

Municipality of West Perth - Zoning By-law

SECTION 9

Amended by By-law No. Z34-2002

MITCHELL RESIDENTIAL LOW DENSITY ZONE ONE (R1)

No person shall within any R1 Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

9.1 Permitted Uses, Buildings, and Structures

- (a) one single-detached dwelling on one lot;
- (b) a home occupation, in accordance with Section 3;
- (c) a bed and breakfast establishment, in accordance with Section 3;
- Amended by By-law No. Z98-2007**
- (d) a park, in accordance with Section 22; and
- (e) accessory uses, buildings, and structures, in accordance with Sections 3 and 5.

9.2 Requirements for Single-Detached Dwellings

9.2.1 Lot Area, Minimum

- (a) Interior Lot 650 sq. metres (6,996.8 sq. ft.)
- (b) Corner Lot 750 sq. metres (8,073.2 sq. ft.)

9.2.2 Lot Frontage, Minimum

- (a) Interior Lot 18 metres (59.05 ft.)
- (b) Corner Lot 21 metres (68.69 ft.)

9.2.3 Front Yard,

Minimum 7.5 metres (24.61 ft.)

9.2.4 Interior Side Yard, Minimum

1.5 metres (4.92 ft.) for a one-storey

dwelling and 2.4 metres (7.87 ft.) for a two-storey dwelling where an attached garage or carport is provided. Where no attached garage or carport is provided, the minimum side yard on one side of the dwelling shall be 4.5 metres (14.76 ft.).

When determining which side yard requirement should apply, the maximum height of that part of the dwelling nearest the side lot line shall prevail.

9.2.5 Exterior Side Yard,

Minimum 6 metres (19.69 ft.)

9.2.6 Rear Yard,

Minimum 7.5 metres (24.61 ft.)

9.2.7 Building Height,

Maximum 10.5 metres (34.45 ft.)

9.2.8 Lot Coverage,

Maximum 40 per cent

9.2.9 Ground Floor Area,

Area Minimum 100 sq. metres (1,076.43 sq. ft.)

9.2.10 Landscaped Open,

Space, Minimum 30 per cent

9.2.11 Parking Requirements

In accordance with the provisions of Section 5.19.

9.3 Requirements for Home Occupations

As contained in Section 3.65 of this By-law.

9.4 Requirements for Bed and Breakfast Establishments

As contained in Section 3.17 of this By-law.

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9.5 Special Provisions

9.5.1 R1-1

- (a) Location: All Lands zoned “R1-1”
- (b) Notwithstanding the provisions of Section 9.2.3 to the contrary, the minimum front yard requirement on the land in the “R1-1” zone as shown on Schedule “A” to this By-law shall be 9.0 metres.
- (c) All other applicable provisions of this By-law shall apply.

Amended by By-law No. Z2-2000

Amended by By-law No. Z39-2002

9.5.1 R1-2

- (a) Location: Part of Lot 13, Concession 1 (formerly in the Township of Logan) (Key Map 37)
- (b) Notwithstanding any provision of this By-law to the contrary, the following additional uses shall be permitted on the land in the “R1-2” zone as shown on Key Map 37 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law Nos. Z2-2000 and Z39-2002):
 - (i) an animal hospital and veterinary clinic;
 - (ii) a parking lot, including a parking lot for overflow parking associated with the abutting Kingdom Hall;
 - (iii) accessory uses, building, and structures, excluding any open storage.
- (c) Notwithstanding any provision of this By-law to the contrary, the zone provisions of Section 16.2 of this By-law shall apply to any use, building or structure permitted in clause (b) and located within the “R1-2” zone as shown on Key Map 37 of Schedule “A” to this By-law (also shown on Schedule “A” to By-

law Nos. Z2-2000 and Z39-2002).

- (d) All other provisions of this By-law shall apply.

9.5.3 R1-3

- (a) Location: Part of Park Lot 5, Registered Plan No. 339 (Key Map 32)
- (b) Notwithstanding any provision of this By-law to the contrary, the following additional uses shall be permitted on the land in the “R1-3” zone as shown on Key Map 32 of Schedule “A” to this By-law:
 - (i) a Brewer Retail/Beer Store outlet;
 - (ii) accessory uses, building, and structures, excluding any open storage.
- (c) The uses permitted in clause (b) above shall be subject to the provisions of Section 16.2 of this By-law.
- (d) All other applicable provisions of this By-law shall apply.

9.5.4 R1-4

- (a) Location: Part of Park Lot 81, Registered Plan No. 341 (Key Map 37)
- (b) Notwithstanding the provisions of Section 9.2.2 (a) to the contrary, the minimum lot frontage requirement on the land in the “R1-4” zone as shown on Schedule “A” to this By-law shall be 4.5 metres.
- (c) All other applicable provisions of this By-law shall apply.

Deleted by By-law No. Z149-2012

Added by By-law No. Z227-2019

9.5.5 R1-5

- (a) Location: Part of Park Lot 9, Plan 339, Mitchell Ward on Key Map 32 of Schedule “A” to By-law No. 100-1998;

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- (b) Notwithstanding the provisions of Section 9.2 of By-law No. 100-1998 to the contrary, a single-detached dwelling shall be permitted in accordance with the provisions of Section 10.2 of By-law No. 100-1998.
- (c) All other provisions of By-law No. 100-1998, as amended, shall apply.

Deleted by By-law No. Z149-2012

9.5.6 R1-6

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9.5.7 R1-7

- (a) Location: Part of Lot 13, Registered Plan No. 532 (Key Map 35)
- (b) Notwithstanding the provisions of Section 9.2.3 of this By-law to the contrary, the minimum front yard for any permitted building and/or structure on the land in the “R1-7” zone as shown on Key Map 35 of Schedule “A” to this By-law shall be the distance from the front lot line to a line joining two points along the side lot lines. The points along the side lot lines shall be determined by measuring back from the point of intersection of the front lot line and the westerly side lot line a distance of 22.98 metres to a point and measuring back from the point of intersection of the front lot line and the easterly side lot line a distance of 18.81 metres to a point. The line formed by joining the two aforementioned points along the side lot lines shall be the minimum front yard setback and the area between this line and the front lot line shall be the required front yard.
- (c) Notwithstanding the provisions of Section 9.2.4 of this By-law to the contrary, the minimum interior side yard for the land in the “R1-7” zone as shown on Key Map 35 of Schedule “A” to this By-law shall be 3.0 metres on each side of the dwelling.
- (d) Notwithstanding the provisions of Section 9.2.9 of this By-law to the contrary, the minimum ground floor area for a dwelling erected in the “R1-7” zone as shown on Key Map 35 of Schedule “A” to this By-law shall be 170 square metres.
- (e) All other applicable provisions of this By-law shall apply.

9.5.8 R1-8

- (a) Location: Part Lots 12 and 13, Registered Plan No. 532 (Key Map 35)
- (b) Notwithstanding the provisions of Section 9.2.3 of this By-law to the contrary, the minimum front yard for any permitted building and/or structure on the land in the “R1-8” zone as shown on Key Map 35 of Schedule “A” to this By-law shall be the distance from the front lot line to a line joining two points along the side lot lines. The points along the side lot lines shall be determined by measuring back from the point of intersection of the front lot line and the westerly side lot line a distance of 18.81 metres to a point and measuring back from the point of intersection of the front lot line and the easterly side lot line a distance of 14.63 metres to a point. The line formed by joining the two aforementioned points along the side lot lines shall be the minimum front yard setback and the area between this line and the front lot line shall be the required front yard.
- (c) Notwithstanding the provisions of Section 9.2.4 of this By-law to the contrary, the minimum interior side yard for the land in the “R1-8” zone as shown on Key Map 35 of Schedule “A” to this By-law shall be 3.0 metres on each side of the dwelling.
- (d) Notwithstanding the provisions of Section 9.2.9 of this By-law to the contrary, the minimum ground floor area for a dwelling erected in the “R1-8” zone as shown on Key Map 35 of Schedule “A” to this By-law shall be 170 square metres.
- (e) All other applicable provisions of this By-law shall apply.

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Amended by By-law No. Z19-2001

9.5.9 R1-9

- (a) Location: Part of Park Lot 47,
Registered Plan No. 339
(Mitchell Ward)
(Key Map 39)
- (b) Notwithstanding the provisions of Section 9.2.1 and 9.2.2 of By-law No. 100-1998 to the contrary, the minimum lot area and minimum lot frontage for the land located within the "R1-9" zone together with the land in the "FD-4" zone as shown on Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z19-2001) shall be 3.7 hectares and 160 metres, respectively.
- (c) All other provisions of this By-law shall apply.

Amended by By-law No. Z45-2003

9.5.10 R1-10

- (a) Location: Part of Park Lot 4,
Registered Plan No. 339
(Mitchell Ward)
(Key Map 31)
- (b) Notwithstanding the provisions of Section 9.2.1(a) of By-law No. 100-1998 to the contrary, the minimum lot area for a single-detached dwelling on the land in the "R1-10" zone as shown on Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z45-2003) shall be 580 square metres.
- (c) All other provisions of this By-law shall apply.

Amended by By-law No. Z45-2003

9.5.11 R1-11

- (a) Location: Part of Park Lot 4,
Registered Plan No. 339
(Mitchell Ward)
(Key Map 31)
- (b) Notwithstanding the provisions of

Section 9.2.6 of By-law No. 100-1998 to the contrary, the minimum rear yard for an existing single-detached dwelling on the land in the "R1-11" zone as shown on Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z45-2003) shall be 2.8 metres.

- (c) All other provisions of this By-law shall apply.

Amended by By-law No. Z66-2005

9.5.12 R1-12

- (a) Location: Lot 5, Registered Plan No. 437 (Mitchell Ward)
(Key Map 31)
- (b) Notwithstanding the provisions of Section 9.2.1 (a) of By-law No. 100-1998 to the contrary, the minimum lot area for an interior lot for the land in the "R1-12" zone as shown on Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z66-2005) shall be 613 square metres.
- (c) All other provisions of By-law No. 100-1998 shall apply.

Amended by By-law No. Z66-2005

9.5.13 R1-13

- (a) Location: Part of Lot 6,
Registered Plan No. 437
(Mitchell Ward)
(Key Map 31)
- (b) Notwithstanding the provisions of Sections 9.2.1 (a) and 9.2.2 (a) of By-law No. 100-1998 to the contrary, the minimum lot area and minimum lot frontage for an interior lot for the land in the "R1-13" zone as shown on Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z66-2005) shall be 473 square metres and 15.5 metres, respectively.
- (c) Notwithstanding the provisions of

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Section 9.2.3 of By-law No. 100-1998 to the contrary, the minimum front yard for an dwelling erected on the land in the "R1-13" zone as shown on Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z66-2005) shall be 9.1 metres.

- (d) All other provisions of By-law No. 100-1998 shall apply.

Amended by By-law No. Z68-2005

9.5.14 R1-14

- (a) Location: Part of Lot 15, Concession 2 and Lot 10 and Part of Lot 11, Registered Plan No. 286 (Logan Ward) (Key Map 28)
- (b) Notwithstanding the provisions of Section 9.2.2 (a) of By-law No. 100-1998 to the contrary, the minimum lot frontage for an interior lot for the land in the "R1-14" zone as shown on Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z68-2005) shall be 17.0 metres.
- (c) All other provisions of By-law No. 100-1998 shall apply.

Amended by By-law No. Z113-2010

9.5.15 R1-15

- (a) Location: Part of Park Lot 48, Registered Plan No. 339 (Mitchell Ward) (Key Map 39)
- (b) Notwithstanding the provisions of Section 9.2.6 of By-law No. 100-1998 to the contrary, the minimum rear yard for a dwelling in the "R1-15" zone as shown on Key Map 39 of Schedule "A" to By-law No. 100-1998 (also shown on Schedule "A" to By-law No. Z113-2009) shall be 30 metres.
- (c) Notwithstanding the provisions of Section 5.1.3 (d) of By-law No. 100-

1998 to the contrary, the maximum height for an accessory building used as a garage and for personal use/storage in the "R1-15" zone as shown on Key Map 39 of Schedule "A" to By-law No. 100-1998 (also shown on Schedule "A" to By-law No. Z113-2009) shall be 5.5 metres and the uppermost peak of the roof shall be no higher than 7.0 metres above average finished grade.

- (d) Notwithstanding the provisions of Section 5.1.3 (e) of By-law No. 100-1998 to the contrary, the maximum gross floor area for all accessory buildings in the "R1-15" zone as shown on Key Map 39 of Schedule "A" to By-law No. 100-1998 (also shown on Schedule "A" to By-law No. Z113-2009) shall be 130.0 square metres.
- (e) Notwithstanding any provision of By-law No. 100-1998 to the contrary, a 1.8 metre high solid wooden board on board fence shall be required along the full length of the southerly lot line and shall be required along the westerly lot line from the point of intersection of the southerly lot line, northward a minimum distance of 35 metres along the westerly lot line prior to the occupancy of any dwelling in the "R1-15" zone as shown on Key Map 39 of Schedule "A" to By-law No. 100-1998 (also shown on Schedule "A" to By-law No. Z113-2009).
- (f) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Added by By-law No. Z218-2019

Deleted by By-law No. Z149-2012

Amended by By-law No. Z130-2011

9.5.16 R1-16

- b) Location: Lot 94, Plan 44M-24,

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- Mitchell Ward on Key Map 31 of Schedule "A" to By-law No. 100-1998;
- c) Notwithstanding the corresponding provisions of Section 9.1 of By-law No. 100-1998 to the contrary, one (1) Second Dwelling Unit is permitted within a single detached dwelling in the R1-16 Zone. For the purposes of this regulation, a "Second Dwelling Unit" shall mean a permanent self-contained residential unit that is accessory to the primary dwelling unit of a single detached dwelling, and which contains its own kitchen and bathroom facilities, and that has an independent entrance directly to the outside or through a common vestibule.
 - d) The requirements for a Second Dwelling Unit shall be as follows:
 - (a) The total floor area of the second dwelling unit shall be less than that of the primary dwelling unit and not exceed 98.5 m² (1,060 ft²);
 - (b) The Second Dwelling Unit shall not contain a home occupation; and,
 - (c) One (1) Parking Space shall be provided.
 - e) All other provisions of By-law No. 100-1998, as amended, shall apply.