

Municipality of West Perth – Zoning By-law

SECTION 12 - MITCHELL RESIDENTIAL HIGH DENSITY ZONE FOUR (R4)

No person shall within any R4 Zone use any land or erect, alter, or use any building or structure for any purpose except in accordance with the following provisions:

12.1 Permitted Uses, Buildings, and Structures

- (a) one fourplex dwelling on one lot;
- (b) one converted dwelling on one lot, containing not more than four dwelling units;
- (c) one boarding or lodging house, containing not more than four guest rooms;
- (d) row or townhouse dwellings;
Amended by By-law No. Z149-2012
- (d.1) dwelling, stacked townhouse;
- (e) apartment dwellings;
- (f) a home for the aged dwellings, nursing home dwellings, senior citizen dwellings;
Amended by By-law No. Z149-2012
- (f.1) a continuum-of-care facility;
- (g) a home occupation, in accordance with Section 3;
Amended by By-law No. Z98-2007
- (h) a park, in accordance with Section 22;
- (i) accessory uses, buildings, and structures.

12.2 Requirements for Fourplex Dwellings

- 12.2.1 Lot Area, Minimum 740 sq. metres (7,965.5 sq. ft.)
- 12.2.2 Lot Frontage, Minimum 21 metres (68.89 ft.)
- 12.2.3 Front Yard, Minimum 6 metres (19.69 ft.)

- 12.2.4 Interior Side Yard, Minimum 3.5 metres (11.48 ft.)
- 12.2.5 Exterior Side Yard, Minimum 6 metres (19.69 ft.)
- 12.2.6 Rear Yard, Minimum 7.5 metres (24.61 ft.)
- 12.2.7 Building Height, Maximum 10.5 metres (34.45 ft.)
- 12.2.8 Lot Coverage, Maximum 40 per cent
- 12.2.9 Floor Area per Dwelling Unit, Minimum 55 sq. metres (592.03 sq. ft.)
- 12.2.10 Landscaped Open Space, Minimum 35 per cent
- 12.2.11 Parking Requirements In accordance with the provisions of Section 5.19
- 12.3 Requirements for Converted Dwellings**
- 12.3.1 Number of Dwelling Units, Maximum 4
- 12.3.2 Lot Area, Minimum
 - (a) for a 2-unit dwelling 550 sq. metres (5,920.34 sq. ft.)
 - (b) for a 3-unit building 625 sq. metres (6,727.66 sq. ft.)
 - (c) for a 4-unit building 700 sq. metres (7,534.98 sq. ft.)
- 12.3.3 Lot Frontage, Minimum
 - (a) for a 2-unit building 18 metres (59.06 ft.)
 - (b) for a 3-unit building 20 metres (65.62 ft.)
 - (c) for a 4-unit building 21 metres (68.90 ft.)

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12.3.4	Front Yard, Minimum	6 metres (19.69 ft.)	12.3.13	Landscaped Open Space, Minimum	35 per cent
12.3.5	Interior Side Yard, Minimum	1.5 metres (4.92 ft.) for a one-storey dwelling and 1.8 metres (5.91 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.	12.3.14	Parking Requirements	In accordance with the provisions of Section 5.19.
12.4 Requirements for Boarding or Lodging Houses					
12.3.6	Exterior Side Yard, Minimum	6 metres (19.69 ft.)	12.4.1	Number of Bedrooms for Rent, Maximum	4
12.3.7	Rear Yard, Minimum	7.5 metres (24.61 ft.)	12.4.2	Lot Area, Minimum	550 sq. metres (5,920.34 sq. ft.)
12.3.8	Building Height, Maximum	10.5 metres (34.45 ft.)	12.4.3	Lot Frontage, Minimum	18 metres (59.06 ft.)
12.3.9	Lot Coverage, Maximum	40 per cent	12.4.4	Front Yard, Minimum	6 metres (19.69 ft.)
12.3.10	Floor Area per Dwelling Unit, Minimum	55 sq. metres (592.03 sq. ft.)	12.4.5	Interior Side Yard, Minimum	1.5 metres (4.92 ft.) for a one-storey dwelling and 1.8 metres (5.91 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.
12.3.11	Building Additions	Additions to existing buildings for the purpose of accommodating the conversion of existing dwellings shall not be permitted.	12.4.6	Exterior Side Yard, Minimum	6 metres (19.69 ft.)
12.3.12	External Stairways	Any additional external stairways beyond those that existed prior to the conversion shall be provided in the rear yard of the lot and no closer to the rear lot line than minimum rear yard required for the dwelling.	12.4.7	Rear Yard, Minimum	7.5 metres (24.61 ft.)
			12.4.8	Building Height, Maximum	10.5 metres (34.45 ft.)
			12.4.9	Lot Coverage,	

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	Maximum	40 per cent	55 sq. metres (592.03 sq. feet)
12.4.10	Floor Area per Bedroom, Minimum		12.5.10 Landscaped Open Space, Minimum
	9 sq. metres (96.88 sq. feet)		35 per cent
12.4.11	Landscaped Open Space, Minimum	35 per cent	12.5.11 Parking Requirements
			In accordance with the provisions of Section 5.19.
12.4.12	Parking Requirements		12.5.12 Number of Attached Dwelling Units, Maximum
	In accordance with the provisions of Section 5.19.		8
12.5	Requirements for Row or Townhouse Dwellings		12.5.13 Planting Strip Requirement
12.5.1	Lot Area, Minimum		A planting strip shall be required in accordance with the provisions of Section 5.23 where an interior side or rear lot line of a lot being developed for row or townhouse purposes abuts a lot under any of the following circumstances:
	1000 sq. metres (10,764.3 sq. ft.) for the first 3 dwelling units plus 200 sq. metres (2,152.9 sq. feet) for each additional dwelling unit.		(a) a lot that is in a Residential Zone, Residential (-h) Holding Zone, or a Future Development Zone;
12.5.2	Lot Frontage, Minimum		(b) a lot that is used for residential purposes;
	27 metres (88.58 ft.) for the first 3 dwelling units plus 6.0 metres (19.69 feet) for each additional dwelling unit.		(c) a lot that is used for a non-residential purpose and on which no planting strip exists adjacent to the mutual lot line.
12.5.3	Front Yard, Minimum	6 metres (19.69 ft.)	
12.5.4	Interior Side Yard, Minimum	4.5 metres (14.76 ft.)	12.5.14 More Than One Row or Townhouse Dwelling Permitted on a Lot
12.5.5	Exterior Side Yard, Minimum	6 metres (19.69 ft.)	More than one row or townhouse dwelling may be erected on a lot provided that the following provisions are met:
12.5.6	Rear Yard, Minimum	7.5 metres (24.61 ft.)	(a) The minimum lot area requirement shall be calculated on the basis of the provisions of Section 12.5.1 above;
12.5.7	Building Height, Maximum	10.5 metres (34.45 ft.)	(b) The minimum lot frontage requirement shall be calculated by applying the minimum lot frontage provisions of Section 12.5.2 above to the row or townhouse which faces the front
12.5.8	Lot Coverage, Maximum	45 per cent	
12.5.9	Floor Area per Dwelling Unit, Minimum		

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<p>lot line or the townhouse with the greatest number of dwelling units, whichever results in the greatest requirement. Notwithstanding any other provisions of this By-law to the contrary, in no case shall the minimum lot frontage be less than 27 metres (88.58 ft.);</p> <p>(c) The front, side, and rear yard requirements as set out in Sections 12.5.3, 12.5.4, 12.5.5, and 12.5.6 above shall apply to the development as a whole;</p> <p>(d) Notwithstanding the provisions of Clause (c) above, where internal vehicular access to a lot being developed or used for a row or townhouse development is provided through an interior side yard, that side yard shall have a minimum width of 7.5 metres (24.61 ft.);</p> <p>(e) Separation distances between buildings within a row or townhouse project shall be according to all applicable requirements of the Ontario Building Code, as amended; and</p> <p>(f) All other applicable provisions as set out in Section 12.5 above shall apply</p>	<p>Corner Lot</p> <p>12.6.2 Lot Frontage, Minimum</p> <p>Interior Lot</p> <p>Interior Lot, End Unit</p> <p>Corner Lot</p> <p>12.6.3 Front Yard, Minimum</p> <p>12.6.4 Interior Side Yard, Minimum</p> <p>12.6.5 Exterior Side Yard, Minimum</p> <p>12.6.6 Rear Yard, Minimum</p> <p>12.6.7 Building Height, Maximum</p> <p>12.6.8 Lot Coverage, Maximum</p>	<p>400 sq. metres (4,305.70 sq. ft.)</p> <p>6 metres (19.69 ft.)</p> <p>10.5 metres (34.45 ft.)</p> <p>12 metres (39.37 ft.)</p> <p>6 metres (19.69 ft.)</p> <p>No interior side yard is required on the attached side(s) of the dwelling unit. 4.5 metres (14.76 ft.) is required on the side of the dwelling unit not attached to another dwelling unit.</p> <p>6 metres (19.69 ft.)</p> <p>7.5 metres (24.61 ft.)</p> <p>10.5 metres (34.45 ft.)</p> <p>60 per cent</p>
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12.6 Requirements for One dwelling Unit of a Row or Townhouse Dwellings

12.6.1 Lot Area, Minimum	
Interior Lot	200 sq. metres (2,152.85 sq. ft.)
Interior Lot, End Unit	350 sq. metres (3,767.49 sq. ft.)

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<p>12.6.9 Ground Floor Area Per Dwelling Unit, Minimum 55 sq. metres , (592.03 sq. feet)</p> <p>12.6.10 Landscaped Open Space, Minimum 35 per cent</p> <p>12.6.11 Parking Requirements In accordance with the provisions of Section 5.19.</p> <p>12.6.12 Planting Strip Requirement A planting strip shall be required in accordance with the provisions of Section 5.23 where an interior side or rear lot line of a lot being developed for row or townhouse purposes abuts a lot under any of the following circumstances: (a) a lot that is in a Residential Zone, Residential (-h) Holding Zone, or a Future Development Zone. (b) a lot that is used for residential purposes; (c) a lot that is used for a non-residential purpose and on which no planting strip exists adjacent to the mutual lot line.</p> <p>12.7 Requirements for Apartment Dwellings</p> <p>12.7.1 Lot Area, Minimum 800 sq. metres (8,611.4 sq. ft) for the first dwelling unit plus 90 sq. metres (968.8 sq. feet) for each additional dwelling unit.</p> <p>12.7.2 Lot Frontage, Minimum 25 metres (82.02 ft.)</p> <p>12.7.3 Front Yard, Minimum 7.5 metres (24.61 ft.)</p> <p>12.7.4 Interior Side 6 metres</p>	<p>Yard, Minimum (19.69 ft.)</p> <p>12.7.5 Exterior Side Yard, Minimum 7.5 metres (24.61 ft.)</p> <p>12.7.6 Rear Yard, Minimum 12 metres (39.37 ft.)</p> <p>12.7.7 Building Height, Maximum 12 metres (39.37 ft.)</p> <p>12.7.8 Lot Coverage, Maximum 35 per cent</p> <p>12.7.9 Dwelling Unit Floor Area, Minimum (a) Bachelor unit 35 sq. metres (376.75 sq. ft.) (b) 1 bedroom unit 55 sq. metres (592.03 sq. ft.) (c) 2 bedroom unit 65 sq. metres (699.68 sq. ft.) (d) 3 bedroom unit 75 sq. metres (801.31 sq. ft.) (e) Additional bedrooms beyond 3 9.0 sq. metres (96.88 sq. ft.) per bedroom</p> <p>12.7.10 Landscaped Open Space, Minimum 35 per cent</p> <p>12.7.11 Parking Requirements In accordance with the provisions of Section 5.19.</p> <p>12.7.12 Planting Strip Requirement A planting strip shall be required in accordance with the provisions of Section 5.23 where an interior side or rear lot line of a lot being developed for apartment dwelling purposes abuts a lot under any of the following circumstances: (a) a lot that is in a Residential Zone, a Residential (-h) Zone, or a Future Development Zone that is</p>
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designated “Residential” in the applicable Official Plan.

- (b) a lot that is used for residential purposes;
- (c) a lot that is used for a non-residential purpose and on which no planting strip exists adjacent to the mutual lot line.

12.7.13 More Than One Apartment Dwelling Permitted on a Lot

More than one apartment dwelling may be erected on a lot provided that the following provisions are met:

- (a) The minimum lot area requirement shall be calculated on the basis of the provisions of Section 12.7.1 above;
- (b) The minimum lot frontage requirement shall be 30 metres (98.43 ft.);
- (c) The front, side, and rear yard requirements as set out in Sections 12.7.3, 12.7.4, 12.7.5, and 12.7.6 above shall be applied to the development as a whole;
- (d) Notwithstanding the provisions of Clause (c) above, where internal vehicular access to a lot being developed or used for an apartment dwelling development is provided through an interior side yard, that side yard shall have a minimum width of 7.5 metres (24.61 ft.);
- (e) Setbacks between buildings within an apartment dwelling project shall be as follows:
 - (i) the minimum distance between two exterior walls of different buildings facing each other, neither of which is an end wall, where either or both of the exterior walls contain a living room window, shall be 21 metres (68.90 ft.).
 - (ii) the minimum distance between two exterior walls of different buildings facing each other, neither of which is an end wall, where either or both of the exterior walls contain windows to habitable rooms other than living room windows, shall be 15 metres (49.21 ft.).
 - (iii) the minimum distance between an exterior wall containing a living room window in one building and the end wall of another building, which end wall contains no windows to habitable rooms, shall be 10 metres (34.45 ft.).
 - (iv) the minimum distance between an exterior wall containing a window to a habitable room, other than a living room window, and the end wall of another building containing no windows to habitable rooms shall be 7.5 metres (24.61 ft.).
 - (v) the minimum distance between two end walls of different buildings, where neither end wall contains windows to habitable rooms, shall be 3 metres (9.84 ft.).
- (f) All other applicable provisions as set out in Section 12.7 above shall apply.

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12.8 Requirements for Homes for the Aged, Nursing Home Dwellings, and Senior Citizen Dwellings

- 12.8.1 Lot Area, Minimum
550 sq. metres (5,920.3 sq. ft) for the first 5 dwelling units plus 90 sq. metres (968.8 sq. feet) for each additional dwelling unit.
- 12.8.2 Lot Frontage, Minimum 20 metres (65.62 ft.)
- 12.8.3 Front Yard, Minimum 7.5 metres (24.61 ft.)
- 12.8.4 Interior Side Yard, Minimum 6.0 metres (19.69 ft.)
- 12.8.5 Exterior Side Yard, Minimum 7.5 metres (24.61 ft.)
- 12.8.6 Rear Yard, Minimum 12 metres (39.37 ft.)
- 12.8.7 Building Height, Maximum 12 metres (39.37 ft.)
- 12.8.8 Lot Coverage, Maximum 35 per cent
- 12.8.9 Dwelling Unit Floor Area, Minimum
35 sq. metres (376.75 sq. ft.)
- 12.8.10 Landscaped Open Space, Minimum 35 per cent
- 12.8.11 Parking Requirements
In accordance with the provisions of Section 5.19.
- 12.8.12 Planting Strip Requirement
A planting strip shall be required in accordance with the provisions of Section 5.23 where an interior side or rear lot line of a lot being

developed for apartment dwelling purposes abuts a lot under any of the following circumstances:

- (a) a lot that is in a Residential Zone, a Residential (-h) Zone, or a Future Development Zone that is designated “Residential” in the applicable Official Plan.
- (b) a lot that is used for residential purposes;
- (c) a lot that is used for a non-residential purpose and on which no planting strip exists adjacent to the mutual lot line.

12.9 Special Provisions

12.9.1 R4-1

- (a) Location: Part of Lots 7 and 8, Registered Plan No. 344 (Key Map 36)
- (b) Notwithstanding the provisions of Section 12.1 of this By-law to the contrary, the only permitted use on the land in the “R4-1” zone as shown on Key Map 36 of Schedule “A” to this By-law shall be one apartment dwelling containing not more than 5 units.
- (c) Notwithstanding the provisions of Section of Section 12.7.4 to the contrary, the minimum westerly interior side yard for an addition to the existing residential building in the “R4-1” zone shall be 1.5 metres;
- (d) Notwithstanding the provisions of Section of Section 12.7.7 to the contrary, the maximum building height for an addition to the existing residential building in the “R4-1” zone shall be 4.0 metres. The 4.0 metres height is measured from adjacent finished grade to top of roof peak at the south wall of the existing residential building;

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- (e) Notwithstanding any provision of Section 12 to the contrary, the maximum ground floor area for an addition to the existing residential building in the “R4-1” zone shall be 185 square metres;
- (f) Notwithstanding the provisions of Section 5.29 of this By-law to the contrary, the following minimum setbacks for the existing building shall apply:
 - (i) setback from the existing top of bank of the Whirl Creek shall be 7.5 metres;
 - (ii) setback from the stable angle of repose for the top of bank of the Whirl Creek shall be 6.0 metres;
 - (iii) setback from the toe of Whirl Creek shall be 17.3 metres.
- (g) All other applicable provisions of this By-law shall apply.

12.9.2 R4-2

- (a) Location: Pt. of Lot 497 and Pt. of the Mill Land, Registered Plan No. 339 (Key Map 35)
- (b) Notwithstanding the provisions of Section 12.1 of this By-law to the contrary, the only permitted use on the land in the “R4-2” zone as shown on Key Map 35 of Schedule “A” to this By-law shall be one apartment dwelling containing not more than 5 units.
- (c) All other applicable provisions of this By-law shall apply.

12.9.3 R4-3

- (a) Location: Pt. of Park Lot 30, Registered Plan No. 339 (Key Map 35)
- (b) Notwithstanding the provisions of Section 12.1 of this By-law to the contrary, the only permitted use on the land in the ‘R4-3’ zone as

shown on Key Map 35 of Schedule “A” to this By-law shall be one apartment dwelling containing not more than 8 units.

- (c) Notwithstanding the provisions of Section of Section 12.7.6 to the contrary, the minimum rear yard for an apartment in the “R4-3” zone shall be 9.6 metres.
- (d) All other applicable provisions of this By-law shall apply.

12.9.4 R4-4

- (a) Location: Park Lot 2, Registered Plan No. 339. (Key Map 31)
- (b) Notwithstanding any provision of Section 12 of this By-law to the contrary, the following zone provisions shall apply to the lands within the “R4-4” zone:
 - (i) Lot Area, Minimum 1,000 square metres for the first 3 dwelling units plus 200 square metres for each additional unit;
 - (ii) Lot Frontage, Minimum 30 metres for the first 3 units plus 10.0 metres for each additional unit;
 - (iii) Front Yard, Minimum 7.5 metres;
 - (iv) Interior Side Yard, Minimum 4.5 metres, except that 2.25 metres is required when abutting another “R4-4” zone;
 - (v) Exterior Side Yard, Minimum 7.5 metres;
 - (vi) Rear Yard, Minimum 7.5 metres, except that 2.25 metres is required when abutting another “R4-4” zone;
 - (vii) Lot Coverage, Maximum 45 per cent;
 - (viii) Dwelling Unit Area, Minimum 100 square metres;
 - (ix) Building Height, Maximum

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- 10.5 metres;
- (x) Landscaped Open Space,
Minimum 30 per cent;
- (xi) Parking Requirements
2 spaces per dwelling unit;
- (xi) Number of Dwelling Units,
Maximum 20.
- (c) All other provisions of this By-law shall apply.

Deleted by By-law No. Z149-2012

12.9.4.1 R4-4-H

Amended by By-law No. Z33-2002

12.9.5 R4-5

- (a) Location: Part of Lot 7 and Lot 8,
Registered Plan No. 348
(Key Map 31)
- (b) Notwithstanding the provisions of Section 12.3.2 (c) of By-law No. 100-1998 to the contrary, the minimum lot area for a four unit converted dwelling on the land in the “R4-5” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z33-2002) shall be 690 square metres.
- (c) All other provisions of this By-law shall apply.

Amended by By-Law No. 162-2013

12.9.6 R4-6

- (a) Location: Part of Park Lot 35,
Registered Plan No.
339 (Mitchell Ward)
(Key Map 39)
- (b) Notwithstanding the provisions of Section 12.2.6 By-law 100-1998 to the contrary, the minimum rear year for a row or townhouse dwellings located on the land within the “R4-6” zone as shown on Key Map 39 of Schedule “A” to By-law 100-1998 (also shown on Schedule “A” to By-law Z162-2013) shall be 6.0 metres.

- (c) Notwithstanding any provision of By-law 100-1998 to the contrary, unenclosed steps may project into the required rear yard a distance of not more than 1.5 metres, notwithstanding the finished grade level adjacent to the steps.
- (d) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-Law No. 162-2013

12.9.7 R4-7

- (a) Location: Part of Park Lot 35,
Registered Plan No.
339 (Mitchell Ward)
(Key Map 39)
- (b) Notwithstanding any provision of By-law 100-1998 to the contrary, the lot line along Clayton Street shall be deemed to be the front lot line and the lot line along Blanchard Street shall be deemed to be an exterior lot line.
- (c) Notwithstanding the provisions of Section 12.2.6 By-law 100-1998 to the contrary, the minimum rear year for a row or townhouse dwellings located on the land within the “R4-6” zone as shown on Key Map 39 of Schedule “A” to By-law 100-1998 (also shown on Schedule “A” to By-law Z162-2013) shall be 6.0 metres.
- (d) Notwithstanding any provision of By-law 100-1998 to the contrary, unenclosed steps may project into the required rear yard a distance of not more than 1.5 metres, notwithstanding the finished grade level adjacent to the steps.
- (e) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-Law No. 179-2015

12.9.8 R4-8

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- (a) Location: Part of Park Lot 46, Registered Plan No. 339 (Mitchell Ward) (Key Map 39)
- (b) Notwithstanding the provisions of Sections 12.1 of By-law No. 100-1998 to the contrary, one single-detached dwelling on one lot, in accordance with the provisions of Sections 10.2.1 thru 10.2.11, inclusive, and a bed and breakfast establishment within a single detached dwelling, in accordance with the provisions of Section 3 of By-law No. 100-1998, shall also be permitted uses, buildings, and structures in the “R4-8” 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. Z179-2015).
- (c) Notwithstanding the provisions of Section 12.5.4 or 12.6.4 of By-law No. 100-1998 to the contrary, the minimum interior side yard of a townhouse dwelling on the side of the dwelling unit not attached to another townhouse dwelling shall be 3.0 metres where the end wall of an end unit contains no windows to habitable rooms or 4.5 metres when the wall of a unit contains window(s) to habitable room(s).
- (d) Notwithstanding the provisions of Section 12.5.6 or 12.6.6 of By-law No. 100-1998 to the contrary, the minimum rear yard of a townhouse dwelling shall be 6.0 metres.
- (e) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-Law Nos. 179-2015 and 215-2019 (Upper Thames Village Vacant Land Condominium)

12.9.9 R4-9

- (a) Location: Part of Park Lot 46, Registered Plan No. 339 (Mitchell Ward) (Key Map 39)
- (b) Notwithstanding the provisions of Section 12.1 of By-law No. 100-1998 to the contrary, a vacant land condominium is permitted in the “R4-9” zone as shown on Key Map 39 of Schedule “A” to By-law No. 100-1998, as amended, subject to the following requirements:
 - i. The maximum number of units in a vacant land condominium (as defined by Section 3.147.1 of this By-law) shall be 25;
 - ii. The minimum lot area for a vacant land condominium shall be 18,065 sq. metres (4.46 acres).
 - iii. The minimum combined common element areas provided for amenity landscaped area/open space in a vacant land condominium shall be 1,025 sq. metres (11,033 sq. ft.).
 - iv. The requirements for single-detached dwellings on one unit of a vacant land condominium shall be as follows:
 - (a) Unit Area, Minimum: 405 sq. metres (4,359.38 sq. ft.)
 - (b) Front Yard, Minimum: 6 metres (19.69 ft.)For the purposes of this regulation, the front lot line for each unit in a Vacant Land Condominium shall be deemed to be the shortest boundary line of a unit abutting the internal road portion of the common element. A permitted encroachment not exceeding 1.5 metres into the required Front Yard for a

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porch is permitted.

- (c) Rear Yard, Minimum: 6 metres (19.69 ft.)
For the purposes of this regulation, the rear lot line for each unit in a Vacant Land Condominium shall be deemed to be that boundary line of a unit farthest from and opposite to the shortest boundary line of a unit which abuts an internal road portion of the common element.
- (d) Interior Side Yard, Minimum: 1.2 metres (3.94 ft.)
For the purposes of this regulation, the interior lot line shall mean the boundary line of a unit in a Vacant Land Condominium which immediately abuts the boundary of another unit in a Vacant Land Condominium.
- (e) Exterior Side Yard (abutting a public road),
Minimum: 6 metres (19.69 ft.)
For the purposes of this regulation, the exterior lot line for a unit in a Vacant Land Condominium shall be deemed to be the boundary line of a unit which immediately abuts a Street, Road or Highway (Public) as defined by Section 3 of this By-law.
- (f) Exterior Side Yard (abutting an internal road portion of the common element), Minimum: 6 metres (19.69 ft.)
For the purposes of this regulation, the exterior lot line for a unit in a Vacant Land Condominium shall be deemed to be, where two or more boundary lines abut an internal road portion of the common element, the longest boundary line which abuts an internal road portion of the common element.
- (g) Building Height, Maximum: 7.62 metres (25 ft.)
- (h) Unit Coverage, Maximum: 45 per cent
For the purposes of this regulation, Unit Coverage means the area of a unit of a Vacant Land Condominium covered by buildings and structures, excluding overhanging structures which do not project more than 1.0 metre from the main wall, and excluding decks which are 0.2 metres or less above the average grade; and accessory buildings which are less than 10 square metres.
- (i) Ground Floor Area, Minimum: 139.35 sq. metres (1,500 sq. ft.)
- (j) Landscaped Open Space, Minimum: 30 per cent
- (k) Parking Requirements
-Per Unit, Minimum: 2 Parking Spaces per dwelling unit
-Common Element Parking Spaces, Minimum: 3 Parking Spaces
- v. Notwithstanding Sections 12.7 or 12.9.9 b) i) above, in addition to 25 units of a vacant land condominium, a 4 unit apartment building is also permitted on one unit of a vacant land condominium subject to the following requirements:
- (a) Lot Area, Minimum: 1,346 metres sq. (14,488.22 sq. ft.)
- (b) Front Yard, Minimum: 4.9 metres (29.52 ft.)
For the purposes of this regulation, the front lot line for this unit shall be the longest boundary line of the unit which abuts the internal road portion of the common element. A permitted encroachment for a roof overhang not exceeding 1.5 metres into the required Front Yard is permitted.
- (c) Rear Yard, Minimum: 4.5 metres (14.76 ft.)
For the purposes of this regulation, the rear lot line for this unit shall be deemed to be that boundary line of the unit farthest from and opposite to the longest

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boundary line of the unit that abuts the internal road portion of the common element. A permitted encroachment for a roof overhang not exceeding 1.5 metres into the required Rear Yard is permitted.

- (d) Interior Side Yard - Northerly, Minimum: 10.4 metres (34.12 ft.)
For the purposes of this regulation, the northerly interior lot line shall mean the northerly lot line of this unit which immediately abuts the boundary of lands described as Part of Park Lot 46, Plan 339, and being Part 1 on Registered Plan 44R-2266.
 - (e) Interior Side Yard - Southerly, Minimum: 3 metres (9.84 ft.)
For the purposes of this regulation, the southerly interior side yard shall mean the side yard of this block farthest from and opposite to the northerly interior side yard.
 - (f) Interior Side Yard – Adjacent to Common Element,
Minimum: 12.9 metres (42.31 ft.)
For the purposes of this regulation, the interior lot line adjacent to a common element shall mean the internal boundary line of this unit which is not adjacent to the internal road portion of the common element.
 - (g) Building Height, Maximum: 7.62 metres (25 ft.)
 - (h) Individual Apartment Dwelling Unit Floor Area, Minimum: In accordance with Section 12.7.9
 - (i) Landscaped Open Space, Minimum: 30 per cent
 - (j) Parking Requirements
 - Per Unit, Minimum: 1.25 Parking Spaces per dwelling unit
 - Visitor Parking Spaces, Minimum: 2 Parking Spaces
 - (k) Planting Strip Requirement: In accordance with Section 12.7.12.
- vi. A Vacant Land Condominium shall be subject to a site plan control agreement with the Municipality in accordance with Section 41 of Planning Act, R.S.O. 1990.
- (c) All other applicable provisions of By-law No. 100-1998, as amended, shall apply.

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Municipality of West Perth – Zoning By-law

Amended by By-Law No. 200-2018

12.9.10.1 R4-10₁:

- a) Location: Part of Park Lot 81 and 82, Registered Plan No. 341, Mitchell Ward (Key Map 37);
- b) In addition to the uses permitted under Section 12.1 of By-Law No. 100-1998, the following uses shall also be permitted on the land zoned “R4-10” as shown on Key Map 37 of Schedule “A” to By-Law No. 100-1998:
 - i. A maximum of Seven (7) Townhouse Dwellings each containing Four (4) Dwelling Units.
- c) Notwithstanding the corresponding provisions of Section 12.5 of By-Law No. 100-1998 to the contrary, the following provisions shall apply to the subject property described as Part of Park Lot 81 and 82, Registered Plan No. 341, Mitchell Ward:
 - i. Lot Frontage, Minimum: 50 metres;
 - ii. Front Yard, Minimum: 7.4 metres;
 - iii. Interior Side Yard, Minimum: 5.9 metres;
 - iv. Interior Side Yard, Minimum for Unit 20: 4.1 metres;
 - v. Interior Side Yard, Minimum for Unit 21: 4.9 metres.
- d) Notwithstanding the corresponding provisions of Section 12.6 of By-Law No. 100-1998 to the contrary, the following provisions shall apply to the individual Townhouse Dwelling units:
 - i. Lot Frontage, Minimum:
 - Interior Lot, End Unit: 9.5 metres;
 - ii. Front Yard, Minimum: 5.8 metres;
 - iii. Interior Side Yard, Minimum: 0.9 metres;

- iv. Rear Yard, Minimum: 2.0 metres.
 - v. Interior Side Yard, Minimum for Unit 20 and Unit 21: 0.3 metres;
 - vi. Rear Yard, Minimum for Unit 24 and Unit 27: 1.0 metres;
 - vii. Rear Yard, Minimum for Unit 28: 0.3 metres.
- e) Notwithstanding any provision of By-law 100-1998 to the contrary, unenclosed steps may project into the required rear yard a distance of not more than 1.5 metres.

Amended by By-Law No. 208-2018

12.9.10.2 R4-10₂:

- a) Location: Part of Park Lot 35, Plan 339, Mitchell Ward on Key Map 35 of Schedule “A” to By-law No. 100-1998;
- b) Notwithstanding the corresponding provisions of Section 12.5 of By-law No. 100-1998 to the contrary, the maximum permitted lot coverage shall be 50 percent.
- c) All other provisions of By-law No. 100-1998, as amended, shall apply.

Subject to LPAT Appeal

Amended by By-law No. 214-2018

12.9.11.1 R4-11₁

- a) Location: Part of Lot 7 and Part of Lot 5, Plan 386, Mitchell Ward on Key Map 32 of Schedule “A” to By-law No. 100-1998;
- b) Notwithstanding the provisions of Section 12.7.3 or Section 12.7.13 (c) of By-law No. 100-1998 to the contrary, the minimum front yard of an apartment dwelling shall be 6.0 metres (19.69 ft.);
- c) Notwithstanding the provisions of Section 12.7.4 or Section 12.7.13 (c) of By-law No. 100-1998 to the contrary, the minimum interior side yard of an apartment dwelling shall be

Municipality of West Perth – Zoning By-law

- 5.0 metres (16.4 ft.);
- d) Notwithstanding the provisions of Section 12.7.7 of By-law No. 100-1998 to the contrary, the maximum building height of an apartment dwelling shall be 9.5 metres (31.17 ft.); and,
 - e) All other provisions of By-law No. 100-1998, as amended, shall apply.

Amended by By-law No. 229-2019

12.9.11.2 R4-11₂:

- a) Location: Lots 2, 3, 4, 5, 6, 7, 8, 9 and Part of Lot 10 Registered Plan 477 on Key Map 35 of Schedule “A” to By-law No. 100-1998.
- b) Notwithstanding any provisions of this By-law to the contrary, the minimum interior lot area for a townhouse dwelling shall be 184 m².
- c) Notwithstanding any provisions of this By-law to the contrary, the minimum interior end unit lot area for a townhouse dwelling shall be 244 m².
- d) Notwithstanding any provisions of this By-law to the contrary, the minimum lot frontage for an interior townhouse dwelling shall be 5.6 m.
- e) Notwithstanding any provisions of this By-law to the contrary, the minimum lot frontage for an interior end unit townhouse dwelling shall be 7.42 m.
- f) Notwithstanding any provisions of this By-law to the contrary, the minimum interior side yard setback for any side of a dwelling unit not attached to another dwelling unit shall be 1.8 m.
- g) All other provisions of this By-law, as amended, shall apply.