

Municipality of West Perth – Zoning By-law

SECTION 10

Amended by By-law No. Z34-2002

MITCHELL RESIDENTIAL LOW DENSITY ZONE TWO (R2)

No person shall within any R2 Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

10.1 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.

10.2 Requirements for Single-Detached Dwellings

10.2.1 Lot Area, Minimum

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- (a) Interior Lot 475 sq. metres (5,130.2 sq.ft.)
- (b) Corner Lot 570 sq. metres (6,135.6 sq.ft.)

10.2.2 Lot Frontage, Minimum

- (a) Interior Lot 15 metres (49.21 ft.)
- (b) Corner Lot 18 metres (59.06 ft.)

- 10.2.3 Front Yard, Minimum 6 metres (19.69 ft.)

- 10.2.4 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 3.5 metres (11.48 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

- 10.2.5 Exterior Side Yard, Minimum 6 metres (19.69 ft.)
- 10.2.6 Rear Yard, Minimum 7.5 metres (24.61 ft.)
- 10.2.7 Building Height, Maximum 10.5 metres (34.45ft.)
- 10.2.8 Lot Coverage, Maximum 40 per cent
- 10.2.9 Ground Floor Area, Minimum 85 sq.metres (914.96 sq.ft.)
- 10.2.10 Landscaped Open Space, Minimum 30 per cent
- 10.2.11 Parking Requirements
In accordance with the provisions of Section 5.19.

10.3 Requirements for Home Occupations

As contained in Section 3.65 of this By-law.

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10.4 **Requirements for Bed and Breakfast Establishment**

As contained in Section 3.17 of this By-law.

10.5 **Special Provisions**

10.5.1 R2-1

- (a) Location: Lot 77, Registered Plan No. 339 (Key Map 36)
- (b) Notwithstanding any provision of this By-law to the contrary, the following additional uses shall be permitted on the land in the “R2-1” zone as shown on Key Map 36 of Schedule “A” to this By-law:
 - (i) a warehousing use associated with a dairy manufacturing business;
 - (ii) accessory uses, building, and structures, excluding any building for human habitation.

The above uses shall not be obnoxious by reason of the emission of odour, dust, smoke, gas, fumes, noise, cinders, vibration, refuse matter, or water-carried waste.

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

10.5.2 R2-2

- (a) Location: Part of Lot 354, Registered Plan No. 339 (Key Map 35)
- (b) Notwithstanding any provision of this By-law to the contrary, the following additional uses shall be permitted on the land in the “R2-2” zone as shown on Key Map 35 of Schedule “A” to this By-law:
 - (i) an existing plumbing and wholesale, retail, and service business;
 - (ii) accessory uses, building, and structures, excluding any open

storage.

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

10.5.3 R2-3

- (a) Location: Part of Lot 230, Registered Plan No. 339 (Key Map 35)
- (b) Notwithstanding the provisions of Sections 10.2.1 (b) and 10.2.2 (b) of this By-law to the contrary, the minimum lot area and lot frontage for a corner lot on the land in the “R2-3” zone as shown on Key Map 35 of Schedule “A” to this By-law shall be 511 square metres and 16 metres respectively.
- (c) Notwithstanding the provisions of Section 5.12.3 of this By-law to the contrary, a minimum exterior side yard of 6.0 metres shall be required on the land in the “R2-3” zone as shown on Key Map 35 of Schedule “A” to this By-law in the case where the existing dwelling on the property is totally destroyed and beyond reconstruction and a new buildings is being constructed.
- (d) All other applicable provisions of this By-law shall apply.

10.5.4 R2-4SC

- (a) Location: All lands within the R2-4SC zone (Key Map 36)
- (b) The lands located within the “R2-4SC” zone as shown on Key Map 36 of Schedule “A” to this By-law are designated as Secondary Commercial in the Ward of Mitchell Official Plan. Pursuant to the requirements of Section 34 of the Planning Act, Council may consider Zoning By-law Amendment applications to convert existing residential uses to Secondary Commercial “C4” uses.

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- (c) The provision of Section 10 of this By-law shall apply .
- (d) All other applicable provisions of this By-law shall apply.

10.5.5 R2-5CC

- (a) Location: All lands within the R2-5CC zone (Key Map 35)
- (b) The lands located within the “R2-5CC” zone as shown on Key Map 35 of Schedule “A” to this By-law are designated as Central Commercial in the Ward of Mitchell Official Plan. Pursuant to the requirements of Section 34 of the Planning Act, Council may consider Zoning By-law Amendment applications to convert existing residential uses to Core Area Commercial “C1” uses.
- (c) The provision of Section 10 of this By-law shall apply .
- (d) All other applicable provisions of this By-law shall apply.

10.5.6 R2-6

- (a) Location: Part of Park Lot 13, Registered Plan No. 339 (Key Map 31)
- (b) Notwithstanding the provisions of Section 10.1 of this By-law the contrary, an additional use described as two existing apartment dwellings shall be permitted in a detached building located to the south of the existing single-detached dwelling on the land in the “R2-6” zone as shown on Key Map 31 of Schedule “A” to this By-law.
- (c) Notwithstanding the provisions of Section 10.2.4 of this By-law to the contrary, the minimum northerly interior side yard for any existing permitted building and/or structure on the land in the “R2-6” zone as shown on Key Map 31 of Schedule “A” to this By-law shall be 0.9

metres.

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

Amended by By-law No. Z6-2000

10.5.7 R2-7

- (a) Location: Part of Lot 125, Registered Plan No. 339 (Key Map 35)
- (b) Notwithstanding the provisions of Section 10.2.1 (b) and Section 10.2.2 (b) of By-law No. 100-1998 to the contrary, the minimum lot area and minimum lot frontage for a corner lot on the land in the “R2-7” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z6-2000) shall be 535 square metres and 16.7 metres, respectively.
- (c) Notwithstanding the provisions of Section 10.2.5 of By-law No. 100-1998 to the contrary, the minimum southerly exterior side yard for an existing dwelling on the land in the “R2-7” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z6-2000) shall be 2.0 metres.
- (d) All other provisions of this By-law shall apply.

Amended by By-law No. Z15-2001

10.5.8 R2-8

- (a) Location: Part of Park Lot 45, Registered Plan No. 339 (Mitchell Ward) (Key Map 39)
- (b) Notwithstanding the provisions of Section 10.2.2(a) of this By-law to the contrary, the minimum lot frontage for a parcel of land located in the “R2-8” zone as shown on Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z15-2001) shall be

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13.8 metres.

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

Amended by By-law No. Z27-2001

10.5.9 R2-9

- (a) Location: Part of Lot 5, Registered Plan No. 345 (Key Map 32)
- (b) Notwithstanding the provisions of Section 10.2.1 (b) and Section 10.2.2 (b) of By-law No. 100-1998 to the contrary, the minimum lot area and minimum lot frontage for a corner lot on the land in the “R2-9” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z27-2001) shall be 535 square metres and 16.8 metres, respectively.
- (c) Notwithstanding the provisions of Section 10.2.4 of By-law No. 100-1998 to the contrary, the minimum southerly exterior side yard for an existing dwelling (existing on the day of adoption of By-law No. Z27-2001) on the land in the “R2-9” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z27-2001) shall be 1.46 metres.
- (d) All other provisions of this By-law shall apply.

Amended by By-law No. Z34-2002

10.5.10 R2-10

- (a) Location: Part of Lot 130, Registered Plan No. 339 (Mitchell Ward) (Key Map 35)
- (b) Notwithstanding the provisions of Section 10.2.3 of By-law No. 100-1998 to the contrary, the minimum front yard for the land in the “R2-10” zone as shown on Key Map 35 of Schedule “A” to By-law No. 100-

1998 shall be 0.9 metres.

- (c) Notwithstanding the provisions of Section 5.22 of By-law No. 100-1998 to the contrary, the only permitted encroachment into the front yard as set out in clause (b) above shall be for the specific situations identified in Section 5.22.1 of By-law No. 100-1998.
- (d) All other provisions of By-law No. 100-1998 shall apply.

Amended by By-law No. Z48-2003

10.5.11 R2-11

- (a) Location: Part of Lot 69, Registered Plan No. 339 (Key Map 35)
- (b) Notwithstanding the provisions of Section 10.2.1 (b) and Section 10.2.2 (b) of By-law No. 100-1998 to the contrary, the minimum lot area and minimum lot frontage for a corner lot on the land in the “R2-11” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z48-2003) shall be 518 square metres and 16.0 metres, respectively.
- (c) Notwithstanding the provisions of Section 5.1.3 (c)(i) of By-law No. 100-1998 to the contrary, the minimum southerly exterior side yard for an accessory building described as an existing garage (existing on the day of adoption of By-law No. Z48-2003) on the land in the “R2-11” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z48-2003) shall be 0.9 metres.
- (d) Notwithstanding the provisions of Section 5.1.3 (e) of By-law No. 100-1998 to the contrary, an accessory building described as an existing garage (existing on the day of adoption of By-law No. Z48-2003)

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with a ground floor area of 60 square metres (12 per cent lot coverage) shall be permitted on the land in the “R2-11” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z48-2003).

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

Amended by By-law No. Z51-2003

10.5.12 R2-12

- (a) Location: Part of Lot 275,
Registered Plan No. 339
(Key Map 35)

(b) Notwithstanding the provisions of Section 10.2.1 (b) and Section 10.2.2 (b) of By-law No. 100-1998 to the contrary, the minimum lot area and minimum lot frontage for a corner lot on the land in the “R2-12” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z51-2003) shall be 545 square metres and 16.9 metres, respectively.

(c) Notwithstanding the provisions of Section 10.2.4 of By-law No. 100-1998 to the contrary, the minimum northerly interior side yard for an existing one-storey dwelling (existing on the day of adoption of By-law No. Z51-2003) on the land in the “R2-12” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z51-2003) shall be 1.1 metres.

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

Amended by By-law No. Z61-2004

10.5.13 R2-13

- (a) Location: Part of Park Lot 46,
Registered Plan No. 339
(Mitchell Ward)
(Key Map 39)

(b) Notwithstanding the provisions of Section 10.2.3 of By-law No. 100-1998 to the contrary, the minimum front yard for any permitted uses, buildings or structures on the land located within the “R2-13” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z61-2004) shall be 3.0 metres.

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

Amended by By-law No. Z65-2005

10.5.14 R2-14

- (a) Location: Part of Block B,
Registered Plan No. 349
(Mitchell Ward)
(Key Map 35)

(b) Notwithstanding the provisions of Sections 10.2.1 (a) and 10.2.2 (a) of By-law No. 100-1998 to the contrary, the minimum lot area and minimum lot frontage for the parcel of land in the “R2-14” zone as shown on Key Map 35 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z65-2005) shall be 448 square metres and 14.0 metres, respectively.

- (c) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-law No. Z65-2005

10.5.15 R2-15

- (a) Location: Part of Block B,
Registered Plan No. 349
(Mitchell Ward)
(Key Map 35)

(b) Notwithstanding the provisions of Sections 5.1.3 (e) of By-law No. 100-1998 to the contrary, the maximum lot coverage for accessory buildings used as a

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garage and for personal storage in the “R2-15” zone as shown on Key Map 35 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z65-2005) shall be 16 per cent.

- (c) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-law No. Z80-2006

10.5.16 R2-16

- (a) Location: Lot 12, Registered Plan No. 368 (Mitchell Ward) (Key Map 36)
- (b) 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 “R2-16” zone as shown on Key Map 36 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z80-2006) shall be 5.0 metres and the uppermost peak of the roof shall be no higher than 7.0 metres above average finished grade.
- (c) Notwithstanding the provisions of Section 5.1.3 (e) of By-law No. 100-1998 to the contrary, the maximum ground floor area for one accessory building used as a garage and for personal use/storage in the “R2-16” zone as shown on Key Map 36 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z80-2006) shall be 65.0 square metres.
- (d) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-law No. Z94-2007

10.5.17 R2-17

- (a) Location: Part of Lot 52, Registered Plan No. 339 (Mitchell Ward) (Key Map 35)
- (b) Notwithstanding the provisions of Section 10.2.2 (b) of By-law No. 100-1998 to the contrary, the minimum lot frontage for a corner lot in the “R2-17” zone as shown on Key Map 35 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z94-2007) shall be 17.8 metres.
- (c) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-law No. Z94-2007

10.5.18 R2-18

- (a) Location: Part of Lot 52 and Part of Lot 379, Registered Plan No. 339 (Mitchell Ward) (Key Map 35)
- (b) Notwithstanding the provisions of Section 10.2.3 of By-law No. 100-1998 to the contrary, the minimum front yard for an existing single-detached residential dwelling and an existing garage (existing as of the day of passing of By-law No. Z94-2007) in the “R2-18” zone as shown on Key Map 35 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z94-2007) shall be 4.2 metres.
- (c) Notwithstanding the provisions of Section 10.2.4 of By-law No. 100-1998 to the contrary, the minimum westerly interior side yard for an existing single-detached residential dwelling, existing attached garage, and existing frame shed (existing as of the day of passing of By-law No. Z94-2007) in the “R2-18” zone as shown on Key Map 35 of Schedule

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“A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z94-2007) shall be as it lawfully existed on the day of passing of By-law No. Z94-2007.

- (d) Notwithstanding the provisions of Section 10.2.6 of By-law No. 100-1998 to the contrary, the minimum rear yard for two existing frame sheds (existing as of the day of passing of By-law No. Z94-2007) in the “R2-18” zone as shown on Key Map 35 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z94-2007) shall be as it lawfully existed on the day of passing of By-law No. Z94-2007.
- (e) Notwithstanding the provisions of Section 10.2.8 of By-law No. 100-1998 to the contrary, the maximum lot coverage for all permitted buildings and structures in the “R2-18” zone as shown on Key Map 35 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z94-2007) shall be 45 per cent.
- (f) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-law No. Z103-2008

10.5.19 R2-19

- (a) Location: Part of Lot 215, Registered Plan No. 339 (Mitchell Ward) (Key Map 36)
- (b) Notwithstanding the provisions of Section 10.2.1 (b) of By-law No. 100-1998 and Section 10.2.2 (b) of By-law No. 100-1998 to the contrary, the minimum lot area and minimum lot frontage for a corner lot in the “R2-19” zone as shown on Key Map 36 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule

“A” to By-law No. Z103-2008) shall be 540 square metres and 16.8 metres, respectively.

- (c) Notwithstanding any provisions of Section 10.2 of By-law No. 100-1998 to the contrary, the minimum front yard, exterior side yard, and rear yard an existing single-detached residential dwelling, attached cover porch and stairs, and an existing garage (existing as of the day of passing of By-law No. Z103-2008) in the “R2-19” zone as shown on Key Map 36 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z103-2008) shall be as they lawfully existed on the day of passing of By-law No. Z103-2008.
- (d) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-law No. Z107-2008

10.5.20 R2-20

- (a) Location: Part of Lot 201, Registered Plan No. 339 (Mitchell Ward) (Key Map 36)
- (b) Notwithstanding the provisions of Section 10.2.1 (b) of By-law No. 100-1998 and Section 10.2.2 (b) of By-law No. 100-1998 to the contrary, the minimum lot area and minimum lot frontage for a corner lot in the “R2-20” zone as shown on Key Map 36 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z107-2008) shall be 525 square metres and 16.3 metres, respectively.
- (c) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

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Amended by By-law No. Z107-2008

10.5.21 R2-21

- (a) Location: Part of Lot 201,
Registered Plan No. 339
(Mitchell Ward)
(Key Map 36)
- (b) Notwithstanding the provisions of Section 10.2.1 (a) of By-law No. 100-1998 and Section 10.2.2 (a) of By-law No. 100-1998 to the contrary, the minimum lot area and minimum lot frontage for an interior lot in the “R2-21” zone as shown on Key Map 36 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z107-2008) shall be 450 square metres and 14.0 metres, respectively.
- (c) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-law No. Z114-2009

10.5.22 R2-22

- (a) Location: Part of Lot 379,
Registered Plan No. 339
(Mitchell Ward)
(Key Map 35)
- (b) Notwithstanding the provisions of Section 10.2.2 (a) of By-law No. 100-1998, the minimum lot frontage for a interior lot in the “R2-22” zone as shown on Key Map 35 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z114-2009) shall be 14.8 metres.
- (c) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-law No. Z122-2010

10.5.23 R2-23

- (a) Location: Part of Lot 405 and 427,
Registered Plan No. 339
(Mitchell Ward)

(Key Map 36)

- (b) Notwithstanding the provisions of Section 10.2.5 of By-law No. 100-1998, the minimum exterior side yard for an attached carport as described in Section (c) below and located in the “R2-23” zone as shown on Key Map 36 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z122-2010) shall be 1.5 metres.
- (c) Notwithstanding the provisions of Section 3.24 of By-law No. 100-1998 to the contrary, an attached carport, as permitted in Section (b) above, shall have its north and east perimeter faces open and unobstructed by any wall or door. This provision shall not prohibit a supporting post or pier at the north east corner area of the attached carport.
- (d) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

10.5.24 R2-24 – not used

10.5.25 R2-25 – not used

Amended by By-law No. Z126-2010

10.5.26 R2-26

- (a) Location: Part of Lots 76 and 94,
Registered Plan No. 339
(Mitchell Ward)
(Key Map 36)
- (b) Notwithstanding the provisions of Section 5.1.2 of By-law No. 100-1998, an accessory use described as a detached residential garage shall be permitted without a main residential use in the “R2-26” zone as shown on Key Map 36 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z126-2010).
- (c) All other applicable provisions of By-

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law No. 100-1998, as amended,
shall apply.

Deleted by By-law No. Z149-2012

Amended by By-law No. Z130-2011

10.5.27 R2-27

Amended by By-law No. Z154-2013

10.5.28 R2-28

- (a) Location: Part of Lot 17, Registrar's Complied Plan 478 (Mitchell Ward) (Key Map 32)
- (b) Notwithstanding the provisions of Section 5.1.3 (e) of By-law No. 100-1998, the maximum gross floor area for an accessory use described as a detached residential storage garage in the "R2-28" zone as shown on Key Map 32 of Schedule "A" to By-law No. 100-1998 (also shown on Schedule "A" to By-law No. Z154-2013) shall be 90 square metres.
- (c) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-law No. Z184-2016

10.5.29 R2-29

- (a) Location: Lot 356, Registered Plan No. 339 (Mitchell Ward) (Key Map 32)
- (b) Notwithstanding the provisions of Section 5.19.2 of By-law No. 100-1998, two driveways shall be permitted to serve the residential lot located in the "R2-29" zone as shown on Key Map 35 of Schedule "A" to By-law No. 100-1998 (also shown on Schedule "A" to By-law No. Z184-2016).
- (c) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

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