

4.1 SCHEDULES TO THE BY-LAW

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

- Schedule "A" - Zone Maps comprised of the Index Map, Key Map Legend, and Key Maps 1 to 65 inclusive
- Schedule "B" - Site Plans comprising Schedules "B-1" and "B-2" inclusive
- Schedule "C" - Airport Height Restriction comprising Schedules "C-1" and "C-2" inclusive
- Schedule "D" - Parking Space Requirements comprising Schedule "D-1" and "D-2" inclusive
- Schedule "E" - Groundwater Recharge Areas
(Amended by By-Law 15-2009)
- Schedule "F" - Accessible Parking Standards
(Added by By-Law 36-2016)

4.2 INTERPRETATION**4.2.1 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.

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

4.2.3 For the purposes of this Zoning 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."

April/16

4.2.4 For the purposes of this Zoning By-Law, words that appear in Italicized text, excluding headings or titles, are defined in Section 2.

4.3 **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 Zoning By-Law and shall be used in accordance with the provisions of this Zoning 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 Zoning By-Law.

4.4 **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 Zoning 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.

4.5 **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. 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 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 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. 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.

4.6 **INTERPRETATION OF MEASUREMENT**

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

July 13/09

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

For the purposes of this Zoning By-Law, *Minimum Distance Separation Formulae I and II (MDS I and II)* shall be calculated in accordance with 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 II calculations will use the description of Rural Cluster provided in Section 4.7.2.1. Where there is a discrepancy between the MDS guidelines and this Zoning 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 36-2007)

(Amended by By-Law 15-2009)

- 4.7.1 Where an agricultural *building or structure*, or manure storage, 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 Section 4.7.2.1, 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.

(Added by By-Law 36-2007)

(Amended by By-Law 15-2009))

- 4.7.2 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 a designated settlement, as defined in the Section 4.7.2.1, 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 4.7.2.1 above, the MDS II setbacks shall be calculated using a Type A Land Use.

(Added by By-Law 36-2007)

April/09

4.7.2.1 For the purposes of this subsection, settlements are defined as those zoned areas shown on Schedule "A" on the following Key Maps:

Key Maps 2-7, 14-16: Beachville Road (Linear Rural Cluster);
Key Maps 8-13: Beachville (Village);
Key Maps 17-18: Centreville (Rural Cluster);
Key Map 31: Hamilton Road (Rural Cluster);
Key Maps 33-34: Sweaburg (Village);
Key Map 36: Foldens (Rural Cluster);
Key Map 41: Salford (Village);
Key Maps 46-47: Mount Elgin (Village);
Key Map 49: Verschoyle (Rural Cluster);
Key Maps 52-53: Ostrander (Rural Cluster);
Key Map 55: Dereham Centre (Rural Cluster);
Key Map 57: Culloden (Rural Cluster);
Key Map 61: Delmer (Rural Cluster);
Key Maps 63-64: Brownsville (Village).

(Added by By-Law 15-2009)

4.8 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 into 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 15-2009)

Sept. 7/10

4.9 LIMESTONE RESOURCE

Mapping for the Limestone Resource is provided by the Ministry of Natural Resources and has been mapped onto Schedule "A". The Limestone Resource shall be updated as new data becomes available from the Ministry of Natural Resources and Schedule "A" shall be updated accordingly without the requirement for a zoning by-law amendment.

(Added by By-Law 15-2009)

4.10 GROUNDWATER RECHARGE AREAS

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

(Amended by By-Law 15-2009)

4.11 MINOR BY-LAW AMENDMENTS

Minor grammatical, typographic, cross section reference and formatting amendments to the Township of South-West Oxford Zoning By-Law Number 25-98 may be permitted be undertaken by the Township of South-West Oxford without an amendment to this Zoning By-Law.

(Added by By-Law 15-2009)

4.12 FIGURES AND APPENDICES

Unless otherwise noted, figures, appendices and illustrations included in this Zoning By-Law are for interpretation purposes only and do not form part of the Township of South-West Oxford Zoning By-Law Number 25-98.

(Added by By-Law 15-2009)

April/09