

HOLDING BY-LAW  
TOWNSHIP OF WESTMEATH

PN: 5540-2  
DRAFT: May, 1980

MUNICIPAL PLANNING CONSULTANTS  
TOWN PLANNERS PROFESSIONAL ENGINEERS  
DIVISION OF MPC  
TORONTO KINGSTON OTTAWA

TOWNSHIP OF WESTMEATH

AN EXPLANATORY NOTE

TO BY-LAW 80-16

The following is a summary and explanation of By-law \_\_\_\_\_.

The Council of the Corporation of the Township of Westmeath is presently seeking approval of the new Official Plan for the Westmeath Planning Area and preparing a comprehensive Restricted Area (Zoning) By-law. Until such time as the comprehensive By-law is enacted, Council deems it advisable to regulate the use of land **and** the character, location and use of buildings and structures within the Corporation.

The purpose of this By-law is to prohibit any development within the Township except agricultural uses and certain **residential** uses until such time as the Township's new Zoning By-law is enacted.

In the event that a new use is proposed, which is not permitted by this By-law, an application for the development is to be submitted to the Township Council. Once Council has studied the proposal, and is satisfied that the new development is in the interests of the Township, then such new development may be permitted by a separate By-law amending this By-law.

It is the intention of Township Council to request approval of this By-law from the Ontario Municipal Board for a temporary period of six months, subject to a request for further extension if necessary until the new Zoning By-law is enacted.

The above is an explanation of the purpose and effect of this By-law. For accurate reference, the By-law should be consulted at the Township of Westmeath Municipal Office during regular business hours.

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW 80-16

A BY-LAW TO REGULATE THE USE OF LAND  
AND THE CHARACTER, LOCATION AND USE  
OF BUILDINGS AND STRUCTURES IN THE  
TOWNSHIP OF WESTMEATH.

WHEREAS the Municipal Council of the Corporation of the Township of Westmeath deems it advisable to regulate the use of land and the character, location and use of buildings and structures in order to control development within certain defined areas of the Municipality of the Township of Westmeath.

NOW THEREFORE, the Municipal Council of the Corporation of the Township of Westmeath ENACTS as follows:

1. The provisions of this By-law shall apply to all lands, within the geographic limits of the Township of Westmeath.
2. No building or structure shall hereafter be erected or altered, nor shall the use of any building, structure or lot hereafter be changed in whole or in part, nor shall any pit or quarry hereafter be made or established, except in conformity with the provisions of this By-law.
3. Nothing in this By-law shall apply to prevent the use of any land, building or structure for any purpose prohibited by this By-law, provided such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose.
4. Nothing in this By-law shall apply to prevent the erection or use, for a purpose prohibited by this By-law, of any building or structure the plans for which have, prior to the day of the passing of this By-law, been approved by the Building Inspector, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the construction of such building or structure is commenced within 2 years after the date of the passing of this By-law.
5. Nothing in this By-law shall apply to prevent the reconstruction or repair of any building or structure that is destroyed, partially or completely by causes beyond control and that did not conform to the provisions of this By-law on the day of the passing of this By-law, provided such reconstruction or repair shall not increase the height, size or volume or change the use of such building or structure except in accordance with the provisions of this By-law.

6. Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law or any other By-law in force within the Township, or from obtaining any permit, licence, permission, authority or approval required by this or any other By-law of the Township or by any other law in force from time to time.
7. No person shall use any land, or erect, alter or use any building or structure for any purpose, or make or establish any pit or quarry, provided that this By-law shall not apply to prevent:
  - (a) any use existing on the day of the passing of this By-law or any use, building or structure approved by the Municipal Council prior to the date of the passing of this By-law.
  - (b) any land being used for any agricultural use and dwellings associated with that use provided:
    - (i) only one single-family dwelling house shall be permitted plus one further single-family dwelling house or mobile home for the purpose of providing accommodation for a full-time farm worker and his immediate family;
    - (ii) no dwelling shall be erected, altered or placed so that any part thereof is less than 10.0 metres from any front lot line or rear lot line or less than 4.0 metres from any side lot line of any lot;
    - (iii) no non-residential farm building shall be erected, altered or placed so that any part thereof is less than 30.0 metres from any lot line.
  - (c) the erection of one single-family dwelling house or seasonal dwelling house on a parcel of land provided:
    - (i) that such parcel of land is capable of being legally conveyed in accordance with the provisions of Section 29 of The Planning Act (R.S.O. 1970);
    - (ii) that such parcel of land has a minimum lot area of 1110.0 square metres and a minimum lot frontage of 30.0 metres;
    - (iii) no dwelling shall be erected, altered or placed so that any part thereof is less than 10.0 metres from any front lot line or rear lot line or less than 3.0 metres from any side lot line of any lot, except that a dwelling may be erected, altered or placed closer than 10.0 metres from a front lot line provided it is not located closer to the front lot line than other existing buildings erected on lands fronting on the same road or street;

- (iv) such dwelling house shall have a minimum dwelling unit area of 83.0 square metres for a single-family dwelling house or 55.0 square metres for a seasonal dwelling house.
  - (v) no dwelling house shall cover more than 30% of the land and no accessory buildings shall cover more than 10% of the land.
- (d) the use of land or the erection of any building or structure which is accessory to a use, building or structure, permitted under 7(a), (b) or (c) of this By-law.
8. No person shall erect or use any building or structure, except for seasonal use, on a lot which does not front on a street, road or public highway under the jurisdiction of a Municipal Corporation, or the Province of Ontario and from which access has been granted.
9. In this By-law the following definitions shall apply:
- (a) Accessory  
Accessory, when used to describe a building, structure or use, means a building, structure or use that is incidental, subordinate and exclusively devoted to a main building, structure or use, not used for human habitation, and located on the same lot therewith.
  - (b) Dwelling Unit Area  
Dwelling unit area means the aggregate floor areas of all habitable rooms, excluding any private garage, carport, porch, veranda, unfinished attic, basement or cellar.
  - (c) Lot  
Lot means a parcel of land which is capable of being legally conveyed in accordance with the provisions of Section 29 of The Planning Act (R.S.O. 1970).
  - (d) Lot Area  
Lot area means the total horizontal area within the lot lines of a lot.
  - (e) Lot Frontage  
Lot frontage means the horizontal distance between the side lot lines, where such lot lines are not parallel, the lot frontage shall be measured perpendicularly from a line joining the centre of the front lot line and the rear lot line at a point 10.0 metres from the front lot line.

(f) Lot Lines

Lot lines have the following meanings:

- (i) Front lot line means a lot line that abuts a street; for the purpose of measuring lot frontage, front lot line means the shorter lot line that abuts a street.
- (ii) Rear lot line means any lot line that is not a front lot line or a side lot line.
- (iii) Side lot line means a lot line that intersects a front lot provided that, if any side lot line or portion thereof is the rear lot line on an abutting lot, such lot line or portion thereof shall be deemed to be a rear lot line.

(g) Mobile Home

Mobile home means a prefabricated building, designed to be transported on its own chasis (notwithstanding that its running gear is or may be removed), or by other means, and designed and equipped for year-round occupancy.

(h) Single-Family Dwelling House

Single-family dwelling house means a building occupied or capable of being occupied as the home or residence of one or more persons and which contains only one dwelling unit. This definition shall not include a mobile home as defined herein.

(i) Seasonal Dwelling House

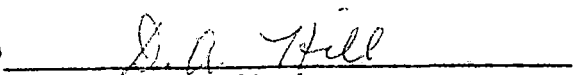
Seasonal dwelling house means a building containing only one dwelling unit used as an occasional resort for vacation, recreation, rest and relaxation purposes by persons who regularly reside in a permanent dwelling at another location. This definition may include a mobile home as defined herein.

- 10. Every person who uses any land, or erects, alters or uses any building or structure or any part of any lot, building or structure in a manner contrary to any requirement of this By-law shall be guilty of an offence and liable upon summary conviction to a penalty not exceeding One Thousand Dollars (\$1,000.00) exclusive of costs.
- 11. This By-law shall come into force and take effect on the day of its passing by Council subject to the approval of the Ontario Municipal Board.

THIS BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 4<sup>th</sup> DAY OF June , 1980.

  
\_\_\_\_\_  
Reeve

(SEAL)

  
\_\_\_\_\_  
Clerk

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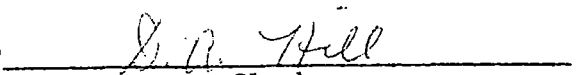
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Reeve

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Clerk

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