
- (19) **A1-18-H-2 (8584 Walkers Drive)**
- a) **Defined Area:** A1-18-H-2 as shown on Schedule 'A', Map No. 5 to this By-law.
 - b) **Permitted Uses:**
 - i) In addition to the permitted uses listed in Subsection 18.2, the following uses as secondary farm operations are also permitted:

- ii) Public garage, used for agriculturally related Commercial Motor Vehicles; and
- iii) Motor vehicle inspection station used by agriculturally related Commercial motor vehicles.

c) Special Provisions:

- i) All structures used for public garage and motor vehicle inspection station shall not exceed 560 m² in gross floor area.
- ii) The maximum lot coverage of public garage and motor vehicle inspection station used for agriculturally related commercial motor vehicles is 0.4 ha.
- iii) Maximum of ten (10) motor vehicles may be located on the lands for the purposes of repair at any one time.
- iv) Maximum of three (3) people including employees and the owner may be employed in the public garage at any one time.
- v) Only commercial motor vehicles which are used to support agricultural operations may be repaired.
- vi) No vehicle sales will be permitted on the property.
- vii) No outside storage shall be permitted.

d) Secondary Farm Operation:

- i) Notwithstanding 4.27, ~~g~~²¹ Public Garage and motor vehicle service shop are permitted provided the repairs are related to an agricultural operated vehicles. The remaining uses in 4.27 g) shall continue to be not considered secondary farm occupations.
- ii) The secondary farm occupation does not exceed 0.4 ha in land area.

e) Holding Provision:

- i) Notwithstanding any other provision of this By-law, where the symbol 'H' appears on a zoning map, following the zone symbol 'A1-18', the permitted uses on those lands shall only be the existing uses as of November 1, 2021 unless this By-law has been amended to remove the relevant 'H-2' symbol.

f) Removal of 'H':

- i) Notwithstanding any other provision of this By-law, the 'H-2' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the approval and registration on title of a 'Site Plan Control Agreement' detailing the terms and conditions of the development, including the posting of financial security, to the satisfaction of the Municipality.

(20) A1-19 (22661 Troops Road)

- a) **Defined Area:** A1-19 as shown on Schedule 'A', Map No. 30 to this By-law.

b) Lot Provisions:

- i) Minimum Lot Frontage 90.0 m
- ii) Minimum Lot Area 18 ha

(21) A1-20-T (6864 Olde Drive)

- a) **Defined Area:** A1-20-T as shown on Schedule 'A', Map No. 13 to this By-law.

- b) **Permitted Uses:**
- i) Notwithstanding Section 18.2 of By-law No. 43-08, as amended, which restricts the permitted uses to agricultural uses, one single-detached dwelling and various secondary and accessory uses on lands zoned "General Agricultural (A1)", a second "Single Detached Dwelling" as defined under By-law 43-08 shall be permitted on the lands shown in heavy solid lines on Schedule "A" of this by-law.
- c) **Time Period:**
- i) Notwithstanding any other provision of this By-law to the contrary, two (2) single detached dwellings shall be permitted on those lands Zoned A1-20-T from March 7, 2022 to March 7, 2024, after which only one (1) single detached dwelling shall be permitted.
- d) **Removal:**
- i) One (1) single detached dwelling shall be removed or repurposed in conformity with Section 18.2 of By-law 43-08 at the conclusion of the two (2) year period or at the occupancy of the new dwelling.
- (22) **A1-21-T (22130 Christina Road)**
- a) **Defined Area:** A1-21-T as shown on Schedule 'A', Map No. 34 to this By-law.
- b) **Permitted Uses:**
- i) In addition to Section 18.2 of By-law No. 43-08, as amended, which restricts the permitted uses to agricultural uses, one single-detached dwelling and various secondary and accessory uses on lands zoned "Agricultural Small Holdings (A2)", a "Seasonal Farm Worker Dwelling" as defined under By-law 43-08 shall be permitted on the lands shown in heavy solid lines on Schedule "A" of this by-law.
- c) **Seasonal Farm Worker dwellings:**
- i) The minimum lot area for a seasonal farm worker dwelling shall be 35 ha;
 - ii) A seasonal farm worker dwelling may be located in a front and /or the exterior side yards.
- d) **Time Period:**
- i) Notwithstanding any other provision of this By-law to the contrary, seasonal farm worker dwelling shall be permitted on those lands Zoned A1-21-T from March 21, 2021 to March 21, 2024, after which the seasonal farm worker dwelling shall not be permitted.
- a) **Removal:**
- ii) The seasonal farm worker dwelling shall be removed or repurposed in conformity with Section 18.2 of By-law 43-08 at the conclusion of the three (3) year period.
- (23) **A1-22 (Skinner Drive)**
- a) **Defined Area:** A1-22 as shown on Schedule 'A', Map No. 12 to this By-law.

- b) **Lot Provisions:**
- | | |
|---------------------|---------|
| i) Minimum Lot Area | 38.6 ha |
|---------------------|---------|
- (24) **A1-23-T** (21861 Cooks Road)
- a) **Defined Area:** A1-23-T as shown on Schedule 'A', Map No. 35 to this By-law.
 - b) **Permitted Uses:** Notwithstanding Section 18.2 of By-law No.43-08, as amended, which restricts the permitted uses to agricultural uses, one single-detached dwelling and various secondary and accessory uses on lands zoned "General Agricultural (A1)", a second "Single Detached Dwelling" as defined under By-law 43-08 shall be permitted on the lands shown in heavy solid lines on Schedule "A" of this by-law.
 - c) **Time Period:** Notwithstanding any other provision of this Bylaw to the contrary, two (2) single detached dwellings shall be permitted on those lands Zoned A1-23-T from December 18, 2023 to December 18, 2024, after which only one (1) single detached dwelling shall be permitted.
 - d) **Removal:** One (1) single detached dwelling shall be removed or repurposed in conformity with Section 18.2 of By-law 43-08 at the conclusion of the one (1) year period or at the occupancy of the new dwelling.

SECTION 18 ~~AGRICULTURAL SMALL HOLDINGS (A2) ZONE~~

SECTION 19 AGRICULTURAL EXISTING SMALL LOT (A2) ZONE

PURPOSE & INTENT: *The Agricultural Small Holdings (A2) Zone applies to lots designated 'Agricultural' in the Official Plan. The intent of this zone is to recognize existing undersized agricultural lots, as well as lots created by more recent severances (i.e. surplus farm dwelling severances, etc.). Unlike the Rural Residential (R5) Zone, agricultural uses within the A2 Zone are permitted, being limited by the size of the lot and, in the case of livestock, compliance with the Minimum Distance Separation (MDS II) requirements of the By-law.*

19.1 GENERAL PROVISIONS

- (1) No person shall, within the A2 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

19.2 USE & BUILDING PROVISIONS

- (1) The following shall be ~~on~~ the only permitted uses and buildings in the A2 Zone:

- | | |
|---|---|
| a) Agricultural Use | h) Market Garden |
| Animal Kennel | i) Nursery |
| b) Dwelling, Secondary Suite
Additional Residential Unit, in
accordance with Section 4.6 of
this By-law | j) On-Farm Diversified Use, in accordance
with Section 4.20 of this By-law |
| c) Dwelling, Single Detached | k) Short Term
Accommodation in
accordance with
Section 4.20. |
| d) Dwelling, Farm Worker | l) Stable |
| e) Greenhouse, Commercial | m) Winery, Farm Fruit |
| f) Greenhouse, Farm | |
| g) Livestock Facility | |

- (2) For greater clarity, the following uses and buildings are expressly prohibited in the A2 Zone, **unless otherwise permitted by site specific amendment:**

- a) ~~Dwelling, Seasonal Farm Worker's~~
Animal Kennel

19.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the A2 Zone:

a)	Minimum Lot Area Range	0.4 ha to 4 ha
b)	Maximum Lot Area	4 ha
c)	Minimum Lot Frontage	30.0 m
d)	Minimum Front Yard Depth / Exterior Side Yard Width	20.0 m
e)	Minimum Side Yard Width	3.0 m
f)	Minimum Rear Yard Depth	10.0 m
g)	Maximum Lot Coverage	20%

19.4 SPECIAL PROVISIONS

The following provisions shall apply in the A2 Zone:

(1) Fruit & Vegetable Stands

Seasonal fruit and vegetable stands shall be:

- a) restricted to a maximum of 50 m²;
- b) setback from the front lot line a minimum of 7.5 m;
- c) operated only by those persons residing on the lot on which the fruit and vegetable stand is located, including not more than one person, who is not a resident of said lot.

19.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "A2" Zone. If a regulation or use is not specified, the permitted uses of Subsection 19.2 and the regulations of 19.3 and 19.4 shall apply.

(1) A2-1 (7216 Olde Drive)

- a) **Defined Area:** A2-1 as shown on Schedule 'A', Map No. 14 to this By-law.
- b) **Lot Provisions:**

- i) Front Yard Depth: 13.95 m

(2) A2-2 (9386 Oriole Drive)

- a) **Defined Area:** A2-2 as shown on Schedule 'A', Map No. 24 to this By-law.
- b) **Lot Provisions:**

- i) Maximum size of Accessory Buildings: 180 m²

(3) A2-3 (8229 Longwoods Road)

- a) **Defined Area:** A2-3 as shown on Schedule 'A', Map No. 24 to this By-law.
- b) **Lot Provisions:**

- i) Maximum size of Accessory Buildings: 465 m²
- (4) **A2-4** (7719 Century Drive)
 - a) **Defined Area:** A2-4 as shown on Schedule 'A', Map No. 21 to this By-law.
 - b) **Lot Provisions:**
 - i) Maximum size of Accessory Buildings: existing as of September 20, 2010
- (5) **A2-5** (22391 Rougham Road)
 - a) **Defined Area:** A2-5 as shown on Schedule 'A', Map No. 22 to this By-law.
 - b) **Lot Provisions:**
 - i) Maximum size of Accessory Buildings: 320.5 m²
- (6) **A2-6** (8557 Longwoods Road)
 - a) **Defined Area:** A2-6 as shown on Schedule 'A', Map No. 24 to this By-law.
 - b) **Lot Provisions:**
 - i) Maximum size of Accessory Buildings: 610 m²
- (7) **A2-7** (7641 Olde Drive)
 - a) **Defined Area:** A2-7 as shown on Schedule 'A', Map No. 15 to this By-law.
 - b) **Lot Provisions:**
 - i) Maximum size of Accessory Buildings: 435 m²
- (8) **A2-8** (6924 Calvert Drive)
 - a) **Defined Area:** A2-8 as shown on Schedule 'A', Map No. 1 to this By-law.
 - b) **Lot Provisions:**
 - i) **Accessory Use:** Notwithstanding Section 19.3(5) of this By-law, a minimum rear yard depth of 1.5 m shall apply to the existing detached garage.
- (9) **A2-9** (8059 Scotchmere Drive)
 - a) **Defined Area:** A2-9 as shown on Schedule 'A', Map No. 10 to this By-law.
 - b) **Lot Provisions:**
 - i) Minimum Lot Area: 0.28 ha
 - ii) **Accessory Uses:** Notwithstanding Subsection 19.3(5), a rear yard depth of 2.0 m shall apply to the existing accessory building.
 - iii) **Minimum Distance Separation I:** Notwithstanding Subsection 4.2219(1), a setback of 29.7 m shall apply from the lot to be severed of Consent B15/13 to the livestock facility situated on the lot to be retained of same.
- (10) Deleted, as per by-law 23-16
- (11) **A2-11** (7407 Calvert Drive)

- a) **Defined Area:** A2-11 as shown on Schedule 'A', Map No. 2 to this By-law.
 - b) **Lot Provisions:**
 - i) **Maximum size of Accessory Buildings and Structures:** Existing at the time of passing the bylaw (March 21, 2016).
- (12) **A2-12** (7568 Longwoods Road)
- a) **Defined Area:** A2-12 as shown on Schedule 'A', Map No. 33 to this By-law.
 - b) **Lot Provisions:**
 - i) **Accessory Uses:** Notwithstanding Subsection 4.2(2) of this By-law, the maximum size of accessory buildings and structures shall be 170 m² (1,830 ft²).
- (13) **A2-13** (7682 Glendon Drive)
- a) **Defined Area:** A2-13 as shown on Schedule 'A', Map No. 21 to this By-law.
 - b) **Lot Provisions:**
 - i) **Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area shall be 433 m² (4,661 ft²).
- (14) **A2-14** (8486-8494 Longwoods Road)
- a) **Defined Area:** A2-14 as shown on Schedule 'A', Map No. 34 to this By-law.
 - b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 19.2, the following additional use shall be permitted within the A2-14 Zone:
 - i) Restaurant
- (15) **A2-15** (7044 Inadale Road)
- a) **Defined Area:** A2-15 as shown on Schedule 'A', Map No. 7 to this By-law.
 - b) **Lot Provisions:**
 - i) **Accessory Uses:** Notwithstanding Subsection 4.2(2) of this By-law, the maximum size of accessory buildings and structures shall be 184 m² (1,978 ft²).
 - ii) **Location of Accessory Uses:** Notwithstanding Subsection 4.21(c) of this By-law, the existing detached garage and storage shed may be located in the front yard.
- (16) **A2-16** (7003 Longwoods Road)
- a) **Defined Area:** A2-16 as shown on Schedule 'A', Map No. 31 to this By-law.
 - b) **Lot Provisions:**
 - i) **Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area shall be 455 m² (5,000ft²).
- (17) **A2-17** (23827 McEvoy Road)

- a) **Defined Area:** A2-17 as shown on Schedule 'A' Map No. 31 to this By-law.
- b) **Lot Provisions:**
- i) **Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area shall be 340 m².
- (18) **Deleted A2-18 (8319 Century Drive)**
- a) ~~**Defined Area:** A2-18 as shown on Schedule 'A' Map No. 22 to this By-law.~~
- b) ~~**Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~
- i) ~~Animal Kennel~~
- ii) ~~Dwelling, Secondary Suite~~
- iii) ~~Dwelling, Single Detached~~
- iv)
- v) ~~**Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area shall be 250 m² (2,691 ft²).~~
- (19) **A2-19 (22708 Glen Oak Road)**
- a) **Defined Area:** A2-19 as shown on Schedule 'A' Map No. 26 to this By-law.
- b) **Lot Provisions:**
- i) **Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area shall be 196 m² (2,110 ft²).
- (20) ~~**A2-20 (8727 Glengyle Drive)**~~ **Deleted**
- a) ~~**Defined Area:** A2-20 as shown on Schedule 'A' Map No. 5 to this By-law.~~
- b) ~~**Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~
- i) ~~Dwelling, Secondary Suite~~
- ii) ~~Dwelling, Single Detached~~
- c) ~~**Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area shall be 500 m² (5,382 ft²).~~
- (21) ~~**A2-21 (8540 Irish Drive)**~~ **Deleted**
- a) ~~**Defined Area:** A2-21 as shown on Schedule 'A' Map No. 29 to this By-law.~~
- b) ~~**Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area shall be 245 m² (2,637 ft²).~~
- b) ~~**Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~
- i) ~~Animal Kennel~~
- ii) ~~Dwelling, Secondary Suite~~
- iii) ~~Dwelling, Single Detached~~
- (22) **A2-22 (7477 Calvert Drive)**

- a) **Defined Area:** A2-22 as shown on Schedule 'A' Map No. 2 to this By-law.
- b) **Lot Provisions:**
- i) **Maximum Size of Accessory Buildings and Structures:** notwithstanding Section 4.2.2., the maximum cumulative ground floor area shall be 455 m².
- (23) **A2-23** (20957 Cooks Road)
- a) **Defined Area:** A2-23 as shown on Schedule 'A' Map No. 42 to this By-law.
- b) **Lot Provisions:**
- i) Maximum Size of Accessory Buildings: 260 m²
- A2-23-T** (20957 Cooks Road)
- a) **Defined Area:** A2-23-T as shown on Schedule 'A', Map No. 42 to this By-law.
- b) **Permitted Uses:**
- i) Notwithstanding Section 19.2 of By-law No. 43-08, as amended, which restricts the permitted uses to agricultural uses, one single-detached dwelling and various secondary and accessory uses on lands zoned "Agricultural Small Holdings (A2)", a second "Single Detached Dwelling" as defined under By-law 43-08 shall be permitted on the lands shown in heavy solid lines on Schedule "A" of this by-law.
- c) **Time Period:**
- i) Notwithstanding any other provision of the By-law to the contrary, two (2) single detached dwellings shall be permitted on those lands Zoned A2-23- T from August 4, 2020 to August 4, 2021, after which only one (1) single detached dwelling shall be permitted.
- d) **Removal:**
- i) One (1) single detached dwelling shall be removed or repurposed in conformity with Section 19.2 of By-law 43-08 at the conclusion of the one (1) year period.
- (24) **A2-24** (24321 Saxton Road)
- a) **Defined Area:** A2-24 as shown on Schedule 'A' Map No. 9 to this By-law.
- b) **Lot Provisions:**
- i) **Minimum Lot Area Range:** 0.19 ha ~~to 4 ha~~
- ii) **Maximum Lot Area:** 4 ha

(25) ~~**A2-25 (7221 Longwoods Road)**~~ Deleted

- ~~a) **Defined Area:** A2-25 as shown on Schedule 'A' Map No. 32 to this By-law.~~
- ~~b) **Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area shall be 178 m² (1,915 ft²).~~
- ~~c) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~
 - ~~i) **Animal Kennel**~~
 - ~~ii) **Dwelling, Secondary Suite**~~
 - ~~iii) **Dwelling, Single Detached**~~

(26) **A2-26-T** (8338 Scotchmere Drive)

- a) **Defined Area:** A2-26-T as shown on Schedule 'A' Map No. 10 to this By-law.
- b) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:
 - i) Animal Kennel
 - ii) Dwelling, Secondary Suite
 - iii) Dwelling, Single Detached
- c) **Permitted Uses:**
 - i) Notwithstanding Section 19.2 and 19.5 of By-law No. 43-08, as amended, which restricts the permitted uses to agricultural uses, one single-detached dwelling and various secondary and accessory uses on lands zoned "Agricultural Small Holdings (A2-26)", a second "Single Detached Dwelling" as defined under By-law 43-08 shall be permitted on the lands shown in heavy solid lines on Schedule "A" of this by-law.
- d) **Time Period:**
 - i) Notwithstanding any other provision of this By-law to the contrary, two (2) single detached dwellings shall be permitted on those lands Zoned A2-26-T from June 20, 2022 to June 20, 2024, after which only one (1) single detached dwelling shall be permitted.
- e) **Removal:**
 - i) One (1) single detached dwelling shall be removed or repurposed in conformity with Section 19.2 of By-law 43-08 at the conclusion of the one (1) year period or at the occupancy of the new dwelling.

(27) ~~**A2-27 6623 Parkhouse Drive)**~~ Deleted

- ~~a) **Defined Area:** A2-27 as shown on Schedule 'A' Map No. 25 to this By-law.~~
- ~~b) **Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area of an existing structure shall be 156 m² (1,680 ft²). Any accessory buildings or structures erected after the passing of this by-law will be subject to Subsection 4.2(2).~~
- ~~b) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~

- ~~i) Animal Kennel~~
- ~~ii) Dwelling, Secondary Suite~~
- ~~iii) Dwelling, Single Detached~~

(28) ~~A2-28 (8249 Century Drive)~~ Deleted

~~a) Defined Area: A2-28 as shown on Schedule 'A' Map No. 22 to this By-law.~~

~~b) Location of Accessory Buildings and Structures:~~

~~Minimum front yard setback shall be 15 metres.~~

~~One (1) accessory building is permitted in the front yard.~~

~~b) Permitted Uses: Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~

- ~~i) Animal Kennel~~
- ~~ii) Dwelling, Secondary Suite~~
- ~~iii) Dwelling, Single Detached~~

(29) ~~A2-28 (6859 Irish Drive)~~ Deleted

~~a) Defined Area: A2-28 as shown on Schedule 'A' Map No. 31 to this By-law.~~

~~b) Maximum Size of Accessory Buildings and Structures: maximum cumulative ground floor area of the existing structure shall be 450 m² (4,844 ft²). Any accessory buildings or structures erected after the passing of this by-law will be subject to Subsection 4.2(2).~~

~~b) Permitted Uses: Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~

- ~~i) Animal Kennel~~
- ~~ii) Dwelling, Secondary Suite~~
- ~~iii) Dwelling, Single Detached~~

(30) ~~A2-29 (7505 Scotchmere Drive)~~ Deleted

~~a) Defined Area: A2-29 as shown on Schedule 'A' Map No. 8 to this By-law.~~

~~b) Permitted Uses: Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~

- ~~i) Animal Kennel~~
- ~~ii) Dwelling, Secondary Suite~~
- ~~iii) Dwelling, Single Detached~~

(31) ~~A2-30 (9388 Scotchmere Drive)~~ Deleted

~~a) Defined Area: A2-30 as shown on Schedule 'A' Map No. 12 to this By-law.~~

~~b) Permitted Uses: Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~

- ~~i) Animal Kennel~~
- ~~ii) Dwelling, Secondary Suite~~
- ~~iii) Dwelling, Single Detached~~

- (32) ~~A2-31 (7870 Falconbridge Drive)~~ Deleted
- a) ~~Defined Area: A2-31 as shown on Schedule 'A' Map No. 21 to this By-law.~~
 - b) ~~Permitted Uses: Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~
 - i) ~~Animal Kennel~~
 - ii) ~~Dwelling, Secondary Suite~~
 - iii) ~~Dwelling, Single Detached~~
- (33) ~~A2-32 (7938 Inadale Drive)~~ Deleted
- a) ~~Defined Area: A2-32 as shown on Schedule 'A' Map No. 9 to this By-law.~~
 - b) ~~Permitted Uses: Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~
 - i) ~~Animal Kennel~~
 - ii) ~~Dwelling, Secondary Suite~~
 - iii) ~~Dwelling, Single Detached~~
- (34) A2-33 (9213 Thorn Drive)
- a) **Defined Area:** A2-33 as shown on Schedule 'A' Map No. 24 to this By-law.
 - b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 19.2, the following uses are also permitted:
 - i) a contractor's yard shall be permitted only as a secondary farm occupation
 - c) **Lot Provisions:**
 - i) **Maximum Coverage – Outdoor vehicle and equipment storage as a Secondary Farm Occupation:** 561.8 m² (6,047 ft²)
 - d) **Special Provisions:**
 - i) No outside material storage other than vehicles and equipment associated with the Secondary Farm Occupation
 - e) **Secondary Farm Occupation:**
 - i) Notwithstanding Subsection 4.217(c), a secondary farm occupation comprising a contractor's yard shall be permitted to have a maximum of six (6) employees attending the site at one time.
 - f) **Holding Provision:**
 - i) Notwithstanding any other provision of this By-law, where the symbol 'H' appears on a zoning map, following the zone symbol 'A2-33', the permitted uses on those lands shall only be the existing uses as of April 17, 2023 unless this By-law has been amended to remove the relevant 'H-2' symbol.
 - g) **Removal of 'H':**

- i) Notwithstanding any other provision of this By-law, the 'H-2' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the approval and registration on title of a 'Site Plan Control Agreement' detailing the terms and conditions of the development, including the posting of financial security, to the satisfaction of the Municipality.
- (35) **A2-34 (8120 Irish Drive) Deleted**
 - a) ~~**Defined Area:** A2-34 as shown on Schedule 'A' Map No. 28 to this By-law.~~
 - b) ~~**Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~
 - i) ~~Animal Kennel~~
 - ii) ~~Dwelling, Secondary Suite~~
 - iii) ~~Dwelling, Single Detached~~
- (36) **A2-36 (8028 Walkers Drive)**
 - a) **Defined Area:** A2-36 as shown on Schedule 'A' Map No. 4 to this Bylaw.
 - b) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:
 - i) Animal Kennel
 - ii) Dwelling, Secondary Suite
 - iii) Dwelling, Single Detached
- (37) **A2-37 (6859 Irish Drive)**
 - a) **Defined Area:** A2-28 as shown on Schedule 'A' Map No. 31 to this By-law.
 - b) **Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area of the existing structure shall be 450 m² (4,844 ft²). Any accessory buildings or structures erected after the passing of this by-law will be subject to Subsection 4.2(2).
 - c) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:
 - i) Animal Kennel
 - ii) Dwelling, Secondary Suite
 - iii) Dwelling, Single Detached

SECTION 20 AGRICULTURAL PURPOSES ONLY (A3) ZONE

PURPOSE & INTENT: *The Agricultural Purposes Only (A3) Zone, applies to farm lots in Agricultural Designations which have been zoned to prohibit residential uses on the parcel. The prohibition exists as a result of a condition of a severance, to ensure that agricultural lands are preserved for agricultural uses and to maintain conformity with the Provincial, County and Local land use policies. While a wide variety of agricultural uses are permitted, those uses that are associated with residential use are expressly prohibited.*

20.1 GENERAL PROVISIONS

- (1) No person shall, within the A3 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

20.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the A3 Zone:
- | | |
|---------------------------|-----------------------|
| a) Agricultural Use | g) Stable |
| b) Forestry Use | h) Wildlife Preserve |
| c) Greenhouse, Commercial | i) Winery, Fruit Farm |
| d) Greenhouse, Farm | |
| e) Livestock Facility | |
| f) Nursery | |
- (2) For greater clarity, the following uses and buildings are expressly prohibited in the A3 Zone:
- a) Residential Uses
 - b) Residential buildings and structures
 - c) Fruit and vegetable stand
 - d) ~~Secondary Farm Occupation~~ On-Farm Diversified Use
 - e) Dwelling, ~~Seasonal~~ Farm Worker's

20.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the A3 Zone:

- | | |
|---------------------------|--|
| a) Minimum Lot Area | As it existed on
the day the
residential use
was discontinued |
|---------------------------|--|

b)	Minimum Lot Frontage	150.0 m
c)	Minimum Front Yard Depth / Exterior Side Yard Width	15.0 m
d)	Side Yard Width	5.0 m
e)	Minimum Rear Yard Depth	10.0 m
f)	Maximum Lot Coverage	30%
g)	Landscaped Open Space	30%

20.4 SPECIAL PROVISIONS

The following provisions shall apply in the A3 Zone:

(1) Existing Agricultural Lots (Under Minimum Lot Frontage)

Notwithstanding the provisions of Subsection 20.3 where an existing lot has a lesser lot frontage than required under this By-law and is developed for an agricultural use, with or without existing agricultural buildings and accessory structures, additional agricultural buildings and structures may be erected, or existing agricultural structures may be altered providing all other requirements of this By-law are complied with. The lot will be deemed to conform with the By-law with respect to minimum lot frontage provisions.

20.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "A3" Zone. If a regulation or use is not specified, the permitted uses of Subsection 20.2 and the regulations of 20.3 and 20.4 shall apply.

(1) A3-1 (7607 Scotchmere Drive)

a) **Defined Area:** A3-1 as shown on Schedule 'A', Map No.9 to this By-law.

b) Lot Provisions:

i) Minimum Side-yard Width: 2.0 m

(2) A3-2

a) **Defined Area:** A3-2 as shown on Schedule 'A', Map No. 11 to this By-law.

b) Lot Provisions

i) Minimum Lot Frontage: 110.0 m (360 ft)

(3) A3-3 (8540 Irish Drive)

c) **Defined Area:** A3-3 as shown on Schedule 'A' Map No. 29 to this By-law.

d) Permitted Uses:

i) No livestock is permitted within the 409 m² (4,402 ft²) metal clad building or the 76 m² (818 ft²) frame barn that exists as of June 15, 2020.

- (4) **A3-4** (7221 Longwoods Road)
- a) **Defined Area:** A3-4 as shown on Schedule 'A' Map No. 32 to this By-law.
 - b) **Permitted Uses:**
 - i) No livestock is permitted within the retired poultry barn that is now used for storage that exists as of October 19, 2020
- (5) **A3-5** (8338 Scotchmere Drive)
- a) **Defined Area:** A3-5 as shown on Schedule 'A' Map No. 10 to this By-law.
 - b) **Permitted Uses:**
 - i) No livestock is permitted within the retired poultry barn that is now used for storage that exists as of November 2, 2020.
- (6) **A3-6** (9388 Scotchmere Drive)
- a) **Defined Area:** A3-6 as shown on Schedule 'A' Map No. 12 to this By-law.
 - b) **Permitted Uses:**
 - i) All uses permitted in the A3 Zone
 - ii) No livestock is permitted within the shed that exists as of February 21, 2023
 - c) **Lot Provisions:**
 - i) Minimum Side Yard Width of the shed that exists as of February 21, 2023
3 m
- (7) **A3-7** (Formerly Part of 7870 Falconbridge Drive)
- a) **Defined Area:** A3-7 as shown on Schedule 'A' Map No. 21 to this By-law.
 - b) **Permitted Uses:**
 - i) ~~Nothwithstanding~~ **Notwithstanding** the permitted uses listed in Subsection 20.2 the existing structures at the time of passing of this by-law shall not be used for housing livestock.
- (8) **A3-8-T** (8157 Inadale Drive)
- a) **Defined Area:** A3-8-T as shown on Schedule 'A', Map No. 16 to this By-law.
 - b) **Permitted Uses:** In addition to Section 20.2 of By-law No. 43-08, as amended, which restricts the permitted uses to agricultural uses, Forestry use, greenhouse commercial, greenhouse, farm, livestock facility, nursery, stable, wildlife preserve, winery, fruit farm and accessory uses on lands zoned "Agricultural Only (A3)", four (4) bunkhouses for the housing of farm labour, and their families, who are employees of the owner or operator of a farm and may include a mobile home, or similar dwelling shall be permitted on the lands shown in heavy solid lines on Schedule "A" of this by-law.
 - c) Bunkhouse dwellings:

- i) The minimum lot area for a seasonal farm worker dwelling shall be 35 ha;
 - ii) Bunkhouse dwelling may not be located in a front and /or the exterior side yards.
 - d) **Time Period:** Notwithstanding any other provision of this By-law to the contrary, seasonal farm worker dwelling shall be permitted on those lands Zoned A3-8-T from August 8, 2023 to August 8, 2026, after which the bunkhouse dwelling(s) shall not be permitted.
 - e) **Removal:** The bunkhouse dwelling(s) shall be removed or repurposed in conformity with Section 20.2 of By-law 43-08 at the conclusion of the three (3) year period.
- (9) **A3-9 (7620 Walkers Drive)**
- a) **Defined Area:** A3-8 as shown on Schedule 'A', Map No. 3 to this By-law.
 - b) Minimum Side Yard Width: 4 m

SECTION 21 ~~AGRICULTURAL INDUSTRIAL (A4) ZONE~~ **AGRICULTURE-RELATED (A4) ZONE**

PURPOSE & INTENT: The ~~Agricultural Industrial~~ **Agriculture-Related** (A4) Zone applies to existing ~~agriculturally~~ **agriculture**-related industrial uses in the agricultural area of the Municipality. Existing agriculturally-related commercial uses with location requirements similar to industrial uses (e.g. farm equipment sales and service) are also included. As the Official Plan permits agriculturally related industrial uses in the Agricultural Designation where it is necessary that they be in close proximity to agricultural operations, or where the potential for conflict makes such uses unsuited to settlement areas a rezoning to the A4 Zone may be considered on case-by-case basis.

21.1 GENERAL PROVISIONS

- (1) No person shall, within the A4 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

21.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the A4 Zone:

- | | |
|---|---|
| a) Abattoir | h) Contractor's Yard or Shop,
Agriculturally Related |
| b) Agricultural Industrial
Establishment | i) Fertilizer Blending Station |
| c) Agricultural
Processing
Establishment | j) Livestock Facility |
| d) Agricultural Service Establishment | k) Pit |
| e) Agricultural Supply Establishment | a) Existing Uses |
| f) Agricultural Use | b) Agriculture-related use |
| g) Auction Sales
Establishment,
Agriculturally Related | c) Agricultural Use |

21.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the A4 Zone:

- | | |
|--|---|
| a) Minimum Lot Area Range | 4 000 m ² to 2 ha |
| b) Maximum Lot Area | 2 ha |
| c) Minimum Lot Frontage | 30.0 m |
| d) Minimum Front Yard Depth / Exterior Side Yard Width | 15.0 m |
| e) Side Yard Width* | 6.0 m |

f)	Minimum Rear Yard Depth*	6.0 m
g)	Minimum Lot Depth	60.0 m
h)	Maximum Lot Coverage	50%
i)	Minimum Landscaped Open Space	20%

* No side or rear yard shall be required abutting a railway right-of-way.

21.4 SPECIAL PROVISIONS

The following provisions shall apply in the A4 Zone:

(2) **Height**

Notwithstanding, Subsection 4.13 of this By-law, there shall be no height restrictions on buildings and structures in the A4 Zone.

21.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "A4" Zone. If a regulation or use is not specified, the permitted uses of Subsection 21.2 and the regulations of 21.3 and 21.4 shall apply.

(1) **A4-1** (8830 Parkhouse Drive)

a) **Defined Area:** A4-1 as shown on Schedule 'A', Map No. 29 to this By-law.

b) **Permitted Uses:**

- i) Pit
- ii) Agricultural Use

SECTION 22 SURPLUS FARM DWELLING (A5) ZONE

PURPOSE & INTENT: *The Surplus Farm Dwelling (A5) Zone applies to lands designated 'Agriculture' in the Official Plan which contain dwellings made surplus through farm consolidation and have been severed from their parent property. The A5 Zone prohibits agricultural uses as per the Official Plan.*

221 GENERAL PROVISIONS

- (1) No person shall, within the A5 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

222 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the A5 Zone:
- a) Dwelling, Additional Residential Unit, in accordance with Section 4.6 of this By-law
 - b) Dwelling, Single Detached
- (2) For greater clarity, the following uses and buildings are expressly prohibited in the A5 Zone:
- a) Agricultural Use
 - b) Livestock Facility

223 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the A5 Zone:
- a) Minimum Lot Area 0.4 ha
 - b) Minimum Lot Frontage 30.0 m
 - c) Minimum Front Yard Depth / Exterior Side Yard Width Existing
 - d) Minimum Side Yard Width Existing
 - e) Minimum Rear Yard Depth Existing

224 SPECIAL PROVISIONS

All buildings and structures in the A5 Zone shall comply with the Minimum Distance Separation (MDS) formula in accordance with Section 4.19 of this By-law.

- (1) **A5-1**

- a) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 22.2 the following additional use is permitted:
 - i) Animal Kennel
- (2) **A5-2** (8727 Glengyle Drive)
 - a) **Lot Provisions:**
 - i) **Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area shall be 500 m² (5,382 ft²).
- (3) **A5-3** (8540 Irish Drive)
 - a) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 22.2 the following additional use is permitted:
 - i) Animal Kennel
 - b) **Lot Provisions:**
 - i) **Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area shall be 245 m² (2,637 ft²).
- (4) **A5-4** (7221 Longwoods Road)
 - a) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 22.2 the following additional use is permitted:
 - i) Animal Kennel
 - b) **Lot Provisions:**
 - i) **Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area shall be 178 m² (1,915 ft²).
- (5) **A5-5** (6623 Parkhouse Drive)
 - a) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 22.2 the following additional use is permitted:
 - i) Animal Kennel
 - b) Lot Provisions:
 - i) **Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area of an existing structure shall be 156 m² (1,680 ft²). Any accessory buildings or structures erected after the passing of this by-law will be subject to Subsection 4.2(2).
- (6) **A5-6** (6859 Irish Drive)
 - a) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 22.2 the following additional use is permitted:
 - i) Animal Kennel
 - b) **Lot Provisions:**

- i) **Maximum Size of Accessory Buildings and Structures:** maximum cumulative ground floor area of the existing structure shall be 450 m² (4,844 ft²). Any accessory buildings or structures erected after the passing of this by-law will be subject to Subsection 4.2(2).

(7) **~~A2-34 (8120 Irish Drive)~~**

- c) **~~Defined Area: A2-34 as shown on Schedule 'A' Map No. 28 to this By-law.~~**
- d) **~~Permitted Uses: Notwithstanding the permitted uses listed in Subsection 19.2 the only permitted uses shall be:~~**
 - i) **~~Animal Kennel~~**
 - ii) **~~Dwelling, Secondary Suite~~**
 - iii) **~~Dwelling, Single Detached~~**

SECTION 23 NEIGHBOURHOOD INSTITUTIONAL (I1) ZONE

PURPOSE & INTENT: The *Neighbourhood Institutional (I1) Zone* applies to lands designated 'Community Facilities' and additionally to lands designated 'Commercial' and 'Residential' in the Official Plan. A wide range of *small-scale institutional* uses including places of worship, educational institutions, recreational facilities, cultural institutions, ~~health care facilities, government or government-related facilities~~, and other public uses are permitted *whose primary purpose is to serve surrounding residential neighbourhoods*. ~~The Institutional Zone applies to those uses which serve the entire community and surrounding area, service clubs and similar private organizations are more appropriately zoned 'Commercial'.~~

23.1 GENERAL PROVISIONS

- (1) No person shall, within the I1 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

23.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the I1 Zone:

Arena / Hall	g)	Library
Cemetery		Long Term Care Facility
Clinic		Museum
Club		Office, Professional
a) <i>Community Garden</i>	h)	Place of Worship
b) Day Child Care Centre	i)	Public Park
c) Day Care Centre, Adult		Recreation Facilities
d) Dwelling Unit	j)	School, Public
e) Group Home	k)	School, Private
f) <i>Home Occupation</i>	l)	Emergency Care Shelter
Institutional Use		

23.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the I1 Zone:

a)	Minimum Lot Area	4 700 m ²
b)	Minimum Lot Frontage	15 20.0 m
c)	Minimum Front Yard Depth / Exterior Side Yard Width	0.5 m to 6.0 m
d)	<i>Minimum</i> Side Yard Width	3.0 m

e)	Minimum Rear Yard Depth	6.0 m
f)	Minimum Lot Depth	50.0 m
g)	Maximum Lot Coverage	35%
h)	Landscaped Open Space	20%

23.4 SPECIAL PROVISIONS

The following provisions shall apply in the I1 Zone:

(1) Dwelling Units

In addition to Section 4.6 of this by-law, a building may contain one or more dwelling units but only in combination with a permitted institutional use provided when the dwelling unit constitutes a single detached dwelling it shall comply with the provisions of the R1 Zone, all other dwelling units shall comply with the R3 Zone.

(2) Location of Buildings & Structures in the Floodplain

Despite the provisions of this Section, no building, used or intended to be used for human habitation, shall be permitted in the "Floodplain" as determined by the Conservation Authority having jurisdiction.

23.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "I" Zone. If a regulation or use is not specified, the permitted uses of Subsection 22.2 and the regulations of 22.3 and 22.4 shall apply.

(1) ~~4-4~~ I1-1 (24513 Adelaide Road)

a) **Defined Area:** I-1 as shown on Schedule 'B' Map No. 17 to this By-law

b) **Lot Provisions:**

i) Front Yard Depth: 80.0 m for a public park and recreational facilities

(2) I1-2 (25 Colborne Street)

a) **Defined Area:** I-2 as shown on Schedule 'B' Map No. 8 to this By-law.

b) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 22.2, townhouse dwellings shall also be permitted in accordance with the regulations of the High Density Residential (R3).

c) **Lot Provisions:**

i) **Maximum Height:** Notwithstanding Subsection 4.123, townhouse dwellings shall have a height of no more than 8.0 m to a maximum of 1 storey.

(3) **I-3** (York Street)

- a) **Defined Area:** I-3 as shown on Schedule 'B' Map No. 16 to this By-law.
- b) **Permitted Uses:** Notwithstanding the permitted uses listed in Subsection 22.2, the following uses are permitted:
 - i) Contractors Shop and Yard, excluding the storage, repair or operation of heavy equipment
 - ii) Self Service Storage Warehouse
- c) **Lot Provisions:**
 - i) Parking requirement for self-service storage warehouse - 1 parking space per 1,000 m²

(4) **I-4-H-2** (145 and 155 Beech Street)

- a) **Defined Area:** I-4-H-2 as shown on Schedule 'B', Map No. 14 to this By-law.
- b) **Permitted Uses:**
 - i) Emergency Care Shelter
 - ii) Notwithstanding the permitted uses listed in Subsection 22.2, Dwelling, Apartment, Dwelling, Multiple-unit, and Dwelling, Townhouse shall also be permitted in accordance with the regulations of the High Density Residential (R3).
- c) **Lot Provisions:**
 - i) Min Lot Depth: 35.0 m
- d) **Holding Provision:**
 - i) Notwithstanding any other provision of this By-law, where the symbol 'H-2' appears on a zoning map, following the zone category 'I-4', the permitted uses on those lands shall be only the existing uses as of October 17, 2022, unless this By-law has been amended to remove the relevant 'H-2' symbol.
- e) **Removal of 'H':**
 - i) Notwithstanding any other provision of this By-law, the 'H-2' Holding Provision shall only be removed from the lands shown in heavy solid lines on Schedule "A" of this by-law upon the approval and registration on title of a Site Plan Control Agreement detailing the terms and condition of the development, including the posting of financial security to the satisfaction of the Municipality.

SECTION 24 MAJOR INSTITUTIONAL (I2) ZONE

PURPOSE & INTENT: *The Major Institutional (I2) Zone applies to lands designated 'Community Facilities' in the Official Plan. A wide range of small-scale and large-scale institutional uses including places of worship, educational institutions, recreational facilities, cultural institutions, health care facilities, government or government-related facilities, and other public uses are permitted.*

24.1 GENERAL PROVISIONS

- (1) No person shall, within the I2 Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

24.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the I2 Zone:

- | | |
|---------------------------|----------------------------|
| a) Arena / Hall | l) Library |
| b) Cemetery | m) Long Term Care Facility |
| c) Clinic | n) Museum |
| d) Club | o) Office |
| e) Community Garden | p) Place of Worship |
| f) Day Care Centre | q) Public Park |
| g) Day Care Centre, Adult | r) Recreation Facilities |
| h) Dwelling Unit | s) School, Public |
| i) Group Home | t) School, Private |
| j) Home Occupation | u) Emergency Care Shelter |
| k) Institutional Use | |

24.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the I2 Zone:

- | | |
|--|----------------------|
| a) Minimum Lot Area | 1 400 m ² |
| b) Minimum Lot Frontage | 20.0 m |
| c) Minimum Front Yard Depth / Exterior Side Yard Width | 4.5 m |
| d) Minimum Side Yard Width | 3.0 m |
| e) Minimum Rear Yard Depth | 6.0 m |
| f) Minimum Lot Depth | 50.0 m |

g)	Maximum Lot Coverage	35%
h)	Landscaped Open Space	30%

24.4 SPECIAL PROVISIONS

The following provisions shall apply in the I2 Zone:

(1) Dwelling Units

In addition to Section 4.6 of this by-law, a building may contain one or more dwelling units but only in combination with a permitted institutional use provided when the dwelling unit constitutes a single detached dwelling it shall comply with the provisions of the R1 Zone, all other dwelling units shall comply with the R3 Zone.

(2) Location of Buildings & Structures in the Floodplain

Despite the provisions of this Section, no building, used or intended to be used for human habitation, shall be permitted in the "Floodplain" as determined by the Conservation Authority having jurisdiction.

SECTION 25 OPEN SPACE (OS) ZONE

PURPOSE & INTENT: *The Open Space (OS) Zone applies to lands used or proposed to be used for cemeteries, parks, golf courses and other recreational purposes throughout the Municipality both in the settlement areas and rural areas. Lands zoned OS generally comprise areas developed or used for outdoor recreation purposes, and to a lesser extent on un-developed lands which are intended to be preserved in their natural state. The use of lands zoned OS for residential purposes are restricted to those situations where accommodation is necessary for a caretaker.*

25.1 GENERAL PROVISIONS

- (2) No person shall, within the OS Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

25.2 USE & BUILDING PROVISIONS

- (3) The following shall be on the only permitted uses and buildings in the OS Zone:

- | | |
|------------------------------|----------------------------|
| a) Campground | g) Forestry Use |
| b) Cemetery | h) Golf Course |
| c) Club | i) Park, Public or Private |
| d) Community Garden | j) Flood Control Works |
| e) Conservation Area | |
| f) Dwelling, Single Detached | |

25.3 LOT PROVISIONS

- (4) The following provisions shall apply to lots in the OS Zone:

- | | |
|--|-------|
| a) Minimum Front Yard Depth / Exterior Side Yard Width | 6.0 m |
| b) Minimum Interior Side Yard Width | 6.0 m |
| c) Minimum Rear Yard Depth | 6.0 m |
| d) Maximum Lot Coverage | 10% |

25.4 SPECIAL PROVISIONS

The following provisions shall apply in the OS Zone:

(1) Dwelling Unit

In addition to Section 4.5 of this by-law, the following provisions shall apply:

- a) A dwelling unit shall only be used for the exclusive use of the owner or operator, or an employee of the owner or operator of the main use which it is accessory to;
- b) The single detached dwelling shall comply with the provisions of the R5 Zone.

25.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "OS" Zone. If a regulation or use is not specified, the permitted uses of Subsection 23.2 and the regulations of 23.3 and 23.4 shall apply.

(1) **OS-1** (Trouthaven Campground – 24749 Park Street)

- a) **Defined Area:** OS-1 as shown on Schedule 'B' Map No. 13 to this By-law.
- b) **Permitted Uses:** In addition to the permitted uses listed in Subsection 23.2, the following additional uses shall be permitted within OS-1:
 - i) Detached Accessory building (non-habitable)
 - ii) Existing Accessory buildings attached to park model trailers, travel trailers, truck campers, but not mobile homes
 - iii) Decks attached to park model trailers, travel trailers, truck campers, but not mobile homes
- c) **Lot Provisions:**
 - i) Maximum covered or uncovered deck lot coverage is no larger than the trailer or camper on the same site
 - ii) Maximum floor area of detached accessory building 10 m²
 - iii) Maximum campsite coverage for all accessory structures 10%
 - iv) Maximum Building Height of accessory structures: one storey or 4.5 m
- d) **Special Provisions:**
 - i) No permanent plumbing, gas or electrical utilities are permitted within any accessory structures or on decks.
 - ii) No accessory structures or decks shall include below grade structure(s).
 - iii) All accessory structures and decks shall be designed with wet passive floodproofing measures. Wet passive floodproofing allows water to enter, move within and exit a structure to prevent differential hydrostatic pressures. Building materials subject to water damage (i.e. drywall, insulation, etc.) should not be used within wet-floodproofed structures.
 - iv) Despite provisions in 2. c) Lot Provisions of this by-law, accessory buildings attached or detached and deck that exist on January 1, 2020 are deemed to comply.
 - v) No new detached accessory structures, attached accessory structures or decks are permitted on any sites number 17 to 25 inclusive, being those sites shown in cross hatching on Schedule 'A' of this Bylaw.
 - vi) Accessory buildings attached or detached, and deck exist on the following sites at the time of by-law passage:

Site Number	Deck	Attached Accessory Building	Detached Accessory Building
N1			5.95m ²
N2	17.9 m ²		7.44 m ²
N4			11.15 m ²
1	5.2 m ²	26.8 m ²	7.43 m ²
2			8.93 m ²
4	18.7 m ²		
7	29 m ²	37m ²	28.91 m ²
8	29.5 m ²		
9/10	36.3 m ²	36.5 m ²	26.01 m ²
11			7.43 m ²
12		23.3 m ²	7.44 m ²
13	16.8 m ²	26.1 m ²	13.38 m ²
14			10.03 m ²
15	10.5 m ²		11.16 m ²
16	25.7 m ²	33.5 m ²	14.86 m ²
17			9.29 m ²
18			9.29 m ²
19			9.29 m ²
20			5.95 m ²
21	15 m ²		9.29 m ²
22			5.94
22A			9.29 m ²
23	19.4 m ²		9.29 m ²
24	16.8 m ²		9.4 m ²
25			13.94 m ²
37	15.9 m ²		2.98 m ²
41	22.5 m ²		9.29 m ²
43	13.1 m ²		4.54 m ²
47	15 m ²		9.29 m ²
51		23.7 m ²	9.29 m ²
55		14.9 m ²	
58	17.8 m ²		
59	15 m ²		
62			9.29 m ²

SECTION 26 PUBLIC UTILITY (U) ZONE

PURPOSE & INTENT: *The Public Utility (U) Zone applies to existing lots throughout the Municipality occupied by facilities such as water or sewage pumping stations, water storage reservoirs, electric power transformer stations, public works yards, landfill sites, and a telephone repeater station. While the use of land for public utilities is permitted as-of-right in most zones, the Municipality may however, from time to time and subject to the requirements of the Planning Act, zone such lands Public Utility (U) as part of a 'general' or 'housekeeping' amendment to the By-law.*

26.1 GENERAL PROVISIONS

- (1) No person shall, within the U Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

26.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the U Zone:

- | | | | |
|----|--------------------|----|------------------------|
| a) | Garage, Government | e) | Sewage Treatment Plant |
| b) | Office, Support | f) | Utility Station |
| c) | Outside Storage | g) | Waste Disposal Site |
| d) | Pit | | |

26.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the U Zone:

- | | | |
|----|---|-------|
| a) | Minimum Front Yard Depth / Exterior Side Yard Width | 6.0 m |
| b) | Minimum Interior Side Yard Width | 6.0 m |
| c) | Minimum Rear Yard Depth | 6.0 m |

26.4 SPECIAL PROVISIONS

The following provisions shall apply in the U Zone:

26.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "U" Zone. If a regulation or use is not specified, the permitted uses of Subsection 24.2 and the regulations of 24.3 and 24.4 shall apply.

SECTION 27 ENVIRONMENTAL PROTECTION (EP) ZONE

PURPOSE & INTENT: *The Environmental Protection (EP) Zone applies to lands designated as “Wetland” in the Official Plan, and those areas mapped as “Floodway” by the Conservation Authority. Some lands designated as “Woodland” or mapped as “Floodplain” by the Conservation Authority may also be included within the EP Zone. Because of the environmental sensitivity, associated hazard, and natural heritage value of these lands, they are to be maintained in their natural undisturbed state. Additionally, development on lands located adjacent to an EP Zone may require a Development Assessment Report to be completed to ensure development will have no negative impact on these features or their functions.*

Note: *The lands subject to this by-law are subject to the St. Clair Region Conservation Authority Regulation No. 171/06, Lower Thames Valley Conservation Authority Regulation No. 152/06 and Upper Thames River Conservation Authority Regulation No. 157/06. Where development or site works are proposed within a Regulated Area, as shown on schedules filed with the appropriate conservation authority, a permit from the conservation authority may be required. The appropriate conservation authority should be contacted to determine the extent of the Regulated Area. The appropriate conservation authority should be consulted before development, including construction, conversion, grading, filling or excavating occurs to determine whether the authority regulations apply.*

27.1 GENERAL PROVISIONS

- (1) No person shall, within the EP Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

27.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the EP Zone:
 - a) Existing Uses
 - b) Conservation Area
 - c) Forestry Use
 - d) Park, Private
 - e) Park, Public
 - f) Wildlife Preserve

27.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the EP Zone:
 - a) There are no lot requirements for lands within the EP Zone

27.4 SPECIAL PROVISIONS

The following provisions shall apply in the EP Zone:

(1) Buildings and Structures Not Permitted

Other than buildings and structures existing at the date of passing of this By-law, no buildings or structures are permitted unless for flood control purposes and / or in accordance with the regulations of the Conservation Authority having jurisdiction, or other appropriate government agency. Boat ramps and docks shall require the approval of the Conservation Authority having jurisdiction.

(2) Hazard lands

No buildings or structures other than those required for the purposes of flood or erosion control shall be altered or erected on hazard lands or other natural hazards identified by the Ministry of Natural Resources or the Conservation Authority having jurisdiction. Any application for a building permit in the EP Zone shall be subject to approval from the Conservation Authority having jurisdiction.

(3) Clearing of Land

Clearing of land is prohibited except as permitted in accordance with the County of Middlesex Woodland Conservation By-law.

(4) Drainage

Drainage is prohibited, other than for a direct agricultural drainage outlet, drainage required for permitted structures, and drains constructed in accordance with the Drainage Act and the Tile Drainage Act.

27.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "EP" Zone. If a regulation or use is not specified, the permitted uses of Subsection 25.2 and the regulations of 25.3 and 25.4 shall apply.

SECTION 28 FUTURE DEVELOPMENT (FD) ZONE

PURPOSE & INTENT: *The Future Development Zone applies to undeveloped lands in Strathroy, Mount Brydges and Melbourne, where, to ensure future development occurs in an orderly fashion only existing uses are permitted on the subject lands until such time as comprehensive development plans are submitted to the Municipality. When specific development proposals are submitted and approved in principle by the Municipality, re-zoning to the appropriate zone will be required.*

28.1 GENERAL PROVISIONS

- (1) No person shall, within the FD Zone, use any lot or erect, alter or use any building or structure except in accordance with Section 4 of this By-law and the following provisions:

28.2 USE & BUILDING PROVISIONS

- (1) The following shall be on the only permitted uses and buildings in the FD Zone:
 - a) Agricultural Use
 - b) Existing Uses
 - c) Forestry Use

28.3 LOT PROVISIONS

- (1) The following provisions shall apply to lots in the FD Zone:
 - a) The minimum lot area and lot frontage, the minimum front, side, and rear yards, the maximum lot coverage, and the maximum building height shall remain as they lawfully existed as of the day of the passing of this By-law.

28.4 SPECIAL PROVISIONS

The following provisions shall apply in the FD Zone:

(1) Erection and Alteration of Buildings & Structures

Where a building or structure for a permitted use is proposed to be erected or altered said erection or alteration shall comply with the regulations of the A2 Zone for lot under 4 ha in size and the regulations of the A1 Zone for lots in excess of 4 ha in size.

28.5 EXCEPTIONS

The following site-specific zones apply to existing or unique situations that are not the standard "FD" Zone. If a regulation or use is not specified, the permitted uses of Subsection 27.2 and the regulations of 26.3 and 27.4 shall apply.

(1) **FD-1** (Vacant Portion of 8533 Glendon Drive)

- a) **Defined Area:** FD-1 as shown on Schedule 'C' Map No. 3 to this By-law.
- b) **Use & Building Provisions:** The following shall be the only permitted uses and buildings in the FD-1 Zone:
 - i) Legal uses that existed as of January 24, 2011
- c) **Lot Provisions:** Notwithstanding the minimum lot frontage and minimum lot area listed in Section 26.3, the following provisions shall apply in the FD-1 Zone:
 - i) Minimum Lot Frontage Not required
 - ii) Minimum Lot Area 9220 m² (as amended by 9-11)

(2) **FD-2** (8562 Glendon Drive)

- a) **Defined Area:** FD-2 as shown on Schedule 'C', Map No. 6 to this By-law.
- b) **Lot Provisions:**
 - i) Minimum Lot Area: 1.65 ha
 - ii) Minimum Lot Frontage: 21.0 m

(3) **FD-3** (22828 Rougham Road)

- a) **Defined Area:** FD-3 as shown on Schedule 'C', Map No. 3 to this Bylaw.
- b) **Lot Provisions:** Notwithstanding the lot provisions listed under Subsection 26.3, the following shall apply:
 - i) Minimum Lot Frontage 206.0 m
 - ii) Minimum Lot Area 4.7 ha

(4) **FD-4-T** (125 Metcalfe Street East)

- a) **Defined Area:** FD-4-T as shown on Schedule 'B', Map No. 12 to this Bylaw.
- b) **Permitted Uses:** Notwithstanding Section 26.2 of By-law No. 43-08, as amended, which restricts the permitted uses to Agricultural Uses, Existing Uses and Forestry Use on lands zoned "Future Development FD", the following uses shall be permitted:
 - i) Office, Professional;
 - ii) Personal Care Establishment;
 - iii) Retail Store, Book & Music
 - iv) Retail Store, Arts & Crafts
 - v) Retail Store, Duplication;
 - vi) Retail Store, Florist;
 - vii) Retail Store, Food

- viii) Retail Store, Gifts & Novelty;
- ix) Retail Store, Home Decoration;
- x) Retail Store, Jewelry;
- xi) Retail Store, Antique;
- xii) Retail Store, Apparel & Accessories
- xiii) Personal Service Establishment
- xiv) Pet Grooming Establishment

c) **Time Period:**

- i) Notwithstanding any other provision of this By-law to the contrary, the uses in Section 26.4 b) shall be permitted on those lands Zoned FD-4-T from September 16, 2019 to September 16, 2021, after which only Agricultural Uses, Existing Uses and Forestry Use shall be permitted.

d) **Removal:**

- i) Any commercial uses shall be removed in conformity with Section 26.2 of By-law 43-08 at the conclusion of the two (2) year period.

(5) **FD-5** (48 Carroll Street West)

- a) **Defined Area:** FD-5 as shown on Schedule 'B', Map No. 17 to this By-law.

b) **Permitted Uses:**

- i) Flood Control Works
- ii) All other permitted uses of the FD Zone

SECTION 29 ENACTMENT

29.1 CONFLICT WITH OTHER BY-LAWS

- (1) Where a provision of this By-law conflicts with a provision of another by-law in force in the Municipality, the provision that establishes the higher standard shall prevail.

29.2 REPEAL OF EXISTING BY-LAWS

- (1) All previous by-laws of the former Corporation of the Town of Strathroy, the former Corporation of the Township of Caradoc, and the Corporation of the Municipality of Strathroy-Caradoc, passed pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P. 13 are hereby repealed.

29.3 SEVERABILITY

- (1) In the event that any clause or provision of this By-law, including anything contained in the attached Schedules, is for any reason, deemed ultra vires by any Court of competent jurisdiction, 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, provisions, and clauses of this By-law shall remain in full force and effect.

29.4 EFFECTIVE DATE

- (1) This By-law shall come into full force and effect on the date it is passed by Council subject to Section 34(19) of the Planning Act, R.S.O. 1990, c.P. 13, as amended.

Read a FIRST, SECOND AND THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL on
this 2nd day of September 2008.

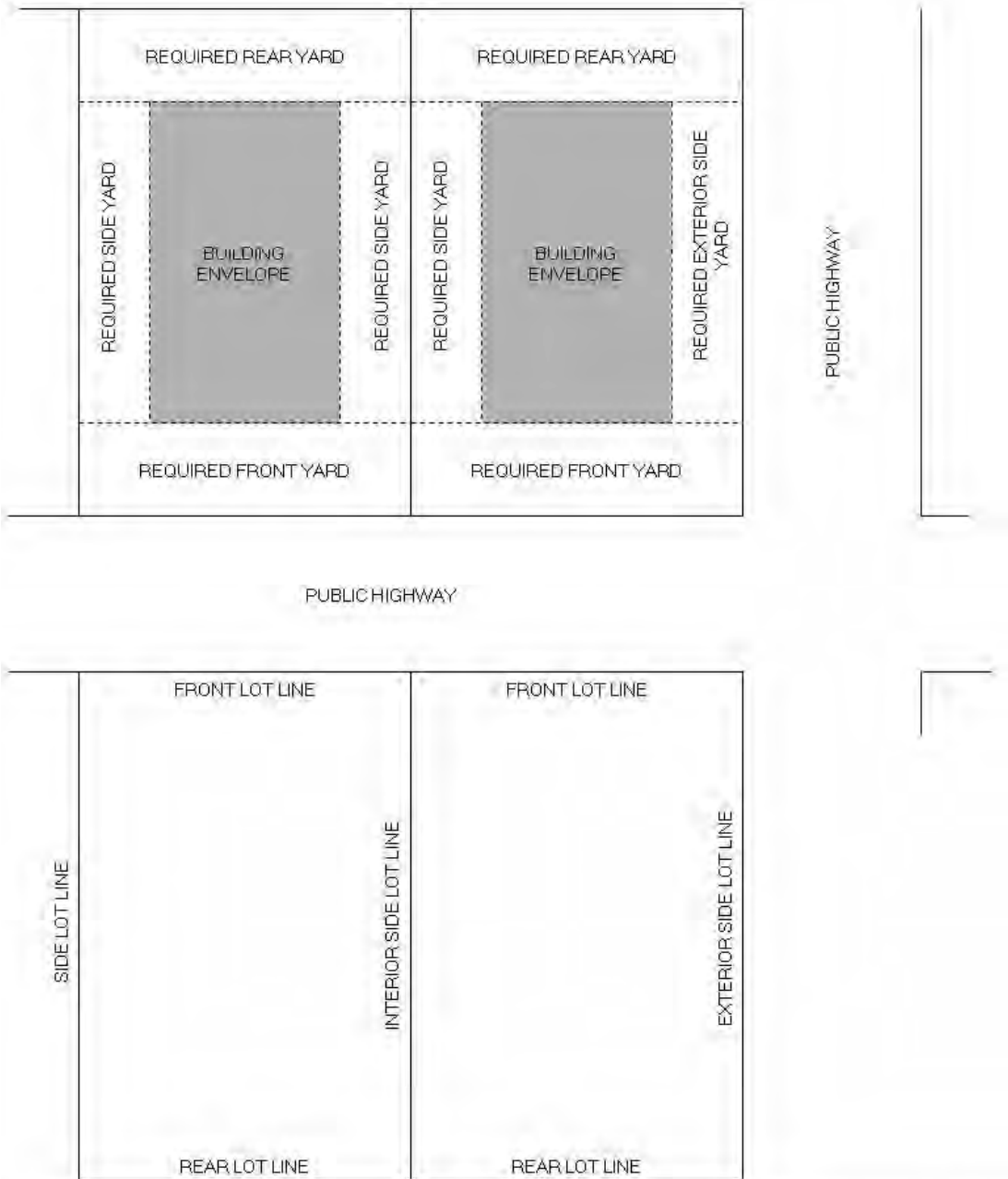
(Original Signed by Mel Veale , Mayor)

(Original Signed by Angela Toth, Clerk)

Mayor

Clerk

FIGURE 1
BUILDING ENVELOPES & LOT LINES



NOTE: WHERE THE WORD 'REQUIRED' IS NOTED, IT INDICATES THAT PORTION OF THE YARD THAT IS MANDATORY UNDER THE REQUIREMENTS OF THE BY-LAW. A YARD MAY CONTAIN ADDITIONAL AREA NOT REQUIRED BY THE BY-LAW.

FIGURE 2
LOT DEFINITIONS

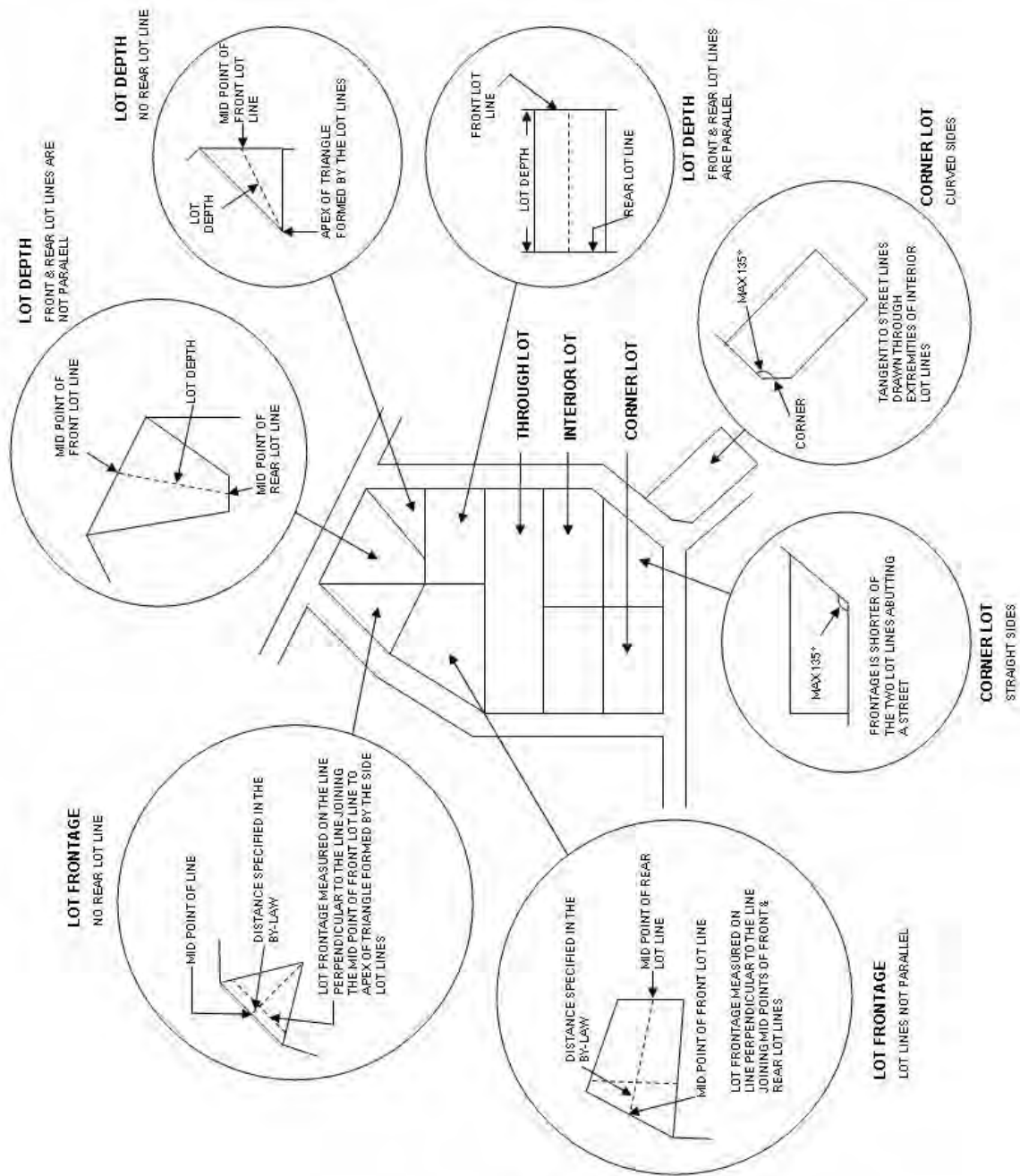


FIGURE 3
EXAMPLES OF HEIGHT DEFINITIONS

