

Municipality of West Perth – Zoning By-law

SECTION 28 - FUTURE DEVELOPMENT ZONE (FD)

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

28.1 Permitted Uses, Buildings, and Structures

- (a) uses, buildings, and structures lawfully existing on the date of passing of this By-law;
- (b) agricultural uses, excluding buildings and structures;
- (c) accessory uses, buildings, and structures lawfully existing on the date of passing of this By-law.

28.2 Site and Building Requirements

- (a) The minimum lot area, lot frontage, front yard, interior side yard, exterior side yard, and rear yard, and the maximum building height and lot coverage shall remain as they lawfully existed on the date of passing of this by-law;
- (b) The foregoing shall not be applied so as to prevent the enlargement of an existing single-detached dwelling and buildings and structures accessory thereto provided that such enlargement complies with the provisions of Section 9 of this by-law as they relate to single-detached dwellings.

28.3 Special Provisions

Amended by By-law No. Z2-2000

Amended by By-law No. Z39-2002

28.3.1 FD-1

- (a) Location: Part of Lot 13, Concession 1 (formerly in the Township of Logan) (Key Map 37)
- (b) Notwithstanding the provisions of Section 28.2 of By-law No. 100-1998 to the contrary, the minimum lot frontage and minimum lot area for the land located within the “FD-1” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law Nos. Z2-2000 and Z39-2002) shall be 0.0 metres and 1.0 hectares, respectively. These provisions recognize that the “FD-1” zone remains under the same ownership as the lands within the “R1-2” zone.
- (c) All other provisions of this By-law shall apply.

Amended by By-law No. Z8-2000

Deleted by By-law No. Z98-2007

28.3.1 FD-1-A

Amended by By-law No. Z17-2001

Amended by By-law No. Z52-2004

Deleted by By-Law No. Z60-2004

28.3.3 FD-3

Amended by By-law No. Z19-2001

28.3.4 FD-4

- (a) Location: Part of Park Lot 47, Registered Plan No. 339 (Mitchell Ward) (Key Map 39)
- (b) Notwithstanding the provisions of Section 28.2 of By-law No. 100-1998 to the contrary, the

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minimum lot area and minimum lot frontage for the land located within the “FD-4” zone together with the land in the “R1-9” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z19-2001) shall be shall be 3.7 hectares 160 metres, respectively.

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

Amended by By-law No. Z52-2004

Deleted by By-Law No. Z60-2004

Amended by By-law No. Z219-2019

28.3.5 FD-5

- (a) Location: Part of Lot 13, Concession 1 (formerly in the Township of Logan) (Key Map 33)
- (b) Notwithstanding the provisions of Section 28.2 of By-law No. 100-1998 to the contrary, the minimum lot area for the land located within the “FD-5” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z219-2019) shall be 4.08 hectares.
- (c) All other provisions of this By-law shall apply.

Amended by By-law No. Z55A-2004

28.3.6 FD-6

- (a) Location: Part of Lot 13, Concession 1 (formerly in the Township of Logan) (Key Maps 33 and 37)
- (b) Notwithstanding the provisions of Section 28.2 of By-law No. 100-1998 to the contrary, the minimum lot area and minimum lot frontage for the land located within the “FD-6” zone as shown on Schedule “A” to this By-law

(also shown on Schedule “A” to By-law No. Z55A-2004) shall be 17.0 hectares and 235.0 metres, respectively.

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

Amended by By-law No. Z219-2019

28.3.6.1 FD-6₁

- (a) Location: Part of Lot 13, Concession 1 (formerly in the Township of Logan) (Key Map 33)
- (b) Notwithstanding the provisions of Section 28.2 of By-law No. 100-1998 to the contrary, the minimum lot area and minimum lot frontage for the land located within the “FD-6₁” zone as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z219-2019) shall be 0.8 hectares and 40 metres, respectively. These provisions recognize that the lands within the “FD-6₁” are adjacent to lands within the “FD-6” zone (Key Maps 33 and 37), and are proposed to be developed together as part of a future plan of subdivision.
- (c) All other provisions of this By-law shall apply.

Amended by By-law No. Z55A-2004

28.3.7 FD-7

- (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 “FD-7” zone as shown on Key Map 37 of Schedule “A” to this By-law (also

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shown on Schedule “A” to By-law No. Z55A-2004):

- (i) an eating establishment, restaurant;
 - (ii) an eating establishment, takeout or fast food;
 - (iii) accessory uses, building, and structures.
- (c) Notwithstanding any provision of this By-law to the contrary, the following zone provisions shall apply to permitted uses, buildings and structures in the “FD-7” zone as shown on Key Map 37 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z55A-2004):

- (i) Lot Area, Minimum
7,500 sq. metres;
- (ii) Lot Frontage, Minimum
50 metres;
- (iii) Front Yard, Minimum
20 metres;
- (iv) Interior Side Yard, Minimum
12 metres;
- (v) Rear Yard, Minimum
7.5 metres;
- (vi) Lot Coverage, Maximum
35 per cent;
- (vii) Building Height, Maximum
10.5 metres;
- (viii) Landscaped Open Space.
Minimum 30 per cent;
- (ix) Landscaping
Requirements, Minimum
A landscaping area in the form of a planting strip shall be provided in accordance with the provisions of Section 5.23 of this By-law adjacent to every portion of any lot line that abuts a Residential Zone or an existing residential lot;
- (x) Loading Space
Requirements

As contained in Section 5.9 of this By-law;

- (xi) Parking Requirements
As contained in Section 5.19 of this By-law;
- (xii) Driveway Requirements
 - (A) No ingress or egress driveway shall exceed 9 metres in width measured at the lot line;
 - (B) No ingress or egress driveway shall be located closer than 3 metres to any side or rear lot line; All ingress and egress driveways shall be surfaced with a hardtop material with adequate provision for drainage;
- (xiii) Outdoor Storage
Shall include only a fully enclosed garbage storage facility;
- (xiv) Outdoor Display Area
As contained in Section 5.17 of this By-law.

(d) Notwithstanding any provision of this By-law to the contrary no uses, buildings, or structures, other than those necessary for flood or erosion control works to the extent allowed under the regulations made under the Conservation Authorities Act, shall be permitted within 30 metres of the top-of-bank of the Theil Drain. The location of this 30 metre setback is shown on the attached Schedule “A”.

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

Amended by By-law No. Z134-2011

28.3.8 FD-8

- (a) Location: Part of Lot 12, Concession 16, Logan Ward (Key Map 3)
- (b) Notwithstanding the provisions of

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Section 5.1.3(e) of By-law No. 100-1998 to the contrary, the maximum gross floor area for an accessory building used as a shed for personal storage in the “FD-8” zone and the “HVR-15” as shown on Key Map 3 of Schedule “A” to By-law No. 100-1998 (also shown on Schedule “A” to By-law No. Z134-2011) shall be 85 square metres.

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

Amended by By-law No. Z176-2015

28.3.9 FD-9

- (a) Location: Part of Lot 13, Concession 1, Mitchell Ward (Key Map 33)
- (b) Notwithstanding any provision of this By-law to the contrary, the replacement of an existing single-detached dwelling (existing as of the date of passing of By-law No. Z176-2015) and the replacement of an existing shed (existing as of the date of passing of By-law No. Z176-2015) shall be permitted on the land in the “FD-9” zone as shown on Key Map 33 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z176-2015).
- (c) Notwithstanding any provision of this By-law to the contrary, the following zone provisions shall apply to the replacement of an existing single-detached dwelling and shed as permitted by Clause (b) above: permitted uses, buildings and structures in the “FD-9” zone as shown on Key Map 33 of Schedule “A” to this By-law (also shown on Schedule “A”

to By-law No. Z176-2015):

- (i) Front Yard, Minimum 24 metres;
- (ii) Interior Westerly Side Yard, Minimum 1.2 metres;
- (iii) Interior Easterly Side Yard, Minimum 115 metres;
- (iv) Rear Yard, Minimum 150 metres;
- (v) Lot Coverage, Maximum 5 per cent;
- (vi) Ground Floor Area (Dwelling), Minimum 100 square metres
- (vii) Ground Floor Area (Dwelling), Maximum 300 square metres
- (vi) Ground Floor Area (Shed), Maximum 350 square metres
- (vii) Building Height, Maximum 10.5 metres;
- (viii) Landscaped Open Space, Minimum 30 per cent;
- (d) All other provisions of By-law No. 100-1998 shall apply.

Amended by By-law No. Z182-2016

28.3.10 FD-10

- (a) Location: Part of Park Lot 81 and 82, Registered Plan No. 341, Mitchell Ward (Key Map 37)
- (b) Notwithstanding the provisions of Section 28.2 of this By-law to the contrary, the minimum lot area in the “FD-10” zone as shown on Key Map 37 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z182-2016) shall be 0.60 hectares.
- (c) All other provisions of By-law No. 100-1998 shall apply.

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Amended by By-law No. Z192-2017

28.3.11 FD-11

- (a) Location: Part of Lot 11,
Concession 16, Logan
Ward, (Key Map 3)
- (b) Notwithstanding the provisions of
Section 28.2 of this By-law to the
contrary, the minimum lot area in
the “FD-11” zone as shown on
Key Map 3 of Schedule “A” to this
By-law (also shown on Schedule
“A” to By-law No. Z192-2017) shall
be 0.35 hectares.
- (c) All other provisions of By-law No.
100-1998 shall apply.