

# Municipality of West Perth - Zoning By-law

## SECTION 4 - ZONES AND INTERPRETATION

### 4.1 Establishment of Zones

The provisions of this By-law apply to all lands within the boundaries of the Corporation of the West Perth. For the purpose of this By-law, the following zone classifications are established:

Section	Zone	Zone Symbol
6	Agricultural	A
7	Agricultural Commercial/Industrial	ACM
8	Hamlet/Village Residential	HVR
9	Mitchell Residential Low Density One	R1
10	Mitchell Residential Low Density Two	R2
11	Mitchell Residential Medium Density	R3
12	Mitchell Residential High Density	R4
13	Mobile Home/Modular Home	MH
14	Core Area Commercial	C1
15	Hamlet/Village Commercial	C2
16	Highway Commercial	C3
17	Secondary Commercial	C4
18	Light Industrial	M1
19	General Industrial	M2
20	Mineral Aggregate Resources	MAR
21	Institutional	I
22	Park and Recreation	PR
23	Natural Resources / Environment One	NRE1
24	Natural Resources / Environment Two	NRE2
25	Flood Plain	FP
26	Flood and Fill Constraint Area	FFCA
27	Adjacent Lands	AL
28	Future Development	FD
29	Holding	-H

Various zoning requirements and/or regulations for the zones as established above are set out in this By-law. The zoning requirements and regulations set forth for the respective zones pertain to matters such as permitted uses, permitted buildings and structures, minimum lot area, minimum lot frontage, maximum coverage, minimum front, side and rear yard requirements, maximum building height, landscaped open space requirements, parking requirements, and requirements for accessory buildings and structures.

### 4.2 Key Maps

#### Amended by By-law No. Z149-2012

For the purpose of this By-law, Schedule "A", consisting of a Key Map Index, and Key Maps 1 to 68, inclusive, and Schedule "B" and Schedule "C" are attached to this By-law and are hereby declared to form part of this By-law.

The Key Maps which are attached as Schedule "A" and Schedule "B" to this By-law indicate the zones for all of the lands in the Corporation of the Municipality of West Perth as established by this By-law. The zones are indicated through the use of the zone symbols identified for their respective zones in Section 4.1 above.

#### Amended by By-law No. Z98-2007

The Key Maps which are attached as Schedule "A" to this By-law identify a number of open watercourses, including municipal drains. The location of these watercourses was based on mapping available through the Ontario Basic Mapping Program, which in turn was based on aerial photography from the 1980's. In some situations, municipal drain watercourses have been changed over to enclosed municipal drains and therefore an open watercourse no longer exists. When such situations occur, it shall not be necessary to amend this By-law to reflect the

# Municipality of West Perth - Zoning By-law

change in classification of the watercourse (i.e. from any open municipal drain watercourse to an enclosed municipal drain) and the provisions of this By-law shall be applied as appropriate. It is intended that the Key Maps will be revised to reflect such changes at such time that the Municipality undertakes either general and/or housekeeping amendments to this Zoning By-law.

The Key Maps also are intended to display the boundaries of parcels of land and lots. These boundaries are intended to show the location and configuration of properties in the Town. Where a change in the configuration of a lot(s) occurs as a result of the approval of a Plan of Subdivision, or Consent application, or through some other legal manner, or in the case where more than one lot has been assembled, the revised and/or new lot configuration(s) on the various Key Maps may be displayed without the necessity of amending this By-law to show such revised and/or new lot configuration(s).

## **Amended by By-law No. Z149-2012**

The Key Maps which are attached as Schedule "A" to this By-law identify the "Regulated Flood Area" which represents the approximate location of the boundaries of the "Generic Regulations", under Ontario Regulation 97/04, specifically Ontario Regulations 147/06, 157/06, and 164/06. The inclusion of the Regulated Flood Area on the Key Maps is for information purposes only and the applicable Conservation Authority should be contacted to determine how the "Generic Regulations" impact development proposals.

A Contaminant Attenuation Zone (CAZ) associated with the Fullarton Landfill Site is displayed on Key Map 62 of By-law No. 100-1998. It is intended to identify soil conditions that currently do not meet Reasonable Use Guideline concentrations for chloride and other secondary indicator parameters. The CAZ is located on the Municipal Road. The inclusion of the CAZ on Key Map 62 is for

information purposes only and the Municipality of West Perth should be contacted to determine how the CAZ impacts development proposals.

## **4.3 Use of Zones and Zone Symbols**

The zones and symbols identified in Section 4.1 above shall be used when referring to land, buildings, and structures, and the uses thereof permitted by this By-law in said zones. Where the various zone symbols are shown on the Key Maps or Schedule "B", such reference is intended to indicate that the lands on which the zone symbol is placed are located within the corresponding zones as established by Section 4.1 above and shall be subject to the applicable zone provisions as set forth in this By-law for that respective zone.

Where a zone symbol applying to certain lands as shown on the Key Maps attached to this By-law on Schedule "A" is followed by a dash and a number (e.g. R1-1), such dash and number are intended to indicate that such land is the subject of one or more special zone provisions. The special zone provisions can be determined by referring to the "special provisions" section for the applicable zone as set forth in this By-law. Lands zoned in this manner will be subject to all other provisions for the respective zone except as otherwise provided for by the special provisions.

## **4.4 Interpretation of Zone Boundaries**

The zone symbols as shown on the Key Maps of Schedule "A" to this By-law are bounded by thick black lines, the purpose of which lines is to indicate the extent of the zones. The following "rules of interpretation" are to be applied when determining the location of zone boundaries on the Key Maps, of Schedule "A" of this By-law, as adopted by Council, and kept in the Office of the Zoning Administrator:

## Municipality of West Perth - Zoning By-law

4.4.1 Where any zone boundary is shown on Schedule "A" as following the boundary of a street, watercourse, or railway right-of-way, the zone boundary shall be considered to follow the centre line of such street, watercourse, or railway right-of-way;

4.4.2 Except as provided for in Section 4.4.1 above, where a zone boundary is shown on Schedule "A" as approximately following the boundary of a lot that is shown on a registered plan or a registered reference plan, the zone boundary shall be considered to be such lot boundary as shown on said registered plan or registered reference plan;

4.4.3 Where a zone boundary is shown on Schedule "A" as being parallel to, or approximately parallel to, a street and the distance from the street is not indicated, the zone boundary shall be considered as being parallel to such street and its distance from the street shall be determined by using the scale shown on the Schedule "A" Key Map to scale or measure the distance; and

4.4.4 Where any zone boundary is left uncertain after the application on the provisions of Sections 4.4.1, 4.4.2, and 4.4.3 of this By-law, the location of the zone boundary shall be determined by using the scale shown on the Schedule "A" Key Map to scale or measure the applicable distances.

### **4.5 Interpretation of Certain Words**

4.5.1 In this By-law, the word "shall" is considered to mean mandatory.

4.5.2 In this By-law, words used in the present tense include the future tense and vice-versa.

4.5.3 In this By-law, words used in the singular shall also be considered to include the plural unless the context of the application clearly indicates the contrary.

4.5.4 In this By-law, metric units shall apply to all requirements, regulations, and measurements. References to imperial units are only for the convenience of the user.

### **Amended by By-law No. Z98-2007**

4.5.5 Amendments to this By-law will not be required in order to make minor adjustments to the boundaries or the location of roads, correct typographical or patent errors, provided that the intent of the Zoning By-law is preserved.

# Municipality of West Perth - Zoning By-law

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