

2.1 SCHEDULES TO THE BY-LAW

The following schedules are included in and form part of this By-Law.

- Schedule "A" - Zone Maps comprised of the Index Map, Key Map Legend, and Key Maps 1 to 56 inclusive
- Schedule "B" - Parking Space Requirements comprising Schedule "B-1" and "B-2" inclusive
- Schedule "C" - Groundwater Recharge Areas

(Amended by By-Law 2009-15)

2.2 INTERPRETATION**2.2.1 SHORT TITLE**

This By-Law shall be cited as the "Zoning By-Law" of the *Corporation* of the Township of East Zorra-Tavistock.

2.2.2 ZONE BOUNDARIES

Zone boundaries are construed to be property lines, Township *lot lines*, *street lines*, railways, boundaries of Registered Plans, Provincially significant environmental features and boundaries of areas licensed under the Aggregate Resources Act. In the case where uncertainty exists as to the boundary of any zone, then the location of such boundary shall be determined in accordance with the scale of Schedule "A" to the original drawing scale.

2.2.3 For the purposes of this By-Law, the definitions and interpretations given herein shall govern

2.2.4 For the purposes of this By-Law, words used in the present tense include the future; words in singular number include the plural and words in the plural include the singular number; the word "shall" is mandatory; the word "used" shall include the words "intended to be used" and "designed to be used or occupied."

2.2.5 For the purposes of this By-Law, words that appear in Italicized text, excluding headings or titles, are defined in Section 4.

April/09

2.3 LOTS WITH MORE THAN ONE ZONE

Where a *lot* is divided into more than one zone, each such portion of the *lot* shall be considered as a separate *lot* for the purposes of determining zone provisions of this By-Law and shall be used in accordance with the provisions of this By-Law for the applicable zones, but no *lot* shall have more than one residential *dwelling* on the whole except as specifically provided in this By-Law.

2.4 LOTS CONTAINING MORE THAN ONE USE

Where any land, *building* or *structure* is used for more than one non-residential use, all provisions of this By-Law shall be complied with for each use, except in the case of *lot area*, *lot frontage*, *lot coverage* and minimum *yard* requirements in which case the most restrictive requirement shall apply.

2.5 ENVIRONMENTAL PROTECTION OVERLAYS

Mapping for the Environmental Protection 1 (EP1) Overlay and the Environmental Protection 2 (EP2) Overlay is provided by the Ministry of Natural Resources at a scale of 1:50,000 and the Conservation Authorities at a scale of 1:10,000. Features within the EP1 and EP2 Overlays have been mapped onto Schedule "A" at a scale of 1:25,000 or less using the Ministry's and Conservation Authorities' data. Due to the difference in scale, discrepancies may occur. Such discrepancies shall be resolved through an Environmental Impact Study, or at the direction of the Conservation Authority and/or the Ministry of Natural Resources.

The EP1 and EP2 Overlays shall be updated as new data becomes available through Environmental Impact Studies, or from the Ministry of Natural Resources and/or appropriate Conservation Authority. The extent of the existing EP1 and EP2 Overlays shown on Schedule "A" shall be updated accordingly without the requirement for a zoning by-law amendment.

2.6 INTERPRETATION OF MEASUREMENT

Measurements are given in both metric and imperial units in this By-Law. For the purposes of this By-Law, the metric unit shall govern.

July 7/09

2.7 MINIMUM DISTANCE SEPARATION FORMULAE I AND II (MDS I AND II)

For the purposes of this By-Law, *Minimum Distance Separation Formulae I and II (MDS I and II)* shall be calculated based on the Minimum Distance Separation (MDS) Formulae Guidelines prepared by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) as amended from time to time. For the purposes of this section, MDS I calculations will use the definition of Rural Residential Cluster as defined in the MDS Implementation Guidelines. For the purposes of this section, MDS II calculations will use the settlement areas listed in subsection 2.7.2.1. Where there is a discrepancy between these guidelines and this By-Law, the provisions of the By-Law shall prevail. Notwithstanding the MDS I and II guidelines, the following will be applied in the calculation of required MDS I and II setbacks:

(Amended by By-Law 2007-30)

- 2.7.1 Where an agricultural *building* or *structure*, or manure storage *structure*, is being *erected*, *altered* and/or used for the housing of livestock, in an A1 or A2 zone, in the vicinity of an *existing* institutional *use* located outside of a designated settlement defined in 2.7.2.1, with the exception of a *public* or *private school* or *daycare centre*, the MDS II setbacks shall be calculated using a Type A Land Use.

(Amended by By-Law 2007-30)

- 2.7.2 Where an agricultural *building* or *structure*, or manure storage *structure*, is being *erected*, *altered* and/or used for the housing of livestock, in an A1 or A2 zone, in the vicinity of an existing settlement, as defined in Section 2.7.2.1, or any lot zoned HC, or any lot zoned REC (excepting a *passive recreational use*), the MDS II setbacks shall be calculated using a Type B Land Use. In all other circumstances, with the exception of calculating setbacks from the nearest *side* or *rear lot line*, nearest road allowance, and subsection 2.7.1 above, the MDS II setbacks shall be calculated using a Type A Land Use.

(Amended by By-Law 2007-30)

July 7/09

2.7.2.1. For the purposes of this subsection, settlements are defined as those zoned areas shown on Schedule “A” on the following Key Maps:

Key Maps 3-8 – Tavistock (Serviced Village);
Key Map 18 – Cassel (Rural Cluster);
Key Map 26 - Braemar (Rural Cluster);
Key Map 28 – Strathallan (Rural Cluster);
Key Maps 29 and 30 – Hickson (Village);
Key Map 31 – Braemar Side Road (Rural Cluster);
Key Map 36 – Huntingford (Rural Cluster);
Key Map 41 – Unnamed Settlement (Rural Cluster);
Key Map 43 – Havelock Corners (Rural Cluster);
Key Maps 47-50 – Innerkip (Village);
Key Map 52 – Valleyfield Drive (Rural Cluster);
Key Map 53 – Unnamed Settlement (Rural Cluster); and
Key Map 54 – 11th Line (Rural Cluster).

(Amended by By-Law 2009-15)

2.8 FLOOD PLAIN AND FILL REGULATED AREA

Mapping for the Flood Plain and Fill Regulated Area is provided, or the extent of these lines has been estimated, by the Conservation Authorities having jurisdiction within the Corporation and has been mapped on Schedule "A". The Flood Plain and Fill Regulated Area shall be updated as new information becomes available from the Conservation Authorities and Schedule "A" shall be updated accordingly without the requirement for a zoning by-law amendment.

(Amended by By-Law 2009-15)

2.9 GROUNDWATER RECHARGE AREAS

Mapping for the Groundwater Recharge Areas is provided by the *County* of Oxford and has been mapped onto Schedule “C”. The extent of the existing Groundwater Recharge Areas shown on Schedule “C” shall be updated as new data becomes available without the requirement for a zoning by-law amendment.

(Amended by By-Law 2009-15)

Sept. 7/10

2.10 MINOR BY-LAW AMENDMENTS

Minor grammatical, typographic, cross section references and formatting amendments to the Township of East Zorra-Tavistock Zoning By-Law 2003-18 shall be permitted to be made by the Township of East Zorra-Tavistock without an amendment to this By-Law.

(Added by By-Law 2009-15)

2.11 FIGURES AND APPENDICES

Figures, appendices and illustrations included in this By-Law are for interpretation purposes only and do not form part of the Township of East Zorra-Tavistock Zoning By-Law 2003-18.

(Added by By-Law 2009-15)

April/09