

CORPORATION OF THE  
TOWNSHIP OF WILBERFORCE

ZONING BY-LAW

◆*Document as Passed on April 21, 1997*◆

## TOWNSHIP OF WILBERFORCE

### NOTICE OF THE PASSING OF A COMPREHENSIVE ZONING BY-LAW

**TAKE NOTICE** that the Council of the Corporation of the Township of Wilberforce passed By-law #04-97 on the 21st day of April 19 97 under Section 34 of the Planning Act.

**AND TAKE NOTICE** that any person or public body may appeal in writing to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Corporation of the Township of Wilberforce, not later than the 20th day of May 19 97, a notice of appeal which must set out the reasons for the appeal. The Notice of Appeal must be accompanied by the fee required by the Ontario Municipal Board ( \$125.00, payable to the Minister of Finance). **ONLY INDIVIDUALS**, corporations and public bodies may appeal a zoning by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

An explanation of the purpose and effect of the by-law is included with this notice. A key map has not been provided as the By-law applies to the entire Township.

**Purpose and Effect:** The purpose of this comprehensive Zoning By-law is to regulate the use of lands, the character, location and use of buildings and structures in the Township of Wilberforce.

The effects of this new Zoning By-law will be to permit certain uses set out in the text of the By-law, in categories such as residential, commercial, industrial, agricultural, community facility, environmental protection, resource protection and accessory uses; to prohibit any use of land, or the construction or use of any building, not authorized by the provisions of the By-law; and to replace the Township's current zoning by-laws through a repeal clause in the new Zoning By-law.

The Official Plan, which was adopted on May 3, 1993, is the overall guide for development in the Township. The new Zoning By-law will implement the Official Plan by establishing land use regulations and standards to which sites and developments must adhere. The authority for the provisions of the Zoning By-law is contained in Section 34 of the Planning Act.

Usually, the Zoning By-law will place each land use into a zone category that recognizes the existing use of the property. Where the zoning is proposed to show the desired future use of land and not the existing use, the Zoning By-law will not have a retroactive effect that would force existing property and structures to meet the requirements. New development that would not meet the requirements of the By-law, however, will not be permitted unless Council amends the Zoning By-law.

The following is a brief summary of the contents of the new Comprehensive Zoning By-law.

Section 1: Explains how all uses hereafter must conform; describes administrative procedures including penalties and requirements for plans to accompany building permit applications, explains the interpretation of the zoning map.

Section 2: Defines the words and terms that are used throughout the By-law. The meanings set out in the document must be considered in order to understand, interpret and administer the Zoning By-law properly.

Section 3: Establishes the general provisions that apply to more than one of the Zones in the Zoning By-law. These provisions apply to such matters as accessory uses; service stations and garages; dwellings per lot; permitted encroachments onto required yards; home or farm industry and home occupations; requirements for lots to front on streets; non-conforming situations including lots with less area and/or frontage than required, additions to undersized lots, repair of existing buildings; open storage; parking and loading spaces; separation distances between potentially incompatible uses and setbacks from roads and water.

Section 4: Lists the zones and classifications and their symbols, which are used on the Schedules (Zoning Maps).

Sections 5 to 18: Set out the details of the specific land use zones, which have the following basic functions:

- R1 - to recognize and regulate land limited to use for single detached dwellings, including some lands within hamlets.
- LSR - to recognize and regulate dwellings on private roads and to protect the Municipality's servicing position.
- GC - to recognize and regulate commercial uses that could be related to highway corridors or the needs of rural residents.
- HD - to recognize and regulate a mix of commercial and institutional uses that are appropriate for hamlets.
- RC - to recognize and regulate commercial uses and development that are based on outdoor recreation.
- DM - to recognize and regulate disposal industrial uses: salvage yards and waste disposal sites.

- RP - to preserve mineral aggregate resource deposits and lands designated for forestry until such time as specific aggregate extraction or development proposals are accepted.
- GM - to recognize and regulate general industrial uses: body shops, manufacturing plants, warehouses, etc.
- A - to recognize and protect farms, and to limit development in areas that are considered to have a high capability for agriculture.
- RU - to recognize and regulate a mixture of land uses that are appropriate in rural areas where the soils are considered to have a mixture of capabilities for agriculture.
- EP - to regulate development in areas that are subject to natural hazards and/or that have environments sensitive to development; for example, flood plains, steep slopes, unstable slopes, wetlands.
- OS - to recognize and regulate open space uses including outdoor recreation, and/or areas where development is generally undesirable.
- CF - to recognize public uses that are provided to the community in various facilities: churches, schools, community centres, etc.

For each zone there are lists of permitted uses and corresponding standards or requirements which include minimum lot size, minimum lot frontage, minimum depths and widths of yards, and maximum lot coverage.

When a new use is proposed by a land owner and the new use is not presently permitted by this Zoning By-law, Council may consider an amendment to the Zoning By-law to permit the proposed use provided that the proposal conforms to the policies of the Official Plan.

The complete By-law is available for inspection in my office during regular office hours.

DATED at the Township of Wilberforce this 29th day of April 19 97.

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Mrs. Marilyn Schruder  
 Clerk-Treasurer  
 Township of Wilberforce  
 RR#1 Eganville, Ont.  
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THE CORPORATION OF THE TOWNSHIP OF WILBERFORCE

BY-LAW NUMBER 04-97

Being a By-law to regulate the use of lands and the character, location and use of buildings and structures within the Township of Wilberforce pursuant to Section 34 of the Planning Act.

PREAMBLE

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c.P.13, provides that the Council of a local municipality may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

AND WHEREAS the Council of The Corporation of the Township of Wilberforce recommended that such a by-law be enacted in order to implement the policies and designations contained within the updated Official Plan for the Township of Wilberforce adopted by Council on May 3, 1993, and to ensure proper and orderly development within the corporate limits of the Township of Wilberforce.

AND WHEREAS the Council of The Corporation of the Township of Wilberforce has deemed it to be in the public interest that such a by-law be enacted;

NOW THEREFORE the Council of The Corporation of the Township of Wilberforce enacts as follows: