



MUNICIPALITY OF **West Elgin**

The Corporation of the Municipality of West Elgin

By-Law No. 2022-18

Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for all the 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 Section 17. Hamlet Commercial (C2) Zone, of By-law No. 2015-36, as amended, be amended by modifying Section 17.1.1 Permitted Uses, by inserting “Mobile Food Outlet” after “gas bar”.
2. That Section 2. DEFINITIONS, of By-law No. 2015-36, as amended, be amended by modifying the definition of “Mobile Food Outlet”, by inserting “, as an accessory use to the main use” after “public”.
3. That Section 26. Recreational Vehicle Park (RVP) Zone, of By-law No. 2015-36, as amended, be amended as follows:
 - a. By modifying Section 26.1.1 Permitted Uses, by inserting the following:
 - i. “club as an accessory use” after “campground or trailer park”; and
 - ii. “laundry establishment” as an accessory use, “management office as an accessory use”; “mobile food outlet as an accessory use”; “retail store as an accessory use”; and “washroom facilities as an accessory use” after “dwelling unit or single unit dwelling as an accessory use”.
 - b. By modifying Section 26.2 Special Use Regulations, by inserting Section 26.2.4, after Section 26.2.3, as follows:

26.2.4 RETAIL STORE

Where a retail store is erected as an accessory use to the campground or trailer park, it shall:

a) only be used by the members of the campground or trailer park, or their approved visitors.

b) shall comply with the following:

- a. Table 26-1.
- b. have a maximum building floor area of 46.5 square metres (500 square feet).
- c. up to a maximum 10% floor area of a building with more than one use.
- d. have a maximum outdoor space associated with the retail store of 4.65 square metres (50 square feet).

4. That Section 2. DEFINITIONS, of By-law No. 2015-36, as amended, be amended by inserting the following after the “Road” definition:

“Road Side Stand

shall mean a structure used to sell fruits, vegetables or flowers, is accessory to the agricultural use of the site and a minimum of 60% of the goods and materials for sale are grown or produced on site.”

5. That Section 4. GENERAL PROVISIONS, of By-law No. 2015-36, as amended, be amended by inserting the following after Section 4.31 provisions:

“4.32 ROAD SIDE STANDS

Notwithstanding Section 4.1 to the contrary, a road side stand, shall be subject to the following:

- a) shall be permitted only within the Agricultural Zones;
- b) shall not exceed 10 square metres in floor area;
- c) shall not exceed 3 metres in height
- d) may be erected in the front yard or exterior side yard;
- e) may be erected closer to the street line than the main building is to the street line;
- f) may be erected not closer than 1 metre from the lot line.”

6. That Section 2. DEFINITIONS, of By-law No. 2015-36, as amended, be amended by deleting and replacing “Established Building Line”, with the following:

“Established Building Line

means the average distance from the street line of the existing single unit dwellings, where one side of one block has more than one-half of the lots built upon.”

7. That Section 4.4 Established Building Lines, of By-law No. 2015-36, as amended, be further amended by the following:
 - a. modifying subsection c), by inserting “between intersecting streets or roads, being the block”, after “road”.
 - b. inserting the following after subsection c):
 - i. “d) Section 4.4 shall only be applied within the Residential Zones.
 - e) That the established building line shall be deemed to be the following:
 - i) In the case of an interior lot, the average distance from the street line of the existing dwellings on either side of the subject lot.
 - ii) In the case of a corner lot, the average distance from the street line of the existing dwellings on the two lots on the one side of the subject lot, away from the intersection, within the block.
8. That Section 4.15 Minimum Setbacks from County Roads, of By-law No. 2015-36, as amended, be further amended by deleting “*not applicable within settlement area of Rodney and West Lorne” and replacing it with “These provisions are not applicable within the settlement areas of Rodney, West Lorne, New Glasgow, Eagle, Clachan and Port Glasgow.”
9. That Section 4.1 Accessory uses, Buildings and Structures, of By-law No. 2015-36, as amended, be further amended the following:
 - a. modifying subsection c), by inserting “, save and except within the Agriculture Zones” after “exterior side yard”; and
 - b. modifying subsection d) by inserting “, save and except within the Agriculture Zones” after “is to that street”.

Read a first, second, and third time and finally passed this 14th day of April, 2022.

Duncan McPhail
Mayor

Jana Nethercott
Clerk