



MUNICIPALITY OF **West Elgin**

The Corporation of the Municipality of West Elgin

By-Law No. 2020-72

Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for all lands within the Municipality of West Elgin.

Whereas the Council of the Corporation of the Municipality of West Elgin deems it advisable to amend By-law No. 2015-36, as amended, being the Comprehensive Zoning By-law of the Municipality of West Elgin:

Now Therefore the Council of the Corporation of the Municipality of West Elgin enacts as follows:

1. That By-law No. 2015-36, as amended, be further amended by adding the following after subsection f) to Section 1.4 Interpretation:
 - g) No amendment to this By-law shall be required in order for the Corporation to typographical changes or changes to section references, where in the opinion of the Corporation, such corrections do not affect the intent of the By-law.
2. That By-law No. 2015-36, as amended, be amended by adding the following at the end of Section 3.5 Multiple Zones:

Zone lines shall not be deemed to be lot lines where zones share a common boundary.
3. That By-law No. 2015-36, as amended, be further amended by changing the name of Section 4.2 to Temporary Buildings and Construction Uses.
4. That By-law No. 2015-36, as amended, be amended by adding the following after subsection b) to Section 4.2 Temporary Buildings and Construction Facilities:

- c) For the purpose of Section 4.2 only, an existing dwelling, mobile home, park model trailer, travel trailer or similar transportable accommodation, shall be considered to be a temporary building or construction facility when approved by the Chief Building Official.
 - i) In no instance shall an existing dwelling, mobile home, park model trailer, travel trailer or similar transportable accommodation, be used for a temporary building or construction facility for a period lasting no longer than one (1) year commencing on the date in which the Building Permit is issued.
 - ii) An existing dwelling, mobile home, park model trailer, travel trailer or similar transportable accommodation, may only be used for a temporary building or construction facility during the construction of the principal or main use on a property.
 - iii) A Building Permit issued for such construction shall note the requirement to remove and/or demolish such temporary buildings, mobile home, park model trailer, travel trailer or similar transportable accommodation within ninety (90) days from when building occupancy has been granted by the Chief Building Official.
- 5. That By-law No. 2015-36, as amended, be further amended by adding the following after subsection b) to Section 4.4 Established Building Lines:
 - c) Section 4.4 shall only be applied where at least 50% of the lots on a street or road have a single unit dwelling erected.
- 6. That Section 5. General Agricultural (A1) Zone, of By-law No. 2015-36, as amended, be amended by:
 - 6.1 Deleting the following in the last sentence of the introduction to
‘... Minimum Distance Separation II.’
And replacing with the following:
‘...Minimum Distance Separation (MDS) Formulae as established by the Province and implemented under the guidelines established by the Province, as amended from time-to-time.’
 - 6.2 Deleting the following in Section 5.2.1 Livestock Buildings, Structures and Manure Storage Facilities – Minimum Distance Separation:
‘... Schedule “H” Minimum Distance Separation II (MDS II).’

And replacing with the following:

'... Minimum Distance Separation (MDS) Formulae as established by the Province and implemented under the guidelines established by the Province, as amended from time-to-time.'

- 6.3. Deleting subsection b) of Section 5.2.6 Single Unit Dwellings in its entirety and replacing with the following:

b) comply with provincially approved Minimum Distance Separation (MDS) Document.

7. That Section 6. Agricultural (A2) Zone, of By-law No. 2015-36, as amended, be further amended by deleting the following in Section 6.2.1 Livestock Buildings, Structures and Manure Storage Facilities – Minimum Distance Separation:

'... Schedule "H" Minimum Distance Separation II (MDS II).'

And replacing with the following:

'... Minimum Distance Separation (MDS) Formulae as established by the Province and implemented under the guidelines established by the Province, as amended from time-to-time.'

8. That Section 7. Restricted Agricultural (A3) Zone, of By-law No. 2015-36, as amended, be amended by deleting subsection b) of Section 7.2.6 Single Unit Dwellings in its entirety and replacing with the following:

b) comply with provincially approved Minimum Distance Separation (MDS) Document.

9. That Section 11. Rural Residential (RR) Zone, of By-law No. 2015-36, as amended, be further amended by deleting the following from subsection b) of Section 11.2.2 Single Unit Dwellings:

'b) ... Schedule "H", Minimum Distance Separation I (MDS I).'

And replacing with the following:

b) ... Minimum Distance Separation (MDS) Formulae as established by the Province and implemented under the guidelines established by the Province, as amended from time-to-time.'

10. That Section 12. Hamlet Residential (HR) Zone, of By-law No. 2015-36, as amended, be amended by deleting the following from Section 12.2.2 Single Unit Dwellings:

‘... Schedule “H”, Minimum Distance Separation I (MDS I) ...’

And replacing with the following:

‘... Minimum Distance Separation (MDS) Formulae as established by the Province and implemented under the guidelines established by the Province, as amended from time-to-time.’

11. That Section 13. Lakeshore Residential (LR) Zone, of By-law No. 2015-36, as amended be further amended by deleting the following from Section 13.2.2 Single Unit Dwellings:

‘... Schedule “H”, Minimum Distance Separation I (MDS I) ...’

And replacing with the following:

‘... Minimum Distance Separation (MDS) Formulae as established by the Province and implemented under the guidelines established by the Province, as amended from time-to-time ...’

12. That Section 15. Future Residential (FR) Zone, of By-law No. 2015-36, as amended, be amended by:

12.1 Deleting the last sentence in the introductory paragraph.

12.2 Adding the following at the end of Section 15.1.1 Permitted Uses:

Table 14-1 Future Residential (FR) Zone Standards:

1	Minimum Lot Area	(1)
2	Minimum Lot Frontage	(2)
3	Maximum Lot Coverage	10%
4	Front Yard Depth	15 m
5	Side Yard Width	15 m (3) 10 m (4)
6	Rear Yard Depth	15 m
7	Maximum Building Height	10.5 m

FOOTNOTES	
(1)	the area of the lot on the day it was created
(2)	the frontage of the lot on the day it was created

(3)	for lot frontages > 100 m
(4)	for lot frontages < 100 m

13. That Section 18. Highway Commercial (C3) Zone, of By-law No. 2015-36, as amended, be further amended by deleting the following from subsection 8 in Table 17-1 of Section 18.1.1 Permitted Uses:

‘... Schedule “H”, Minimum Distance Separation I (MDS I) ...’

And replacing with the following:

‘...Minimum Distance Separation (MDS) Formulae as established by the Province and implemented under the guidelines established by the Province, as amended from time-to-time ...’

14. That Section 24. Institutional (LR) Zone, of By-law No. 2015-36, as amended, be amended by deleting the following from subsection 8 in Table 23-1 of Section 24.1.1 Permitted Uses:

‘... Schedule “H”, Minimum Distance Separation I (MDS I) ...’

And replacing with the following:

‘...Minimum Distance Separation (MDS) Formulae as established by the Province and implemented under the guidelines established by the Province, as amended from time-to-time ...’

15. That Section 25. Open Space (OS) Zone, of By-law No. 2015-36, as amended, be further amended by deleting the following from subsection 5 in Table 24-1 of Section 25.1.1 Permitted Uses:

‘... Schedule “H”, Minimum Distance Separation I (MDS I) ...’

And replacing with the following:

‘... Minimum Distance Separation (MDS) Formulae as established by the Province and implemented under the guidelines established by the Province, as amended from time-to-time ...’

16. That Section 29. Future Development (FD) Zone, of By-law No. 2015-36, as amended, be amended by adding the following at the end of Section 29.1.1 Permitted Uses:

Table 28-1 Future Development (FD) Zone Standards:

1	Minimum Lot Area	(1)
2	Minimum Lot Frontage	(2)
3	Maximum Lot Coverage	10%
4	Front Yard Depth	15 m
5	Side Yard Width	15 m (3) 10 m (4)
6	Rear Yard Depth	15 m
7	Maximum Building Height	10.5 m

FOOTNOTES	
(1)	the area of the lot on the day it was created
(2)	the frontage of the lot on the day it was created
(3)	for lot frontages > 100 m
(4)	for lot frontages < 100 m

17. That By-law No. 2015-36, as amended be further amended by deleting Schedule "H" – Minimum Distance Separation (MDS) Formulae from the List of Schedules in its entirety.
18. That Schedule "A" Map No. 25 to By-law No. 2015-36, is hereby amended by changing the subject property from **General Agricultural (A1) Zone** to **Restricted Agricultural (A3)** for those lands outlined in heavy solid lines and described as A3 on Schedule "A-1" attached hereto and forming part of this By-law, being Concession 6 Western Division, Part of Lot 2, RP 11R-8942 Part 1, in the geographic Township of Aldborough, now in the Municipality of West Elgin, in the County of Elgin.
19. That Schedule "A" Map No. 30 to By-law No. 2015-36, is hereby further amended by changing the subject property from **Agricultural (A2) Zone** to **General Agricultural (A1)** for those lands outlined in heavy solid lines and described as A1 on Schedule "A-2" attached hereto and forming part of this By-law, being Concession 2 Eastern Division, Part of Lot 17, in the geographic Township of Aldborough, now in the Municipality of West Elgin, in the County of Elgin.
20. That Schedule "A" Map No. 48 to By-law No. 2015-36, is hereby amended by changing the subject property from **Agricultural (A2) Zone** to **Restricted Agricultural (A3)** for those lands outlined in heavy solid lines and described as A3 on Schedule "A-3" attached hereto and forming part of this By-law, being Concession 8, Part of Lot 9, in the geographic Township of Aldborough, now in the Municipality of West Elgin, in the County of Elgin.

21. That Schedule "A" Map No. 57 to By-law No. 2015-36, is hereby further amended by changing the subject property from **Restricted Agricultural (A3) Zone** to **General Agricultural (A1)** and from **General Agricultural (A1)** to **Restricted Agricultural (A3) Zone** for those lands outlined in heavy solid lines and described as A3 and A1 on Schedule "A-4" attached hereto and forming part of this By-law, being Concession 11, Part of Lot 10, in the geographic Township of Aldborough, now in the Municipality of West Elgin, in the County of Elgin.
22. That Schedule "A" Map No. 69 to By-law No. 2015-36, is hereby further amended by changing the subject property from **General Agricultural (A1)** to **Restricted Agricultural (A3) Zone** for those lands outlined in heavy solid lines and described as A3 on Schedule "A-5" attached hereto and forming part of this By-law, being Concession 12, Part of Lot 14, in the geographic Township of Aldborough, now in the Municipality of West Elgin, in the County of Elgin.
23. This By-law comes into force upon the day it is passed in the event an appeal has not been filed with the Clerk within the time prescribed by the Planning Act, R.S.O. 1990, as amended. In the event an appeal is filed with the Clerk within the time prescribed by the Planning Act, R.S.O. 1990, as amended, the By-law shall be deemed not to have come into force until the appeal has been finally disposed of, whereupon the By-law, except for such parts as are repealed or amended as so directed by the Local Planning Appeal Tribunal (LPAT), shall be deemed to have come into force on the day it was passed.

Read a first, second, and third time and finally passed this 8th day of October, 2020.

Duncan McPhail
Mayor

Jana Nethercott
Clerk