

17.1 USES PERMITTED

No *person* shall within any MR Zone use any *lot* or *erect*, *alter* or use any *building* or *structure* for any purpose except one or more of the MR *uses* presented in Table 17.1:

TABLE 17.1: USES PERMITTED
• an assembly plant;
• a <i>contractor's shop or yard</i> ;
• a fabricating plant;
• an industrial mall;
• a manufacturing plant;
• a packaging plant;
• a <i>parking lot</i> ;
• a printing plant;
• a processing plant;
• a <i>public garage</i> ;
• a <i>public use</i> , in accordance with the provisions of Section 5.23;
• a retail or <i>wholesale outlet</i> or a <i>business office accessory</i> to a permitted use;
• a <i>service shop</i> ;
• a <i>warehouse</i> .
• a <i>wayside sand or gravel pit</i> , outside of a designated settlement, in accordance with the provisions of Section 5.33.

(Amended by By-Law 06-2009-Z)

June 30/14

17.2 ZONE PROVISIONS

No person shall within any MR Zone use any *lot* or *erect, alter* or use any *building* or *structure* except in accordance with the provisions presented in Table 17.2:

TABLE 17.2: ZONE PROVISIONS	
Zone Provision	All Uses
Lot Area: Minimum, where sanitary sewers are not available	3,700 m² (39,828 ft ²)
Lot Area: Minimum, where served by sanitary sewers	1,000 m² (10,764 ft ²)
Lot Frontage: Minimum, where sanitary sewers are not available	40 m (131.2 ft)
Lot Frontage: Minimum, where served by sanitary sewers	30 m (98.4 ft)
Lot Depth: Minimum, where sanitary sewers are not available	50 m (164 ft)
Lot Depth: Minimum, where served by sanitary sewers	35 m (114.8 ft)
Front Yard: Minimum Depth	15 m (49.2 ft)
Exterior Side Yard: Minimum Width	
Rear Yard: Minimum Depth	7.5 m (24.6 ft)
Interior Side Yard: Minimum Width	7.5 m (24.6 ft)
Setback: Minimum Distance from the Centreline of a County Road	23 m (75.5 ft) within a designated settlement or 26 (85.3 ft) outside of a designated settlement.
Landscaped Open Space: Minimum	10%
Height of Building: Maximum	15 m (49.2 ft) or in accordance with the provisions of Section 5.32.
Parking, Accessory Buildings, Etc.	In accordance with the provisions of Section 5

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17.2.1 LOCATION OF NEW BUILDINGS OR STRUCTURES

Buildings or structures hereafter *erected* outside of a settlement, as defined in Section 2.7.2.1, shall be required to satisfy the minimum distance separation requirements as determined through the application of the *Minimum Distance Separation Formula I (MDS I)*, in accordance with Section 2.7 of this Zoning By-Law.

(Amended by By-Law 7-2014-Z)

17.2.2 USE OF FRONT AND EXTERIOR SIDE YARDS

Required front and *exterior side yards* shall be kept open and unobstructed by any *structure* or *parking area* for *motor vehicles*, except for *visitor parking areas*.

17.2.3 OPEN STORAGE REQUIREMENTS

Open storage of goods or materials shall only be permitted within the *rear yard* and in accordance with the following:

- 17.2.3.1 such *open storage* is *accessory* to the *use* of the principal *building* on the *lot*;
- 17.2.3.2 such *open storage* complies with the yard and *setback* requirements of this Section;
- 17.2.3.3 such *open storage* does not cover more than 35% of the *lot area*;
- 17.2.3.4 any portion of the area used for *open storage*, where it does not adjoin the outside wall of a *building* must be enclosed by a permanent, opaque fence forming a solid visual barrier except for gates necessary for access;
- 17.2.3.5 the fence described in the foregoing subsection is at least **1.8 m** (5.9 feet) in *height* from the ground, the said fence shall comply with the yard and *setback* requirements of this Section, and the land between the fence and any *lot line* not required for entrance and exit *driveways* shall be used for no other purpose than landscaping;
- 17.2.3.6 any *open storage* shall be maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and drained in accordance with requirements of the *Corporation*.

17.2.4 ACCESSORY RETAIL, WHOLESALE OR BUSINESS OFFICE SPACE

Retail, wholesale or *business office* space *accessory* to a permitted industrial *use* shall occupy no more than 20% of the *gross floor area* of the main industrial *building* on the *lot*.

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17.3.1.2.2.4 LANDSCAPED OPEN SPACE

Minimum 5% of the area designated "Development Area" on Schedule "B-1" attached hereto.

17.3.1.2.2.5 HEIGHT OF BUILDING

Maximum No Maximum

provided that if any portion of a *building* is *erected* above the *height* of **12 m** (39.4 ft) such portion must be set back from the centreline of the abutting *street* or from the *front, side* or *rear lot line*, as the case may be in addition to the minimum *setback, side* or *rear yard* requirements of this by-law, a further distance of **.3 m** (1 ft) for each **.3 m** (1 ft) by which such portion of the *building* is *erected* above a *height* of **12 m** (39.4 ft).

17.3.1.2.2.6 SETBACK

Minimum distance from centreline of

a Provincial Highway	33.5 m (109.9 ft)
a <i>County road</i>	32 m (105 ft)
a <i>Township road</i>	33 m (108.3 ft)
all other streets	25.2 m (82.7 ft)

17.3.1.2.2.7 PROPERTY ABUTTING RAILWAY

Notwithstanding any other provisions of this by-law to the contrary, where any *lot line* or portion thereof abuts a railway right-of-way no *interior side* or *rear yard* is required along that portion of such *lot line* which so abuts the railway right-of-way.

17.3.1.2.2.8 USE OF FRONT AND EXTERIOR SIDE YARDS

Required *front* and *exterior side yards* shall be kept open and unobstructed by any *structure* or *parking areas* for *motor vehicles*, except for visitors and staff *parking areas*.

17.3.1.2.2.9 OPEN STORAGE

No portion of a *lot* shall be used for the storage of goods or materials unless such storage is within a *building* or unless the following provisions are complied with in the event that the storage is in the open:

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(Added by By-Law 7-2014-Z)

- 17.3.1.2.2.9.1 such *open storage* is *accessory* to the *use* of the main *building* on the *lot*;
- 17.3.1.2.2.9.2 such *open storage* complies with the yard and *setback* requirements of this Section and in addition, no *open storage* is located any closer than **18 m** (59.1 ft) to any *street line*;
- 17.3.1.2.2.9.3 Such *open storage* does not cover more than 30% of the area designated 'Development Area' in Schedule "B-1" attached hereto nor cover an area which is in excess of twice the ground floor area of the main *building* on the *lot*;
- 17.3.1.2.2.9.4 any portion of a *lot* used for such *open storage* is screened from streets adjoining the *lot* by *buildings* or by fencing, shrub planting or similar screening.

17.3.1.2.2.10 FRONT YARD

Minimum depth **15 m** (49.2 ft)

- 17.3.1.2.3 that *landscaped open space* only is provided wholly within the area designated "Landscaped Open Space" on Schedule "B-1" attached hereto.
- 17.3.1.2.4 That all the provisions of the MR Zone in Section 17.2 to this Zoning By-Law, as amended, shall apply, and further that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

17.3.2 LOCATION: Lot 21, Concession 1 (North Norwich), MR-2 (Key Map 27)

- 17.3.2.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-2 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* for any purpose except the following:

17.3.2.1.1 RESIDENTIAL USES

a *single detached dwelling* if occupied by the owner, caretaker, watchman or other similar *person* employed on the *lot* on which such *dwelling* is located, and his family.

17.3.2.1.2 NON-RESIDENTIAL USES

a *contractor's or tradesman's shop*.

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(Added by By-Law 7-2014-Z)

17.3.2.3 That all the provisions of the MR Zone in Section 17.2 to this Zoning By-Law, as amended, shall apply, and further that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply mutatis mutandis.

17.3.3 LOCATION: Lot 8, Concession 3 (North Norwich), MR-3 (Key Map 40)

17.3.3.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-3 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* for any purpose except the following:

an import distribution business;

a *business office accessory* to a permitted use;

a motor vehicle inspection station for vehicles owned or leased by the business, and *accessory* to a permitted use;

a *single detached dwelling* if occupied by the owner, caretaker, watchman or other similar *person*, employed on the *lot* on which such *dwelling* is located, and his family.

17.3.3.2 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-3 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* except in accordance with the following provisions:

17.3.3.2.1 FRONT YARD

Minimum Depth **30 m (98.4 ft)**

17.3.3.2.2 LOCATION OF ACCESSORY SINGLE DETACHED DWELLING

An *accessory single detached dwelling* may be located in the southerly **50 m (164 ft)** of the MR-3 Zone on the subject property, and shall meet all the *yard* and *setback* requirements of the RR Zone in Section 9.2 to this Zoning By-Law, as amended.

17.3.3.2.3 That all the provisions of the MR Zone in Section 17.2 to this Zoning By-Law, as amended, shall apply, and further that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply mutatis mutandis.

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(Added by By-Law 7-2014-Z)

17.3.4 LOCATION: Part Lot 8, Concession 3 (North Norwich), MR-4 (Key Map 40)

17.3.4.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-4 Zone use any *lot* or *erect*, alter or use any *building* or *structure* for any purpose except the following:

17.3.4.1.1 RESIDENTIAL USES

a maximum of two *accessory* residential *dwelling units* attached to the main *building*

17.3.4.1.2 NON-RESIDENTIAL USES

all *uses* permitted In Section 17.1.

17.3.4.2 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-4 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* except in accordance with the following provisions:

17.3.4.2.1 RESIDENTIAL USES

17.3.4.2.1.1 DWELLING UNIT AREA

Minimum for a bachelor *dwelling unit* **38 m²** (409 ft²)

Minimum for a *dwelling unit*
containing one bedroom **55 m²** (592 ft²)

Minimum for a *dwelling unit*
containing two bedrooms **65 m²** (699.7 ft²)

Minimum for a *dwelling unit*
containing three bedrooms **75 m²** (807.3 ft²)

Minimum for a *dwelling unit* containing
more than three bedrooms **75 m²** (807.3 ft²) plus **10 m²** (107.6 ft²)
for each bedroom In excess of three

17.3.4.2.1.2 That all the provisions of the MR Zone in Section 17.2 to this Zoning By-Law, as amended, shall apply, and further that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

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(Added by By-Law 7-2014-Z)

17.3.4.2.2 NON-RESIDENTIAL USES

17.3.4.2.2.1 That all the provisions of the MR Zone in Section 17.2 to this Zoning By-Law, as amended, shall apply, and further that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

17.3.5 LOCATION: Part Lot 8, Concession 5 (North Norwich), MR-5 (Key Map 45)

17.3.5.1 Notwithstanding any provisions of By-Law Number 19-84 to the contrary, no *person* shall within any MR-5 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* for any purpose except the following:

17.3.5.1.1 RESIDENTIAL USES

a *single detached dwelling accessory* to a permitted non-residential *use* if occupied by the owner, caretaker, watchman or other similar *person* employed on the *lot* on which such *dwelling* is located, including members of said *person's* family.

17.3.5.1.2 NON-RESIDENTIAL USES

all *uses* permitted in Section 17.1 of this Zoning By-Law.

17.3.5.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any MR-5 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* except in accordance with the following provisions:

17.3.5.2.1 RESIDENTIAL USES

That all the provisions of the RR Zone in Section 9.2 of this Zoning By-Law, as amended, shall apply and further, that all other provisions of this Zoning By-Law, as amended, that are consistent with the provision herein contained shall continue to apply *mutatis mutandis*.

17.3.5.2.2 NON-RESIDENTIAL USES

That all the provisions of the MR Zone in Section 17.2 of this Zoning By-Law, as amended, shall apply and further, that all other provisions of this Zoning By-Law, as amended, that are consistent with the provision herein contained shall continue to apply *mutatis mutandis*.

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(Added by By-Law 7-2014-Z)

17.3.6 LOCATION: Part Lot 7, Concession 5 (North Norwich), MR-6 (Key Map 47)

17.3.6.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-6 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* for any purpose except the following;

a *contractor's or tradesmith's shop*;
a *public garage*;
a *service shop*.

17.3.6.2 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-6 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* except in accordance with the following provisions:

17.3.6.2.1 LOCATION OF PUBLIC GARAGE

Notwithstanding any provisions of this Zoning By-Law to the contrary, a *public garage* shall not be located within **60 m** (196.9 ft) from the boundary line between the MR-6 Zone and a Commercial Zone.

17.3.6.2.2 That all the provisions of the MR Zone in Section 17.2 to this Zoning By-Law, as amended, shall apply, and further that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

17.3.7 LOCATION: Village of Norwich Industrial Park, MR-7 (Key Map 47)

17.3.7.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-7 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* for any purpose except the following:

an assembly plant;
a business or professional office;
an electrical, plumbing and/or heating *contractor's shop and yard*;
a fabricating plant;
an industrial mall;
a manufacturing plant;
a packaging plant;
a printing plant;

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(Added by By-Law 7-2014-Z)

a processing plant;
 a public *use* in accordance with the provisions of Section 5.23 hereof;
 a retail outlet, a wholesale outlet or a *business office accessory* to a permitted *use*;
 a scientific research establishment;
 a *service shop*;
 a *warehouse*.

17.3.7.2 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-7 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* except in accordance with the following provisions:

17.3.7.2.1 that a planting strip is provided and maintained wholly within the area designated "Planting Strip" on Schedule "B-2". For the purposes of this by-law, a planting strip shall consist of staggered rows of coniferous and deciduous trees, planted so as to provide a visual obstruction of the industrial development from any residential *uses*;

17.3.7.2.2 that a privacy fence is located wholly within the area designated "Privacy Fence" on Schedule "B-2". For the purposes of this by-law, a privacy fence shall consist of a solid fence at least **1.5 m** (4.9 ft) high and which must be kept in a good state of repair;

17.3.7.2.3 ENCLOSED OPERATIONS

Notwithstanding any other provisions of this Zoning By-Law to the contrary, the operation of the *uses* permitted in subsection 17.3.7.1 hereof, shall be conducted and wholly contained within an enclosed *building*;

17.3.7.2.4 OPEN STORAGE

open storage of goods or materials is permitted outside a *building* subject to the following provisions:

17.3.7.2.4.1 such *open storage* is *accessory* to the *use* of the main *building* on the *lot*;

17.3.7.2.4.2 such *open storage* complies with the yard and *setback* requirements of Section 17.2 hereof to this Zoning By-Law and further that no *open storage* shall be permitted in any yard adjacent to a Residential Zone or a residential *use* in a Development Zone, and that no *open storage* shall be permitted in any *front yard* or *exterior side yard*;

17.3.7.2.4.3 such *open storage* does not cover more than 30% of the *lot area* or twice the gross floor area of the main *building* on the *lot*, whichever is lesser;

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(Added by By-Law 7-2014-Z)

17.3.7.2.4.4 any portion of a *lot* used for *open storage* is screened from streets adjoining the *lot* by *buildings* or by fencing, shrub planting or similar screening;

17.3.7.2.5 OFFENSIVE TRADES

Notwithstanding any provisions of this Section to the contrary, no *use* shall be permitted which from its nature or operation creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration; or by reason of the emission of gas fumes, dust or objectionable odour or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other materials.

17.3.7.2.6 That all the provisions of the MR Zone in Section 17.2 to this Zoning By-Law, as amended, shall apply, and further that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

17.3.8 LOCATION: Lot 1, Concession 5 (North Norwich), MR-8 (Key Map 55)

17.3.8.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-8 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* for any purpose except the following:

all *uses* permitted in Section 17.1 to this Zoning By-Law; a *single detached dwelling* if occupied by the owner, caretaker, watchman or other similar *person* employed on the *lot* on which such *dwelling* is located, and his family.

17.3.8.2 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-8 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* except in accordance with the following provisions:

17.3.8.2.1 REAR YARD

Minimum depth **12 m** (39.4 ft)

17.3.8.2.2 INTERIOR SIDE YARD

Minimum width for Industrial *uses* **5.0 m** (16.4 ft)

Minimum width for *single detached dwelling* **9.0 m** (29.5 ft)

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(Added by By-Law 7-2014-Z)

17.3.8.2.3 SETBACK

Minimum distance from centreline of **20 m** (65.6 ft)
Township road for single detached dwelling

17.3.8.2.4 That all the provisions of the MR Zone in Section 17.2 to this Zoning By-Law, as amended, shall apply, and further that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions here in contained shall continue to apply *mutatis mutandis*.

17.3.9 **LOCATION: Wellington and John Streets (South Norwich),
 Village of Otterville, MR-9 (Key Map 61)**

17.3.9.1 Notwithstanding any provisions of the By-Law to the contrary, no *person* shall within any MR-9 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* for any purpose except in accordance with the following:

PROHIBITED USES

open storage of goods or materials.

PERMITTED USES

a contractor's shop;
a packaging plant;
a parking lot;
a public use;
a retail or wholesale outlet or a business office accessory to a permitted use;
a service shop;
a tool and die machine shop;
a warehouse.

17.3.9.2 Notwithstanding any provision of this Zoning By-Law to the contrary, no *person* shall within any MR-9 Zone use any *lot*, or *erect*, alter or use any *building* or *structure* for any purpose except in accordance with the following provisions:

17.3.9.2.1 LOT FRONTAGE

Minimum **29.2 m** (95.8 ft)

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(Added by By-Law 7-2014-Z)

- 17.3.9.2.2 LOT AREA
- Minimum 1,250 m² (13,454.9 ft²)
- 17.3.9.2.3 FRONT YARD
- Minimum 8.6 m (28.2 ft)
- 17.3.9.2.4 EXTERIOR SIDE YARD
- Minimum 6.8 m (22.3 ft)
- 17.3.9.2.5 LOT DEPTH
- Minimum 42.6 m (139.8 ft)
- 17.3.9.2.6 INTERIOR SIDE YARD
- Minimum 1.3 m (4.3 ft)
- 17.3.9.2.7 PARKING
- Minimum 8 spaces
- 17.3.9.2.8 That all of the provisions of the MR Zone in Section 17.2 of this Zoning By-Law, as amended, shall apply; and further, that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein shall continue to apply mutatis mutandis.
- 17.3.10 **LOCATION: Part Lots 6 & 7, Concession 5 (North Norwich), MR-10, (Key Map 49)**
- 17.3.10.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-10 Zone use any *lot*, or *erect, alter* or use any *building* or *structure* for any purpose except the following:
- all *uses* permitted in Section 17.1 of this Zoning By-Law;
- a *dwelling unit* attached and *accessory* to a *permitted use* in Section 17.1 of this Zoning By-Law;
- a *single detached dwelling accessory* to a *permitted use* in Section 17.1 of this Zoning By-Law.

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17.3.10.2 That all of the provisions of the MR Zone in Section 17.2 of this Zoning By-Law, as amended, shall apply; and further, that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein shall continue to apply mutatis mutandis.

(Added by By-Law 7-2014-Z)
(Replaced by By-Law 04-2016-Z)

17.3.11 **LOCATION: Lots 1 – 6, East of Alma Street, Registered Plan 97 and Parts 3, 5 & 10, Reference Plan 41R-9108, Village of Otterville, MR-11 (Key Map 61)**

17.3.11.1 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-11 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

all *uses* permitted in Section 17.1 of this Zoning By-law;

17.3.11.2 Notwithstanding any provisions of this Zoning By-Law to the contrary, no *person* shall within any MR-11 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

17.3.11.2.1 LOT AREA

Minimum, where <i>sanitary sewers</i> are not available	2,700 m² (29,062.6 ft ²)
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17.3.11.2.2 LOT DEPTH

Minimum, where <i>sanitary sewers</i> are not available	40 m (131.2 ft)
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17.3.11.2.3 LOCATION OF EXISTING WORKSHOP

17.3.11.2.3.1 INTERIOR SIDE YARD WIDTH

Minimum	0.6 m (2 ft)
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17.3.11.2.3.2 REAR YARD DEPTH

Minimum	0.6 m (2 ft)
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17.3.11.3 That all the provisions of the MR Zone in Section 17.2 of this Zoning By-Law, as amended, shall apply, and further, that all other provisions of this Zoning By-Law, as amended, that are consistent with the provisions herein shall continue to apply mutatis mutandis.

(Added by By-Law 01-2015-Z)

June/15