

THE CORPORATION OF THE  
TOWNSHIP OF SOUTH-WEST OXFORD

BY-LAW NUMBER 12-2026-Z

A By-law to amend Zoning By-law Number 25-98, as amended.

WHEREAS the Municipal Council of the Corporation of the Township of South-West Oxford deems it advisable to amend By-law Number 25-98, as amended.

THEREFORE, the Municipal Council of the Corporation of the Township of South-West Oxford, enacts as follows:

1. That Section 2.0 to By-law Number 25-98, as amended, is hereby further amended by adding the following new definitions in alphabetical order in the index and to the corresponding list of existing definitions:

“DETACHED ADDITIONAL RESIDENTIAL UNIT”, means an *additional residential unit* located within or attached to a detached *accessory building* that is located on the same *lot* as a *principal dwelling*.

“DISTANCE FROM”, means the smallest dimension between two *buildings* or *structures* measured on a two-dimensional plan from the outside face of exterior walls of the foundations.

"GROUND FLOOR AREA, means the aggregate of the maximum horizontal extent of all areas of a *building* measured between the exterior faces of the exterior walls, including retractable walls and roofed projections (e.g. covered *porches*, *decks*, balconies and *carports*). For greater clarity, *ground floor area* shall encompass the total footprint of a *building* that exists above or below grade (e.g. walk-out *basements*) and shall exclude uncovered *decks* and balconies, canopies, and overhanging eaves, which are two metres or more in *height* above *finished grade*.

2. That Section 2.0 to By-law Number 25-98, as amended, is hereby further amended by deleting the following the definitions of “Dwelling Unit Area”, “Lot Coverage”, and “Principal Dwelling” and replacing them with the following:

"DWELLING UNIT AREA", means the aggregate of the horizontal areas contained within the inside walls of a *dwelling unit*, excluding: any areas used for the storage or parking of *motor vehicles*; a porch or veranda; unfinished *attic*, *cellar* or *basement*; common areas that are accessible by more than one *dwelling unit* (e.g. stairways, elevators, accessibility ramps, laundry); and areas occupied by mechanical equipment.

"LOT COVERAGE", means that percentage of the *lot area* covered by the maximum horizontal extent of all *buildings* and *structures* on the *lot*, excluding the area covered by uncovered *decks* and balconies, canopies and overhanging eaves, which are two meters or more in *height* above *finished grade*.

For greater clarity, *ground floor area* is used for determining *lot coverage*. The calculation of *lot coverage* for *accessory structures* includes the *ground floor area* of any detached *accessory structures* and any *detached additional residential units*. The *lot coverage* of all *accessory structures*, except those exempted under Section 5.1.1.3.1, shall be included in the calculation of the maximum *lot coverage* for the principal *use* of the *lot*.

“PRINCIPAL DWELLING”, means the *single detached dwelling*, *semi-detached dwelling*, or *street fronting townhouse dwelling* that has been altered to contain *additional residential unit(s)* and/or is located on the same *lot* as a *detached additional residential unit*.

The creation of *additional residential unit(s)* does not change the *principal dwelling* into any other type of *dwelling* as defined in this By-law.

- That Section 6.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Table 6.1.1.3 and replacing it with the following new Table 6.1.1.3:

<b>Provision</b>	<b>Residential Zones Within a Settlement Area</b> (As defined in Section 4.7.2.1 of this By-Law)	<b>Residential Zones Located Outside of a Settlement Area</b> (As defined in Section 4.7.2.1 of this By-Law)	<b>Agricultural Zones</b>	<b>All Other Zones</b>
Permitted Location	Any <i>yard</i> other than a <i>required front yard</i> and an <i>exterior side yard</i>	Any <i>yard</i> other than a <i>required front yard</i> and an <i>exterior side yard</i>	Any <i>yard</i> other than a <i>required front yard</i> and an <i>exterior side yard</i>	In accordance with the <i>yard</i> and <i>setback</i> provisions of the zone in which such <i>building</i> or <i>structure</i> is located
Minimum Distance from Main Buildings	<b>1.0 m</b> (3.3 ft)	<b>1.0 m</b> (3.3 ft)	<b>3.0 m</b> (9.84 ft)	<b>3.0 m</b> (9.84 ft)
Maximum Height	<b>5.0 m</b> (16.4 ft)	<b>6.1 m</b> (20.0 ft)	<b>6.6 m</b> (21.6 ft)	In accordance with applicable zone provisions
Side Yard Setback	<b>1.2 m</b> (3.9 ft)	<b>1.2 m</b> (3.9 ft)	In accordance with applicable zone provisions	In accordance with applicable zone provisions
Rear Yard Setback	<b>1.2 m</b> (3.9 ft)	<b>1.2 m</b> (3.9 ft)	In accordance with applicable	In accordance with applicable zone provisions

			zone provisions	
<i>Lot Coverage, Maximum for all accessory buildings and structures</i>	10% of <i>lot area</i> , or <b>100 m<sup>2</sup></b> (1,076 ft <sup>2</sup> ) of <i>ground floor area</i> , whichever is the lesser	10% of <i>lot area</i> , or <b>225 m<sup>2</sup></b> (2,421 ft <sup>2</sup> ) of <i>ground floor area</i> , whichever is the lesser	10% of <i>lot area</i> , or <b>225 m<sup>2</sup></b> (2,421 ft <sup>2</sup> ) of <i>ground floor area</i> , whichever is the lesser	In accordance with applicable zone provisions
<i>Gross Floor Area, Maximum for all accessory buildings and structures</i>	<b>100 m<sup>2</sup></b> (1,076 ft <sup>2</sup> ) of <i>gross floor area</i>	<b>225 m<sup>2</sup></b> (2,421 ft <sup>2</sup> ) of <i>gross floor area</i>	<b>225 m<sup>2</sup></b> (2,421 ft <sup>2</sup> ) of <i>gross floor area</i>	In accordance with applicable zone provisions

4. That Section 6.0 to By-law Number 25-98, as amended, is hereby further amended by deleting Subsection 6.1.1.3.1 and replacing it with the following new Subsection 6.1.1.3.1:

6.1.1.3.1 Notwithstanding any provision of Table 6.1.1.3 to the contrary, the following provisions shall also apply to *accessory buildings* or *structures* associated with a residential use:

- i) *accessory buildings* or *structures* not exceeding **15 m<sup>2</sup>** (161.5 ft<sup>2</sup>) in *gross floor area* cumulatively may be excluded from the calculation of total *lot coverage*; and
- ii) an *accessory building* or *structure* not exceeding **15 m<sup>2</sup>** (161.5 ft<sup>2</sup>) in *gross floor area* shall be *setback* a minimum of 0.6 m (2 ft) from an *interior side lot line* or *rear lot line*.

5. That Section 6.0 to By-law Number 25-98, as amended, is hereby further amended by deleting subsection 6.4.2 and replacing it with the following new subsection 6.4.2:

#### 6.4.2 ADDITIONAL RESIDENTIAL UNITS

##### 6.4.2.1 WHERE PERMITTED

Where listed as a permitted *use* in an applicable Zone, *additional residential units* are permitted subject to the provisions of this Section and compliance with all other provisions of the Zone in which the *lot* is located.

*Detached additional residential units* located outside of a settlement defined in Section 4.7.2.1 shall be required to satisfy the minimum distance separation requirements, as determined through the application of the *Minimum Distance Separation Formula I* (MDS I) or not further reduce an existing insufficient MDS I *setback*.

#### 6.4.2.2 WHERE NOT PERMITTED

*Additional residential units* shall not be permitted:

- i) on any *lot* within the following settlements as defined in Section 4.7.2.1:
  - a) Dereham Centre (Rural Cluster); and,
  - b) the portion of Beachville (Village) that is served by a *municipal water system*.
- ii) on any *lot* containing a *boarding or lodging house*, a *group home*, a *garden suite*, a *converted dwelling*, a *duplex dwelling*, a *mobile home*, or a *bed and breakfast establishment*. An *additional residential unit* within the *principal dwelling* may be permitted on the same *lot* as an *existing garden suite* where the *lot* meets the provisions of Section 6.4.2 and an application under the Planning Act has been approved;
- iii) on any *lot* located within a settlement defined in Section 4.7.2.1, unless the *principal dwelling* is connected to the *municipal water system* and/or *municipal sewage system* and adequate *municipal water system* and/or *municipal sewage system* capacity to service the *additional residential unit(s)* has been confirmed by the *County* in writing;
- iv) on any portion of a *lot* containing *natural hazards*, unless formal clearance or approval from the Conservation Authority having jurisdiction has been obtained, or on any *lot* that does not meet Provincial access standards during a regulatory flood event;
- v) on any *lot* serviced by a *private communal water system* and/or *private communal sewage system*; and,
- vi) notwithstanding the provisions of Section 6.7 and 6.17, on any *lot* in a residential, mixed use or commercial zone, as defined by Section 5.1.1, serviced by an *individual on-site sewage system* where the *lot area* doesn't meet the minimum *lot area* provisions of this Section or the *Zone* in which the *lot* is located whichever is the greater.

6.4.2.3 PROVISIONS FOR ALL ADDITIONAL RESIDENTIAL UNITS

All *additional residential units* shall comply with the provisions of Table 6.4.2.3:

<b>TABLE 6.4.2.3 – PROVISIONS FOR ALL ADDITIONAL RESIDENTIAL UNITS</b>				
<b>Provision</b>	<b>Column 1 - R1, R2, R3 and V Zones, where served by both a <i>municipal water system</i> and <i>municipal sewage system</i></b>	<b>Column 2- R1, R2 and V Zones, where not served by a <i>municipal sewage system</i></b>	<b>Column 3 - RE and RR Zones in a settlement area (as defined in Section 4.7.2.1)</b>	<b>Column 4 - A1, A2, RR, and RE Zones outside of a settlement area (as defined in Section 4.7.2.1)</b>
<b>Number of <i>Additional Residential Units</i> per lot, Maximum</b>	1, in the Village of Mount Elgin	1, except in settlements listed in 6.4.2.2 i)	1	2
<b><i>Lot Coverage</i>, Maximum for all <i>buildings</i> and <i>structures</i></b>	45%, provided there are no non-residential <i>uses</i> on the <i>lot</i> .	In accordance with the Maximum <i>Lot Coverage</i> provisions for the Zone in which the <i>lot</i> is located.		
<b><i>Cumulative Dwelling Unit Area</i> for all <i>Additional Residential Units</i>, Maximum</b>	50% of the <i>dwelling unit area</i> of the <i>principal dwelling</i> , or <b>100 m<sup>2</sup></b> (1076 ft <sup>2</sup> ) of <i>dwelling unit area</i> , whichever is the lesser.		50% of the <i>dwelling unit area</i> of the <i>principal dwelling</i> , or <b>140 m<sup>2</sup></b> (1507 ft <sup>2</sup> ) of <i>dwelling unit area</i> , whichever is the lesser.	
<b><i>Dwelling Unit Area</i> for an <i>Additional Residential Unit</i> in a <i>Basement</i> or <i>Cellar</i></b>	Notwithstanding the maximum <i>dwelling unit area</i> provision, the entire <i>basement</i> or <i>cellar</i> of the <i>principal dwelling</i> may be used for the purposes of an <i>additional residential unit</i> , provided there are no other <i>additional residential units</i> or <i>garden suites</i> on the <i>lot</i> .			
<b><i>Driveway Access</i></b>	All <i>additional residential units</i> shall have direct access to the same <i>driveway</i> as the <i>principal dwelling</i> .			
<b><i>Location of Entrances</i></b>	All <i>dwelling units</i> within the <i>principal dwelling</i> shall be accessed through a common entrance from an internal corridor or vestibule, except that separate entrance(s) may be located in the <i>rear yard</i> or <i>interior side yard</i> .			
<b><i>Location of Exterior Stairways</i></b>	There shall be no exterior stairways except a required emergency exit which shall be located only in the <i>rear yard</i> or <i>interior side yard</i> .			
<b><i>Unobstructed Pathway to Entrance of Unit(s)</i>, Minimum</b>	<b>1.2 m</b> (3.9 ft) wide unobstructed pathway from the <i>front lot line</i> to the entrance. Unobstructed means no obstruction or encroachments to a height of up to <b>2.3 m</b> (7.5 ft).			
<b><i>Parking Spaces</i>, Minimum</b>	1 space per <i>additional residential unit</i> is required. Such spaces may be <i>tandem parking spaces</i> , provided no <i>tandem parking space</i> for an <i>additional residential unit</i> is located within a <i>private garage</i> .			
<b><i>Landscaped Open Space in Rear Yard</i>, Minimum</b>	<b>75 m<sup>2</sup></b> (807 ft <sup>2</sup> ) per <i>lot</i> for 1 <i>additional residential unit</i> or <b>100 m<sup>2</sup></b> (1076 ft <sup>2</sup> ) per <i>lot</i> for 2 <i>additional residential units</i> and such <i>landscaped open space</i> shall be accessible to all <i>dwelling units</i> or exclusive access is apportioned to each <i>dwelling unit</i> . Swimming pools may be included within the required <i>landscaped open space</i> .			

#### 6.4.2.4 PROVISIONS FOR DETACHED ADDITIONAL RESIDENTIAL UNITS

A *detached additional residential unit* shall comply with the provisions of Table 6.4.2.3 and Table 6.4.2.4, where a conflict exists, the provisions of Table 6.4.2.4 will prevail.

TABLE 6.4.2.4 – PROVISIONS FOR DETACHED ADDITIONAL RESIDENTIAL UNITS					
Provision	Column 1 - R1, R2, R3 and V Zones, where served by both a <i>municipal water system</i> and <i>municipal sewage system</i>	Column 2 - R1, R2 and V Zones, where not served by a <i>municipal sewage system</i>	Column 3 - RE and RR Zones, in a settlement area (as defined in Section 4.7.2.1)	Column 4 - RR and RE Zones, outside of a settlement area (as defined in Section 4.7.2.1)	Column 5 - A1 and A2 Zones
<b>Number of Detached Additional Residential Units per lot, Maximum</b>	1, in the Village of Mount Elgin	1, except in settlements listed in 6.4.2.2 i)	1	1	1  (Subject to approval of a planning application)
<b>Lot Area, Minimum</b>	In accordance with the applicable zone provisions for the <i>principal dwelling</i> .	0.6 ha (1.48 ac)	0.6 ha (1.48 ac)	0.6 ha (1.48 ac)	0.6 ha (1.48 ac)
<b>Permitted Location</b>	<i>Rear yard</i> or <i>interior side yard</i> of <i>principal dwelling</i> .				Any yard, other than a <i>required yard</i> .
<b>Maximum Size</b>	In accordance with Table 6.1.1.3 Regulations for <i>Accessory Uses – Lot Coverage</i> <sup>1</sup> and Table 6.4.2.3 Provisions for All <i>Additional Residential Units – Maximum Cumulative Dwelling Unit Area</i> for all <i>Additional Residential Units</i> , whichever is the lesser.				
<b>Required Yards and Setbacks</b>	In accordance with Table 6.1.1.3 Regulations for <i>Accessory Uses</i> .				
<b>Building Height, Maximum</b>	In accordance with Table 6.1.1.3 Regulations for <i>Accessory Uses</i> and shall not exceed the <i>height</i> of the <i>principal dwelling</i> .			In accordance with Table 6.1.1.3 Regulations for <i>Accessory Uses</i> .	
<b>Distance from the Principal Dwelling, Minimum</b>	In accordance with Table 6.1.1.3 Regulations for <i>Accessory Uses</i> .				1.0 m (3.3 ft)
<b>Distance from the Principal Dwelling, Maximum</b>	No provision	No provision	No provision	No provision	30 m (98.4 ft)
<b>Setback from Public Street, Maximum</b>	40 m (147.6 ft)	40 m (147.6 ft)	40 m (147.6 ft)	No provision	No provision
<b>Privacy Fence, Minimum</b>	A solid privacy fence with a	A solid privacy fence with a minimum height of 1.8 m along a <i>lot line</i> where the		No provision	No provision

	minimum height of <b>1.8 m</b> around the perimeter of the <i>rear yard</i> .	<i>detached additional residential unit</i> is located within <b>7.5 m</b> (24.6 ft) of that <i>lot line</i> .		
<b>Window Openings above Ground Floor</b>	Not permitted in a wall facing an <i>interior side yard</i> or <i>rear yard</i> .		No provision	No provision
<b>Decks, Balconies and Rooftop Patios</b>	Not permitted		No provision	No provision

<sup>1</sup> The *lot coverage* for all *buildings* and *structures* shall be in accordance with the maximum *lot coverage* provisions for the Zone in which the *lot* is located.

6. That Section 6.4.2 to By-Law Number 25-98, as amended, is hereby further amended by adding section 6.4.2.5:

#### 6.4.2.5 AGRICULTURAL LOTS IN SETTLEMENTS

6.4.2.5.1 In addition to the permitted *uses* of Tables 7.1 and 8.1, a *detached additional residential unit* may be located on an *existing lot* in the A1 or A2 zone within a settlement, as defined in Section 4.7.2.1, that is served by both a *municipal water system* and *municipal sewage system* and all *additional residential units* on the *lot* shall be subject to the provisions of Column 1, Table 6.4.2.3 and Column 1, Table 6.4.2.4.

6.4.2.5.2 In addition to the permitted *uses* of Tables 7.1 and 8.1, a *detached additional residential unit* may be located on an *existing lot* in the A1 or A2 zone within a settlement, as defined in Section 4.7.2.1, that is not served by a *municipal sewage system*, and all *additional residential units* shall be subject to the provisions of Column 2, Table 6.4.2.3 and Column 2, Table 6.4.2.4.

7. That Section 6.9.5 to By-law Number 25-98, as amended, is hereby further amended by deleting “a minimum *gross floor area* of 50 m<sup>2</sup> (538.2 ft<sup>2</sup>) and”, and deleting all references to “ground floor area” and “gross floor area” and replacing them with “*dwelling unit area*”.

8. That Section 6.0 to By-law Number 25-98, as amended, is hereby further amended by adding the following new subsection 6.9.6:

#### 6.9.6 WHERE NOT PERMITTED

i) A *garden suite* shall not be permitted on any *lot* containing a *detached additional residential unit*.

9. That Section 6.17.4 to By-law Number 25-98, as amended, is hereby further amended by deleting “size or volume” and replacing it with “*gross floor area*, or *ground floor area*”.

10. That Section 6.17.5.3 to By-law Number 25-98, as amended, is hereby further amended by deleting “floor area” and replacing it with “*gross floor area*”.

11. That Section 9.0 to By-law Number 25-98, as amended, is hereby further amended by deleting the words “Where a sanitary sewers and public water supply not available” in Table 9.2, under “Lot Area, Minimum” and replacing them with “Where a *municipal sewage system* is not available”.
12. That Section 12.0 to By-law Number 25-98, as amended, is hereby further amended by deleting all instances of the words “where sanitary sewers are not available” in Table 12.2 and replacing them with “where a *municipal sewage system* is not available” and deleting all instances of the words “where served by both sanitary sewers and public water supply” and deleting “where served by sanitary sewers and public water supply” in Table 12.2 and replacing them with “where served by both a *municipal sewage system* and *municipal water system*”.
13. That Section 13.0 to By-law Number 25-98, as amended, is hereby further amended by deleting the term “Converted Dwelling,” from the heading of the 3rd column of Table 13.2
14. That Section 15.0 to By-law Number 25-98, as amended, is hereby further amended by deleting all instances of the words “where communal water system and communal sewage facilities are provided” in Table 15.2 and replacing them with “where a *private communal sewage system* and *private communal water system* are provided”
15. That Section 17.0 to By-law Number 25-98, as amended, is hereby further amended by deleting all instances of the words “where sanitary sewers are not available” and replacing them with “where a *municipal sewage system* is not available” and deleting all instances of the words “where served by both sanitary sewers and public water supply” and replacing them with “where served by both a *municipal sewage system* and *municipal water system*” throughout Table 17.2.
16. That Section 24.0 to By-law Number 25-98, as amended, is hereby further amended by deleting all instances of the words “where sanitary sewers are not available” and replacing them with “where a *municipal sewage system* is not available” and deleting all instances of the words “where served by both sanitary sewers and public water supply” and replacing them with “where served by both a *municipal sewage system* and *municipal water system*” throughout Table 24.2.
17. This By-law comes into force in accordance with Sections 34(21) and (30) of the Planning Act, R.S.O. 1990, as amended.

READ a first and second time this 17<sup>th</sup> day of February, 2026.

READ a third time and finally passed this 17<sup>th</sup> day of February, 2026.

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David Mayberry – Mayor

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Denny Giles – Clerk