MUNICIPALITY OF LAMBTON SHORES

BY-LAW 1 OF 2003

“COMPREHENSIVE ZONING BY-LAW”

Prepared By:

County of Lambton
Planning & Development Department

Office Consolidation December 2008
Revisions by The Municipality of Lambton Shores
Latest revision – July 17, 2018
<table>
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<th>By-law Number</th>
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<tr>
<td>10 of 2003</td>
<td>March 3, 2003</td>
<td>V.B. Sand &amp; Gravel Pt Lot 2, Con CB A.1 to M2(H5)</td>
<td>Notice of Passing</td>
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<td>35 of 2003</td>
<td>August 7, 2003</td>
<td>Elim Bible Chapel 8457 Townsend Line Pt 1, Blk 2, Plan 4 R.1 to I.1-2</td>
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<td>42 of 2003</td>
<td>July 7, 2003</td>
<td>Municipality of Lambton Shores 22 Eighty One Cres Pt Lt 29, Plan 30 I.1 to C.2</td>
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<td>44 of 2003</td>
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<td>Brian Dunbar Lots 110 &amp; 113, Plan 433, West Parkway Drive OS1 to R6</td>
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<td>52 of 2003</td>
<td>October 8, 2003</td>
<td>John &amp; William MacDonald Lot 106, Plan 433 West Parkway Dr OS.1 to R.6</td>
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<td>53 of 2003</td>
<td>October 6, 2003</td>
<td>Anil Kumar Nakhwal Frank Street Pt Lts 16 &amp; 17, Plan 7 C.2 to R.1</td>
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<td>Kernohan Motors Ltd. 6377 Townsend Line Pt Lt 4, Con 8 NER Site specific A.1-2 zone</td>
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<td>61 of 2003</td>
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<td>Huron Woods Subd Pt Lt 6, Con LRW Pt Lts 1-3, Plan 25 Site specific zone</td>
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<td>1 of 2004</td>
<td>January 5, 2004</td>
<td>38 Ontario Street Limited 38 Ontario St. South Pt Lts 25 &amp; 26, Plan 540 To allow a multiple dwelling in a C5.5 Zone</td>
<td>Notice of Passing</td>
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<td>2 of 2004</td>
<td>October 21, 2003</td>
<td>Seven Winds Marina 7562 Biddulph Street Temporary Use By-law (expires January 5, 2006 with a one year possible extension)</td>
<td>Notice of Passing</td>
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## SUMMARY OF AMENDMENTS

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<tr>
<th>By-law Number</th>
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<tbody>
<tr>
<td>7 of 2004</td>
<td>February 16, 2004</td>
<td>Reflection Shores Developments Inc. Pt Lot 76, Con LRW A.1 to R.14-h(1), R.14.1-h(2) &amp; A1.3</td>
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<td>12 of 2004</td>
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<td>FBF Farms Ltd. 33 Beechwood Ave Pt Lot 37, Con SB A.1 to R.6.6 &amp; A1.4</td>
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<td>Doris McChesney 7446 Arkona Road Pt Lot 5, Con SB FD to R. &amp; R.1(h)</td>
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<td>14 of 2004</td>
<td>February 16, 2004</td>
<td>William &amp; Johanna VandenBygaart Parkview Cres Pt Lot 10, Con LEW OS.2 to R.6</td>
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<td>April 4, 2004</td>
<td>Roman Catholic Episcopal Corporation Pt of Unnumbered Lot, Plan 6 I.1 to R.1</td>
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<td>26 of 2004</td>
<td>April 5, 2004</td>
<td>Gary Connors 9534 Ipperwash Road Pts 1&amp;2 of Pt Lot 4, Con 19 C.6 to R.6</td>
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<tr>
<td>47 of 2004</td>
<td>June 21, 2004</td>
<td>Don-Ann Builders Ltd Pt Lts36 &amp; 37, Con SB Parts 7, 8 &amp; 10 on RP 25R5601 R1 to C2</td>
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<td>65 of 2004</td>
<td>October 4, 2004</td>
<td>Don-Ann Builders Ltd Pt Lts 36 &amp; 37, Con SB Part 6 on RP 25R5601 R1 to C2</td>
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<tr>
<td>76 of 2004</td>
<td>December 6, 2004</td>
<td>Paul Bastiaansen 9755 Northville Cres C6 to C6-4</td>
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<td>77 of 2004</td>
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<td>Lambton Shores (Housekeeping By-law)</td>
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<td>3 of 2005</td>
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<td>VB Sand &amp; Gravel 8840 Rock Glen Road Remove the Holding Zone</td>
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<td>Seven Winds Marina 7562 Biddulph Street R9 to C11</td>
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<td>15 of 2005</td>
<td>March 7, 2005</td>
<td>Grand Bend Community Corp. Pt. Lots 6-10, Con LRE</td>
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<td>16 of 2005</td>
<td>April 4, 2005</td>
<td>Agrotec Const. Ltd. Altwater &amp; Dreschler Pt. Lot 1, Plan 7, Con C A2-1 to A1-5</td>
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<td>20 of 2005</td>
<td>April 4, 2005</td>
<td>Southwinds Dev. Co. Pt. Lots 36 &amp; 37, Con SB 10023 Jenna Rd. &amp; 8696 Goosemarsh Line A2 &amp; OS2 to R6.8</td>
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<td>18 of 2005</td>
<td>April 4, 2005</td>
<td>1600935 Ont. Ltd. Vaughan Wellington Pt. Lot 36, Con SB M1 to C2-2</td>
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<td>24 of 2005</td>
<td>April 18, 2005</td>
<td>Pinehill Cemetary Board Pt. Lot 15, Con 2 A-1 to I1-3</td>
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<td>25 of 2005</td>
<td>April 18, 2005</td>
<td>Schoolhouse Restaurant (Grand Bend Inc.) 19 Eighty One Cres. C2 to C2-3</td>
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<td>29 of 2005</td>
<td>May 2, 2005</td>
<td>Lambton Shores Housekeeping By-law</td>
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<td>42 of 2005</td>
<td>June 6, 2005</td>
<td>Cassia Masonic Temple 7453 Lakeshore Rd. C5 to C5-8</td>
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<td>43 of 2005</td>
<td>June 6, 2005</td>
<td>Judith Janssen 9766 Cold Storage Road A2.1 to A2.4</td>
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<td>July 4, 2005</td>
<td>Don Milburn</td>
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<td>51 of 2005</td>
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<td>R1 to C5, 9179 Ipperwash Rd., C5 to R6.9, 9181 Ipperwash Rd. Signed By-law</td>
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<td>67 of 2005</td>
<td>October 17, 2005</td>
<td>Lakeside Grain &amp; Feed, 7858 Rawlings Road, Amend existing A1 to recognize existing uses Signed By-law</td>
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<td>68 of 2005</td>
<td>November 7, 2005</td>
<td>Lawrence Bradley, 7578 Riverside Drive, C12 to C12-1 Signed By-law</td>
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<td>74 of 2005</td>
<td>November 7, 2005</td>
<td>Suncor Energy Products Inc., 6243 Lakeshore Road, A1 to A1-7 Signed By-law</td>
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<td>75 of 2005</td>
<td>November 21, 2005</td>
<td>Forest Cliff Camp, 8324 Glendale Drive, R6 to I1 Notice of Passing</td>
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<td>79 of 2005</td>
<td>December 5, 2005</td>
<td>Middlesex Concrete Form, 70 &amp; 72 Union Street, R3 to R3-4 Notice of Passing</td>
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<td>December 19, 2005</td>
<td>BKB Company Ltd, 48 Ontario Street North, C2 to C9 Signed By-law</td>
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<td>Southside Construction, Pt Lot 36, Con SB, Add a permitted use to the CM1 Zone Signed By-law</td>
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<td>12 of 2006</td>
<td>January 19, 2006</td>
<td>Aeolian Energy Ltd, Pt Lt 71, Con LRE, 6463 Lakeshore Road, A1 to A-8 Signed By-law</td>
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<td>13 of 2006</td>
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<td>Aeolian Energy Ltd, Pt Lt 56, Con LRE, Lakeshore Road, A1 to A-9 Signed By-law</td>
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<td>21 of 2006</td>
<td>March 17, 2006</td>
<td>John &amp; Lee Munn, Pt Lot 7, Con LRE, 9792 Lakeshore Road, FD to R6-11 &amp; EP-NC Signed By-law</td>
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| 23 of 2006    | March 30, 2006  | Grand Bend Community Corporation
Pt Lots 6 – 10, Con LRE
a) Remove the H Zone on Lts 169-218 & Lts 300-310
b) Add Holding 6 Zone to Block 1 on draft plan of subdivision & change C6-4 to C6-5(h6)
c) OS2.1 to R6-7
d) Change zoning in the area of Lot 243-R6-7(h6) to OS2.1
e) C6-5(h6) to C6-6(h6) on lands south of Commercial block | Signed By-law |
| 25 of 2006    | April 19, 2006  | Southwinds Development Co. Inc.
10023 Jenna Rd/8696 Goosemarsh Line
R6-8 to EP-NC and EP-NC4 | Signed By-law |
| 27 of 2006    | April 19, 2006  | 1209406 Ont Inc.
Lts 26 & 27 & Blk 38, Plan 510 & Pt Lot 1, Aux Sables Con
R10 to R1.5(H3) & R10 to OS2.2(H3) | Signed By-law |
| 28 of 2006    | April 19, 2006  | Hendricus & Brenda Martens
Pt Lts 23 & 24, Plan 7 A2-1 to A2-5 | Signed By-law |
| 37 of 2006    | May 18, 2006    | Delmart Holdings Inc.
5 King Street
C1 to C1-3 | Signed By-law |
| 39 of 2006    | May 19, 2006    | Dorothy & Greg Watson
8043/8045 Rawlings Rd
A1 to A1-10 | Signed By-law |
| 42 of 2006    | June 1, 2006    | Grant R. Clarke
9883 Northville Cres
FD to R6-12 | Signed By-law |
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<td>43 of 2006</td>
<td>June 1, 2006</td>
<td>Lambton Shores Pt Lts 36 &amp; 37, Con LRE 8593 Lakeshore Road M2 to C18</td>
<td>Signed By-law</td>
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<td>58 of 2006</td>
<td>August 7, 2006</td>
<td>Roncone Construction Ltd. S Pt Lt 112, Lot 113 &amp; S Pt Lt 115, Plan 14 R3 to R1.6</td>
<td>Signed By-law</td>
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<td>November 2, 2006</td>
<td>Richard Shapiro Holdings 15 Ontario Street South</td>
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<td>70 of 2006</td>
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<td>Van Engelen Dairy Farms Ltd. 8271 Arkona Road A1 to A1.12</td>
<td>Signed By-law</td>
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<td>November 2, 2006</td>
<td>Carolyn General 90 Main Street South C2 to C2.6</td>
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<td>November 2, 2006</td>
<td>Green Breeze Energy Systems/Hog Tied Farms Ltd 7912 Gordon Road A1 to A1.13</td>
<td>Signed By-law</td>
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<td>74 of 2006</td>
<td>November 2, 2006</td>
<td>Heather Bradley 7568, 7570 &amp; 7578 Riverside Drive C12 &amp; C12.1 to R5.2</td>
<td>Signed By-law</td>
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<td>78 of 2006</td>
<td>November 16, 2006</td>
<td>Wonder Grove Developments Inc. Lots 12 to 20, Lots 46 &amp; 47, Lots 50-56, Plan 24 &amp; Pt 3 of RP 25R4460 R4 to R8-5 &amp; R4 to R8-6</td>
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<td>4 of 2007</td>
<td>January 8, 2007</td>
<td>Grand Bend Development Inc. (Rock Development) 55, 63 &amp; 65 Main St East C2 to C2-7</td>
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<td>MK Ince a/f Eric Ungerer 9331 Elliott Road A1 to A1.16</td>
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<td>March 19, 2007</td>
<td>Klondyke Trailer Park Inc. 9923 Lakeshore Road R6 to C14.3</td>
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<td>March 19, 2007</td>
<td>Joe &amp; Charlotte Lacey 9311 Arkaona Road A2.1 to A1.17</td>
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<td>March 26, 2007</td>
<td>Lambton Shores Add permitted uses in C2 Zone</td>
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<td>April 16, 2007</td>
<td>Frazer &amp; Ruth Hodgson 6463 Lakeshore Road A1.8 to A3(H6)</td>
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<td>April 16, 2007</td>
<td>Douglas &amp; Tracey Rogers 7184 Lakeshore Road A1 to A3(H6)</td>
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<td>Douglas &amp; Tracey Rogers 7256 Lakeshore Road A1 to A3(H6)</td>
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<td>Kenneth Johnson 7249 Lakeshore Road A1 to A3(H6)</td>
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<td>Douglas &amp; Tracey Rogers 7311 Lakeshore Road A1 to A3(H6)</td>
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<td>Calvin &amp; Bonnie Hill 5882 Proof Line A1 to A3(H6)</td>
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<td>Frazer &amp; Ruth Hodgson 6629 Lakeshore Road A1 to A3(H6)</td>
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<td>Norman &amp; Elizabeth Buchanan A1 to A3(H6)</td>
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<td>Eusi Farms Inc 8405 Rawlings Road A1 to A3(H6)</td>
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<td>Corrie Relouw 9827 Parkview Cres C6 to R6(14)</td>
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<td>62 of 2007</td>
<td>June 18, 2007</td>
<td>Paul Bastiaansen (Appliance Doctor) 9755 Northville Cres C6(4) to R6(15)</td>
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<td>Lambton Shores 6012 &amp; 6014 Lakeshore Road C4 to C14</td>
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<td>Sept. 4, 2007</td>
<td>Lambton Shores Lots 2-13, 15, 16, 19, 20, 24, 28-33, 36 &amp; 37, PI 510 Remove Holding 3 Zone</td>
<td>Signed By-law</td>
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<td>73 of 2007</td>
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<td>Aeolian Energy Inc. Lts 56-58, Con LRE Lts 58 &amp; 59, Con LRW Remove Holding 6 Zone</td>
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<td>Hampton Group 89 Gill Road R1 to R1(7) and EP-NC5</td>
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<td>Oct. 2, 2007</td>
<td>Susan &amp; Gary McAlpine 90 Victoria Street C5 to R1</td>
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<td>Oct. 2, 2007</td>
<td>Roman Catholic Diocese of London 68 Union Street, Forest I1 to R15</td>
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<td>October 1, 2007</td>
<td>Municipality of Lambton Shores -Chicken Island-</td>
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<td>92 of 2007</td>
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<td>Lambton Shores – Arkona Cemetary 8628 Townsend Line OS2 &amp; A1 to I1.5</td>
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<td>96 of 2007</td>
<td>Dec. 17, 2007</td>
<td>Gilpin Furniture &amp; Funeral Services Ltd 123 King Street East C2 to C2.8</td>
<td>Signed By-law</td>
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<td>3 of 2008</td>
<td>Jan. 7, 2008</td>
<td>Barbara &amp; Lonnie Gower 12 Ontario Street South C2 to C2.9</td>
<td>Signed By-law</td>
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<td>8 of 2008</td>
<td>Feb. 4, 2008</td>
<td>Lambert &amp; Jane Vanderkant 8093 Arkona Road A1 to A1.19</td>
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<td>July 7, 2008</td>
<td>Adrian &amp; Jane Rombouts 8957 Northville Road A1 to A1.21</td>
<td>Signed By-law</td>
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<td>July 7, 2008</td>
<td>Peter Miller 9890 Elizabeth Street R6 to R6.16</td>
<td>Signed By-law</td>
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<td>50 of 2008</td>
<td>August 7, 2008</td>
<td>Phyllis Mason 7739 Lakeshore Road A1 to A1.22</td>
<td>Signed By-law</td>
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<td>61 of 2008</td>
<td>September 15, 2008</td>
<td>Sean &amp; Theresa Aveling 9895 &amp; 9909 Northville Crescent C6 &amp; C14.2 to R6 &amp; C6.7</td>
<td>Signed By-law</td>
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<tr>
<td>66 of 2008</td>
<td>October 6, 2008</td>
<td>1579188 Ontario Limited (Sam Karamaoutzos) 11 &amp; 13 Lakeside Circle</td>
<td>Signed By-law</td>
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<td>68 of 2008</td>
<td>October 6, 2008</td>
<td>Cornelis J. Boekhorst 8052 Arkona Road A1 to A1.22 &amp; A1.23</td>
<td>Signed By-law</td>
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<td>82 of 2008</td>
<td>November 17, 2008</td>
<td>Donald Stefanik Lot 9, Con 16 A1 to A1-24</td>
<td>Signed By-law</td>
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<td>84 of 2008</td>
<td>December 1, 2008</td>
<td>Stan Franjkovic 1625848 Ontario Ltd. S. Pt. Lot 18, Con LRE R6-3 to EP-NC</td>
<td>Signed By-law</td>
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<td>1 of 2009</td>
<td>February 2, 2009</td>
<td>Lisa &amp; Jason Smith Pt. Lot 20, Con. 4 FD to R1 &amp; EP-H</td>
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<td>Ian &amp; Jennifer Fleming 13 Centre St., Arkona I1 to R1-8</td>
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<td>Eugen Burgin 8070 Rawlings Rd. A1 to A3(H7)(H10)</td>
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<td>Charles Moons 8124 Rawlings Rd. A1 to A3(H7)(H10)</td>
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<td>20 of 2009</td>
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<td>Eugen Burgin &amp; Sylvia Burgin-Schneebeli Con. 7 NER W Pt Lot 6, Pt. W ½ Lot 6 Hickory Creek Line A1 to A3(H7)(H10)</td>
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<td>34 of 2009</td>
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<td>Eugen Burgin Con. 7 NER E. Pt. Lot 6, Pt. E ½ Lot 6 Hickory Creek Line A1 to A3-1(H7)(H10)(H11)</td>
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<td>Rice Development Company Inc. 77 Main St. Please See Map</td>
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<td>Southside Construction 16 Watt Street C1 &amp; M1 to C1-4</td>
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<td>Adelheid &amp; alois</td>
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<td>Frank Teahen 9862 Lakeshore Road FD to R6-17</td>
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<td>Paul Bastiaansen 9755 Northville Road Amending C6-4 Zone</td>
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<td>56 of 2010</td>
<td>June 7, 2010</td>
<td>David Martin Kinnaird Road A1 to A1-33</td>
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<td>71 of 2010</td>
<td>August 9, 2010</td>
<td>Roger &amp; Diane Sutherland Lots 13 &amp; 14, Plan 34 Leighton Drive R5 to EP-H</td>
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<td>Berguss Farms Ltd. 8529 Kinnaird Road A1 to A1-32</td>
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<td>Gary &amp; Joanne Eastman 8608 Arkona Road A1 to A1-35</td>
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<td>David Hendrickx</td>
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<td>Kevin Rombouts</td>
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<td>7722 Jericho Rd.</td>
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<td>March 5, 2012</td>
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<td>6804 East Parkway Dr.</td>
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<td>Amended Section 35.5 a)</td>
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<td>May 7, 2012</td>
<td>Dignus &amp; Berendina Boekhorst</td>
<td>7656 Arkona Rd.</td>
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<td>8110 Kinnaird Rd.</td>
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| 43 of 2013           | May 2, 2013 | Jason Henderson  
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Mike VanKessel  
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<td>Don &amp; Peggy Mason, 9 Allen St.</td>
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<td>February 20, 2014</td>
<td>Nicola &amp; Gregory Gallello, 68 Main St. West, Temporary of 1 yr. to allow a trailer</td>
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<td>John Baldwin, 8521 Lakeshore Rd., A2 to A2-6</td>
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<td>John &amp; Rita Smits, 9752 Klondyke Rd.</td>
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<td>80 Third St., Thedford FD to R1</td>
<td>David &amp; Ursula Syrowik 7292 Leighton Dr. R5 to R5-4</td>
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<td>September 1, 2015</td>
<td>104 King St. E, Forest R1 to C2-10</td>
<td>Barbara Bakker</td>
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<td>9516 Northville Rd. C4 to A4</td>
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<td>1 Beechwood Ave., R6 to R1-11</td>
<td>Travis Woollings &amp; Lee Ann Cloud</td>
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<td>9667 Margaret Place R6 to R6-21</td>
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<td>25R9987, Nipigon St. FD to R5-5 and EP-NC</td>
<td>Tridon Management Parts 1 to 5, RP</td>
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<td>7545 Riverside Dr, Pt. Franks C12 to R5-6 &amp; H16</td>
<td>Brian &amp; Debbie DeHetre</td>
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| 61 of 2017 | June 6, 2017 | Paul Kidd  
7497 Arkona Rd., Arkona  
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| 76 of 2017 | July 18, 2017 | Amtelecom Holdings  
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| 79 of 2017 | September 5, 2017 | Dennings Ltd.  
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| 80 of 2017 | September 5, 2017 | Lambton Shores  
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9723 Ipperwash Rd.  
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| 81 of 2017 | September 5, 2017 | Grand Bend Developments Corp  
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| 103 of 2017 | November 7, 2017 | Richard and Karen Sewell  
8375 Goosemarsh Line  
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| 112 of 2017 | December 12, 2017 | Christopher & Tammy Schmid  
Lakeshore Rd.  
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| 113 of 2017 | December 12, 2017 | John & Charles McLemont  
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| 114 of 2017 | December 12, 2017 | Arkona Lions Club  
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| 115 of 2017 | December 12, 2017 | Nelya Inc. and Roelands  
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| 09 of 2018  | January 23, 2018 | Henk and Carol Goertz  
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| 26 of 2018  | March 6, 2018  | Rice Development Company Inc.  
11, 13, 15, 17, 19 & 21                                             | Signed By-law |
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APPENDIX "A" MINIMUM DISTANCE SEPARATION (MDS) FORMULAE
WHEREAS Section 34 of the Planning Act, R.S.O. 1990, Chap. P. 13 as amended from time to time, allows a governing body of a Municipal Corporation to pass By-laws to regulate the Use of land and the character, location and Use of Buildings and Structures;
BE IT THEREFORE ENACTED by the Municipal Council of the Corporation of the Municipality of Lambton Shores as follows:

SECTION 1 - ADMINISTRATION, ENFORCEMENT & INTERPRETATION

1.1.1 TITLE
This By-law shall be known as the Zoning By-law of the Corporation of the Municipality of Lambton Shores.

1.2 APPLICATION
The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Municipality of Lambton Shores.

1.3 SCOPE
No lands shall be used and no Buildings or Structures shall be erected, Altered, enlarged or used within the Municipality of Lambton Shores except in conformity with the provisions of this By-law.

1.4 REPEAL OF EXISTING BY-LAWS
From the coming into force of this By-law, all previous By-laws passed under Section 34 of the Planning Act, R.S.O. 1990, Chap. P. 13, as amended, or a predecessor thereof, shall be deemed to have been repealed.

1.5 VALIDITY / SEVERABILITY
Should any section, clause or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

1.6 EFFECTIVE DATE
This By-law shall be deemed to be valid and to have come into force on the day of passing hereof.

1.7 COMPLIANCE WITH OTHER RESTRICTIONS
This By-law shall not reduce any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.

1.8 ENTRY AND INSPECTION OF PREMISES
Pursuant to Section 49 of the Planning Act, R.S.O. 1990, Chap. P. 13, as amended, a By-law Enforcement Officer or a Person acting under their instructions may, at all reasonable times and upon producing proper identification, enter and inspect any property in respect of which they believe a contravention of this By-law is occurring.

An officer or any Person acting under instructions shall not enter any room or place actually used as a Dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant issued under Section 158 of the Provincial Offences Act, R.S.O. 1990, Chap. P.33 as amended.

1.9 VIOLATIONS AND PENALTIES
Pursuant to Section 67 of the Planning Act, R.S.O. 1990, Chap. P. 13 as amended, any Person who contravenes this By-law is guilty of an offence and on conviction is liable:
a) on a first conviction to a fine of not more than $25,000; and
b) on a subsequent conviction to a fine of not more than $10,000 for each day or part thereof upon which the contravention has continued after the day on which they were first convicted.
Where a corporation is convicted for contravening this By-law the maximum penalty that may be imposed is:

a) on a first conviction a fine of not more than $50,000; and

b) on a subsequent conviction a fine of not more than $25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

1.10 RESTRAINING VIOLATIONS

Any violation of this By-law may be restrained by action at the instance of a ratepayer or the Corporation of the Municipality of Lambton Shores pursuant to the provisions of Section 327 of the Municipal Act 1990, Chap. M. 45, as amended.

1.11 LICENSES AND PERMITS

No municipal permit, certificate or license shall be knowingly issued, where such is required, for a proposed Use of land or proposed erection, Alteration, enlargement or Use of any Building or Structure which is in violation of any of the provisions of this By-law. The issuance of any permit, certificate or license shall not, however, constitute an acknowledgement that the provisions of this By-law have been complied with.

1.12 REQUESTS FOR AMENDMENTS AND FEES

A fee as prescribed by the Corporation’s By-law, which sets a tariff of fees, shall accompany every request for an amendment to this By-law.
SECTION 2 – DEFINITIONS

2.1 INTERPRETATION OF TEXT

For the purposes of this By-law, the definitions and interpretations given in this section shall govern when the words which are defined in this section are capitalized in this By-law.

In this By-law the word "shall" is mandatory. Words in the singular include the plural. Words in the plural include the single number. Words used in the present tense include the future.

2.2 DEFINITIONS

"ABATTOIR" means a Building, Structure, or Lot or part thereof used for the slaughter of Livestock or other animals for the purpose of processing or rendering.

"ACCESSORY" when used to describe a Use, Building or Structure means a Use, Building or Structure subordinate, incidental and secondary to the main Use, Building or Structure located on the same Lot therewith.

"ADULT ENTERTAINMENT ESTABLISHMENT" means any premises or part thereof in which is provided services appealing to or designed to appeal to erotic or sexual appetites or inclinations, as defined in the Municipal Act 1990, Chap. M. 45, as amended.

"AGGREGATE STORAGE AREA" means the Use of land for the storage of aggregates for sale or Use.

"AGRICULTURE" means the Use of land, for gain or profit, for the growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, or fur, including poultry and fish; apiary; aquaculture; agro-forestry; maple syrup production; and associated on-farm Buildings and Structures. This definition shall include a Farm Produce Outlet.

"AGRICULTURAL" shall have a corresponding meaning to “Agriculture”.

"AGRICULTURAL HOME INDUSTRY" means an operation or business conducted for gain or profit as an Accessory Use and located within a Building or Structure, which is part of, or Accessory to, the main farming operation.

"AGRICULTURAL IMPLEMENT SALES ESTABLISHMENT" means land, Structure or Building used for the display and sales of new and/or second hand farm implements and includes the servicing, repair, cleaning, polishing and greasing of farm implements, the sale of accessories and related products and the leasing or renting of farm implements.

"AGRICULTURAL PROCESSING ESTABLISHMENT" means the Use of land, Buildings and/or Structures for the processing and storage of Agricultural produce, such as a feed and grain mill.

"AGRICULTURAL SERVICE ESTABLISHMENT" means an Establishment other than a Motor Vehicle Use, which supports the Agricultural industry, including but not necessarily restricted to, farm drainage and excavation, well drilling, contracting and trades related to farm Buildings, Structures and/or equipment, custom spray, tillage, planting and harvesting services, grain drying and seed cleaning or other services used in agriculture.

"AGRICULTURAL SUPPLY ESTABLISHMENT" means the Use of land, Buildings and/or Structures for the sale and/or storage of seeds, fertilizers, farm equipment or other goods or materials used in Agriculture.

"AISLE" means the area used by Motor Vehicles for access to and from all off-street Parking Spaces, but does not include an access driveway.

"ALTER" when used in reference to a Building, Structure or part thereof, means to change any one or more of the internal, or external dimensions of such Building or Structure or to change the type of...
construction of the exterior walls or roof thereof. When used in reference to a Lot, the word "Alter" means
to change the area, frontage or depth thereof; to change the width, depth or area of any Required Yard,
Landscaped Open Space or Parking Area; or to change the location of any boundary of such Lot with
respect to a Street or Lane whether such Alteration is made by conveyance of any portion of such Lot, or
otherwise. "ALTERED" and "ALTERATION" shall have corresponding meanings.

"AMBULANCE DISPATCH ESTABLISHMENT" shall mean the use of land, Buildings or Structures for
the storage, maintenance and dispatching of ambulance vehicles and which may include amenities for
staff.

"AMENITY BUILDING" means a Building or part thereof intended for uses accessory to the main
permitted within the boundaries of a lot, and may also include but not be limited to, a communal
lounge, personal service shop, convenience commercial, swimming pool, recreation space, fitness space,
learning space and social space.

“ANIMAL GROOMING ESTABLISHMENT” means any premises used for the grooming of domesticated
animals, but shall not include a kennel. (B/L 76/04)

"ANIMAL HOSPITAL" means a Building and land where animals are treated by a veterinarian and may
include the following facilities: a reception area; an examination room/treatment area; a pharmacy; a
laboratory; a Library; radiology equipment; supplies for the administering of anaesthesia; surgical
preparation area; operating room; and provisions for the confinement and long term treatment of animals.
An Animal Hospital may include facilities for the performance of autopsy.

"ANIMAL OPERATION" means a Building or Structure used to house Livestock. For the purposes of this
section the term "EXISTING ANIMAL OPERATION" means an Animal Operation which meets the
following criteria:
(a) the barn was in production prior to the date of passing of this by-law, and;
(b) the barn meets MDS requirements.

"ANTENNA" means the Use of land, Buildings or Structures for the purpose of sending or receiving
electromagnetic waves.

"ART GALLERY" means a Building or part thereof where works of art such as paintings, sculpture,
pottery, glass and weaving are displayed for public viewing and may include sales of art and/or art
supplies.

"ASPHALT BATCHING PLANT" means an industrial establishment used for the production of asphalt,
or asphalt products used in Building or construction and includes facilities for the administration and
management of the business, the stockpiling of bulk materials used in the production process or a
finished product manufactured on the premises and the storage and maintenance of required equipment,
but does not include the retail sale of finished asphalt.

"PORTABLE ASPHALT PLANT" means a temporary asphalt batching plant established for a public
Road project.

"ASSEMBLY HALL" means a Building or part of a Building used for the assembly of Persons for
religious, civic, charitable, philanthropic, cultural, private recreational or private educational purposes.

"ATTACHED" means a Building otherwise complete in itself which depends for structural support, or
complete enclosure, upon a division wall or walls shared in common with adjacent Buildings. Buildings
connected by a Breezeway or similar Structure shall be deemed to be attached.

"ATTIC" means that portion of a Building situated wholly or partly within the roof of such Building and
which is not a One-Half Storey.

"AUCTION HALL" means a Building or Structure where a public sale is conducted by an auctioneer
through a series of competing bids and may include the storage of such articles to be sold at auction.
“AUDITORIUM” means a Building or Structure where facilities are provided for athletic, civic, educational, political, religious or social events. This definition may include an arena, Community Centre, gymnasium, stadium, Theatre or similar Use.

“BAKERY” means a Building for producing, mixing, compounding or baking bread, biscuits, cakes or other baked products.

“BAKE SHOP” means a Retail Store where bakery goods are offered for sale, some or all of which may be prepared on the premises.

“BALCONY” means a platform projecting from a Building which is enclosed by a railing or other barrier.

“BANK” means any Federally or Provincially chartered financial institution or business. This definition includes a credit union or caisse populaire.

“BASEMENT” means that portion of a Building between two floor levels which is partly below Finished Grade level but which has at least 50% of its height (measured from finished floor to finished ceiling) above adjacent Finished Grade level.

“BED AND BREAKFAST ESTABLISHMENT” means a Home Occupation within a Single Detached Dwelling in which no more than three (3) Guest Rooms are made available by a resident of the said Dwelling for temporary accommodation of travellers. Meals or food are served only to overnight guests. The definition does not include a Hotel, Motel, Boarding House or Restaurant.

“BINGO HALL” means a Building used for the assembly of Persons for the playing of bingo. This Use shall not include any other recreational Use as defined in this By-law.

“BOARDING HOUSE” see “DWELLING”.

“BOATING CLUB” means a Private Club whose recreational activities are dependent on a Marine Facility.

“BODY RUB PARLOUR” as defined in The Municipal Act, R.S.O. 1990, as amended, means any premises or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by individuals otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario.

“BREEZEWAY” means a roofed, open or enclosed passage connecting two or more Buildings.

“BREWING ON PREMISES ESTABLISHMENT” means a commercial establishment where individuals produce beer, wine and/or cider, for personal consumption off the premises; and where beer, wine and/or cider ingredients and materials are purchased. Equipment and storage area is used for a fee by the same individuals.

“BUILDING” means a Structure whether temporary or permanent, used or intended for sheltering any Use or occupancy but shall not include a boundary wall, fence, Travel Trailer, camping trailer, truck camper, Motor Home, or tent. This definition may include a roof supported by columns or walls.

“BUILDING ENVELOPE” means the portion of a lot remaining after Required Front, Rear and Side Yard setbacks have been provided.

“BUILDING HEIGHT” means the vertical distance between the ground floor and the highest point of the Building proper, exclusive of any Accessory roof Structures such as Antennae, chimney, steeple or tower.

“BUILDING, MAIN” means the Building or Buildings designed and/or intended to accommodate the principal Use Permitted by this By-law.

“BUILDING OFFICIAL, CHIEF” shall mean the officer or employee of the Corporation appointed or constituted under section 3 of the Building Code Act, R.S.O. 1990 and having jurisdiction for the enforcement of this By-law.
"BUILDING OR CONTRACTING ESTABLISHMENT" shall mean any land, Building or Structure used for the purpose of storing plant equipment and material or performing shop work or assembly work by any building trade or other contractor. This may include Offices and a showroom and/or display area open to the general public.

"BUILDING SUPPLY ESTABLISHMENT" means a Building or Structure in which construction and home improvement materials are offered or kept for retail sale and may include the fabrication of certain materials related to home improvement.

"BULK FUEL DEPOT" means the Use of land, Buildings or Structures for the purpose of storing fuels for distribution.

"BULK SALES ESTABLISHMENT" means the Use of land, Buildings or Structures for the purpose of buying and selling lumber, wood, building materials, feed, fertilizer, and allied commodities, but does not include manufacturing or processing.

"BUSINESS SERVICE ESTABLISHMENT" means an establishment primarily engaged in providing services to business establishments on a fee or contract basis, including advertising and mailing, building maintenance, employment services, protective services, and small equipment rental, leasing and repair.

"BY-LAW ENFORCEMENT OFFICER" shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

"CAMPGROUND" shall mean a Lot used for the parking and/or erection of tents, Recreational Vehicles or other similar transportable accommodation intended for temporary seasonal use, and Accessory Uses, but not including a Mobile Home as defined in this By-law. Park Model Units and rental cabins intended for seasonal use are also permitted in a Campground.

"CAMPSITE" shall mean a portion of land in a Campground designed and intended for accommodation of one (1) Recreational Vehicle or Park Model Unit.

"CANOPY" means a roof free of enclosing walls.

"CARPORT" means a covered Accessory Structure attached to the wall of the main Building and used for the storage of passenger Motor Vehicles and motor homes wherein neither servicing for profit is conducted nor storage of commercial vehicles in excess of 2,270 kilograms gross weight occurs. The roof of said Structure shall be supported only by piers or columns so that a portion of its wall area is unenclosed.

"CELLAR" means that portion of a Building between two floor levels which has at least 50% of its height from finished floor to finished ceiling below the adjacent Finished Grade level.

"CEMETERY" means land that is set apart or used as a place for the interment of the deceased or in which human bodies have been buried and may include a crematorium, mausoleum and a columbarium.

"CHURCH" means a Building used by a religious organization for public worship, and may include a rectory or manse, Church hall, Day Nursery or religious school associated with or Accessory thereto.

"CLINIC" means a Building or part thereof, used exclusively by physicians, dentists, drugless practitioners, their staff and their patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a Clinic may include administrative Offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the Clinic, but shall not include accommodation for in-patient care or operating rooms.

"CLUSTER HOUSING" see "DWELLING".

"COMMERCIAL CLUB" shall mean a building or part of a building used as an athletic, recreational or social club operated for gain or profit.

"COMMERCIAL GARAGE" means an establishment or premises where Commercial Motor Vehicles are stored or where vehicles are repaired or maintained.
"COMMERCIAL GREENHOUSE" means a Building or Structure used for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same Lot containing such Building or Structure, but are sold directly from such Lot at wholesale or retail.

"COMMERCIAL RECREATION ESTABLISHMENT" means a Building, land or part thereof, used for the purpose of an arena, Auditorium, Assembly Hall, billiard or pool room, Bingo Hall, gym or fitness centre, ice or roller rink, indoor swimming pool, and all places of amusement, but not including an amusement games establishment, cinema or other Theatre, drive-in Theatre or amusement park.

"COMMERCIAL STORAGE" means the storage, for hire or gain, of goods, merchandise, materials or equipment in an enclosed Building other than a Temporary Building but shall not include a Warehouse.

"COMMERCIAL USE" means the Use of land, Buildings or Structures for the purpose of buying, renting or selling commodities and supplying services, but does not include an Industrial Use.

"COMMERCIAL WIND ENERGY CONVERSION SYSTEM" means one or more Wind Energy Conversion Systems (wind turbines) that singly or collectively produce more than a total of 500 kilowatts (kW) based on ‘nameplate rating capacity’ and are connected to the Provincial grid. (B/L 32/2007)

"COMMUNITY CENTRE" means land, Buildings or Structures used for community activities, including recreational and institutional Uses.

“CONCRETE BATCHING PLANT” shall mean an Industrial establishment used for the production of concrete or concrete products used in building or construction, and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or a finished product manufactured on the premises and the storage and maintenance of required equipment.

"CONSERVATION" means the Use of land and/or water for the purpose of planned management of natural resources, including woodlot management, and for the preservation and enhancement of the natural environment.

"CONVENIENCE STORE" means a Retail Store supplying groceries and other daily household necessities to an immediate surrounding residential area, and may include the rental of videos, the heating of pre-packaged food, an automated banking machine and/or depots for such items as film, laundry or dry cleaning.

"CONVERTED DWELLING" see "DWELLING".

"CORPORATION" means the Corporation of the Municipality of Lambton Shores.

"COUNCIL" means the Council of the Corporation of the Municipality of Lambton Shores.

"COUNTY" means the Corporation of the County of Lambton.

"COURT" means an open, unoccupied space adjoining a Building, such space being bounded on two or more sides by walls of the said Building.

"CRUSHING PLANT" means an Industrial establishment where aggregate is processed through a crushing and sorting operation into various grades of gravel.

"DANGEROUS GOODS" means explosives, flammable or combustible liquids or gases, toxic substances, radioactive material, corrosives or any other product or substance that is considered dangerous to life when handled or transported.

"DAY NURSERY" as defined in the Day Nurseries Act, R.S.O. 1990, Chap. D.2, as amended, means a premises that receives more than five (5) children who are not of common parentage, primarily for the purpose of providing temporary care and/or guidance, for a continuous period not exceeding twenty-four hours, where the children are under eighteen years of age in the case of a Day Nursery for children with a developmental handicap and under ten years of age in all other cases.
"DECK (UNENCLOSED)" means a Structure without a roof or walls, having footings, which is situated a minimum of 0.2 metres above grade, and may be Attached to or abutting one or more walls of a Building or constructed separate from a Building. Deck (Unenclosed) is subject to the provisions of section 3.14 of this By-law.

"DERELICT MOTOR VEHICLE" means a Motor Vehicle, recreational vehicle or boat that is unlicensed and/or inoperative and is not in an enclosed Building. An inoperative vehicle or boat means a vehicle which is in disrepair, having missing parts including tires, or damaged or missing glass or deteriorated or removed parts which prevent its mechanical function, including unlicensed vehicles.

"DINING ROOM" shall mean that part of a Restaurant, or other Building, which is used for the consumption of food by persons seated at booths, counters, tables or a combination thereof.

"DETACHED" means totally separate and in no way connected.

"DRY CLEANING DEPOT" means a Building, or part thereof for the purpose of receiving articles or goods of fabric to be subjected, off the premises, to a process of dry cleaning or dyeing. Such establishment may also be used for pressing and/or distributing any article or good of fabric received at such an outlet.

"DRY CLEANING ESTABLISHMENT" means a Building, or part thereof, where dry cleaning, dye drying, cleaning, or pressing of articles or goods of fabric is performed, and in which only non-combustible and non-flammable solvents are used, emitting no odours, fumes, noise, or vibration which would cause a nuisance or inconvenience within or outside the premises.

"DUPLEX DWELLING" see "DWELLING".

"DWELLING" means a Building or part thereof used or intended, adapted or designed to be used, occupied or capable of being occupied, as a home, residence or sleeping place for one or more Persons having a right to the exclusive Use thereof, but shall not include any Travel Trailer, Hotel, Motel, Private Garage, a Home for the Aged, Nursing Home, Hospital, or living quarters for a caretaker, watchman or other Persons or Persons using living quarters which are Accessory to a non-residential Use.

a) "BOARDING HOUSE" means any Building or part thereof in which the proprietor resides and supplies for hire or gain to not more than six Persons exclusive of the lessee or owner thereof or members of his family, lodging and/or meals, but shall not include a Hotel, Motel, Bed and Breakfast Establishment, Hospital, or Nursing Home.

b) "CLUSTER HOUSING" means a group or groups of Dwelling Units which may be in various forms, and so located on a Lot that each Dwelling Unit may not have frontage on a public Street or Road and more than one Dwelling Unit may exist on one Lot. A Lot accommodating a Cluster Housing development shall have Frontage on a public Street.

c) "CONVERTED DWELLING" means a lawfully established Single Detached Dwelling which is Altered or converted so as to provide up to two (2) additional Dwelling Units.

d) "DUPLEX DWELLING" means a Dwelling divided horizontally into two (2) separate Dwelling Units, each of which has an independent entrance.

e) "FARM DWELLING" means a Dwelling which is Accessory to an Agricultural Use.

f) "GROUP HOME-TYPE 1" means a residential Dwelling in which three to six residents live under responsible supervision consistent with the requirements of its residents. "Residents" excludes staff or receiving family. This does not include a Group Home Type 2.

g) "GROUP HOME TYPE 2" means a residence maintained and operated primarily for: Persons who have been placed on probation under the provisions of Acts such as the Criminal Code. R.S., Chap. C-46, as amended, The Young Offenders Act. R.S., Chap. Y-1, as amended, The Ministry of Correctional Services Act, R.S.O., 1990, Chap. M.22, as amended and the Parole Act. R.S., Chap. P-2, as amended. The number of Persons residing therein shall be up to eight excluding staff.
h) "MODULAR HOME" means a prefabricated Single Detached Dwelling designed to be transported once only to a final location and constructed so as the shortest side of such Dwelling is not less than 6.0 metres in width.

i) "MOBILE HOME, DOUBLE WIDE," means a C.S.A. approved, factory built Dwelling Unit with a C.S.A. A-277 manufacturer’s number, occupied or designed for occupancy on a permanent basis, designed to be towed in two or more separate sections with each section on its own chassis and joined together to form one Dwelling Unit and placed on a permanent foundation and connected or designed to be connected to Public Utilities, but shall not include a Travel Trailer, Recreational Vehicle or a Park Model Unit.

j) "MOBILE HOME, SINGLE WIDE" means a C.S.A. approved factory built Dwelling Unit with a C.S.A. Z-240 manufacturer’s number, occupied or designed for occupancy on a permanent basis, designed to be towed on its own chassis, (notwithstanding that its running gear is or may be removed) placed or designed to be placed on permanent foundations (including piers on permanent footings), and connected or designed to be connected to Public Utilities, but shall not include a Travel Trailer, Recreational Vehicle or Park Model Unit.

k) "MULTIPLE DWELLING" means a Building on a Lot used or designed as a residence and containing four (4) or more Dwelling Units all of which have access from a common corridor or hallway and/or an independent entrance from the outside. All of the Units in a Multiple Dwelling must be Dwelling Units, as defined in this By-law. It shall not, however, include any other Dwelling otherwise defined herein or specifically named elsewhere in this By-law.

l) "DWELLING, NON-FARM" shall mean a Single Detached Dwelling not Accessory to an Agricultural operation.

m) "PARK MODEL UNIT" means a manufactured Building used or intended to be used as a seasonal recreational Building of residential occupancy designed and constructed in conformance with CAN/CSA-Z241 Series-M, “Park Model Trailers”.

n) "SINGLE DETACHED DWELLING" means a Detached Dwelling on a Lot containing only one (1) Dwelling Unit or containing one Dwelling Unit plus a second Dwelling Unit established under Section 3.8 of this By-law.

o) "SEMI-DETACHED DWELLING" means one (1) of a pair of single Dwellings, divided vertically in whole or in part above Finished Grade, below Finished Grade, or both above and below Finished Grade. This definition includes a link home.

p) "STREET TOWNHOUSE" means a Townhouse with each Unit on a separate Lot.

q) "STACKED TOWNHOUSE" means the whole of a Dwelling divided horizontally into 2 or more separate Dwelling Units and divided vertically into 3 or more separate Dwelling Units. Those Dwelling Units which are located above the lowest Dwelling Unit shall have an independent entrance whether directly from outside the Building or from a common corridor.

r) "TOWNHOUSE" means the whole of a Dwelling divided vertically into three (3) or more separate Dwelling Units, each such Dwelling Unit having an independent entrance directly from outside the Building.

s) "TRIPLEX DWELLING" means the whole of a Dwelling divided horizontally into three (3) separate Dwelling Units, each such Dwelling Unit having an independent entrance from the outside or from a common hallway or stairway inside the Building.

t) "FOURPLEX DWELLING" means the whole of a Dwelling divided horizontally and vertically into four Dwelling Units, with each Unit having an independent entrance from outside the Building.

"DWELLING UNIT" means a suite of two (2) or more Habitable Rooms, in which sanitary conveniences are provided and in which facilities are provided for cooking or for the installation of cooking equipment,
and with an independent entrance, either directly from outside the Building or from a common corridor inside the Building. This definition shall not include a Motor Home, a Private Garage or a Travel Trailer.

"DWELLING UNIT AREA" means the habitable area contained within the inside walls of a Dwelling Unit, excluding any Private Garage, Carport, Porch, veranda, unfinished Attic, Cellar or sun room (unless such sun room is habitable in all seasons of the year), and excluding common hallways, common stairways or other common areas.

"DYNAMIC BEACH" means areas of inherently unstable accumulations of shoreline sediments along Lake Huron. The DEFINED PORTION OF THE DYNAMIC BEACH means those portions which are highly unstable and/or critical to the natural protection and maintenance of the first main dune feature and/or beach profile, where any development or Site Alteration would create or aggravate flooding or erosion hazards, cause updrift and/or downdrift impacts and/or cause environmental impacts.

"EASEMENT" means a right or privilege that one has over the lands of another, registered on title to the said lands under the Registry Act, R.S.O. 1990, Chap. R.20, as amended, and may pertain to access rights above, below or on the said lands.

"ERECT" means to build, construct, reconstruct or relocate and, without limiting the generality of the word, also includes:

a) any preliminary operation such as excavation, infilling or draining;

b) Altering any Existing Building or Structure by an addition, enlargement, extension or other structural change; and

c) any work which requires a Building permit.

"ESTABLISHED BUILDING LINE" means the average distance from the Street Line of existing Buildings on one side of one block where more than one-half of the Lots having Street access upon the said side of the block have been built upon, provided that no Setback requirement calculated in accordance with this definition shall exceed the applicable Setbacks required of the appropriate Zone provisions.

"EXISTING" means Existing on the date of passing of this By-law.

"EXTRACTIVE USE" means the Use of land licensed under the Aggregate Resources Act, R.S.O. 1990, Chap. A.8, as amended, for the removal of gravel, stone, sand, or other similar substance for construction, industrial or manufacturing purposes, and includes Accessory Uses, Buildings or Structures. Permitted Accessory Uses include the blending of recovered materials which are brought to the Extractive Use.

"FARM DWELLING" see "DWELLING".

"FARM PRODUCE OUTLET" means a Use, Accessory to a Permitted Farm, which consists of the retail sale of Agricultural products produced on the Farm where such outlet is located.

"FARMERS MARKET" means a Building, part of a Building, or an open area where Agricultural produce is offered or temporarily stored for retail sale on the site by more than one vendor.

"FARM PRODUCE PROCESSING ESTABLISHMENT" means the Use of land, Buildings or Structures where Agricultural produce, including meat and poultry products, are prepared or packaged and from which such produce and products are shipped to a wholesale or retail outlet.

"FINISHED GRADE" means the average elevation between the highest and lowest point of the finished surface of the ground measured around the perimeter of the base of a Building or Structure exclusive of any embankment in lieu of steps.

"FLEA MARKET" means an occasional or periodic market held in an open area or in a Building or Structure, where groups of individual sellers display and offer goods for sale to the public, but does not include a private Garage Sale.
"FLOOR AREA" shall mean the sum of the areas of all floors of a building measured from the outside of all exterior walls exclusive of any attic, Basement, Private Garage, veranda, enclosed Porch or sunroom unless such enclosed Porch or sunroom is an integral part of the Building and habitable in all seasons, and excluding any Floor Area with a ceiling height of less than two (2.0) metres.

"FLOOR AREA, COMMERCIAL" means the sum of the areas of all floors of a Building or Structure measured from the internal faces of its exterior walls at Grade and exclusive of any furnace room, laundry room, washroom, stairwell or elevator shaft, or any area designed or used permanently for storage space.

"FLOOR AREA, GROUND" means the area of a Building or Structure measured from the outside of its exterior walls at Grade and exclusive of any attached Accessory Building, terrace, unenclosed sunroom, Deck, Porch or veranda.

"FORESTRY" means the Use of land for the care, cultivation and maintenance of trees for profit or gain.

"FUNERAL HOME" means a Building or Structure designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation and may include a chapel for funeral purposes.

"FURTHER CONTRAVENE" means the making of an addition to an Existing Non-Complying Building or Structure, any part of which addition does not comply with the required Setbacks or any other provision of this By-law.

"GAMING ESTABLISHMENT" means a Building or part thereof Used for the purpose of playing or operating games of chance, or the operation of devices which are Used by the public as a game, entertainment, amusement or test of skill. Gaming Establishments may also include stand alone Bingo Halls, as well as all charitable games and gaming activities regulated by the Province of Ontario or its agencies.

"GARAGE SALE" means an occasional sale held by the occupants of a Dwelling Unit on their own premises, of household goods and not merchandise which was purchased for resale or obtained on consignment.

"GARDEN CENTRE" means the Use of land, Buildings or Structures for the purpose of buying, selling and raising plants, shrubs and trees and includes the storage and sale of products generally used for Landscaping and gardening purposes.

"GAS BAR" means one or more fuel pumps for the sale of motor fuels and related products for Motor Vehicles, together with the necessary pump islands, light standards, kiosk, concrete aprons, canopy, storage tanks and related facilities required for the dispensing of fuel.

"GAS COMPRESSOR STATION" means the Use of land, Buildings or Structures for the storage, regulation of flow and distribution of natural gas.

"GASOLINE RETAIL FACILITY" means a premises where the retail sale of fuel or lubricants for Motor Vehicles constitutes either the sole Use, such as a gas bar, or an Accessory Use, such as a gasoline pump island. This definition shall not include a Motor Vehicle Service Establishment.

"GOLF COURSE" means a public or private area designed and operated primarily for the purpose of playing golf.

"GOLF DRIVING TEE OR RANGE" means a Use which provides facilities designed and operated primarily for the practising of golf shots but does not include a Golf Course as defined herein.

"GRAIN ELEVATOR" means a Building or Structure used for the storage and/or transhipment of grain.

"GROUP HOME-TYPE 1" see "DWELLING".

"GROUP HOME-TYPE 2" see "DWELLING".
"GUEST ROOM" means a room or suite of rooms which contain no facilities for cooking or for the installation of cooking equipment and which is used or designed for gain or profit by providing accommodation to the travelling or vacationing public.

"HABITABLE ROOM" means a room within a Dwelling Unit designed to provide living, dining, sleeping, bathroom or kitchen accommodation for Persons. This definition shall not include any Private Garage, Carport, Cellar, unheated Porch or veranda, unfinished Attic, unfinished Basement, or any space used for the service and maintenance of a Dwelling or for vertical travel between Storeys.

"HEALTH/RECREATIONAL FACILITY" means a Private Club or public facility (athletic, health or recreational), including uses such as reducing salons and weight control establishments, game courts, exercise equipment, locker rooms, jacuzzi and/or sauna and pro shop.

"HOME FOR THE AGED" means a Home for the Aged established or maintained under the Homes for the Aged and Rest Homes Act, as amended, or a Rest Home established and maintained under the same Act.

"HOME DECORATING CENTRE" means a retail store for the sale of carpets, floor tiling, linoleum, wallpaper, paint, hardware items and general household merchandise, but excluding the sale of food and groceries and the sale of shoes and clothing.

"HOME OCCUPATION" means any occupation conducted for gain or profit as an Accessory Use within a Permitted Dwelling or a Permitted Dwelling Unit. This definition shall include a Bed & Breakfast but shall not include an Agricultural Home Industry.

"HOSPITAL" means any institution, Building or other premises or place established for the treatment of Persons afflicted with or suffering from sickness, disease or injury or for the treatment of convalescent or chronically ill Persons which is approved under The Public Hospitals Act, as amended, as a public hospital. This definition shall also include a "PRIVATE HOSPITAL", as defined in the Private Hospitals Act, as amended, which means a Dwelling in which four (4) or more patients are or may be admitted for treatment.

"HOTEL" means a Building in which a minimum of four (4) Guest Rooms are provided for transient lodgers, and may include dining and other public rooms, provided that each Guest Room may be entered from inside or outside of the Building.

"INDUSTRIAL USE" means the Use of land, Structures or Buildings for each or any of the following operations:

a) the carrying on of any process of manufacture whether or not a finished article results therefrom;

b) the dismantling and separating into parts of any article, machinery or vehicle, but not including an auto wrecking establishment;

c) the breaking up of any articles, goods or machinery;

d) the treatment of waste materials of all descriptions;

e) the recovery and processing of sand, gravel, clay, turf, soil, rock, stone or similar substances;

f) the repairing and servicing of vehicles, machinery and Buildings;

and may include;

i) the storage of goods used in connection with or resulting from any of the above operations;

ii) the provisions of amenities for Persons engaged in such operations;

iii) the sale of goods resulting from such operations; and

iv) any work of administration or accounting in connection with the undertaking;
v) and without limiting the generality of the foregoing, includes any industry particularly defined in this By-law, but does not include a "Home Occupation" or "Agricultural Home Industry".

"INDUSTRIAL USE, DRY" means any industrial Use Permitted by the applicable Zone where water is only required for employee washrooms and eating facilities, cooling or pressure testing of equipment, the washing of Accessory vehicles and similar ancillary Uses and not for processing.

"INDUSTRIAL USE, GENERAL" means any Industrial Use other than a Service and Repair Shop, a Light Industrial Use, or an Offensive Industrial Use.

"INDUSTRIAL USE, LIGHT" means any Industrial Use in which the Building or the Structure thereby occupied or employed, the processes carried on, the material used or stored, the machinery employed and the transportation of materials, goods and commodities to and from the premises will not cause injury to or prejudicially affect the amenity of the locality by reason of the appearance of such Building, Structure or materials or by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste paper, waste products, grit, oil or otherwise.

"INDUSTRIAL USE, OFFENSIVE" means any business or industry which by reason of the process involved or the method of manufacture or the nature of the material or goods used, produced or stored is likely to cause or causes by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other material, a condition which may be or become hazardous or injurious as regards health or safety or which prejudices the character of the neighbourhood or interferes with or may interfere with the normal enjoyment of any land, Building or Structure.

"INSTITUTIONAL USE" means the Use of any land and/or Building or part thereof by a government, educational, charitable or non-profit organization in the carrying out of its function and without limiting the generality of the foregoing, shall include municipal offices, Libraries, fire halls, Ambulance Depots, Churches, Hospitals, Schools, Community Centres, Private Clubs and Assembly Halls, but shall not include any Group Home as defined in this by-law.

"KENNEL" means any premises on which four or more domesticated animals are kept, bred, trained, or boarded and may be kept for sale.

"LABORATORY" means a Building, or part thereof, used for scientific, medical and/or research purposes.

"LANDSCAPED OPEN SPACE" means the open, unobstructed space, on a Lot, accessible by walking from the Street on which the Lot is located and which is maintained and suitable for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any surfaced walk, patio, Deck or similar area provided that such surfaced walk, patio, Deck or similar Structure is not more than 40% of the Open Space area, but shall not include any driveway or ramp, whether surfaced or not, nor any curb, retaining wall, or any Parking Area; nor any Open Space beneath or within a Building or Structure.

"LANDSCAPING" shall mean any combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.

"LANE" means a private thoroughfare which affords only a secondary means of access for vehicular traffic to abutting Lots and which is not intended for general traffic circulation.

"LAUNDROMAT" means an establishment containing one or more washers, and could include drying, ironing, finishing and incidental equipment, provided that only water, soaps and detergents are used and provided that no such operation shall emit any noise or vibrations which cause a nuisance or inconvenience within or without the premises. This definition may include a self-service coin operated Laundromat.
"LAUNDRY PLANT" means a Building or a Structure in which the business of a laundry is conducted in which only water and detergent is used, and where the drying, ironing and finishing of such goods are conducted.

"LIBRARY" means a Library, branch Library or distribution station to which the provisions of the Public Libraries Act, as amended, apply.

"LIVESTOCK" means farm animals kept for Use, for propagation, or intended for profit or gain or as pets, and without limiting the generality of the foregoing including, but not necessarily limited to: dairy and beef cattle, horses, swine, sheep, laying hens, chicken and turkey broilers, turkeys, emus, goats, geese, mink and rabbits.

"LIVESTOCK HOUSING CAPACITY" means the total maximum number of Livestock that can be accommodated in a Livestock Facility at any one time.

"LIVESTOCK FACILITY" means any barn, Building or Structure where Livestock are housed and shall also include beef feedlots and the associated Manure Storage Facilities.

"LIVESTOCK UNIT" means the equivalent values for various types of Livestock based upon manure production and production cycles.

"LOADING SPACE" means an off-street space on the same Lot as the Building, or contiguous to a group of Buildings, for the temporary parking of a commercial Motor Vehicle while loading or unloading merchandise or materials, and which abuts a Street, Lane, or other appropriate means of access.

"LOCAL RETAIL STORE" shall mean a Retail Store with a Gross Floor Area of not more than two hundred seventy-five (275) square metres, and excluding an Automotive Service Station.

"LOT" means land within a registered plan of subdivision (but not including plans deemed not to be registered pursuant to Section 50(4) of The Planning Act, R.S.O. 1990, Chap. P. 13, as amended, or any land that may be legally conveyed under the exemption provided in clause (b) of subsection 3 or clause (a) of subsection 5 of Section 50 of The Planning Act, R.S.O. 1990, Chap. P. 13, as amended, the boundaries of which are recorded in the Registry Office for the Registry Division of the County of Lambton.

a) "CORNER LOT" means a Lot, situated at the intersection of and abutting upon two or more Streets, provided that the angle of intersection of such Streets is not more than one hundred and thirty-five (135) degrees.

b) "INTERIOR LOT" means any Lot which has a Street Access, other than a Corner Lot.

c) "THROUGH LOT" means an Interior Lot having Street Access on two or more Street Lines, other than a Corner Lot.

"LOT AREA" means the total horizontal area within the Lot Lines of a Lot.

"LOT COVERAGE" means that percentage of the Lot Area covered by the perpendicular projections onto a horizontal plane of the area of all Buildings and Structures on the Lot. Lot Coverage shall not include Balconies, Canopies and overhanging eaves provided none of the foregoing are less than 2.4 metres above Finished Grade. Lot Coverage shall not include private Decks and Private Swimming Pools.

"LOT DEPTH" means the horizontal distance between the Front and Rear Lot Lines. If the Front and Rear Lot Lines are not parallel, Lot Depth means the length of a straight line joining the middle of the Front Lot Line with the middle of the Rear Lot Line. If there is no Rear Lot Line, Lot Depth means the length of a straight line joining the middle of the Front Lot Line with the apex of the triangle formed by the Side Lot Lines.

"LOT FRONTAGE" means the horizontal distance between the Side Lot Lines, measured perpendicularly from a line joining the middle of the Front and Rear Lot Lines and at a point thereon, a distance equal to the minimum Front Yard Setback required by this By-law. Where there is no Rear Lot
Line, Lot Frontage means the horizontal distance between the Side Lot Lines, measured perpendicularly from a line joining the middle of the Front Lot Line with the apex of the triangle formed by the Side Lot Lines and at a point thereon, a distance equal to the minimum Front Yard Setback required by this By-law. Lot Frontage shall not include the extent to which a Lot abuts the end of a Street, other than a Street which terminates in a cul-de-sac, or an unopened Street Allowance. "LOT WIDTH" shall have a corresponding meaning where a Lot does not abut a Street.

"LOT LINE" means any boundary of a Lot or the vertical projection thereof. There shall be deemed to be 2 Lot Lines in cases where a Lot Line changes by a direction which is less than 135°. There shall be deemed to be one continuous Lot Line in cases where the change in direction is greater than 135°.

a) "FRONT LOT LINE" means in the case of an Interior Lot, the line dividing the Lot from the Street. In the case of a Corner Lot, the shorter Lot Line abutting a Street shall be deemed the Front Lot Line and the longer Lot Line abutting a Street shall be deemed the Exterior Side Lot Line. In the case of a Through Lot or a Corner Lot whose exterior Lot Lines are the same length, the Lot Line where the principle access to the Lot is provided shall be deemed to be the Front Lot Line.

b) "REAR LOT LINE" means in the case of a Lot having four or more Lot Lines, the Lot Line farthest from and opposite to the Front Lot Line. If a Lot has less than four Lot Lines, there shall be deemed to be no Rear Lot Line.

c) "SIDE LOT LINE" means a Lot Line other than a Front or Rear Lot Line, and shall include Interior Side Lot Line and Exterior Side Lot Line.

d) "EXTERIOR SIDE LOT LINE" - on a Corner Lot, means the longer Lot Line abutting a Street.

e) "INTERIOR SIDE LOT LINE" - means a Side Lot Line other than an Exterior Side Lot Line.

"LUMBER YARD" means the Use of land, Buildings or Structures for the purpose of buying, selling and storing of wood and wood products and lumber but does not include any manufacturing or processing Uses.

"MANURE STORAGE AREA" means land, Building or Structure used for the storage of manure generated by Livestock.

"MARINA" shall mean the commercial use of a Building or Structure or land containing Marine Facilities and located on a Navigable Waterway, where boats and boat accessories are stored, repaired, serviced or kept for sale or rent, and may include facilities for the sale of marine fuels and lubricants.

"MARINE FACILITY" shall mean a Building or Structure which is used to place a boat into or take a boat out of a Navigable Waterway or Used to moor, berth or store a boat. This definition may include a boat launching ramp, boat lift, dock or boathouse but shall not include any Dwelling or Habitable Room or any boat repair, service, sales or rental facilities.

"MARINE SALES AND SERVICE ESTABLISHMENT" means a Building and/or land used for the display and sale of new and/or second-hand boats and watercraft, and may include the servicing, repair, and cleaning, of such, and the sale of accessories and related products.

"MAXIMUM ENCROACHMENT" means the greatest distance a Structure may be built into a Required Front, Rear or Side Yard.

“MINIATURE GOLF COURSE” means a use which provides facilities designed and operated primarily for what is commonly known as miniature golf but does not include a Golf Driving Tee or Range or a Golf Course as defined herein.

"MOBILE HOME LOT" means a parcel of land within a Mobile Home Park occupied by or intended for occupancy by one Double-Wide Mobile Home or one Single-Wide Mobile Home together with all Yards and Open Space required by this By-law.

"MOBILE HOME PARK" means a parcel of land containing two or more Mobile Home Lots and which is under single management and ownership.
"MOBILE HOME, DOUBLE WIDE" see "DWELLING".
"MOBILE HOME, SINGLE WIDE" see "DWELLING".

"MOBILE HOME SALES ESTABLISHMENT" means land, Building or Structure used for the sale and display of new Mobile Homes, Modular Homes, and Travel Trailers and may include the servicing and repair of such Structures and vehicles, but shall not include any other Uses defined in this By-law.

"MODULAR HOME" see "DWELLING".

"MOTEL" means a Building, part of a Building or group of Buildings wherein accommodation without private cooking or housekeeping facilities is provided for transient lodgers, but which may include dining rooms and other public rooms and provided each Guest Room or sleeping room may be entered from the exterior of the Building. Sanitary facilities shall be included for each Guest Room or suite.

"MOTOR HOME" see "RECREATIONAL VEHICLE".

"MOTOR VEHICLE" means an automobile, motorcycle, all-terrain vehicle and any other vehicle propelled or driven otherwise than by muscular power, but does not include other Motor Vehicles running only upon rails, or a farm tractor, self-propelled implement of husbandry or road-building machine.

"MOTOR VEHICLE, COMMERCIAL" as defined in The Highway Traffic Act R.S.O. 1990, Chap. H.8, as amended, means a Motor Vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearse, fire apparatus, buses and tractors designed for hauling purposes on the highway.

"MOTOR VEHICLE REPAIR ESTABLISHMENT" means a Building and/or land used for the servicing, repair, cleaning, polishing, lubricating and greasing of Motor Vehicles and may include vehicular body repair and re-painting, but shall not include any other Motor Vehicle Use defined in this By-law.

"MOTOR VEHICLE SALES ESTABLISHMENT" means a Building and/or land used for the display and sale of new and/or second-hand Motor Vehicles and may include the servicing, repair, cleaning, polishing and greasing of Motor Vehicles, the sale of auto accessories and related products and the leasing or renting of Motor Vehicles, but shall not include any other Motor Vehicle Use defined in this By-law.

"MOTOR VEHICLE SERVICE ESTABLISHMENT" means a Building and/or land used for the sale of fuels for Motor Vehicles and may include the servicing, repair, cleaning, polishing and greasing of Motor Vehicles and the sale of auto accessories and related products, but shall not include any other Motor Vehicle Use defined in this By-law.

"MOTOR VEHICLE STORAGE AREA" means a lot or area used for the storage or display of Motor Vehicles being held for use, sale or rental at another location. (B/L 54/03)

"MOTOR VEHICLE WASHING ESTABLISHMENT" means a Building and land used for the washing or cleaning of Motor Vehicles other than vehicles used for transporting Livestock, including self service and may include the sale of fuels to Motor Vehicles, but shall not include any other Motor Vehicle Use defined in this By-law.

"MOTOR VEHICLE WRECKING ESTABLISHMENT" means a Building and/or land used for the wrecking or dismantling of Motor Vehicles and for the storage and sale of scrap material, salvage and parts obtained therefrom, but shall not include any other Motor Vehicle Use defined in this By-law.

"MULTIPLE DWELLING" see "DWELLING".

"MUNICIPAL DRAIN, CLOSED" means "drainage works" as defined by The Drainage Act, R.S.O. 1990, Chap. D.17, as amended, located entirely within the ground and designed, used, or intended for Use for the conveyance of precipitation.

"MUNICIPAL DRAIN, OPEN" means "drainage works" as defined by The Drainage Act, R.S.O. 1990, Chap. D.17, as amended which includes a drain constructed by any means including the improving of a natural watercourse, and includes the works necessary to regulate the water table within or on any lands.
or to regulate the level of the waters of any drain, reservoir, lake or pond, and includes a dam, embankment, wall, protective works or any combination thereof.

"MUNICIPALITY" means the Corporation of the Municipality of Lambton Shores.

"NAVIGABLE WATERWAY" means any water body deemed as navigable by The Navigable Waters Protection Act, R.S.C.1985, Chap. N-22, as amended.

"NON-COMPLYING" means a Permitted Use which does not comply with one or more provisions of this By-law for the Zone in which such Building or Structure is located on the date of passing of this By-law or amendments thereto.

"NON-CONFORMING" means a lawfully Existing Use, prohibited by this By-law in the Zone in which it is situate.

"NON-FARM RESIDENTIAL" see "DWELLING".

"NURSERY" means the Use of land, Buildings or Structures or part thereof where trees, shrubs, sod or plants are grown or stored for the purpose of transplanting, for Use as stocks for building or grafting or for the purpose of retail or wholesale, together with the sale of soil, planting materials, fertilizers and similar materials and may include the storage of necessary machinery and vehicles used in connection with such business. Landscaping and gardening supplies may also be kept or be offered for sale or rent.

"NURSERY" as defined in The Nursing Homes Act, R.S.O. 1990, Chap. N.7, as amended, means any premises maintained and operated for Persons requiring nursing care or in which such care is provided to two (2) or more unrelated Persons, but does not include any premises falling under the jurisdiction of The Homes for the Aged and Rest Homes Act, R.S.O. 1990, Chap. H.13, as amended, the Private Hospitals Act, R.S.O. 1990, Chap. P.24, as amended and the Public Hospitals Act, R.S.O. 1990, Chap. P.40, as amended.

"OCCUPANCY" means to reside in as owner or tenant on a permanent or temporary basis.

"OCCUPANT LOAD" as defined in the Ontario Building Code Act, R.S.O. 1990, Chap. B.13 as amended, means the number of Persons for which a Building, or part thereof, is designed.

"OFFICE" means a Building or part thereof designed, intended or used for the practice of a profession, the carrying on of a business, and/or the conduct of public administration, but shall not include a Clinic.

"OPEN SPACE" means an unoccupied space open to the sky except such land as is used or required for parking purposes by this By-law, and shall include recreation facilities, Landscaped areas, patios, and walkways.

"OPEN STORAGE" means the storage or display of goods, merchandise, or equipment outside of a Building or Structure on a Lot or portion thereof.

"OWNER" means the Person who holds legal title to a piece of property or has an equitable interest in the same.

"PARK" means an area, consisting largely of Open Space, which may include a recreational area, playground, play field or similar Use, but shall not include a Mobile Home Park or Campground.

a) "PUBLIC PARK" means a Park owned or controlled by the Corporation or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada.

b) "PRIVATE PARK" means a Park other than a Public Park.

"PARK MODEL UNIT" see "DWELLING".

"PARKING AREA" means an area or Structure provided for the parking of Motor Vehicles and includes any related Aisles, Parking Spaces or driveways, accessible to or from a Street or Lane but shall not include any part of a Street. This definition may include a Private Garage.
"PARKING LOT" means any Parking Area other than a Parking Area Accessory to a Permitted Use on the same Lot that functions independently as a separate operation such as a commercial or municipal lot.

"PARKING SPACE" means a portion of a Parking Area, exclusive of any Aisles or driveways, which may be used for the temporary parking or storage of a Motor Vehicle, accessible from an Aisle, Street or Lane.

"PASTURE AREA" means a contiguous area of land not less than 0.4 hectare in area, exclusive of Buildings, Structures, lawn, driveways and the like, which is available for the grazing of Livestock.

"PERMITTED" means Permitted by this By-law.

"PERSON" means any human being, association, firm, partnership, corporation, agent or trustee, and the heirs, executors or other legal representative or a Person to whom the context can apply according to law.

"PERSONAL SERVICE ESTABLISHMENT" means a Building, or a part thereof, in which Persons are employed in furnishing services and otherwise administering to the individual and personal needs of Persons, and including premises such as a barber, hairdresser, beautician, tailor, dressmaker, Laundromat, Dry Cleaning and Laundry Depot, suntanning shop and a formal rentals shop but shall not include a body massage parlour. The sale of merchandise shall be Permitted only as an Accessory Use to the personal service provided.

"PETROLEUM WELL" as defined by the Petroleum Resources Act, R.S.O. 1990, Chap. P.12, as amended, means a hole drilled into a geological formation of Cambrian or more recent age, except a hole where no oil or gas is encountered that is drilled for the production of fresh water.

"PETROLEUM WORK" as defined by the Petroleum Resources Act, R.S.O. 1990, Chap. P.12, as amended, means a pipeline or a Petroleum Well and every part thereof and adjunct thereto that is used in the drilling for or the production or storage of oil or gas.

"PHARMACY" means a Building used for the dispensing of prescription drugs and which sell among other things, non-prescription medicines, health and beauty products, and associated sundry items.

"PLACE OF ENTERTAINMENT" means a motion picture or other Theatre, auditorium, billiard or pool room, bowling alley, ice or roller skating rink, or dance hall, but does not include any other place of entertainment or recreation otherwise defined or classified in this By-law.

"PLANTING STRIP" means an area which shall be utilized and maintained for no purpose other than planting a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 metres high, which may be adjacent to the Lot Line or portion thereof along which such Planting Strip is required herein. The remainder of such Planting Strip shall be utilized for no purpose other than planting shrubs, flowers, grass or similar vegetation.

"PLANTING STRIP WIDTH" means the least horizontal dimension of a Planting Strip measured perpendicularly to the Lot Line adjoining such Planting Strip.

"PORCH" means a covered entrance to a Building.

"POULTRY PROCESSING PLANT" means the Use of a Building or Structure for the slaughtering, processing, manufacture, or packaging of poultry or poultry products and may include as an Accessory Use the wholesale or retail sales of poultry or poultry products.

"PRIVATE CLUB" means a Building or part of a Building used as a meeting place for members of a chartered organization and shall include a lodge, a fraternity or sorority house, and a labour union hall.

"PRIVATE GARAGE" means an Accessory Building or Structure, attached to or detached from a Dwelling, which is fully enclosed and used for the sheltering of Permitted vehicles and storage of household equipment incidental to the residential Occupancy and in which there are no facilities for the repairing or servicing of vehicles for gain or profit. This definition may include a Carport or other open shelter.
"PRIVATE RECREATION FACILITY" means a Building or part thereof and its associated lands designed and intended to accommodate various forms of indoor and outdoor recreational and leisure activities for use by residents of an associated Private Residential Park and shall include but not be limited to multi-purpose rooms, general assembly area, lounge, education rooms, shuffle board, mini-put, pitching green, lawn bowling, tennis, swimming pool, and fitness equipment.

"PROCESSED GOODS INDUSTRY" means a Building or part thereof used by textiles, leather and rubber industries; plastics and synthetics resins industries; paper and wood products industries; metal products industries; oil and coal by-products industries; chemical products industries; and non-metallic products industries. Processed Goods Industries exclude pulp and paper industries and primary metal industries.

"PRODUCE WAREHOUSE" shall mean a Building or Structure used for the storage and shipping of farm produce.

"PUBLIC GARAGE" shall mean a building or structure other than a private garage where motor vehicles are kept or stored for remuneration or repair including the complete repair to motor vehicle bodies, frames, or motors, and the painting, upholstering, washing, cleaning of such vehicles, and may include a motor vehicle service establishment.

"PUBLIC AGENCY" means an organization providing a service to the public. Public agencies comprise:

a) the Government of Canada, the Government of Ontario, or a municipal corporation;

b) any ministry, department, commission, authority, board or agency established by the Government of Canada or the Government of Ontario;

c) any railway company authorized under the Railway Act (R.S.O. 1970), Chapter 334, as amended from time to time, or any successors thereto,

d) any Public Utility or private corporation which has been granted a franchise to supply a service to inhabitants of the Municipality.

"PUBLIC RECREATIONAL USE" means the Use of land, water and/or Buildings for the purpose of Passive Recreation and Active Recreation, as defined in this By-law, owned or controlled by a Public Agency.

"PUBLIC USE, NON-RECREATIONAL" means a Building, Structure or Lot used by a Public Agency to provide a service to the public.

"PUBLIC UTILITY" as defined in the Public Utilities Corporations Act, R.S.O. 1990, Chap. P.53, as amended, means any water works, gas works, electric heat, light or power works, telegraph or telephone lines and works for the transmission of gas, oil, water or electrical power or energy or any similar works supplying the general public with necessaries or conveniences.

"QUARRY" means the Use of land licensed under the Aggregate Resources Act, R.S.O. 1990, Chap. P.12 as amended, where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, Industrial or manufacturing purposes, but does not include a Wayside Quarry.

"RECREATION, ACTIVE" means the Use of land, water and/or Building for the purpose of organized active leisure activities and shall include an arena, a sports field, and a Golf Course.

"RECREATION, COMMERCIAL" means the commercial Use of land and/or Buildings for the purpose of recreation but shall not include a Place of Entertainment.

"RECREATION, PASSIVE" means the Use of land and/or water for the purpose of passive leisure activity and shall include a Park, a garden, a picnic area and the like, as well as a playlot with activity equipment for children.
"RECREATIONAL VEHICLE" means a portable Structure or Motor Vehicle which provides temporary accommodation for travel, vacation or recreation and may include the following:

a) "MOTOR HOME" means a self-propelled Recreational Vehicle capable of being used for the temporary sleeping or eating accommodation of Persons.

b) "TRAVEL TRAILER" means a Vehicle designed, intended and used exclusively for travel, Recreation and vacation and which is either capable of being drawn by a passenger Vehicle or is self-propelled, and shall include tent trailers, vans, Motor Homes and similar transportable accommodation but shall not include a Single or Double Wide Mobile Home.

c) TRUCK CAMPER, shall mean a portable structure, designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters for recreation, camping or travel use.

"RECREATIONAL VEHICLE SALES ESTABLISHMENT" shall mean land and/or Buildings used for the display for sale of Travel Trailers, motorcycles, snowmobiles and other Recreational Vehicles and includes the servicing, repair, cleaning, polishing and greasing of such Vehicles and the sale of accessories and related products and the leasing or renting of such Vehicles, but does not include an Automotive Sales Establishment.

"RENOVATION" means the replacement, repair and restoration of land, Building or Structure to good condition but shall not include its replacement.

"REPAIR AND RENTAL ESTABLISHMENT" means a business engaged in maintaining, repairing, installing and renting articles and equipment for household, personal, construction and Industrial Use such as: radios and television; refrigeration and air conditioning; appliances; watches, clocks and jewellery; upholstery and furniture repair; power tools, mobile construction equipment and moving equipment. This does not include any other Use specifically referred to or defined in this By-law.

"REPLACEMENT" when used in reference to a Building or Structure or part thereof, means the removal and rebuilding, repairing or restoring of more than 25% of the total Building or Structure.

"RESEARCH AND DEVELOPMENT ESTABLISHMENT" means a Building or part thereof used by raw material development and testing firms; processed products development and testing firms; and chemical and biological products development and testing firms.

"RESIDENTIAL PARK" shall mean a “lot” which is occupied by two (2) or more “Single Detached Dwellings” and/or “Modular Homes” and is under single management.

"RESOURCE EXTRACTION" means the Use of land for the drilling, production from the ground, and storage of, natural gas, brine or salt but excluding the refining of said products. This is separate from Petroleum Well as defined herein.

"RESTAURANT" means a Building or part of a Building where food is prepared and offered or kept for retail sale to the public for consumption either on or off the premises and includes such Uses as a cafe, cafeteria, ice cream parlour, tea or lunch room, dairy bar, donut shop, coffee shop, snack bar or refreshment room or stand. This definition shall not include a Drive-In Restaurant.

"RESTAURANT, DRIVE-IN" means an establishment where food is offered for sale or sold to the public for consumption, such establishment being designed for consumption of the food within a Motor Vehicle parked in a Permitted Parking Space on the premises of the establishment.

"RESTAURANT, DRIVE THROUGH SERVICE FACILITY" means an element of a Restaurant Use associated with ordering and serving food and beverages to patrons where they remain within a Motor Vehicle, and includes any associated speaker system and order board.

"RESTAURANT, FAST-FOOD" means a Building or Structure or part thereof where food is prepared and offered for retail sale to the public, the food is taken out or eaten on the premises and limited or no table service is provided.
“RESTAURANT, MOBILE” means a commercial use where food and drink are served to the public at which parking and seating facilities are provided to the customers and which is established at a location on a temporary basis and which may change location from time to time through the use of motorized transportation and which is not located in a permanent Building or Structure.

"REST HOME" means a Building or portion of a Building other than a public or Private Hospital operated under the provisions of the Homes for the Aged and Rest Homes Act, R.S.O. 1990, as amended, for accommodation and amenities for senior citizens in return for compensation.

“RETAIL FOOD STORE" means a Building used primarily for the sale of food products and which specifically excludes the sale of specialty products as a principle Use.

"RETAIL STORE" means a Building or part of a Building in which goods, wares, merchandise, substances, articles or things are offered or kept for retail sale to the public.

"RETAIL WAREHOUSE" means a Building or Structure, or part thereof, where goods, merchandise, or materials are stored and offered for sale and may include the following home furnishing and home improvement products: furniture, appliances, electrical fixtures, carpets and floor coverings, building supplies, plumbing supplies, draperies and decorating supplies such as paints and wall paper, but shall not include a Retail Food Store.

"RETIREMENT HOME" shall mean premises other than a Hospital, Home for the Aged or Nursing Home providing accommodation and amenities such as meals, housekeeping services and common living areas for senior citizens in return for compensation. Individual Dwelling Units are not provided.

"RIDING SCHOOL" means the commercial Use of land and Buildings for the instruction of Persons in the manner of riding horses and may include the boarding or stabling of horses.

"RIGHT-OF-WAY" means:

a) a right enjoyed by a Person of passing over another Person's land subject to such conditions and restrictions as are specified by grant, sanctioned by custom or by whatever other means, by virtue of which the right exists, and/or;

b) a term commonly applied to a more or less uniform strip of land used for the purposes of constructing a highway, railway, pipeline, telephone or power transmission line, etc.

"ROAD" means a Street as defined in this By-law.

"SALVAGE YARD" means a Lot, Building or Structure used for wrecking, dismantling, storing or selling second hand goods, wares or materials including, but not so as to limit the generality of the foregoing, rags, bottles, metals, clothing, furniture, paper, machinery, building materials and vehicles and parts thereof.

"SANITARY SEWER" shall mean a system of underground conduits operated by the Corporation, another municipality or by the Ministry of the Environment, which carries sewage to a sewage treatment facility.

"SAWMILL" means the Use of land, Buildings or Structures for the purpose of processing logs or other unfinished wood into lumber, shingles, pallets, sawdust, firewood or related products.

"SCHOOL" means a school under the jurisdiction of a Board of Education, under the Education Act, a School operated on a non-profit basis and under charter granted by the Province of Ontario, or a private School.

"SEMI DETACHED DWELLING" see "DWELLING".

"SERVICE AND REPAIR SHOP" means an establishment wherein articles of goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation or establishment used for the service or repair of Motor Vehicles.
"SERVICE TRADE" means an establishment, other than an automotive Use, that provides a non-personal service or craft to the public, including, but not necessarily restricted to, a printer’s shop, a tinsmith’s shop, a plumber’s shop, a painter’s shop, a merchandise service shop, a furrier’s shop, an upholsterer’s shop, a bakery, a catering establishment, a machine shop, or a monument engraving shop.

"SETBACK" means the minimum horizontal distance between a Lot Line and the nearest part of the foundation of any Building or Structure on the Lot or the nearest Open Storage Use on the Lot. Where there is more than one Zone on a Lot, the Setback shall be measured from the Zone line.

"SHOPPING CENTRE" means a group of commercial establishments related in location, size, and type to the trade or residential area it serves and conceived, designed, developed and managed as an interdependent and interrelated unit whether by a single owner or tenant or by a group of owners or tenants, acting in collaboration.

"SHORELINE" means any land or Lot Line or portion thereof which abuts a Navigable Waterway or Watercourse.

“SHORELINE PROTECTION” means a seawall constructed of armorstone, steel sheetpiling, pressure-treated wood, gabion basket or similar material located at the base of the shoreline bank which provides protection against erosion. In the event of a dispute concerning whether adequate protection against erosion is provided, a qualified engineer will be consulted.

"SIGHT TRIANGLE" means the triangular space formed by the Street Lines of a Corner Lot and a line drawn from a point in one Street Line to a point in the other Street Line, each such point being a minimum distance specified in section 3.19.3 of this By-law from the point of intersection of the Street Lines (measured along the Street Lines). Where the two Street Lines do not intersect at a point, the point of intersection of the Street Lines shall be deemed to be the intersection of the projection of the Street Lines or the intersection of the tangents to the Street Lines.

"SIGN" means a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a Building, Structure or Lot which directs attention to an object, product, place, activity, Person, institute, organisation or business.

"SINGLE DETACHED DWELLING" see "DWELLING".

“SMALL SCALE WIND ENERGY CONVERSION SYSTEM (AGRICULTURAL) means any combination of Wind Energy Conversion Systems (wind turbine) with a combined nameplate capacity of less than 500 kilowatts (kW), which is accessory to an agricultural use and that produces electricity primarily for use on an Agricultural Lot on which it is located or to produce credits for use on another Agricultural Lot under the same ownership as the small scale energy conversion system operator. Although it may be connected to the Provincial grid and/or practice net metering, it does not produce electricity for sale to the Provincial grid. (B/L 32/2007)

"STACKED TOWNHOUSE" see "DWELLING".

"STOCK YARD" means the Use of land, a Building or a Structure for the temporary containment of Livestock.

"STORAGE DEPOT" means an area including reservoir, silo and tank storage; hangers; open air parking; and open air storage. Storage Depots exclude Salvage Yards, Resource Extraction operations, and Wayside Pits.

“STORAGE COMPOUND” shall mean an area within a Mobile Home Park used for the parking of such items as Travel Trailers and Motor Homes. Such a storage compound shall be surrounded by a 2 metre high solid wood fence.

"STOREY" shall mean that portion of a Building or Structure between any floor level of such Building and the floor, ceiling or roof next above such floor level. In the case of a Dwelling, this definition shall not include:
a) an Attic, if such attic contains no habitable rooms; or
b) a Basement, if such basement contains no Habitable Rooms; or
c) a Cellar.

"STOREY, ONE-HALF" shall mean that portion of a Building situate wholly or partly within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.29 metres over a floor area equal to at least 50% of the area of the floor next below.

"STORM SEWER" means a pipe located entirely within the ground and designed, used, or intended for use for the conveyance of precipitation.

"STREET" means a public thoroughfare intended for vehicular traffic and which is under the jurisdiction of either the Corporation, the County or the Province of Ontario. This definition shall not include any Lane or private Right-Of-Way. "STREET ALLOWANCE" shall have a corresponding meaning.

"STREET ACCESS" means, when referring to a Lot, that such Lot has a Lot Line or portion thereof which is also a Street Line.

"STREET LINE" means the limit of the Street Allowance and is the dividing line between a Lot and a Street.

"STREET TOWNHOUSE" see "DWELLING".

"STRUCTURE" means anything that is erected, built or constructed of parts joined together or requiring a foundation to hold it erect, but shall not include free standing walls and fences or tents.

"SWIMMING POOL, PRIVATE" means a Structure located on privately owned property, used and maintained for the purpose of swimming or wading. Private Swimming Pools shall be subject to the provisions of Section 3.13 of this By-law.

"TAVERN" shall mean a tavern as defined by the Liquor Licenses Act, R.S.O. 1980, as amended from time to time.

"TEMPORARY BUILDING" means a Building or Structure intended for removal or demolition within a prescribed time not exceeding two years as set out in a Building permit.

"TERMINAL GRAIN ELEVATOR" means an establishment for the storing, receiving, shipping of grain and similar Agricultural products, and includes associated Offices, weigh scales, and Accessory Uses.

"THEATRE" means a Building, or part thereof, used for the presentation of the performing arts.

"TILLABLE HECTARES" means the total area of land including pasture that can be worked or cultivated.

"TOP-OF-BANK" means a line delineated at a point where the oblique plane of the slope associated with a Watercourse, meets the horizontal plane.

"TOURIST CENTRE" means any land, Buildings or Structures used for the purpose of providing tourist information and activities to the travelling public.

"TOURIST ESTABLISHMENT" means a Building or part thereof used for accommodation of the travelling or vacationing public and, unless specified therein, may include a Hotel, Motel and Tourist Home.

"TOURIST HOME" shall mean a Dwelling Unit excluding a Hotel or Motel in which rooms or lodging are provided for hire or pay for not more than five (5) persons.

"TOWNHOUSE" see "DWELLING".

"TRAVEL TRAILER" see "RECREATIONAL VEHICLE".

"TRAVEL TRAILER SALES ESTABLISHMENT" means land and/or Buildings used for the display for sale of Travel Trailers and includes the servicing, repair, cleaning, polishing and greasing of such vehicles
and the sale of accessories and related products and the leasing or renting of such vehicles, but does not include a Motor Vehicle Sales Establishment as defined in this By-law.

"TRIPLEX DWELLING" see "DWELLING".

"TRUCK CAMPER" see "RECREATIONAL VEHICLE".

"TRUCK STOP" means the Use of any land, Buildings or Structures upon which a business, service or industry involving the maintenance, servicing, storage or repair of Commercial Motor Vehicles is conducted or rendered including the dispensing of motor fuel or petroleum products directly into Motor Vehicles, the sale of accessories or equipment for trucks and similar Commercial Motor Vehicles. A Truck Stop may also include overnight accommodation, laundry and shower facilities for the Use of truck crews, and Restaurant facilities.

"TRUCK TRANSPORT TERMINAL" means a Building, Structure, or Lot used for the parking, repairing, or dispatching of Commercial Motor Vehicles or trailers (as defined by The Highway Traffic Act, R.S.O. 1990, Chap. H.8, as amended).

"USE" where it appears as a noun, means the purpose for which a Lot, Building or Structure, or any combination thereof is designed, arranged, occupied or maintained. "USES" shall have a corresponding meaning.

"UTILITY SERVICE BUILDING" means a Building used in connection with the supplying of Public Utilities including a water and sewage pumping station, a water storage reservoir, a gas regulator Building, a hydro sub-station, a telephone exchange Building or similar Buildings.

"WALL, MAIN" means an outside wall of a Building which supports a roof and shall include a wall under a gable end.

"WAREHOUSE" means a Building or Structure or part thereof used or intended to be used for the storage and display of goods, merchandise or materials, and may include the carrying out of commercial transactions involving the sale of such goods, merchandise and materials solely by wholesale.

"WAREHOUSE, BONDED" means a Warehouse, certified by the Federal government and guaranteed by a bonding agency, where goods may be stored until duties or taxes are paid.

"WASTE DISPOSAL SITE" as defined in Section 25 of the Environmental Protection Act, R.S.O. 1990, Chap. E.19, as amended, means any land or land covered by water upon, into, or through which, or a Building or Structure in which, waste is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste.

"WATERCOURSE" shall mean a lake, river, stream, canal or drain.

"WAYSIDE PIT" OR "WAYSIDE QUARRY" means a temporary pit or quarry opened and used by a public Road authority solely for the purpose of a particular project or contract of Road construction and not located on the Road Right-Of-Way.

"WHOLESALE ESTABLISHMENT" means any Establishment which sells merchandise to others for resale and/or to Industrial or Commercial users.

“WIND ENERGY CONVERSION SYSTEM” means any device such as a windmill or wind turbine that converts wind energy to electrical energy. (B/L 32/2007)

“WIND ENERGY CONVERSION SYSTEM ACCESSORY FACILITIES” means those facilities, equipment, machinery and other devices necessary to the proper operation and maintenance of a wind energy conversion system, including access roads, collector and feeder lines and substations. (B/L 32/2007)

“WIND ENERGY CONVERSION SYSTEM HEIGHT” means the vertical distance from the average grade to uppermost extension of any blade or the maximum height of any part of the turbine, whichever is greater. (B/L 32/2007)
"YARD" means a space, appurtenant to a Building or Structure, located on the same Lot as the Building or Structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such Accessory Buildings, Structures or Uses as are specifically Permitted elsewhere in this By-law. Where a Yard is defined anywhere in this By-law as extending between a Lot Line and a Building or Structure, it shall also be deemed to extend between a Zone line and a Building or Structure where a Lot includes more than one Zone.

a) "FRONT YARD" means a Yard extending across the full width of the Lot between the Front Lot Line of the Lot and the foundation of any Main Building on the Lot.

b) "FRONT YARD SETBACK" means the least horizontal dimension between the Front Lot Line of the Lot and the foundation of any Building or Structure on the Lot, or the nearest Open Storage Use on the Lot.

c) "REAR YARD" means a Yard extending across the full width of the Lot between the Rear Lot Line of the Lot and the foundation of any Main Building on the Lot. If there is no Rear Lot Line, there shall be deemed to be no Rear Yard.

d) "REAR YARD SETBACK" means the least horizontal dimension between the Rear Lot Line of the Lot and the foundation of any Building or Structure on the Lot, or the nearest Open Storage Use on the Lot.

e) "SIDE YARD" means a Yard extending from the Front Yard to the Rear Yard and from the Side Lot Line of the Lot to the foundation of any Main Building on the Lot. In the case of a Lot, which has no Rear Lot Line, the Side Yard shall extend from the Front Yard to the opposite Side Yard.

f) "SIDE YARD SETBACK" means the least horizontal dimension between the Side Lot Line of the Lot and the foundation of any Building or Structure on the Lot, or the nearest Open Storage Use on the Lot.

g) "EXTERIOR SIDE YARD" means a Side Yard immediately adjoining a Street, extending from the Front Yard to the Rear Lot Line.

h) "INTERIOR SIDE YARD" means a Side Yard other than an Exterior Side Yard.

i) "REQUIRED YARD" means a Yard with the minimum Front Yard Setback, Rear Yard Setback, or Side Yard Setback required by the provisions of this By-law. A required Side Yard shall extend from the required Front Yard to the required Rear Yard, or in the case of a Lot which has no Rear Lot Line, the required Side Yard shall extend from the required Front Yard to the opposite required Side Yard.

"ZONE" means a designated area of land Use shown on Schedule ‘A’ of this By-law.
2.3 CHARTS/DIAGRAMS

GUIDE TO
HEIGHT DEFINITIONS

- Flat Roof
- Gable Roof
- Hip Roof
- Gambrel Roof
- Mansard Roof
IRREGULAR LOT
NO PARALLEL LOT LINES
YARD DEFINITIONS

LOT FRONTAGE

1. MID POINT OF FRONT LOT LINE.
2. MID POINT OF REAR LOT LINE.

LOT FRONTAGE MEASURED AT RIGHT ANGLES TO THE LINE JOINING POINTS 1 AND 2 AT A DISTANCE OF 6 METRES FROM THE FRONT LOT LINE.

DISTANCE ab REPRESENTS THE SHORTEST DISTANCE MEASURED BETWEEN THE LOT LINE AND NEAREST PART OF THE MAIN BUILDING. DISTANCE ab MUST BE A MINIMUM DISTANCE SPECIFIED IN BY-LAW.
IRREGULAR LOT
NO REAR LOT LINE
YARD DEFINITIONS

LOT FRONTAGE
1. MID POINT OF FRONT LOT LINE.
2. MID POINT OF REAR LOT LINE.

LOT FRONTAGE MEASURED AT RIGHT ANGLES TO THE LINE JOINING POINTS 1 AND 2 AT A DISTANCE OF 6 METRES FROM THE FRONT LOT LINE.

DISTANCE ab REPRESENTS THE SHORTEST DISTANCE MEASURED BETWEEN THE LOT LINE AND NEAREST PART OF THE MAIN BUILDING. DISTANCE ab MUST BE THE MINIMUM DISTANCE SPECIFIED IN THE BY-LAW.
CORNER LOT
CURVED LOT LINE
YARD DEFINITIONS

DISTANCE ab REPRESENTS THE DEPTH OF THE REQUIRED YARD MEASURED AS LEAST HORIZONTAL DIMENSION BETWEEN LOT LINE AND NEAREST PART OF MAIN BUILDING. DISTANCE ab MUST BE THE MINIMUM DISTANCE SPECIFIED IN BY-LAW.
CORNER LOT
PARALLEL LOT LINES
YARD DEFINITIONS

DISTANCE ab REPRESENTS THE DEPTH OF THE REQUIRED YARD MEASURED AS LEAST HORIZONTAL DIMENSION BETWEEN LOT LINE AND NEAREST PART OF MAIN BUILDING. DISTANCE ab MUST BE THE MINIMUM DISTANCE SPECIFIED IN BY-LAW.
SECTION 3 - GENERAL PROVISIONS

3.1 USES PERMITTED IN ALL ZONES

The following Uses are Permitted in all Zones within the Corporation:

3.1.1 Services and Utilities

Despite any other provisions of this By-law to the contrary, the Corporation of the Municipality of Lambton Shores, the County of Lambton and any Ministry of the Government of Canada or Province of Ontario (or A Public Agency) may for the purpose of the public service, use any land or any Building or Structure in any Zone in spite of the fact that such Use of any Building or Structure does not conform with the provisions of this By-law for such Zone only insofar as such Uses are for administrative or Office purposes.

3.1.2 Utility Service Buildings and Non-Recreational Public Uses

Utility Service Buildings and Non-Recreational Public Uses exclusive of Waste Disposal Sites, incinerators and works yards are Permitted in all Zones. Where such Use is located in any Residential (R) Zone:

a) it shall comply with the provisions for such Zone;

b) there shall be no Open Storage; and

c) any building or structure shall receive site plan approval from the Municipality pursuant to Section 41 of the Planning Act, R.S.O. 1990 c. P. 13;

d) any Buildings or Structures erected or used shall be designed, maintained and used in a manner compatible with residential Buildings of the type Permitted in said Zone.

3.1.3 Public Recreational Uses

Parks and Community Centres operated by or for the Municipality of Lambton Shores, including Uses Accessory thereto.

3.1.4 Construction Uses

Any sheds, scaffolds or other Structures incidental to Building construction on the premises for so long as the same is necessary for work in progress. Such Buildings, Uses and Structures shall be removed within 6 months following the termination and or abandonment of the construction project.

3.1.5 Pipelines

Nothing in this By-law shall prevent the Use of any land for any gas, oil, brine or other liquid or gaseous product transmission or distribution pipeline and appurtenances thereto which have been approved under the authority of the National or Ontario Energy Boards.

Any pipeline, as constructed by any distributor, producer or storage company or for any pipeline as constructed by any company under the Ontario Energy Board Act, as amended, shall be Permitted in any Zone provided that, where possible, such pipelines are constructed in or upon Existing Rights-Of-Way, Easements or transmission corridors. Where possible, the pipelines shall generally be located as follows:

a) where the proposed pipeline runs northerly and southerly, it should follow along Lot Lines;

b) where the proposed pipeline runs easterly and westerly, it should follow along Road Right of Ways.

c) Where forest cover is removed it shall be replaced with twice the area of forest cover that is removed.

3.1.6 Petroleum Well and Petroleum Work

Nothing in this By-law shall prevent the Use of any land for any Petroleum Well or Petroleum Work subject to the regulations of the Oil, Gas and Salt Resources Act, R.S.O. 1990, Chap. P.12, as amended.
3.2 USES PROHIBITED IN ALL ZONES

Unless specifically Permitted in this By-law, all Uses, including the following Uses, are specifically prohibited and shall only be Permitted by amendment to this By-law under Section 34(10), or application under Section 45, of the Planning Act, R.S.O. 1990, Chap. P.13, as amended.

a) Offensive Industrial Uses including the boiling of blood, tripe or soap, tanning of hides and skins and other similar Uses which may be declared by the local Health Unit or Council to be a noxious or offensive trade, business or manufacture.

b) The operation of year-round, privately-owned Travel Trailer camps or privately-owned Campgrounds, but not including the operation of Mobile Home Parks as defined in this By-law.

c) The outdoor keeping or storage of any Derelict Motor Vehicle.

d) A track for the racing or testing of automobiles, snowmobiles, motorcycles, or any motorized vehicle.

e) Adult Entertainment Establishment.

f) A Body Rub Parlour as defined in this By-law.

g) Any manufacturing or processing Use involving Dangerous Goods which poses a hazard to the public.

h) The keeping of Livestock on any Lot in a Residential (R) Zone.

3.3 ACCESSORY BUILDINGS, STRUCTURES OR USES

3.3.1 Accessory Buildings, Structures or Uses Permitted

Where this By-law provides that land may be used for a Building or Structure or may be erected or used for a purpose, that purpose shall include any Accessory Building, Structure or Use, but shall not include any of the following Uses, except as specifically Permitted in this By-law;

a) Any occupation for gain or profit conducted within or Accessory to a Dwelling Unit; nor

b) Human habitation.

Where this By-law provides that land may be used for a Dwelling, the Permitted Accessory Uses shall include a Garage Sale provided that:

a) No Person shall conduct more than two Garage Sales per calendar year at one location;

b) No Garage Sale shall exceed two days duration.

3.3.2 Structures Permitted in all Yards

Despite any other Yard provisions of this By-law, drop awnings, flag poles, garden trellises, fences, retaining walls, legal Signs, or similar Accessory Uses and Structures shall be Permitted in any Yard.

3.3.3 Accessory Buildings and Structures in Residential Zones

All Accessory Buildings and Structures shall comply with the Yard provisions of the Zone in which such Accessory Building or Structure is located, except that in any Residential Zone, an Accessory Building or Structures shall comply with the following provisions:

a) Except as otherwise provided for in any Residential Zone, an Accessory Building or Structure which is not attached to the Main Building shall not be erected in any Yard other than the Interior Side Yard or Rear Yard, except that a detached accessory building or structure may be permitted in the front yard of a lot that abuts a watercourse including Lake Huron, provided it is not located any closer to the front lot line, side lot line or exterior side lot line than is permitted for a dwelling in the residential zone in which it is located.

b) An area of 1.2 metres which is open and unobstructed from the ground to the sky shall be maintained between a Detached Accessory Building or Structure and the Main Building on the same Lot.
c) An Attached Accessory Building or Structure may be erected in a Front Yard or Exterior Side Yard provided it is not located in a Required Yard.

d) When an Accessory Building or Structure is located in an Interior Side Yard, it shall be no closer than 1 metre to the Interior Side Lot Line.

e) When an Accessory Building or Structure is located in the Rear Yard, it shall be located no closer than 1 metre to either the Rear Lot Line or the Interior Side Lot Line.

f) No Accessory Building or Structure shall be located closer to the Exterior Side Lot Line than the Exterior Side Yard Setback requirement for the Zone in which such Lot is located.

3.3.4 Lot Coverage and Height of Accessory Buildings and Structures in Residential Zones

The total Lot Coverage of all Accessory Buildings and Structures on a Lot in any Residential Zone shall not exceed 93 square metres or 10% of the Lot Area, whichever is less. This percentage shall be included as part of the Maximum Lot Coverage calculation Permitted in the Residential Zone requirements. The Height of any Accessory Building or Structure shall be as follows:

i) for buildings and structures of 67 square metres of lot coverage or less, a maximum height of 5.5 metres shall be permitted; and

ii) for buildings and structures with a lot coverage between 68 square metres and 93 square metres, a maximum height of 6.1 metres shall be permitted.

The Height of the Building or Structure shall be measured from the finished floor to the highest point of the Building or Structure. Despite the foregoing, the construction of fences shall conform to the Municipality of Lambton Shores Fencing By-Law.

3.3.5 Accessory Dwelling Units in Industrial Zones

Where a Dwelling Unit is Permitted as an Accessory Use in an Industrial Zone, it shall be structurally Attached to the Main Building, shall have a minimum Floor Area of forty (40.0) square metres, and shall be designed, used, or intended to be used for the exclusive use of a caretaker or security guard of the Industrial Use.

3.4 NON-CONFORMING USES

This By-law acknowledges that Section 34(9)(a) and (b) of The Planning Act, R.S.O. 1990, Chap. P.13, as amended, provides that "no By-law passed under this section applies:

a) To prevent the Use of any land, Building or Structure for any purpose prohibited by the By-law if such land, Building or Structure was lawfully used for such purpose on the day of the passing of the By-law, so long as it continues to be used for that purpose; or

b) To prevent the erection or Use for a purpose prohibited by the By-law of any Building or Structure for which a permit has been issued under Section 5 of the Building Code Act, R.S.O. 1990, Chap. B.13, as amended, prior to the day of the passing of the By-law, 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 permit has not been revoked under Section 8 of the Building Code Act, R.S.O. 1990, Chap. B.13, as amended."

Furthermore, Section 34(10) of the Planning Act, R.S.O. 1990, Chap. P.13, as amended, provides as follows:

c) Despite any other provision of this Section, any By-law passed under this Section or a predecessor of this Section may be amended so as to permit the extension or enlargement of any land, Building or Structure used for any purpose prohibited by the By-law if such land, Building or Structure continues to be used in the same manner and for the same purpose as it was used on the day such By-law was passed.
3.5 NON-CONFORMING USES - RESTORATION
a) Where in any Zone, any Building or Structure exists as a legal Non-Conforming land Use and the said Building or Structure is destroyed by fire or natural disaster, this By-law does not prevent the reconstruction of the said Building or Structure to its prior dimensions at its exact prior location. Should the exact prior location be impossible to build upon for legal, technical or insurance reasons, then the location may be adjusted only to the extent necessary to overcome such reasons.

b) Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any Non-Conforming Use, Building or Structure provided that such repair or restoration will not increase the Height, size or volume or change the Use of such Building or Structure or constitute a Replacement.

3.6 NON-COMPLYING USES
a) Rebuilding or Repair Permitted
Where in any Zone, a Non-Complying Use, Building or Structure is destroyed by fire or natural disaster, such Non-Complying Use, Building or Structure shall be reconstructed in compliance with this By-law. When it is not possible for legal, technical or insurance reasons to build in compliance with this By-law, such reconstruction shall compli as closely as possible with the By-law unless this is also not possible for legal, technical or insurance reasons; in which case, such Non-Complying Use, Building or Structure may be reconstructed to its prior dimensions at its exact prior location.

b) Strengthening to a Safe Condition
Nothing in this By-law shall prevent the repair or restoration to a safe condition of any Non-Complying Use, Building or Structure provided that such repair or restoration does not Further Contravene any of the provisions of this By-law or constitute a Replacement.

c) Additions And Accessory Uses Permitted
i) Nothing in this By-law shall prevent an addition to a Non-Complying Use, Building or Structure, provided that such addition does not Further Contravene any of the provisions of this By-law.

ii) Nothing in this By-law shall prevent the erection or enlargement of Buildings, Structures and Uses Accessory to a Non-Complying Use, Building or Structure, provided that such erection or enlargement does not Further Contravene any of the provisions of this By-law.

3.7 DWELLING UNITS
3.7.1 Yard Provisions For Non-Residential Buildings
Where a Dwelling Unit is located in a non-residential Building, such Dwelling Unit shall comply with the Yard provisions of this By-law which apply to the said non-residential Building.

3.7.2 Cellar Location
No Dwelling Unit shall be located in a Cellar.

3.7.3 Basement Location
A Dwelling Unit, in its entirety, may be located in a Basement, provided that:

a) The finished floor level of such Basement is not below the level of any Sanitary Sewer or Storm Sewer serving the Building in which such Basement is located, and;

b) There is at least one Storey located above such Basement containing habitable space.

3.8 ADDITION OF SECOND DWELLING UNIT IN SINGLE DETACHED DWELLINGS
In those Zones where Single Detached Dwellings are Permitted, a second Dwelling Unit may be established in the Single Detached Dwelling subject to the following provisions:

a) Only one (1) additional Dwelling Unit will be Permitted;
b) One (1) Parking Space is to be provided for the additional Dwelling Unit;

c) All Parking Spaces are to be located in an Interior Side Yard, Rear Yard, or in a Private Garage;

d) All provisions of the Fire Code and Building Code are to be complied with;

e) No Dwelling Unit is to be established in a Cellar;

f) There shall be no significant Alteration to the exterior of the Dwelling, except for required fire escapes, and extra windows and entrances;

g) The Dwelling must be inspected by the Corporation’s Chief Building Official before the additional Dwelling Unit is occupied; and

h) In areas served with private on-site sewage systems, the proposed conversion must be approved under Part 8 of the Ontario Building Code before the additional Dwelling Unit is to be established.

3.9 LOT DEVELOPMENT REQUIREMENTS

3.9.1 Frontage on a Street

No Lot shall be used and no Building on a Lot erected or used unless the Lot fronts on a Street which is opened and publicly maintained on a year round basis. Despite the foregoing, a Building or Structure may be erected on a Lot even though the streets abutting such Lot have not been assumed and are not being maintained by the Municipality.

3.9.2 More Than One Use on a Lot

When a Lot contains more than one Use, each such Use shall conform to the provisions of this By-law for such Use in the Zone where it is located.

3.9.3 More Than One Zone on a Lot

When a Lot is divided into more than one Zone, each such portion of the Lot shall be considered separately for the purposes of determining Zone provisions such as Lot Area, Lot Frontage, Lot Coverage, Required Front Yard, Required Side Yard and Required Rear Yard and development on each such portion shall conform to the provisions of the appropriate Zone, but no Lot shall have more than one Dwelling on the whole except as specifically provided in this By-law. Where a portion of a Lot is Zoned Environmental Protection or Natural Conservation, such portion may be included in determining the minimum Lot area requirements and the Environmental Protection or Natural Conservation Zone line shall not be considered a Lot Line for Setback purposes on the adjoining Zoned area.

3.9.4 Number of Main Buildings on a Residential Lot

Unless otherwise stated in the applicable Zone, no Lot that is used for residential purposes shall be occupied by more than one (1) Main Building.

3.9.5 Existing Lots

In any Zone, where one or more Existing Lots are held in separate ownership and have insufficient Lot Area and/or Frontage, this By-law shall not prevent the Use of such Lot and the construction of any Building or Structure Permitted by this By-law, provided that all other provisions of this By-law are complied with and provided that the Lot can be serviced with a potable water supply and sanitary sewerage facilities or septic system.

Notwithstanding the above clause, the erection of new Dwellings containing more than one Dwelling Unit shall comply with the Lot Area and/or Frontage provisions per Dwelling Unit.

3.10 HOME OCCUPATIONS

3.10.1 All Home Occupations

No Home Occupation shall be Permitted in any Zone unless such Use complies with the following provisions:
a) No Person other than a member of the resident family, and not more than two additional persons not residing on the premises and not related to the resident family shall be employed at the premises.

b) No more than 1 physician, dentist or drugless practitioner shall practice in a Clinic where such Clinic constitutes a Home Occupation. Such physician, dentist or drugless practitioner shall reside in the Dwelling Unit, where such Clinic is located.

c) A Sign shall be Permitted in accordance with Section 3.21 of this By-law.

d) Not more than 25% of the Gross Floor Area of the Dwelling shall be exclusively devoted to the Home Occupation (to a maximum of 40 sq. m).

e) The Home Occupation shall be clearly secondary to the main residential Use, be operated and contained entirely within the Dwelling and shall not change the residential character of the Dwelling or the Lot.

f) In any R Zone, (or on any Lot with a Lot Area of 4000 square metres or less in an Agricultural Zone), the Home Occupation shall be operated entirely within the Dwelling. However, on Lots exceeding 4000 square metres in Lot Area, a Home Occupation may be conducted within an Accessory Building or Structure on the Lot provided the Floor Area of such Accessory Building or Structure does not exceed 50 square metres.

g) There shall be no Open Storage or display of materials, containers or finished products.

h) No Use that includes the storage or repair of construction equipment, welding, auto body repair, automotive maintenance or metal fabrication shall be permitted as a Home Occupation.

i) A Home Occupation that is a Commercial School, Private Club or primarily a Retail use is not Permitted. However, the sale of goods manufactured in connection with a Home Occupation or normally used in association with the Home Occupation shall be Permitted.

j) The Home Occupation shall not create or become a public nuisance in regard to noise, traffic, parking or interference with radio or television reception, vibration, smoke, dust, heat, odorous material, humidity, glare, refuse or other objectionable omission.

k) The Home Occupation shall not cause an upgrade to Existing municipal or private sewage and water facilities for the Lot.

l) In areas served with private on-site sewage systems, the Home Occupation must be approved under Part 8 of the Ontario Building Code before the Home Occupation is established.

m) The Home Occupation shall not require the creation of additional on-site Parking Spaces unless the said Home Occupation occupies more than 40 square metres. However, a Clinic shall require 5 Parking Spaces.

n) No Home Occupation shall be Permitted unless a license for such establishment has been issued by the Corporation. The license shall only be issued if such establishment complies with the provisions of this section.

3.10.2 Bed & Breakfast Establishments

Where a Bed & Breakfast Establishment is Permitted (in a Residential (R) Zone), it shall comply with the following provisions:

a) No person, other than a member of the family residing in the Dwelling, shall be employed in the establishment except for housekeeping purposes;

b) A maximum of 3 Guest Rooms are Permitted and each Guest Room shall have a minimum Floor Area of 10 square metres;

c) A Sign shall be Permitted in accordance with Section 3.21 of this By-law;

d) No food or drink shall be offered or kept for sale for persons who are not guests of the establishment;
e) In addition to the one Parking Space per Single Detached Dwelling which is required by this By-law, a Bed & Breakfast Establishment shall provide for one on-site Parking Space for each Guest Room.

f) No Bed & Breakfast Establishment shall be Permitted unless a license for such establishment has been issued by the Corporation. The license shall only be issued if such establishment complies with the provisions of this section.

g) In all other respects, Section 3.10.1 of this By-law shall apply.

3.10.3 Agricultural Home Industry

An Agricultural Home Industry shall be Permitted in any Agricultural Zone and such Use must comply with the following provisions:

a) The Agricultural Home Industry shall be carried on entirely within a Building or Structure Accessory to an Agricultural Use.

b) An Agricultural Home Industry shall not exceed 90 square metres and no more than 25% of the Gross Floor Area of the Dwelling shall be exclusively devoted to the Agricultural Home Industry.

c) The total amount of Open Storage shall not exceed 90 square metres.

d) No Agricultural Home Industry shall be Permitted unless a license for such establishment has been issued by the Corporation. The license shall only be issued if such establishment complies with the provisions of this section.

e) In all other respects, Section 3.10.1 of this By-law shall apply.

3.11 HUMAN OCCUPANCY OF TRUCK, BUS AND COACH BODIES OR RECREATIONAL VEHICLES OR TENTS (B/L 77/04)

No truck, bus, coach or streetcar or other Motor Vehicle body shall be used for human occupancy within the Municipality whether or not the same is mounted on wheels;

No Recreational Vehicle or Tent shall be used for the living, sleeping or eating accommodation of Persons within any zone, except those zones where it is specifically permitted.

3.12 PERMITTED ENCROACHMENTS

3.12.1 Yard Encroachments Permitted

Unless otherwise specified by this By-law, every part of any Yard required by this By-law shall be open and unobstructed by any Building or Structure from the ground to the sky, provided however, those Structures listed below shall be Permitted to encroach into the Required Yards indicated for the distances specified:

<table>
<thead>
<tr>
<th>STRUCTURE</th>
<th>YARD IN WHICH ENCROACHMENT IS PERMITTED</th>
<th>MAXIMUM ENCROACHMENT PERMITTED INTO REQUIRED YARDS UNDER ZONE REGULATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Sills, belt courses, cornices, eaves, gutters, chimneys or similar architectural Structure</td>
<td>Any Yard</td>
<td>0.5 metre</td>
</tr>
<tr>
<td>b) Outdoor heating and air conditioning unit</td>
<td>Any Yard</td>
<td>1.0 metre</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Location</td>
</tr>
<tr>
<td>---</td>
<td>------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>c)</td>
<td>Porches (unenclosed) excluding eaves</td>
<td>Any Yard</td>
</tr>
<tr>
<td>d)</td>
<td>Decks (unenclosed)</td>
<td>Any Yard</td>
</tr>
<tr>
<td>e)</td>
<td>Balconies, ramps and steps (unenclosed)</td>
<td>Any Yard</td>
</tr>
<tr>
<td>f)</td>
<td>Bay windows and awnings</td>
<td>Any Yard</td>
</tr>
<tr>
<td>g)</td>
<td>Fully enclosed one Storey Porches</td>
<td>Front Yard</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rear Yard</td>
</tr>
<tr>
<td>h)</td>
<td>Main Building cantilever</td>
<td>Front Yard</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rear Yard</td>
</tr>
</tbody>
</table>

Provided however that c), d) and e) shall not be any closer than 1.2 metres to an Interior Side Lot Line. Encroachments into Exterior Side Yards shall comply with the requirements for Exterior Side Yards in the applicable Zone.

In any Agriculture Zone, where a Dwelling Unit is Non-Complying regarding the required Front Yard Setback, a Deck (Unenclosed) may be added to the Dwelling if such Deck is no closer to the Front Lot Line than the front of the Building.

### 3.12.2 Building in Built-Up Areas
Where a Building is to be erected within a built-up area where there is an Established Building Line, such Building may be erected closer to the Street Line than required by this By-law provided that such Building is not erected closer to the Street Line than the Established Building Line.

### 3.12.3 Yard Setback Non-Compliance
Where in any Zone, a Building or Structure lawfully existed on the date of passing of this By-law and is used for a Permitted Use and the Existing Building or Structure does not comply with the minimum Required Yards for the Zone in which it is situated, the Existing Yards shall be deemed to be the minimum Required Yards for that Building or Structure. Any expansion to the Existing Building or Structure shall comply with all provisions of this By-law.

### 3.13 PRIVATE SWIMMING POOLS
A Private Swimming Pool shall not be considered as part of the Lot Coverage provided that no part of such pool is more than 1.2 metres above the Finished Grade. Fences surrounding Private Swimming Pools shall comply with the By-laws of the Corporation regulating such fences. The interior wall surface of such pool shall be located no closer than 1.2 metres to any Rear Lot Line or Interior Side Lot Line.

### 3.14 DECK (UNENCLOSED)
A Deck (Unenclosed) shall not be considered as part of the Permitted Lot Coverage and shall be subject to the same Setbacks as Accessory Buildings or Structures in the Zone they are Permitted.

### 3.15 EXTERNAL BUILDING MATERIALS
The following building materials shall not be used for the exterior facing of any wall of any Building or Structure within the Corporation: asphalt roll-type siding, building paper, mill ends, roll roofing, spray-on insulation, and tar paper.

### 3.16 HEIGHT RESTRICTIONS
The Height provisions of this By-law shall not apply to the following:
i) a) an air conditioner duct; b) a belfry; c) a bridge; d) a bulkhead; e) a chimney; f) a church spire; g) a clock tower; h) a cupola; i) a dome not used for human occupancy; j) an elevator penthouse; k) a farm Building; l) firewalls m) a flag pole; n) a grain elevator; o) a radio antenna; p) a scenery loft not used for human occupancy; q) a sky light; r) a smoke stack; s) a staircase; t) a television antenna, u) a farm silo; v) a ventilator; w) a water or fuel tank; x) a water tower.

ii) any feature similar to the above and/or necessary mechanical appurtenances Accessory to the Building on which they are erected, provided, however, that such features are erected only to such Height as is necessary to accomplish their purpose.

3.17 OPEN STORAGE REGULATIONS

a) Minimum Setbacks

Unless otherwise specified hereinafter, the minimum Setback from any Front, Side or Rear Lot Line of any Permitted Open Storage in any Zone shall be no less than the respective minimum Front, Interior or Exterior Side or Rear Yard of the Zone in which the Open Storage is located, except in the case of a Permitted Agricultural Use, a Motor Vehicle Parking Lot, the outside display for sale or lease of goods products and materials in conjunction with a Permitted Commercial or Industrial Use, Extractive Use, Transport Truck Terminal, Salvage Yard, or a Storage Depot. In any Lot in an Industrial (M) Zone where any Side or Rear Lot Line abuts a Lot in the same Zone as the Zone in which the said Lot is located, the minimum Setback of any Permitted Open Storage shall be 3 metres from said Side or Rear Lot Line.

b) Parking

Any areas used for Permitted Open Storage shall be in addition to and separate from such areas as may be required by this By-law for the provision of off-street Parking Spaces.

c) Lighting

Where lighting facilities are provided in conjunction with any Permitted Open Storage, such lighting shall be so arranged as to deflect light onto the Open Storage area and away from any adjoining properties.

d) Screening

Any portion of a Lot used for Open Storage in an Industrial (M) Zone shall be enclosed by a fence. If such Industrial Use abuts any Residential, Institutional or Open Space Zones, such fence shall be constructed of solid materials and measure at least 1.8 metres in height.

e) Surface Treatment

Any Open Storage area shall be maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and drained in accordance with the requirements of the Municipality.

3.18 STORAGE OF RECREATIONAL VEHICLES & BOATS

a) Zones Where Permitted

Unless specifically Permitted by this By-law, the Open Storage of Recreational Vehicles or boats in any Zone shall not be Permitted except in accordance with the following:

i) any Lot in a Commercial Marina (CM) or Harbour (HB) Zone may be used to store any number or size of boats;

ii) Any Lot in any Residential (R) Zone may be used for the purpose of storing:

- One boat which shall not exceed 8.5 metres in length; or
- One Recreational Vehicle which shall not exceed 11 metres in length.

The provisions of this section shall not restrict the size or number of boats or Recreational Vehicles which are stored in any Zone in a Private Garage or other Building which is fully enclosed.
b) Yards Where Permitted
   i) On any Lot in a Commercial Marina (CM) or Harbour (HB) Zone, the storage of boats is Permitted in any Yard other than an area defined as a Sight Triangle.
   ii) in any Residential (R) Zone, the storage of a boat or Recreational Vehicle is not Permitted in a Sight Triangle, a required Parking Space, a Front Yard or an Exterior Side Yard. Where a boat or Recreational Vehicle is stored in an Interior Side Yard or Rear Yard, it shall comply with the Setbacks for Accessory Buildings and Structures as required in Section 3.3.3 Accessory Buildings, Structures & Uses, f) Yards in Residential (R) Zones, of this By law.

3.19 SPECIAL SETBACK PROVISIONS

3.19.1 Setbacks from Drains and Watercourses
No Buildings or Structures shall be erected after the date of passing of this By-law closer than 15 metres from the Top of Bank of any Watercourse except that where there is Shoreline Protection along a watercourse other than Lake Huron, the Setback may be reduced to 7.5 metres. No Building or Structure shall be erected:
   a) Closer than 5 metres, measured perpendicularly, from the centre line of a Closed Municipal Drain or,
   b) Closer than the actual depth of the facility in the ground, where such Closed Municipal Drain is located more than 5 metres below grade.
   c) Provisions a) and b) of this section do not apply to a Marina or Marine Facilities in any Zone or Buildings and Structures Accessory to a Public Recreational Use in the Lakeshore (LS) Zone.

3.19.2 Setback for Marine Facilities
Where Marine Facilities are Permitted in this By-law and despite any other provisions of this By-law to the contrary, such facilities can be built up to any Shoreline or the water’s edge. A minimum Setback of 1 metre from the Side Lot Lines of adjoining Lots shall be provided for Marine Facilities.

3.19.3 Sight Triangles
Within any area defined as a Sight Triangle, the following shall be prohibited:
   a) Any vegetation, shrubs or foliage planted or maintained higher than 1 metre above Finished Grade. This requirement shall not apply to Agricultural Uses.
   b) A Finished Grade exceeding the elevation of the centre line of the Street intersection by more than 60 centimetres;
   c) Buildings, Structures, fences, the top of which exceeds the elevation of the centre line of the adjoining Streets by more than 1 metre in height;
   d) In all Zones, other than the a C.1 or a C.10 Zone, and the Agricultural (A) Zone, a Sight Triangle of 9 metres shall be required from the point of intersection of the Street Lines.
   e) In the Agricultural (A) Zone, a Sight Triangle of 75 metres shall be required from the point of intersection of the Street Lines.

3.19.4 Minimum Distance Separation
   a) Non-Farm Uses
      Notwithstanding any other Yard or Setback provisions of this By-law to the contrary, no non-farm Use shall be established, erected or altered unless it complies with the Minimum Distance Separation I (MDS) Formula calculation using Appendix “A” to this By-law.
   b) Farm Uses
Notwithstanding any other yard or Setback provisions of this By-law to the contrary, no Livestock facility shall be erected or expanded in any “Agricultural” Zone, unless it complies with the Minimum Distance Separation II (MDS) Formula calculation using Appendix “B” to this By-law.

3.20 PLANTING STRIPS

A Planting Strip shall be located within the Zone and on the Lot for which it is required. It shall be planted, nurtured and maintained by the owner of the Lot on which the Planting Strip is located.

3.20.1 Required Location

Where a Lot is for a non-residential or non-agricultural purpose and:

a) The Interior Side Lot Line or Rear Lot Line abuts any residential Use or undeveloped land in a Residential Zone; or

b) Where such Lot is in an Industrial Zone and the Front, Side or Rear Lot Line abuts a Street Line and the opposite Street Line abuts any residential Use or undeveloped land in any Residential Zone then the land adjoining such abutting Lot Line or Street Line shall be used for no purpose other than a Planting Strip in accordance with the provisions of this subsection.

3.20.2 Width

Where, in any Zone, land is required to be used for no purpose other than a Planting Strip, it shall have a minimum width of 3 metres measured perpendicularly to the Lot Line adjoining such Planting Strip.

3.20.3 Height

The minimum height of a Planting Strip shall be 1.0 metre at the time of planting. Where a Planting Strip is located in a Sight Triangle, it shall have a maximum height of 1.0 metre.

3.20.4 Interruption for Driveway or Walk

Where a driveway or walkway extends through a Planting Strip it shall be permissible to interrupt the Planting Strip within 3 metres of the edge of such driveway or within 1.5 metres of such walk.

3.20.5 Landscaped Open Space

A Planting Strip may form part of any Landscaped Open Space required by this By-law.

3.21 SIGNS

Nothing in this By-law shall apply to prevent the erection, Alteration or Use of any Sign, provided such Sign complies with the By-laws of the Corporation.

3.22 ENVIRONMENTAL PROTECTION ZONES

No, Building or Structure shall be used or erected in any Environmental Protection Zone, except for activities that create or maintain infrastructure authorized under an environmental assessment process, or works subject to the Drainage Act.

3.22.1 Environmental Protection Wetland Zone

Development may be Permitted on lands within 120 metres of an Environmental Protection (EP) Zone, subject to the execution of a site plan agreement, or other agreement, specifying development conditions and boundaries, based on an environmental evaluation, prepared by a qualified professional in accordance with the provisions of the Official Plan and to the satisfaction of the municipality. The environmental evaluation must demonstrate that there will be no negative impact on the natural features or on the ecological functions for which the area is identified.
3.22.2 Environmentally Hazardous Lands

Notwithstanding any other provisions of this By-law, no permanent Buildings or Structures shall be erected or used on lands which exhibit, or potentially exhibit, a hazardous condition as a result of their susceptibility to flooding, erosion, subsidence, inundation, or the presence of organic soils or steep slopes, or on land where, by reasons of its low lying, marshy or unstable character, the cost of construction of satisfactory waterworks, sewage, or drainage facilities is prohibitive.

3.23 COMMERCIAL AND INDUSTRIAL ZONES ABUTTING OR ADJACENT TO RESIDENTIAL, INSTITUTIONAL, AND OPEN SPACE ZONES

Where any Commercial Zone or Industrial Zone fronts on a Street or Road opposite to, or directly abuts any Residential Zone, Institutional, or Open Space Zone, the following provisions shall be complied with:

a) No Loading Space shall be located in, nor open onto any Yard adjacent to a neighbouring Zone as listed above;

b) Exterior lighting and illuminated Signs shall be so arranged as to deflect light away from the adjacent Zone;

c) Outside/Open Storage shall be prohibited in any Front Yard or Side Yard adjacent to the neighbouring Zone. Where Permitted the provisions of Section 3.17 shall apply.

d) A Planting Strip shall be provided in accordance with the provisions of Section 3.20.

3.24 SETBACK FROM STREET FOR THROUGH LOTS AND CORNER LOTS

Notwithstanding any other provisions of this By-law where a Lot is a Through Lot or has frontage on more than one Street, the Setback and Front Yard requirements contained herein shall apply on each Street in accordance with the provisions of the Zone or Zones in which the Lot is located. No Accessory Buildings or Structures shall be Permitted in a Required Yard abutting a Street.

3.25 LOTS REDUCED BY PUBLIC ACQUISITION

No Building or Structure shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any Lot has been conveyed to or acquired by any authority having the power of expropriation.

Nothing in this By-law shall apply to prevent the continued Use of the Lot as reduced as if no such acquisition had taken place, provided that:

a) No further change is made in the dimensions, area or any other characteristic of the Lot as reduced, subsequent to the date of such acquisition, that would increase the extent of the said non-compliance; and

b) No Building or Structure or addition thereto is erected on the Lot as reduced, subsequent to the date of such acquisition, except in accordance with the provisions of this By-law.

c) Where new construction is proposed on a Lot which has been reduced in Lot Area and/or Lot Frontage as a result of public acquisition, the provisions of this By-law will be applied to such new construction using the newly established Lot Lines.

3.26 MOVEMENT OF BUILDINGS

No Building or Structure shall be moved in whole or in part to, or within the area defined by this By-law unless:

a) Every portion of the Building or Structure is made to conform to all the regulations of this By-law applying to the Zone in which it is located and;

b) A permit is received from the Corporation.
3.27 OCCUPANCY OF BUILDINGS UNDER CONSTRUCTION

No Building or Structure or any part thereof shall be occupied until the whole of the exterior of such Building has been completed according to the plans and specifications thereof filed with the Chief Building Official and the whole of the interior has been completed with the exception of minor details not exceeding 10% of the value of the Building as set out in the building permit by the Chief Building Official thereof. All sanitary facilities shall be installed, inspected and approved in writing and an occupancy permit obtained from the Chief Building Official prior to the Occupancy of any Building.

3.28 CONVERSION OF EXISTING DWELLINGS

In a Residential Zone where Converted Dwellings are Permitted in Existing Single Detached Dwellings, Single Detached Dwellings may be Altered, remodelled, enlarged and used for purposes of a Multiple Dwelling, provided that:

a) No Dwelling Unit so created contains a Floor Area of less than fifty (50) square metres and this shall be in addition to the minimum Gross Floor Area requirements established by this By-law for the residence prior to conversion;

b) After conversion no more than a total of three (3) Dwelling Units exist;

c) There is no increase to the Gross Floor Area of the Building for habitable purposes except for the addition of sun Porches, entrance ways and dormers;

d) Any outside stairways (except for required fire escapes) be located in the Rear Yard;

e) No Building may be converted into two (2) units unless the Lot has a minimum of 100 square metres of Landscaped Open Space located in the Rear Yard. No building may be converted into three (3) units unless the lot has a minimum of 135 square metres of landscaped open space located in the rear yard.

f) The off-street parking requirements of this By-law are complied with;

g) Where the Building cannot be connected to an Existing sanitary sewer system, alternative sewage treatment facilities approved under Part 8 of the Ontario Building Code shall be provided.

3.29 PARKING AREA REGULATIONS

3.29.1 Requirements

The owner or occupant of every Building or Structure erected or used for any of the purposes hereinafter set forth except for Existing Buildings, Structures or Uses in the Commercial - 1 (C1) Zone, shall provide and maintain for the sole Use of the owner, occupant, or other Persons entering upon or making Use of the said premises from time to time, one or more Parking Spaces each such Parking Space having a minimum width of 2.7 metres, and minimum length of 5.5 metres, in accordance with the following:

RESIDENTIAL USES

<table>
<thead>
<tr>
<th>Use</th>
<th>Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boarding house</td>
<td>1 Parking Space per Dwelling Unit, plus 1 Parking Space per guest room</td>
</tr>
<tr>
<td>Group Home</td>
<td>1 Parking Space per staff member</td>
</tr>
<tr>
<td>Multiple Dwelling</td>
<td>1.5 Parking Spaces per Dwelling Unit</td>
</tr>
</tbody>
</table>
Homes for the Aged, Rest Home 1 Parking Space per 3 beds

Mobile Home located in a Mobile Home Park 1 Parking Space per Mobile Home

Retirement Home 1 Parking Space per 3 beds

Townhouse 1.5 Parking Spaces per Dwelling Unit

Other Residential Uses Permitted by this By-law 1 Parking Space per Dwelling Unit

NON-RESIDENTIAL USES

Animal Hospital 1 Parking Space for each 28 square metres of Gross Floor Area

Animal Grooming Establishment 1 Parking Space per 20 square metres of Gross Floor Area (B/L 76/04)

Animal Grooming Establishment Combined with a Kennel 1 Parking Space per 25 square metres of Gross Floor Area (B/L 76/04)

Assembly Hall, Auditorium 1 Parking Space for every 8 fixed seats plus 1 Parking Space for each 18.5 square metres of Gross Floor Area (excluding area occupied by fixed seating)

Auction Hall 1 Parking Space for every 5 square metres Gross Floor Area accessible to the public

MV Repair Establishment 3 Parking Spaces per staff member

MV Sales 1 Parking Space per 30 square Establishment metres Gross Floor Area plus 1 Parking Space per 10 Motor Vehicles on display
<table>
<thead>
<tr>
<th>Establishment</th>
<th>Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>MV Service Establishment</td>
<td>5 per working bay</td>
</tr>
<tr>
<td>MV Washing Establishment</td>
<td></td>
</tr>
<tr>
<td>i) self-service Operation</td>
<td>2 per wash stall</td>
</tr>
<tr>
<td>ii) Conveyor Operation</td>
<td>8 per wash stall</td>
</tr>
<tr>
<td>Bank</td>
<td>1 per 37 sq. m. of Gross Floor Area</td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>1 per Guest Room</td>
</tr>
<tr>
<td>Bingo Hall</td>
<td>The greater of:</td>
</tr>
<tr>
<td></td>
<td>a) 1 per 14 sq. m. of Gross Floor Area;</td>
</tr>
<tr>
<td></td>
<td>b) 1 for 4 Person Occupant Load</td>
</tr>
<tr>
<td>Church</td>
<td>1 per 10 sq. m. of Gross Floor Area</td>
</tr>
<tr>
<td>Clinic</td>
<td>The greater of:</td>
</tr>
<tr>
<td></td>
<td>a) 5 per practitioner; or</td>
</tr>
<tr>
<td></td>
<td>b) 1 per 18.5 sq. m. of Gross Floor Area</td>
</tr>
<tr>
<td>Convenience Store</td>
<td>1 per 20 sq. m. of Gross Floor Area</td>
</tr>
<tr>
<td>Day Nursery</td>
<td>1 per staff member</td>
</tr>
<tr>
<td>Flea Market</td>
<td>1 for every 5 sq. m. of Retail area</td>
</tr>
<tr>
<td>Funeral Home</td>
<td>The greater of:</td>
</tr>
<tr>
<td></td>
<td>a) 1 per every 5 fixed seats and 1 per 5 sq. m. of Floor Area where non-fixed seating can be made available for chapel purposes; or</td>
</tr>
<tr>
<td></td>
<td>b) 1 per 5 sq. m. of Floor Area devoted to reposing rooms</td>
</tr>
<tr>
<td>Golf Course</td>
<td>8 per tee</td>
</tr>
<tr>
<td>Hospital</td>
<td>0.75 per bed</td>
</tr>
<tr>
<td>Use</td>
<td>Parking Space Requirements</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Hotel</td>
<td>1 Parking Space per bed plus 1 Parking Space per 20 square metres of communal eating or entertainment area</td>
</tr>
<tr>
<td>Industrial Use</td>
<td>Sufficient off-street parking required to accommodate all workers</td>
</tr>
<tr>
<td>Kennel</td>
<td>1 Parking Space per 30 square metres of Gross Floor Area (B/L 76/04)</td>
</tr>
<tr>
<td>Library</td>
<td>1 Parking Space for each 37 square metres of Gross Floor Area</td>
</tr>
<tr>
<td>Miniature Golf</td>
<td>12 spaces minimum</td>
</tr>
<tr>
<td>Motel</td>
<td>1.25 Parking Space per Unit plus 1 Parking Space per 20 square metres of communal eating or entertainment area</td>
</tr>
<tr>
<td>Nursing Home</td>
<td>1 Parking Space per 4 beds</td>
</tr>
<tr>
<td>Office</td>
<td>1 Parking Space per 37 square metres of ground Floor Area, plus one Parking Space for each 70 square metres of the remaining Gross Floor Area</td>
</tr>
<tr>
<td>Private Club</td>
<td>1 Parking Space for every 8 fixed seats or 1 Parking Space for each 18.5 square metre of Gross Floor Area (excluding areas occupied by fixed seating), whichever is greater</td>
</tr>
<tr>
<td>Recreation, Commercial</td>
<td>The greater of:</td>
</tr>
<tr>
<td></td>
<td>a) 1 Parking Space per 14 square metres of Gross Floor Area or</td>
</tr>
<tr>
<td></td>
<td>b) 1 Parking Space per 4 Persons Occupant Load of the establishment</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1 Parking Space per 4 m$^2$ of floor area accessible to the public and devoted exclusively to such use, including outdoor seating areas (B/L 77/04)</td>
</tr>
<tr>
<td>Restaurant, Drive-In</td>
<td>10 Parking Spaces per Lot</td>
</tr>
</tbody>
</table>
Retail Store
1 Parking Space per 37 square metre of ground Floor Area.

Service Shop, Personal
Service Shop
1 Parking Space per 37 square metres of ground Floor Area

Retail warehouse
1 Parking Space per 90 square metres of Gross Floor Area for the first 900 square metres plus 1 Parking Space for each 180 square metres of remaining Gross Floor Area

School
1.5 Parking Spaces per classroom, or teaching area plus adequate off street loading Zones for buses

Shopping Centre
1 Parking Space per 28 square metres of Gross Floor Area

Tavern
1 Parking Space for each 5 square metres of Gross Floor Area accessible to the public and devoted exclusively to such Uses

Warehouse
5 Parking Spaces minimum for the first 1,858 square metres of Gross Floor Area and 1 Parking Space for each additional 300 square metres of Gross Floor Area

Other Non-Residential Uses
Permitted in this By-law
1 Parking Space per 37 square metres of Gross Floor Area

a) Parking Spaces shall be provided at the time of construction or in association with a change of Use, according to the provisions of this By-law.
b) If calculation of the required Parking Spaces results in a fraction, the required Parking Spaces shall be the next higher whole number.
c) Parking Spaces shall be located on the same Lot as the Building they are intended to serve. (B/L 77/04)

3.29.2 Addition to Existing Use
When an Existing Building or Structure has insufficient Parking Spaces at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. In the case of the expansion or enlargement of an Existing Building or Structure, the requirement for provision of additional Parking Spaces shall be based on said expansion or enlargement. However, additional parking is not required if the expansion or enlargement does not exceed 10% of the Gross Floor Area of the Building or Structure as it existed on the passing of this By-law.

3.29.3 Change of Use
Where a change of Permitted Uses takes place in a Commercial Zone within an Existing Building or Structure no additional parking facilities shall be required provided that:
a) No Existing Parking Spaces are lost due to the change;
b) The proposed Use does not constitute an increase in intensity with regard to parking requirements;

c) The previous Use was not residential;

d) The Gross Floor Area is not increased. In the case of an increase in Gross Floor Area, the provisions of Section 3.29.2 shall apply.

3.29.4 More Than One Use On A Lot

Except in the case of a Shopping Centre, when a Building, Structure or Lot accommodates more than one type of Use the Parking Space requirement for such Building, Structure or Lot shall be the sum of the requirements for the separate Uses thereof.

3.29.5 Location

The required Parking Area shall not form a part of any Street or Lane. The required Parking Area shall be provided on the Lot occupied by the Building, Structure or Use for which said Parking Area is required.

3.29.6 Yards Where Permitted

Despite any Yard provisions of this By-law to the contrary, uncovered surface Parking Areas shall be Permitted in all Yards provided that no part of any Parking Area, other than a driveway, is located closer than the minimum Required Front Yard and Exterior Side Yard Setback to any Street Line, except that in the Central Commercial (C1) Zone a Parking Area shall not be Permitted to locate within the Front Yard and Exterior Side Yard.

3.29.7 Access To Parking

a) Location

The minimum distance between a driveway and the intersection of Street Lines measured along the Street Line intersected by such driveway shall be 9 metres.

b) Width

Access to the required Parking Spaces and Parking Areas shall be provided by means of unobstructed driveways or passageways at least 3 metres but not more than 9 metres in width. In the case of a driveway with combined ingress and egress, the minimum width of a driveway shall be 6 metres for Parking Areas with 3 to 10 Parking Spaces and 7 metres for Parking Areas with more than 10 Parking Spaces. In all cases, the maximum driveway width shall be 9 metres. All driveway widths shall be measured along the Street Line.

A driveway leading to any loading area or Parking Area shall be defined by a curb of concrete or rolled asphalt and be maintained with a cement or asphaltic binder or any other permanent surfacing. This paragraph shall not apply to residential Dwellings with less than 3 Units.

c) Aisles

The Aisles between Parking Spaces within a Parking Area shall have a minimum width of 6 metres.

d) Angle of Intersection

The minimum angle of intersection between a driveway and a Street Line shall be 60 degrees.

e) Number of Driveways

Every Lot shall be limited to the following number of driveways:

i) Two driveways, with a combined width not exceeding 30% of the Lot Frontage, for the first 30 metres of Lot Frontage or portion thereof; and

ii) One additional driveway for each additional 30 metres of Lot Frontage.
3.29.8 Surface
a) For any commercial, industrial or institutional Use or any residential use with more than three (3) units, each Parking Area shall be surfaced with a cement or asphaltic binder or any other permanent type of surfacing to prevent the raising of dust or loose particles, and shall be bounded.
b) For any residential Structure containing up to three (3) Dwelling Units, gravel shall be required as a minimum for surfacing any Parking Area.

3.29.9 Automobile Movement Lanes For Auto Washing Establishment
a) Automatic auto washing establishments shall have on their premises sufficient space for the storage and movement of at least 5 automobiles in advance of the 3 automobiles at the terminus of each wash line.
b) Self-service auto washing establishments shall have on their premises sufficient space for the storage and movement of at least 3 automobiles in advance of and 1 automobile at the terminus of each wash stall.

3.29.10 Restrictions In Residential Zones
No commercial vehicle or motorized construction equipment shall be parked or stored in any part of a lot in a residential zone, except one commercial vehicle which:
a) is owned and/or operated by the occupant of the said lot; and
b) had dimensions not greater that 2.6 metres (8.5 feet) of width, 4.5 metres (14.8 feet) of height above ground, nor 11.5 metres (37.73 feet) of length; and
c) is parked or stored within a building or carport or on a permitted driveway or parking area or within a yard other than a front yard or exterior side yard; and
d) does not carry hazardous or dangerous goods; or.
e) is parked for the purpose of making deliveries or otherwise providing services, on a temporary basis to the said lot.

3.30 LOADING SPACE REGULATIONS
3.30.1 Spaces Required
The owner or occupant of any Lot, Building or Structure erected or used for any purpose, involving the receiving, shipping, loading or unloading of Persons, animals, goods, wares, merchandise or raw materials, shall provide and maintain at the premises, facilities for loading. Loading Spaces shall measure at least 9 metres long, 3.5 metres wide and have a vertical clearance of at least 4.5 metres.
Minimum numbers of Loading Spaces shall be required in accordance with the following:

<table>
<thead>
<tr>
<th>Gross Floor Area of Building or Structure Loading Spaces</th>
<th>Additional Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>i) more than 280 square metres to 2,800 square metres</td>
<td>1</td>
</tr>
<tr>
<td>ii) more than 2,800 square metres to 5,600 square metres</td>
<td>2</td>
</tr>
<tr>
<td>iii) Each additional 5,600 square metres additional</td>
<td>1</td>
</tr>
</tbody>
</table>

3.30.2 Addition To Existing Uses
When an Existing Building or Structure has insufficient Loading Space at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. In the case of the expansion or
enlargement of an Existing Building or Structure, the requirement for the provision of Loading Spaces shall be based on said addition.

No additional Loading Spaces shall be required where an addition does not exceed 10% of the gross Floor Area of the Building or Structure as it existed on the date of the passing of this By-law.

3.30.3 Location
The required Loading Space shall be provided on the Lot occupied by the Building or Structure for which the said Loading Spaces are required and shall not form a part of any Street or Lane. Loading spaces are to be located in the Rear Yard where a Lot has access at both the front and rear to a Street or Road.

3.30.4 Surface Required
Each Loading Space and driveway connecting the Loading Space to a Street shall be provided with storm water drainage facilities and surfaced and bounded to the satisfaction of the Municipality.

3.30.5 Access
Access to Loading Spaces shall be by means of a driveway at least 6 metres wide contained within the Lot on which the spaces are located.

3.31 OCCUPANCY IN CAMPGROUNDS (B/L 29/05)
It is the intention of this section to prohibit year round permanent residency and/or occupancy in a campground. Full time occupancy of a Recreational Vehicle, Park Model Unit, or rental cabin in a campground shall be permitted between April 1 and December 31 of the same year, however between January 1 and March 31, they may only be occupied up to 4 consecutive nights after three consecutive nights of non utilization.
SECTION 4 - ZONES, ZONE SYMBOLS & ZONE MAPS

4.1 ESTABLISHMENT OF ZONES

For the purpose of this By-law the Municipality is divided into the following defined areas herein referred to as Zones:

<table>
<thead>
<tr>
<th>SECTION</th>
<th>ZONE NAME</th>
<th>SYMBOL</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Agricultural – 1</td>
<td>A1</td>
</tr>
<tr>
<td>6</td>
<td>Agricultural – 2</td>
<td>A2</td>
</tr>
<tr>
<td>7</td>
<td>Residential – 1</td>
<td>R1</td>
</tr>
<tr>
<td>8</td>
<td>Residential – 2</td>
<td>R2</td>
</tr>
<tr>
<td>9</td>
<td>Residential – 3</td>
<td>R3</td>
</tr>
<tr>
<td>10</td>
<td>Residential – 4</td>
<td>R4</td>
</tr>
<tr>
<td>11</td>
<td>Residential – 5</td>
<td>R5</td>
</tr>
<tr>
<td>12</td>
<td>Residential – 6</td>
<td>R6</td>
</tr>
<tr>
<td>13</td>
<td>Residential – 7</td>
<td>R7</td>
</tr>
<tr>
<td>14</td>
<td>Residential – 8</td>
<td>R8</td>
</tr>
<tr>
<td>15</td>
<td>Residential – 9</td>
<td>R9</td>
</tr>
<tr>
<td>16</td>
<td>Residential – 10</td>
<td>R10</td>
</tr>
<tr>
<td>17</td>
<td>Residential – 11</td>
<td>R11</td>
</tr>
<tr>
<td>18</td>
<td>Residential – 12</td>
<td>R12</td>
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<tr>
<td>19</td>
<td>Residential – 13</td>
<td>R13</td>
</tr>
<tr>
<td>19A</td>
<td>Residential - 14</td>
<td>R14</td>
</tr>
<tr>
<td>20</td>
<td>Commercial – 1</td>
<td>C1</td>
</tr>
<tr>
<td>21</td>
<td>Commercial – 2</td>
<td>C2</td>
</tr>
<tr>
<td>22</td>
<td>Commercial – 3</td>
<td>C3</td>
</tr>
<tr>
<td>23</td>
<td>Commercial – 4</td>
<td>C4</td>
</tr>
<tr>
<td>24</td>
<td>Commercial – 5</td>
<td>C5</td>
</tr>
<tr>
<td>25</td>
<td>Commercial – 6</td>
<td>C6</td>
</tr>
<tr>
<td>26</td>
<td>Commercial – 7</td>
<td>C7</td>
</tr>
<tr>
<td>27</td>
<td>Commercial – 8</td>
<td>C8</td>
</tr>
<tr>
<td>28</td>
<td>Commercial – 9</td>
<td>C9</td>
</tr>
<tr>
<td>29</td>
<td>Commercial – 10</td>
<td>C10</td>
</tr>
<tr>
<td>30</td>
<td>Commercial – 11</td>
<td>C11</td>
</tr>
</tbody>
</table>
### USE OF SYMBOLS

The symbols listed in Subsection 4.1 may be used to refer to any of the Uses of land, Buildings and Structures Permitted by this By-law in the said Zones and whenever in this By-law the word "Zone" is used, preceded by any of the said symbols, such Zone shall mean any area delineated on the Zoning Maps and designated thereon by the said symbol.

### HOLDING (H) SYMBOL

#### 4.3.1 The Use of the Holding (H) Symbol

Where a holding symbol is added as a suffix to any Zone category, development within the area affected cannot proceed until the conditions specified in Subsection 4.3.2 have been fulfilled. Council will remove the Holding Symbol once the conditions restricting development have been satisfied.
4.3.2 Holding Provisions

a) Holding Provision 1 (H1)
Where the holding symbol H1 is added as a suffix to any Zone category on Schedule “A” to this By-law, the “H” symbol shall not be removed until the owner/applicant has received draft plan approval in the case of a proposed registered plan of subdivision, or provisional consent in the case of a multiple consent application, and has entered into appropriate agreements with the Municipality to ensure proper and orderly development of the site, especially with the provision of full municipal services to the development.

b) Holding Provision 2 (H2)
Where a holding symbol H2 is added as a suffix to any Zone category on Schedule “A” on Schedule “A” to this By-law, the “H” symbol shall be removed only when the owner has entered into an agreement with the Municipality for the provision of an appropriate Road and necessary municipal services.

c) Holding Provision 3 (H3)
Where the holding symbol H3 is added as a suffix to any Zone category on Schedule “A” on Schedule “A” to this By-law, the “H” symbol shall not be removed until a site plan agreement or subdivision agreement is entered into with the Municipality for the lands in question.

d) Holding Provision 4 (H4)
Where the holding symbol H4 is added as a suffix to any Zone category on Schedule “A” on Schedule “A” to this By-law, the “H” symbol shall not be removed until the lands in question obtain the Lot Frontage required by the Zone applying to those lands.

e) Holding Provision 5 (H5) (B/L 10/03)
Where the holding symbol H5 is added as a suffix to any Zone category on Schedule “A” to this By-law, the “H” symbol shall not be removed until a license under the Aggregate Resources Act has been granted for the subject land.

f) Holding Provision 6 (H6) (B/L 15/05)
Where the holding symbol is added as a suffix to any Zone category on Schedule “A” to this By-law, the “H” symbol shall not be removed until sufficient sanitary sewage treatment capacity is available in the municipal sewer treatment facility and allocated by the Municipality to the development.

g) Holding Provision 7 (H7) (B/L 32/07)
Where the holding symbol H7 is added as a suffix to any Zone category on Schedule “A” to this By-law, the “H” symbol shall not be removed until the following conditions have been met:

i) An Operational Protocol and Emergency Service Plan for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been filed with the Municipality of Lambton Shores.

ii) A Site Plan Agreement as per Section 41(7) (c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.

iii) A copy of the Ontario Energy Board license, or other documentation, indicating that proponent may operate as a licensed electricity generator has been filed with the Municipality of Lambton Shores.

iv) That any turbines(s) to be erected obtain ‘type certification/type certificate’ from a certified approval body indicating conformity with national and/or international standards.
v) A ‘Stage 2 Archaeological Study’ has been prepared, submitted, reviewed and approved by the Ministry of Citizenship, Culture and Recreation and any recommendations of the Report and/or Ministry have been implemented.

vi) That detailed construction drawings of the turbine foundations have been filed with the Municipality of Lambton Shores and that the turbine foundations have been designed and certified by a professional engineer who holds a license or a temporary license under the Professional Engineers Act of Ontario.

vii) A “Decommissioning Plan” outlining the anticipated cost of turbine removal and site remediation and to include the anticipated obligation of the land owners and/or project operator has been submitted and approved by the Municipality of Lambton Shores.

viii) The Environmental Screening Report has received final approval.

h) **Holding Provision 8 (H8) (B/L 85/07 OMB Ruling)**

Where the holding symbol H8 is added as a suffix to any Zone category on Schedule “A” to this By-law, the “H” symbol shall not be removed until a geotechnical report is completed to the satisfaction of the Ausable Bayfield Conservation Authority.

i) **Holding Provision 9 (H9) (B/L 85/07 OMB Ruling)**

Where the holding symbol H9 is added as a suffix to any Zone category on Schedule “A” to this By-law, the “H” symbol shall not be removed until a Coastal Engineering Study is completed to the satisfaction of the Ausable Bayfield Conservation Authority.

j) **Holding Provision 10 (H10) (B/L 13/2009)**

Where a Holding symbol H10 is added as a suffix to any zone category of Schedule A to this By-law, the H symbol shall not be removed until the following conditions have been met:  
  i) The Municipality is satisfied with respect to the routing of the electrical transmission lines as they relate to woodlots and drains; and  
  ii) A zoning by-law amendment application being finally approved on lands known as the East Part of Lot 6, Concession 7 NER and owned by Eugen Burgin.

k) **Holding Provision 11 (H11) (By-law 34 of 2009)**

Where a holding symbol H11 is added as a suffix to any Zone category on Schedule A to this By-law, the H symbol shall not be removed until the following conditions have been met:  
  i) That Municipality is satisfied that the Ministry of Natural Resources are consulted and satisfied with respect to the Endangered Species Act prior to the substation construction proceeding.

l) **Holding Provision 12 (H12) (By-law 36 of 2009)**

Where a holding symbol H12 is added as a suffix to any Zone category on Schedule A to this By-law, the H symbol shall not be removed until the following conditions have been met:  
  i) A subdivision agreement has been entered into with the Municipality of Lambton Shores; and  
  ii) That the Municipality of Lambton Shores is satisfied that sufficient sanitary sewage treatment capacity is available in the municipal sanitary treatment facility and such capacity been allocated by the Municipality to develop the lands.

m) **Holding Provision 13 (H13) (By-law 103 of 2013)**
n) **Holding Provision 14 (H14) (By-law 121 of 2013)**

Where a holding symbol H14 is added as a suffix to any Zone category on Schedule “A” to this By-law, the H symbol shall not be removed until the following conditions have been met:

i) A site plan agreement for a bed and breakfast has been entered into with the Municipality of Lambton Shores.

ii) The County of Lambton and the Municipality are satisfied that the existing septic system meets current standards, is functioning properly and that it is of sufficient size to accommodate increased sewage flows which may result if a bed and breakfast establishment is established on the lands.

o) **Holding Provision 15 (H15)**

Where a holding symbol H15 is added as a suffix to any Zone category on Schedule “A-3” to this By-law, the Holding 15 symbol shall not be removed until the following conditions have been met:

i) A Site Plan Agreement has been entered into with the Municipality.

ii) The Ministry of the Environment has issued approval for a Communal Sewage and wastewater System.

iii) An Environmental Site Assessment has been completed for the properties and the record of site conditions being registered in the Environmental Site Registry.

iv) Permits from Ausable Bayfield Conservation Authority have been issued.

p) **Holding Provision 16 (H16)**

Where a holding symbol H16 is added as a suffix to any Zone category on Schedule “A-3” to this By-law, the Holding 16 symbol shall not be removed until the following conditions have been met:

i) A new tertiary septic system being installed on the property to the satisfaction of the County of Lambton and the Municipality.

ii) A building permit being applied for and obtained for the 2 existing units on the ground floor of the building and those portions of those units which the Municipality has reason to believe have not been constructed in compliance with the Act, being uncovered to the satisfaction of the Municipality.

iii) Permits from the Ausable Bayfield Conservation Authority have been issued.

q) **Holding Provision 17 (H17)**

Where a holding symbol H17 is added as a suffix to any Zone category in this By-law, the Holding 17 symbol shall not be removed until the following conditions have been met:

i) A subdivision agreement has been entered into with the Municipality of Lambton Shores;

ii) The Municipality of Lambton Shores is satisfied that:

a) sufficient sanitary sewage treatment capacity is available in the municipal sanitary treatment facility; and
b) sufficient capacity exists in Sanitary Pump Station 2; and
   c) such capacity has been allocated by the Municipality to develop the lands.

r) **Holding Provision 18 (H18)**

Where a holding symbol H18 is added as a suffix to any Zone category in this By-law, the Holding 18 symbol shall not be removed until the archaeological issues are resolved to the satisfaction of the Ministry of Tourism, Culture and Sport.

**4.4 APPLICATION OF ZONES**

No Person shall, within any of the Zones defined in the By-law and delineated on the Zoning Maps hereto appended, erect or Use any Building or Structure, or Use any land in whole or part except in such manner and for such purposes as are set forth in this By-law.

**4.5 INCORPORATION OF ZONING MAP**

The location and boundaries of the Zones established by this By-law are shown on the Zoning Maps hereto appended as Schedules A, B, C, and D which are hereby incorporated in and declared to form part of this By-law.

**4.6 INTERPRETATION OF ZONING MAP**

Where uncertainty exists with respect to the boundaries of the various Zones as shown on the Zoning Maps, the following provisions shall apply:

**a) Street, Lane, Right-Of-Way, or Watercourse**

Unless otherwise shown, a Street, Lane, railway Right-Of-Way, electrical transmission line Right-Of-Way, creek or Watercourse shall be included within the Zone of the adjoining property on either side thereof and where such Street, Lane, Right-Of-Way, creek or Watercourse serves as a boundary between two or more different Zones, the centre line of such Street, Lane, Right-Of-Way, creek or Watercourse extending in the general direction of the long dimension thereof, shall be deemed to be the boundary between Zones.

**b) Lot Lines**

Where any Zone boundary is not shown to be a Street, Lane, Right-Of-Way, creek or Watercourse, and where the boundary approximately follows Lot Lines, such Lot Lines shall be deemed to be the Zone boundary.

**c) Closed Street, Lane or Right-Of-Way**

In the event a Street, Lane or Right-of-Way and the limits of any portion thereof is closed, the property formerly within such Street, Lane or Right-of-Way shall be included within the Zone adjoining the property, and where such Street, Lane, or Right-Of-Way was a Zone boundary, the new Zone boundary shall be the former centre line of the closed Street, Lane or Right-of-Way.

**d) Conservation Authority Fill & Construction Lines**

Certain lands within the Municipality are subject to Fill, Construction and Alteration regulations pursuant to the Conservation Authorities Act, R.S.O. 1990, Chap. C.27, as amended. Where any Zone boundary is shown as following the limits of a Conservation Authority regulated area, the Zone boundary shall be deemed to correspond with the limits of such regulated area. In the event that an application is made to, and approved by, the Conservation Authority for a permit pursuant to the Fill, Construction and Alteration regulations, the lands for which such permit is issued shall be deemed to be included within the same Zone as the adjoining non-regulated lands.

**e) Scale From Zoning Map**
Where any Zone boundary is left uncertain after application of the provisions of Section 4.6, subsections a), b) c) and d), of this By-law, then the boundary shall be determined by scale from the zoning maps to the centre of the Zone boundary line.

SECTION 5 - AGRICULTURAL - 1 (A1) ZONE
5.1 PERMITTED USES
No land, Building, or Structure shall be used or erected in the Agricultural - 1 (A1) Zone except for one or more of the following Uses:

a) Agriculture, including one (1) Farm Dwelling
b) Single Detached Dwelling
c) Antennae
   Bed and Breakfast
   Conservation
   Agricultural Home Industry
   Home Occupation
   Forestry
   Nursery
   Commercial Greenhouse
   Kennel
d) Buildings, Structures and Uses Accessory to a Permitted Use
e) Small Scale Wind Energy Conversion Systems (Agricultural) are permitted only as an Accessory use to Agriculture, Commercial Greenhouse, Nursery and Kennel Uses, subject to the provisions in section 5.2 j). (B/L 32/2007)

SITE REGULATIONS

a) Minimum Lot Area
   i) Agriculture 38 ha.
   ii) Single Detached Dwellings (Not Accessory to Agriculture) 0.8 ha.
   iii) Other Uses 4.0 ha.

b) Minimum Lot Frontage
   i) Agriculture 150 m.
   ii) Single Detached Dwellings (Not Accessory to Agriculture) 45 m.
   iii) Other Uses 45 m.

c) Minimum Front yard setback 20 m.

d) Minimum Interior Side Yard Setback
   i) If Attached Private Garage 1 m.
   ii) If no Attached Private Garage 3 m.
e) Minimum Exterior Side Yard Setback 20 m.
f) Minimum Rear Yard Setback 7 m.
g) Maximum Lot Coverage
   i) Agricultural Buildings 20 %
   ii) Single Detached Dwellings (Not Accessory to Agriculture) 30 %
   iii) Other Uses 30 %
h) Maximum Building Height
   i) Agricultural Buildings Not Applicable
   ii) Single Detached Dwellings (Not Accessory to Agriculture) 11 m.
   iii) Other Uses 11 m.
i) Minimum Landscaped Open Space Not Applicable
j) Site Regulations for Small Scale Wind Energy Conversion System Accessory to a Agriculture, Commercial Greenhouse, Nursery and Kennel Uses;
   i) Minimum Lot Area: 19.5 hectares
   ii) Minimum Front Yard Setback: 1.5 times the height
   iii) Minimum Rear Yard Setback: 1.25 times the height or 0 metres if the adjacent lands are in the same name
   iv) Minimum Interior Side Yard Setback: 1.25 times the height or 0 metres if the adjacent lands are in the same name
   v) Minimum Exterior Side Yard Setback: 1.25 times the height
   vi) Minimum setback from Off-Site Residential Dwelling and Institutional Use: Noise Guidelines whichever is greater
   vii) Minimum Setback from On-Site Dwellings: 1.5 times the height

5.3 MINIMUM DISTANCE SEPARATION
a) No new non-Agricultural Use, Building or Structure is Permitted closer to an Animal Operation than the applicable minimum distance separation calculated using the MDS I Formula found in Appendix “A”, or a distance of 300 metres, whichever is greater.

b) An Existing Non-Farm Dwelling may be replaced, despite the fact that the Building will not meet MDS requirements provided that the Existing separation is not further reduced.
c) No new Animal Operation or Manure Storage Area is Permitted closer to a non-Agricultural Use, Building or Structure on a separate Lot than the applicable minimum distance separation calculated using the MDS II Formula found in Appendix “B”.

d) No new Animal Operation or Manure Storage Area is Permitted within the greater of the Minimum Distance Separation or 60 metres of a Front, Side or Rear Lot Line. Expansion of an Existing Animal Operation that contravenes this clause is Permitted provided that the Required Setback from the Front, Side or Rear Lot Line is not further reduced, and provided that all other requirements of this By-law are met.

e) Expansion of an Existing Animal Operation is Permitted provided that the said expansion is further away from neighbouring dwellings and complies with the calculated Minimum Distance Separation found in Appendix “B” (MDS II). For calculating the Minimum Distance Separation from the nearest neighbour’s Dwelling for Existing Animal Operations only, the factor in Column 2 under the Minimum Distance Separation Summary on the Minimum Distance Separation II Calculation Form shall be reduced from 1.0 to 0.8.

5.4 REGULATIONS FOR THE KEEPING OF LIVESTOCK

a) No person shall keep Livestock on any Lot unless that Lot includes a minimum of 0.4 hectares of Pasture Area.

b) The provisions of section 5.3 of this By-law shall apply to the keeping of any Livestock.

5.5 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard A1 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 5.1 and/or regulations of Section 5.2 shall apply.

a) Exception 1 to the Agricultural - 1 Zone

Notwithstanding any other provisions of this By-law, no dwelling or structure shall have an opening below 182.1 metres C.S.C. on lands Zoned Agricultural – 1.1 (A1-1) on Schedule “A” to this By-law with the exception of completed buildings or structures in existence on the date of passing of this By-law.

b) Exception 2 to the Agricultural - 1 Zone (B/L 54/03)

Notwithstanding any other provisions of this By-law, a Motor Vehicle Storage Area shall be permitted on lands zoned Agricultural 1-2 (A.1-2) and described as Part of the East ½ of Lot 4, Concession 8 NER and known municipally as 6377 Townsend Line.

c) Exception 3 to the Agricultural – 1 Zone (B/L 7/04)

Notwithstanding any other provisions of this By-law, a communal sanitary sewage treatment facility shall be permitted on lands zoned Agricultural 1-3 (A1-3) on Schedule A-6 to this by-law. The minimum lot area of lands zoned A1-3 shall be the area zoned A1-3 on the date of passing of this by-law.

d) Exception 4 to the Agricultural – 1 Zone (B/L 12/04)

Notwithstanding any other provisions of the By-law, the minimum lot area on lands zoned A1-4 shall be 5 ha.

e) Exception 5 to the Agricultural – 1 Zone (B/L 16/05)

Notwithstanding any other provisions of the By-law to the contrary, on lands zoned Agricultural 1.5 (A1-5) on Schedule A-2 to this By-law, one single detached dwelling may be permitted subject to the following provisions:
i) Lot Area (minimum): 10 hectares

ii) Lot Frontage (minimum): 500 metres

iii) No building, structures, septic systems or access laneways shall be located below the 100 year Regulatory Flood Elevation of 180.65 metres GSC.

iv) The minimum elevation of openings in any building or structure shall be 181 metres GSC.

f) Exception 6 to the Agricultural – 1 Zone (B/L 67/05)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.6 (A1-6) on Schedule “A-2” to this By-law, an Agricultural Supply Establishment and an Agricultural Service Establishment may be permitted subject to the following provisions:

a) Lot Area (minimum): 4 hectares

b) Lot Frontage (minimum): 60 metres

c) Front Yard (minimum) 20 metres

d) Interior Side Yard (minimum) 9 metres

e) Exterior Side Yard (minimum) 12 metres

f) Rear Yard (minimum) 10 metres

g) Lot Coverage (maximum) 30 %

h) Building Height (maximum) 11 metres *excluding grain elevators

i) Landscaped Open Space (minimum) 6 metre landscaped strip adjacent to a public road

g) Exception 7 to the Agricultural – 1 Zone (B/L 74/05)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.7 (A1-7) on Schedule “A-2” to this By-law, a wind testing tower shall be permitted subject to the following provisions:

a) Front Yard (minimum) 615 metres

b) Interior Side Yard (minimum) 85 metres

c) Height (maximum) 82 metres

d) This use shall be permitted for three years from November 7, 2005.

h) Exception 8 to the Agricultural – 1 Zone (B/L 12/06)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.8 (A1-8) on Schedule “A” to this By-law, a lit and unmarked wind testing tower shall be permitted subject to the following provisions:

(a) Front Yard (minimum) 600 metres

(b) Interior Side Yard (minimum) 25 metres

(c) Height (maximum) 50 metres
(d) This use shall be permitted for three years from January 19, 2006.

**i) Exception 9 to the Agricultural – 1 Zone (B/L 13/06)**

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.9 (A1-9) on Schedule “A” to this By-law, an unmarked, unlit wind testing tower shall be permitted subject to the following provisions:

(a) Front Yard (minimum) 600 metres  
(b) Interior Side Yard (minimum) 130 metres  
(c) Height (maximum) 60 metres  
(d) This use shall be permitted for three years from January 19, 2006.

**j) Exception 10 to the Agricultural – 1 Zone (B/L 39/06)**

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.10 (A1-10) on Schedule “A” to this By-law, and known as 8043 Rawlings Road, the following uses shall be permitted to be located within the existing commercial building and associated parking and access areas on the lands, in addition to the uses presently permitted in the Agricultural 1 zone:

a) agricultural service establishment  
b) agricultural supply establishment  
c) animal hospital  
d) commercial storage  
e) garden centre  
f) produce warehouse  
g) recreational vehicle sales establishment excluding travel trailers

**k) Exception 11 to the Agricultural – 1 Zone (B/L 55/06)**

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.11 (A1-11) on Schedule “A” to this By-law, an unlit and unmarked wind testing tower shall be permitted subject to the following provisions:

(a) Front Yard (minimum) 500 metres  
(b) Interior Side Yard (minimum) 90 metres  
(c) Height (maximum) 60 metres  
(d) This use shall be permitted for three years from August 3, 2006.

**l) Exception 12 to the Agricultural – 1 Zone (B/L 70/06)**
Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.12 (A1-12) on Schedule “A-1” to this By-law, a wind testing tower shall be permitted subject to the following provisions:

(a) Front Yard (minimum) 490 metres  
(b) Interior Side Yard (minimum) 46 metres  
(c) Height (maximum) 60 metres  
(d) This use shall be permitted for three years from November 2, 2006.

m) Exception 13 to the Agricultural – 1 Zone (B/L 73/06)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.13 (A1-13) on Schedule “A-1” to this By-law, a Wind Turbine, Accessory shall be permitted as an accessory use to an Agricultural Use which requires electricity to operate, subject to the following provisions:

i) For the purposes of the Agricultural 1-13 (A1-13) Zone the following definitions shall apply:

‘WIND TURBINE” means a tubular or latticed, guyed or freestanding tower having located thereon a generator, which converts wind energy into electricity. A wind turbine tower foundation and any appurtenances are manufactured and erected with consideration for site soil conditions and in accordance with CSA standards, engineered design and/or applicable industry standards. This definition shall include Structures Accessory thereto.

“WIND TURBINE, ACCESSORY” means a Wind Turbine that produces electricity primarily for use on the Lot on which it is located or to produce credits for use on another Lot under the same ownership as the Wind Turbine operator. Although it may be connected to the utility grid and/or practice net metering, it does not produce electricity for sale to the utility grid.

ii) SITE REGULATIONS FOR WIND TURBINE, ACCESSORY

(a) Front Yard (minimum) 80 metres  
(b) Exterior Side Yard (minimum) 146 metres  
(c) Interior Side Yard (minimum) 80 metres  
(d) Rear Yard 80 metres  
(e) Height (maximum) 50 metres to hub

n) Exception 14 to the Agricultural – 1 Zone (B/L 7/07)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.14 (A1-14) on Schedule “A-1” to this By-law and described as Part of Lot 6, Concession 5, no Single Detached Dwelling or Farm Dwelling is permitted.

o) Exception 15 to the Agricultural – 1 Zone (B/L 7/07)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.15 (A1-15) on Schedule “A-1” to this By-law and described as Part of Lot 6, Concession 5, the existing barn on the lands is an accessory building to the residential use.

p) Exception 16 to the Agricultural – 1 Zone (B/L 11/07)
Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.16 (A1-16) on Schedule “A-1” to this By-law, a wind testing tower shall be permitted subject to the following provisions:

(a) Front Yard (minimum) 500 metres
(b) Rear Yard (minimum) 530 metres
(c) Interior Side Yard (minimum) 230 metres
(d) Height (maximum) 60 metres
(e) This use shall be permitted for three years from the January 22, 2007.

q) **Exception 17 to the Agricultural – 1 Zone (B/L 25/07)**

Notwithstanding any other provisions of this By-law to the contrary, the following regulation shall affect lands zoned Agricultural 1.17 (A1-17) on Schedule “A-1” to this By-law and described as Lot 27, Concession 1 and known municipally as 9311 Arkona Road:

**Permitted Uses**

a) Agriculture, including two (2) Farm Dwellings subject to the following provisions:
   i) Neither of the farm dwellings shall be permitted to be severed for any reason; and
   ii) The existing farm dwelling remaining on the lot on March 19, 2007 shall not be permitted to be enlarged

b) Uses permitted in Section 5.1

r) **Exception 18 to the Agricultural – 1 Zone (B/L 65/07)**

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.18 (A1-18) on Schedule “A-1” to this By-law, an unlit and unmarked wind testing tower shall be permitted subject to the following provisions:

(a) Front Yard (minimum) 500 metres
(b) Interior Side Yard (minimum) 300 metres
(c) Exterior Side Yard (minimum) 80 metres
(d) Rear Yard (minimum) 60 metres
(e) Height (maximum) 50 metres
(f) This use shall be permitted for three years from July 3, 2007.

s) **Exception 19 to the Agricultural – 1 Zone (B/L 8/08)**

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.19 (A1-19) on Schedule “A-1” to this By-law and described as the South Half of Lot 8, Concession 2, the minimum lot area shall be 20 hectares and no dwelling of any kind shall be permitted

t) **Exception 20 to the Agricultural – 1 Zone (B/L 29/08)**

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.20 (A1-20) on Schedule “A-1” to this By-law, an unlit and unmarked wind testing tower shall be permitted subject to the following provisions:

(a) Front Yard (minimum) 500 metres
(b) Interior Side Yard (minimum) 50 metres
(c) Exterior Side Yard (minimum) 220 metres
(d) Rear Yard (minimum) 300 metres
(e) Height (maximum) 60 metres
(f) This use shall be permitted for three years from May 5, 2008.

u) Exception 21 to the Agricultural – 1 Zone (B/L 39/08)
Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.21 (A1-21) on Schedule “A-1” to this By-law, and known municipally as 8957 Northville Road, a horse boarding and riding facility shall be permitted subject to the following provisions:
(a) a maximum of 20 horses shall be permitted to be boarded
(b) 1 parking space per horse boarded shall be provided.

v) Exception 22 to the Agricultural – 1 Zone (B/L 68/08)
Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.22 (A1-22) on Schedule “A-1” to this By-law, and described as Part of Lot 6, Concession 1, no dwelling of any kind shall be permitted.

w) Exception 23 to the Agricultural – 1 Zone (B/L 8/08)
Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.23 (A1-23) on Schedule “A-1” to this By-law, and know municipally as 8052 Arkona Road, the existing drive shed and small shed on the lands are accessory buildings to the residential use.

x) Exception 24 to the Agricultural – 1 Zone (B/L 50/08)
Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.24 (A1-24) on Schedule “A-1” to this By-law, and know municipally as 7739 Lakeshore Road, a Corn Maze is a permitted Agricultural Home occupation, subject to the following provisions:
m) A minimum of 50 parking spaces shall be provided; and
n) A maximum of 8 (eight) employees who do not reside on the property.

y) Exception 25 to the Agricultural -1 Zone (B/L 82/08)
Notwithstanding any other provisions of this By-law to the contrary, the following regulation shall affect lands zoned Agricultural 1-25 (A1-25) on Schedule “A-1” to this By-law, and known municipally as 8229 Fuller Rd:
Permitted Uses
a) Agricultural, including two (2) Farm Dwellings, subject to the following provision:
   i) Neither of the farm dwellings shall be permitted to be severed for any reason.

z) Exception 26 to the Agricultural – 1 Zone (B/L 63 of 2009)
Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-26 (A1-26) on Schedule “A-1” to this By-law, and described as Part of Lot 20 and 21, Concession 11 (Kinnaird Road), no dwelling of any kind shall be permitted.

aa) Exception 27 to the Agricultural – 1 Zone (B/L 63 of 2009)
Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-27 (A1-27) on Schedule “A-1” to this By-law, and known municipally as 8914 Kinnaird Road, the minimum lot area shall be 0.53 hectares.
bb) Exception 28 to the Agricultural – 1 Zone (B/L 71 of 2009)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-28 (A1-28) on Schedule “A-1” to this By-law, and described as Part of Lot 55, Lake Road East Concession and known municipally as 7429 Lakeshore Road, no dwelling of any kind shall be permitted.

cc) Exception 29 to the Agricultural – 1 Zone (B/L 71 of 2009)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-29 (A1-29) on Schedule “A-1” to this By-law, the minimum lot area shall be 0.39 hectares. In addition, prior to any severance being finalized to create a new lot for the dwelling on the lands, which is surplus to a farming operation as a result of a farm consolidation, a new septic system shall be installed as outlined in the report prepared by BKL Engineering dated July 30, 2009 and titled Report on Site Specific Sewage Treatment.

dd) Exception 30 to the Agricultural – 1 Zone (B/L 09 of 2010)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-30 (A1-30) on Schedule “A-1” to this By-law, and described as Part of Lot 7, Concession 4, no dwelling of any kind shall be permitted.

e) Exception 31 to the Agricultural – 1 Zone (B/L 09 of 2010)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-31 (A1-31) on Schedule “A-1” to this By-law and known as 8097 Gordon Road, the existing 250 m² detached building is considered to be an accessory building to the residential use.

ff) Exception 32 to the Agricultural – 1 Zone (B/L 24 of 2010)

Notwithstanding any other provisions of the By-law to the contrary, on lands zones Agricultural1-32 (A1-32) on Schedule “A-1” to this By-law, and described as Part of Lot 12, Concession 12, the following regulations shall apply:

Permitted Uses:

a) Conversion of the existing former school building to a single detached dwelling
b) Single Detached Dwelling
c) Home Occupation in compliance with Section 3.10.1
d) Building, structures and uses accessory to a permitted use

Site Regulations:

a) Minimum Lot Area: 3,000 m²

b) Minimum Lot Frontage: 40 metres

c) Minimum Front Yard and Exterior Side Yard:
   i) For a Single Detached Dwelling which was converted from the existing former school building the existing front yard and exterior side yard provided by the former school building on May 3, 2010, shall be the required front yard and exterior side yard for the converted dwelling and any additions thereto shall be located no closer to the front and exterior lot lines that the existing former school building converted to a dwelling.
ii) Single Detached Dwelling
   20 metres

d) Minimum Interior Side Yard:
   2 metres
e) Minimum Rear Yard:
   7 metres
f) Maximum Lot Coverage:
   30%
g) Maximum Height for Single Detached Dwelling:
   11 metres

Special Regulations:

a) Prior to the existing former school building being converted and occupied as a single detached
dwelling, a new septic system shall be installed on the lands as approved by permit by the County
of Lambton Building Department.
b) Prior to the existing former school building being converted and occupied as a single detached
dwelling, the building shall be upgraded for residential occupancy in compliance with the Ontario
Building Code, to the satisfaction of the Municipality.
c) The provisions of Section 5.1 of this By-law shall not apply to lands in the Agricultural 1-32 (A1-32).
d) Any accessory buildings or structures constructed on the lands shall comply with Section 3.3 of
the By-law.

gg) Exception 33 to the Agricultural – 1 Zone (B/L 71 of 2010)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-33
(A1-33) on Schedule “A-1” to this By-law, and described as Part of Lot 14, Concession 12, no dwelling
of any kind shall be permitted.

hh) Exception 34 to the Agricultural – 1 Zone (B'L 71 of 2010)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-34
(A1-34) on Schedule “A-1” to this By-law and known as 8529 Kinnaird Road, the minimum lot area shall
be 0.61 hectares and the existing 350 m² detached building is considered to be an accessory building
to the residential lot.

ii) Exception 35 to the Agricultural 1 Zone (B/L 04 of 2011)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-35
(A1-35) on Schedule “A-1” to this By-law, and described as Part of Lot 15, Concession 1, no dwelling of
any kind shall be permitted.

jj) Exception 36 to the Agricultural - 1 Zone (B/L 04 of 2011)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-36
(A1-36) on Schedule “A-1” to this By-law and known as 8608 Arkona Road, the minimum lot frontage
shall be 41 metres and the maximum accessory building coverage shall be 242 m² to recognize two
existing storage sheds.
kk) Exception 37 to the Agricultural – 1 Zone (B/L 06 of 2011)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-37 (A1-37) on Schedule “A-1” to this By-law, and described as Part of Lot 13, Concession 13, no dwelling of any kind shall be permitted.

ll) Exception 38 to the Agricultural – 1 Zone (B/L 54 of 2011)

Notwithstanding any other provisions of the By-law to the contrary, on lands zoned Agricultural 1-38 (A1-38) on Schedule “A-8” to this By-law, and described as Part of Lot 4, N.E.R., Concession 8, formerly Township of Warwick, the minimum lot area shall be 35.2 hectares, the minimum lot frontage shall be 92 metres and no dwelling of any kind shall be permitted.

mm) Exception 39 to the Agricultural – 1 Zone (B/L 54 of 2011)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-39 (A1-39) on Schedule “A-8” to this By-law and known as 6429 Townsend Line, the minimum lot area shall be 0.4 hectares.

nn) Exception 40 to the Agricultural – 1 Zone (B/L 56 of 2011)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-40 (A1-40) on Schedule “A-1” to this By-law, and described as Part of Lot 23 and 24, Concession 4, the existing 836 m² (approximately) barn, formerly a chicken barn now to be used for storage purposes, shall not be permitted to be used for any animal operation and no dwelling of any kind shall be permitted.

oo) Exception 41 to Agricultural – 1 Zone (By-law 56 of 2011)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-41 (A1-41) on Schedule “A-1” to this By-law and known as 9119 Gordon Road, shall have a maximum lot area of 1 hectare; the maximum lot coverage for the existing accessory buildings shall be 483 m², and these existing accessory buildings are considered to be accessory to the residential use.

pp) Exception 42 to the Agricultural – 1 Zone (By-law 71 of 2011)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-42 (A1-42) on Schedule “A-1” to this By-law, and described as the North ½ Lot 20, South Boundary Concession, no dwelling of any kind shall be permitted and the minimum lot area shall be 20.6 hectares.

qq) Exception 43 to the Agricultural – 1 Zone (By-law 71 of 2011)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1-43 (A1-43) on Schedule “A-1” to this By-law and known as 7722 Jericho Road, the maximum lot coverage for the existing accessory building shall be 690 m² and the existing accessory building is considered to be accessory to the residential use.
Exception 44 to the Agricultural – 1 Zone (By-law 87 of 2011)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.44 (A1-44) on Schedule “A-1” to this By-law, and described as the Part of Lot 45, South Boundary Concession, geographic Township of Bosanquet, and known municipally as 5622 Townsend Line, no dwelling of any kind shall be permitted and the minimum lot area shall be 33 hectares.

Exception 45 to the Agricultural – 1 Zone (By-law 8 of 2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.45 (A1-45) on Schedule “A-1” to this By-law, and described as Part of Lot 20, South Boundary Concession, geographic Township of Bosanquet, no dwelling of any kind shall be permitted and the minimum lot area shall be 20.6 hectares.

Exception 46 to the Agricultural – 1 Zone (By-law 50 of 2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.46 (A1-46) on Schedule “A-1” to this By-law, and described as Part of Lots 1 and A, Concession 1, geographic Township of Bosanquet, no dwelling of any kind shall be permitted.

Exception 47 to the Agricultural – 1 Zone (By-law 50 of 2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.47 (A1-47) on Schedule “A-1” to this By-law and known as 7565 Arkona Road, the maximum lot coverage for the existing accessory building shall be 501 m² and the existing accessory building is considered to be accessory to the residential use.

Exception 48 to the Agricultural – 1 Zone (By-law 79 of 2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.48 (A1-48) on Schedule “A-1” to this By-law, and described as Part of Lot 7, Concession 11, geographic Township of Bosanquet, no dwelling of any kind shall be permitted.

Exception 49 to the Agricultural – 1 Zone (By-law 79 of 2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.49 (A1-49) on Schedule “A-1” to this By-law and known as 8110 Kinnaird Road, the maximum lot coverage for the existing accessory building shall be 296 m² and the existing accessory building is considered to be accessory to the residential use.

Exception 50 to the Agricultural – 1 Zone (By-law 91 of 2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.50 (A1-50) on Schedule “A-1” to the By-law, and described as Part of Lot 5, Concession 8 N.E.R., geographic Township of Warwick, Municipality of Lambton Shores, no dwelling of any kind shall be permitted and the agricultural lot shall have a minimum lot area of 18.8 hectares and a minimum lot frontage of 70 metres.

Exception 51 to the Agricultural – 1 Zone (By-law 91 of 2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.51 (A1-51) on Schedule “A-1” to this By-law and known as 6443 Townsend Line, the maximum lot
coverage for the existing accessory building shall be 357 m² and the existing accessory building is considered to be accessory to the residential use.

zz) Exception 52 to the Agricultural – 1 Zone (By-law 101 of 2012)

Notwithstanding any other provisions of this By-law to the contrary, on the lands zoned Agricultural 1.52 (A1-52) on Schedule “A-1” to this By-law, and described as Part of Lot 26, Concession 6, N.E.R., geographic Township of Warwick, the following additional provisions shall apply:

a) No dwelling of any kind shall be permitted.
b) Lot area (minimum): 19.3 hectares.
c) No animal operation shall be permitted on the lands.

aaa) Exception 53 to the Agricultural – 1 Zone (By-law 101 of 2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.53 (A1-53) on Schedule “A-1” to this By-law and known municipally as 8623 Townsend Line, the minimum lot area shall be 0.3 hectares and the minimum lot frontage shall be 38 metres provided the lot is serviced with municipal water and sanitary sewers and any dwelling is connected thereto.

bbb) Exception 54 to the Agricultural – 1 Zone (By-law 126 of 2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.54 (A1-54) on Schedule “A-1” to this By-law, and described as the North Part of Lot 19 and South Part of Lot 20, Concession 6, geographic Township of Bosanquet, the following additional provisions shall apply:

a) No dwelling of any kind shall be permitted.
b) Lot Area (minimum): of 29.3 hectares; and
c) No animal operation shall be permitted in the existing buildings on the lands.
d) No surplus farm dwelling lot can be created until:
   i) the animal operation existing in the existing barns on the property is discontinued;
   ii) the manure storage on the property is removed to the satisfaction of the Municipality.

ccc) Exception 55 to the Agricultural – 1 Zone (By-law 126 of 2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.55 (A1-55) on Schedule “A-1” to this By-law and known municipally as 8903 Northville Road, no surplus farm dwelling lot can be created until:

a) The animal operation existing in the existing barns on the property is discontinued; and
b) The manure storage on the property is removed to the satisfaction of the Municipality.

ddd) Exception 56 to the Agricultural – 1 Zone (By-law 14 of 2013)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.56 (A1-56) on Schedule “A-1” to this By-law, and described as the West Part of Lot 9, Concession 13, Geographic Township of Bosanquet, Municipality of Lambton Shores, no dwelling unit of any kind shall be permitted and the agricultural lot shall have a minimum lot area of 19.4 hectares.

ee) Exception 57 to the Agricultural – 1 Zone (By-law 14 of 2013)
Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.57 (A1-57) on Schedule “A-1” to this By-law and known municipally as 6472 Cedar Point Line, the maximum lot coverage for accessory buildings shall be 201 m² and the existing accessory building is considered to be accessory to the residential use.

fff) Exception 58 to the Agricultural – 1 Zone (By-law 50 of 2013)

Notwithstanding any other provisions of this By-law to the contrary, on lands zones Agricultural 1.58 (A1-58) on Schedule “A-1” to this By-law, and described as Lot 19, South Boundary Concession, Geographic Township of Bosanquet, now the Municipality of Lambton Shores, the following provisions apply:

a) No dwelling unit of any kind shall be permitted; and
b) The Minimum Lot Frontage shall be 130 metres

ggg) Exception 59 to the Agricultural – 1 Zone (By-law 50 of 2013)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.59 (A1-59) on Schedule “A-1” to this By-law and known municipally as 7586 Townsend Line, the lands in the Agricultural 1.59 (A1-59) are considered hazardous and the approval of the St. Clair Conservation Authority is required for any development and/or site alteration.

hhh) Exception 60 to the Agricultural – 1 Zone (By-law 108 of 2013)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.60 (A1-60) on Schedule “A-9” to this By-law, and described as Part of Lots 6 and 7, South Boundary Concession, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 7549 Arkona Road, no dwelling unit of any kind shall be permitted.

iii) Exception 61 to the Agricultural – 1 Zone (By-law 108 of 2013)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.61 (A1-61) on Schedule “A-9” to this By-law and known municipally as 7549 Arkona Rd, the maximum lot coverage for accessory buildings shall be 416 m² and the existing accessory building is considered to be accessory to the residential use.

jjj) Exception 62 to the Agricultural – 1 Zone (By-law 109 of 2013)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.62 (A1-62) on Schedule “A-7” to this By-law, and described as Part of Lot 20, Concession 2, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 392 Main Street, Thedford, no dwelling unit of any kind shall be permitted, and the agricultural lot shall have a lot area of 34.7 hectares.

kkk) Exception 63 to the Agricultural – 1 Zone (By-law 78 of 2014)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.63 (A1-63) on Schedule “A-1” to this By-law and described as Part of Lot 24, Concession 5, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 9122 Northville Road, no dwelling unit of any kind shall be permitted, and the agricultural lot shall have a lot area of 9.3 hectares and a lot frontage of 110 metres.
III) Exception 64 to the Agricultural – 1 Zone (By-law 78 of 2014)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.64 (A1-64) on Schedule “A-1” to this By-law and described as Part of Lot 24, Concession 5, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 9122 Northville Road, the maximum lot coverage for existing accessory buildings shall be 407 m².

mmm) Exception 65 to the Agricultural – 1 Zone (By-law 80 of 2014)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.65 (A1-65) on Schedule “A-1” to this By-law, and described as Part of Lot 12, Concession 16, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 5883 Proof Line, no dwelling unit of any kind shall be permitted, and the agricultural lot shall have a lot area of 22.25 hectares and a lot frontage of 110 metres.

nnn) Exception 66 to the Agricultural – 1 Zone (By-law 80 of 2014)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.66 (A1-66) on Schedule “A-1” to this By-law, and described as Part Lot 12, Concession 16, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 5883 Proof Line, the maximum lot coverage for existing accessory buildings shall be 223 m².

ooo) Exception 67 to the Agricultural – 1 Zone (By-law 47 of 2015)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.67 (A1-67) on Schedule “A” to this By-law, and described as Part Lot 21, Concession 1, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 8972 Arkona Rd, the minimum lot area for an agricultural lot shall be 12.85 hectares.

ppp) Exception 68 to the Agricultural – 1 Zone (By-law 47 of 2015)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.68 (A1-68) on Schedule “A” to this By-law, and described as Part Lot 21, Concession 1, Geographic Township of Bosanquet, now the Municipality of Lambton Shores, the minimum lot frontage for an agricultural lot shall be 46 metres.

qqq) Exception 69 to the Agricultural – 1 Zone (By-law 98 of 2015)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.69 (A1-69) on Schedule “A-1” to this By-law, and described as Part Lot 13, Concession 11, Geographic Township of Bosanquet, now the Municipality of Lambton Shores, and known municipally as 6852 Proof Line, no dwelling unit of any kind shall be permitted and the agricultural lot shall have a minimum lot area of 36.2 hectares.

rrr) Exception 70 to the Agricultural – 1 Zone (By-law 98 of 2015)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.70 (A1-70) on Schedule “A-1” to this By-law, and described as Part Lot 13, Concession 11, Geographic Township of Bosanquet, now the Municipality of Lambton Shores, and know municipally as 6852 Proof Line, the maximum lot coverage for existing accessory buildings shall be 707 m².

sss) Exception 71 to the Agricultural – 1 Zone (By-law 25 of 2016)
Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.71 (A1-71) on Schedule “A-1” to this By-law, and described as Part of Lot 26, Concession 3, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 8149 Kennedy Line, a Riding School/Boarding Stable shall be a permitted use subject to the following provisions:

a) Minimum Lot Area: 6 hectares
b) Minimum Lot Frontage: 430 metres
c) Minimum Front Yard Setback: 20 metres
d) Minimum Interior Side Yard Setback: 5 metres
e) Minimum Rear Yard Setback: 7 metres
f) All Other Provisions: see Section 5.2

ttt) Exception 72 to the Agricultural – 1 Zone (By-law 25 of 2016)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.72 (A1-72) on Schedule “A-1” to this By-law, and described as Part of Lot 26, Concession 3, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 8159 Kennedy Line, the minimum lot area requirement shall be 10.8 hectares and the minimum lot frontage requirement shall be 99 metres.

uuu) Exception 73 to the Agricultural – 1 Zone (By-law 38 of 2016)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.73 (A1-73) on Schedule “A-6” to this By-law, and described as Part of Lot 72, Concession Lake Road West, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 5545 Proof Line, no dwelling unit of any kind shall be permitted and the agricultural lot shall have a minimum lot area of 25 hectares.

vvv) Exception 74 to the Agricultural – 1 Zone (By-law 09-2018)

Notwithstanding any other provisions of this By-law to the contrary, on lands zone A1.74 (A1-74) on Schedule “A” to this By-law, and described as the West Part of Lot 14 South Boundary Concession, Geographic Township of Bosanquet, now the Municipality of Lambton Shores, any dwelling constructed on the lands shall comply with the Minimum Distance Separation Regulations.
SECTION 6 – AGRICULTURAL – 2 (A2) ZONE

6.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Agricultural – 2 (A2) Zone except for one or more of the following Uses:

a) Agriculture, including not more than one (1) Farm Dwellings.

b) Home Occupation
   Agricultural Home Industry
   Passive Recreation

c) Buildings, Structures and Uses Accessory to a Permitted Use

6.2 SITE REGULATIONS

a) Minimum Lot Area
   i) Agriculture 3.0 ha.
   ii) Other Uses 1,800 sq. m.

b) Minimum Lot Frontage
   i) Agriculture 60 m.
   ii) Other Uses 30 m.

c) Minimum Front Yard Setback 15 m.

d) Minimum Interior Side Yard Setback 5 m.

e) Minimum Exterior Side Yard Setback 5 m.

f) Minimum Rear Yard Setback
   i) Agriculture 7 m.
   ii) Other Uses 10 m.

g) Maximum Lot Coverage
   i) Agricultural Buildings (Excluding Greenhouses) 50 %
   ii) Agricultural Buildings (Including Greenhouses) 80 %
   iii) Other Uses 25 %
h) Maximum Building Height

i) Agricultural Buildings
   Not applicable

ii) Other Uses
   11 m.

i) Minimum Landscaped Open Space
   Not applicable

6.3 MINIMUM DISTANCE SEPARATION

The Provisions of section 5.3 of this By-law shall apply to lands in the Agricultural – 2 (A2) Zone.

6.4 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard A2 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 6.1 and/or the regulations of Section 6.2 shall apply.

a) Exception 1 to the Agricultural - 2 Zone

Notwithstanding any other provisions of this By-law, no dwelling shall have an opening below 181.0 metres C.G.D. (Canadian Geodetic Datum) on lands Zoned Agricultural – 2.1 (A2-1) on Schedule “A” to this By-law with the exception of completed buildings or structures in existence on December 23, 1980. Storage of toxic or explosive materials will be required to be located above 181 metres C.G.D.

b) Exception 2 to the Agricultural - 2 Zone

Notwithstanding any other provisions of this By-law, a Light Industrial Use is Permitted on lands Zoned Agricultural – 2.2 (A2-2) on Schedule “A” to this By-law.

c) Exception 3 to the Agricultural – 2 Zone

Notwithstanding any other provisions of this By-law, no dwelling shall have an opening below 181.0 metres C.G.D. (Canadian Geodetic Datum) on lands Zoned Agricultural – 2.3 (A2-3) on Schedule “A” to this By-law with the exception of completed buildings or structures in existence on December 23, 1980. A Building or Contracting Establishment exclusive of an accessory dwelling unit shall be permitted. Storage of toxic or explosive materials will be required to be located above 181 metres C.G.D.

d) Exception 4 to the Agricultural – 2 Zone (B/L 43 of 2005)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 2.4 (A2-4) on Schedule “A-2” to this By-law, and known municipally as 9766 Cold Storage Road, a corn maze shall be permitted as a home occupation subject to the following provisions:

(i) access to the parking area for the corn maze being obtained from Klondyke Road;
(ii) a minimum of 50 parking spaces being provided;
(iii) a maximum of 8 employees being permitted;
(iv) no dwelling shall have an opening below 181.0 metres C.G.D. (Canadian Geodetic Datum), with the exception of completed buildings and structures in existence on December 23, 1980. Storage of toxic or explosive materials will be required to be located above 181 metres C.G.D.

e) Exception 5 to the Agricultural – 2 Zone (B/L 28 of 2006)
Notwithstanding any other provisions of this By-law to the contrary, One Non-Farm Single Detached Dwelling and Buildings, Structures and Uses accessory thereto is permitted on lands zoned Agricultural 2.5 (A2-5) on Schedule “A” to this By-law subject to the following provisions:

a) Minimum Lot Area 11.5 hectares
b) Minimum Lot Frontage 220 metres
c) Minimum Front Yard 15 metres
d) Minimum Interior Side Yard 5 metres
e) Minimum Rear Yard 10 metres
f) Maximum Height 10 metres
g) Maximum Lot Coverage 10 %
h) Minimum Opening Elevation 181 G.S.C.
i) No trees shall be removed from the lands except as approved by the Municipality.

f) Exception 6 to the Agricultural – 2 (A2) Zone (By-law 99 of 2014)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 2.6 (A2-6) on Schedule “A-4” to this By-law, and described as Part of Lots 36 and 37, Lake Road East Concession, geographic Township of Bosanquet, Municipality of Lambton Shores, one single detached dwelling and buildings and uses accessory thereto are permitted within the Agricultural 2.6 (A2-6) Zone, subject to the following provisions:

a) Minimum Lot Area 3 hectares
b) Minimum Lot Frontage 30 metres
c) Minimum Front Yard Setback 14 metres
d) Minimum Interior Side Yard Setback 10 metres
e) Minimum Rear Yard Setback 11.9 metres
f) Maximum Height 11 metres
g) Maximum Lot Coverage 25%
h) Special Provisions
   1. For the purpose of this zone:
      i) Port Franks Road shall be deemed to the front lot line: and
      ii) The lot line opposite Port Franks Road shall be the rear lot line.
   2. That a construction fence be erected along the regulation limit prior to any earth works or any construction occurring on the property, and such construction fence remain on the
property until dwelling construction and grading has been completed to the satisfaction of the Municipality.

3. Section 3.9.3 of the By-law shall not apply to the lands subject of this zone as it relates to lot area, lot frontage, lot coverage, interior side yard and required rear yard.

g) Exception 7 to the Agricultural – 2 (A2) Zone (By-law 118 of 2014)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 2.7 (A2-7) on Schedule “A-4” to this By-law, and described as Part of Lot 35, Lake Road East Concession, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 7692 Willsie Line, no buildings or structures including a dwelling unit of any kind shall be permitted.

h) Exception 8 to the Agricultural – 2 (A2) Zone (By-law 118 of 2014)

Notwithstanding any other provisions of this By-law to the contrary, a single detached dwelling, shall be permitted on lands zoned Agricultural 2.8 (A2-8) on Schedule “A-4” to this By-law, and described as Part of Lot 35, Lake Road East Concession, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 7962 Willsie Line subject to the provisions of Section 5.2 of this By-law.

i) Exception 9 to the Agricultural – 2 (A2) Zone (By-law 116 of 2014)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 2.8 (A2-8) on Schedule “A-2” to this By-law, and described as Part Lots 3 and 4, Plan 7, Concession C, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as the north part of 9752 Klondyke Road:

a) Shall be permitted to front on that portion of the unimproved and unmaintained section of Goosemarsh Line, lying east of Cold Storage Road; and
b) No buildings or structures, including a dwelling unit of any kind, shall be permitted.

SECTION 6A – AGRICULTURAL COMMERCIAL WIND ENERGY CONVERSION SYSTEM – 3 (A3) ZONE (B/L 32/2007)
6A.1 PERMITTED USES

a) Commercial Wind Energy Conversion System
b) Wind Energy Conversion System Accessory Facilities

6A.2 SITE REGULATIONS FOR COMMERCIAL WIND ENERGY CONVERSION SYSTEM

a) Minimum Lot Area: 19.5 hectares

b) Minimum Front Yard Setback:

i) Commercial Wind Energy Conversion System: 1.5 times the height

ii) Accessory Facilities excluding access roads, collector and feeder lines: 20 metres

c) Minimum Rear Yard Setback:

i) Commercial Wind Energy Conversion System: 1.25 times the height, however the setback shall be 0 metres if:

(A) the lot line abuts a lot under lease with the same commercial wind energy conversion system operator or developer.

(B) the lot line abuts a lot where the owner has given written permission, to the satisfaction of the Municipality, to accept a reduced setback.

ii) Accessory Facilities excluding access roads, collector and feeder lines: 7 metres

d) Minimum Interior Side Yard Setback:

i) Commercial Wind Energy Conversion System: 1.25 times the height, however the setback shall be 0 metres if:

(A) the lot line abuts a lot under lease with the same commercial wind energy conversion system operator or developer.

(B) the lot line abuts a lot where the owner has given written permission, to the satisfaction of the Municipality, to accept a reduced setback.

ii) Accessory Facilities excluding access roads, collector and feeder lines: 10 metres
e) Minimum Exterior Side Yard Setback:
   i) Commercial Wind Energy Conversion System: 1.25 times the height
   ii) Accessory Facilities excluding access roads, collector and feeder lines: 6 metres

f) Maximum Height Accessory Facilities excluding access roads, collector and feeder lines:


g) Minimum setback from Off-Site Residential Dwelling or Institutional Use: 400 metres or within MOE Noise Guidelines which ever is greater

h) Minimum Setback from On-Site Residential Dwelling:
   i) Commercial Wind Energy Conversion System: 1.5 times the height
   ii) Accessory Facilities excluding access roads, collector and feeder lines: 20 metres

i) Special Regulations:
   i) No advertising sign shall be permitted on a Commercial Wind Energy Conversion System except the manufacturer’s or proponent’s logo on the nacelle.

   ii) The maximum density permitted for a Commercial Wind Energy Conversion System Development (Wind Farm) shall be one (1) commercial wind turbine per 19.5 hectares of area.

   iii) A maximum of one project sign shall be permitted for every 10 MW of proposed electricity projects to be produced for a wind farm which shall have a maximum area of 2 m² and be non-illuminated.

   iv) Vacant Lots which are not part of a Commercial Wind Energy Conversion System/project must have a buildable area which exceeds the MOE Noise Guidelines:

   (A) Lots with Areas greater than 1 hectare: For a distance of 100 metres from the vacant lots front line line and for a depth of a 100 metres from the front lot line (i.e. an area of at least one hectare) in order to permit the construction of a single detached dwelling on the vacant lot.
(B) Lots with Areas Less than 1 hectare: For the entire lot in order to permit the construction of a single detached dwelling on the vacant lot.

a) Exception 1 to the Agricultural – 3 Zone (By-law 34 of 2009)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 3.1 on Schedule “A” to this By-law and described as East Part of Lot 6, Concession 7 NE, a substation accessory to a Wind Energy Conversion System shall be permitted subject to the following regulations:

Minimum Front Yard: 1200 metres
Minimum Interior Side Yard: 230 metres
SECTION 6B – AGRICULTURAL 4 (A4) ZONE (B/L 83/15)

6B.1 PERMITTED USES
a) Agricultural Implement Sales Establishment
b) Agricultural Service Establishment
c) Agricultural Supply Establishment
d) Agricultural Processing Establishment
e) Farm Produce Processing Establishment
f) Kennel
g) Nursery
h) Terminal Grain Elevator
i) Buildings, Structures and Uses Accessory to a Permitted Use

6B.2 SITE REGULATIONS
a) Minimum Lot Area 1 hectare
b) Minimum Lot Frontage 45 metres
c) Minimum Front Yard Setback 10 metres
d) Minimum Interior Side Yard Setback 10 metres
e) Minimum Exterior Side Yard Setback 10 metres
f) Minimum Rear Yard Setback 10 metres
g) Maximum Height 12 metres
h) Maximum Lot Coverage 35%
SECTION 7 - RESIDENTIAL - 1 (R1) ZONE

7.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential - 1 (R1) Zone except for one or more of the following Uses:

a) Single Detached Dwelling
   Semi-Detached Dwelling
   Duplex Dwelling
   Group Home-Type 1
b) Home Occupations
c) Buildings, Structures and Uses Accessory to a Permitted Use

7.2 SITE REGULATIONS

a) Minimum Lot Area

   i) Single Detached Dwelling 500 sq. m.
   ii) Semi-Detached Dwelling 300 sq. m./ Dwelling Unit
   iii) Duplex Dwelling 400 sq. m./ Dwelling Unit
   iv) Converted Dwelling see section 3.28

b) Minimum Lot Frontage

   i) Single Detached Dwelling 15 m.
   ii) Semi-Detached Dwelling 10 m./ Dwelling Unit
   iii) Duplex Dwelling 15 m./ Dwelling Unit
   iv) Converted Dwelling see section 3.28

c) Minimum Front Yard Setback

   i) Single Detached Dwelling 6 m.
   ii) Semi-Detached Dwelling 6 m.
   iii) Duplex Dwelling 6 m.
   iv) Converted Dwelling see section 3.28
d) Minimum Interior Side Yard Setback (if Attached Garage)
   
   i) Single Detached Dwelling 1 m.

   ii) Semi-Detached Dwelling 1 m. & 0 m. where a Semi-Detached Dwelling is attached to another Semi-Detached Dwelling

   iii) Duplex Dwelling 1.2 m.

   iv) Converted Dwelling see section 3.28

  e) Minimum Interior Side Yard Setback (if no Attached Garage)

   i) Single Detached Dwelling 1 m. & 3 m.

   ii) Semi-Detached Dwelling 3 m. & 0 m. where a Semi-Detached Dwelling is attached to another Semi-Detached Dwelling

   iii) Duplex Dwelling 3 m.

   iv) Converted Dwelling see section 3.28

  f) Minimum Exterior Side Yard Setback

   i) Single Detached Dwelling 6 m.

   ii) Semi-Detached Dwelling 6 m.

   iii) Duplex Dwelling 6 m.

   iv) Converted Dwelling see section 3.28

  g) Minimum Rear Yard Setback

   i) Single Detached Dwelling 7 m.

   ii) Semi-Detached Dwelling 7 m.

   iii) Duplex Dwelling 7 m.

   iv) Converted Dwelling see section 3.28

  h) Maximum Lot Coverage

   i) Single Detached Dwelling 30%

   ii) Semi-Detached Dwelling 35%
iii) Duplex Dwelling 30 %
iv) Converted Dwelling see section 3.28

i) Maximum Building Height

i) Single Detached Dwelling 11 m.
ii) Semi-Detached Dwelling 11 m.
iii) Duplex Dwelling 11 m.
iv) Converted Dwelling see section 3.28

j) Minimum Landscaped Open Space

i) Single Detached Dwelling 40 %
ii) Semi-Detached Dwelling 30 %
iii) Duplex Dwelling 30 %
iv) Converted Dwelling see section 3.28

7.3 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard R1 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 7.1 and/or the regulations of Section 7.2 shall apply.

a) Exception 1 to the Residential - 1 Zone

Notwithstanding any other provisions of this By-law, the following provisions shall apply to lands Zoned Residential – 1.1 (R1-1) on Schedule “A” to this By-law:

i) the minimum opening in the foundation for any Structure shall not be below the elevation of 222.778 metres G.S.C. (Geodetic Survey of Canada);
ii) there shall be no Basement or Cellar constructed as part of any Dwelling;
iii) all development shall comply with general floodproofing criteria as specified by the Ausable Bayfield Conservation Authority, pursuant to Ontario Regulation 46/95.

b) Exception 2 to the Residential - 1 Zone

Notwithstanding any other provisions of this By-law, no dwelling or structure shall have an opening below 182.1 metres G.S.C. on lands Zoned Residential – 1.2 (R1-2) on Schedule “A” to this By-law with the exception of completed buildings or structures in existence on the date of passing of this By-law.

c) Exception 3 to the Residential - 1 Zone

Notwithstanding any other provisions of this By-law, no dwelling or structure on lands Zoned Residential – 1.3 (R1-3) on Schedule “A” to this By-law shall have an opening below the regional storm elevation (RFD) as identified by the Ausable Bayfield Conservation Authority, except for Buildings or Structures Existing as of June 18, 1979.
d) Exception 4 to the Residential – 1 Zone

PERMITTED USES

a) One Family Dwelling
b) Day Nursery
   Home Occupation in accordance with the provisions of Section 3.10 of this By-law
   Bed and Breakfast Establishment in accordance with the provisions of Section 3.10.2 of this By-law
c) Uses permitted in all zones by Section 3.1 of this By-law
d) Uses, Buildings and Structures accessory to the permitted uses

ZONE PROVISIONS

a) Minimum Lot Area: 500 sq. m except for the southerly 20 metres of the R1.4 Zone abutting Sauble River Road, where the minimum Lot Area shall be 340 sq. m.

b) Minimum Lot Frontage: 12 metres

c) Minimum Front Yard Setback: 6 metres except for the southerly 29 metres of the R1.4 Zone abutting Sauble River road, where the minimum front yard setback shall be 2.24 metres.

d) Minimum Side Yard Setback:
   i) Where there is an attached “PRIVATE GARAGE” OR “CARPORT” 1.2 metres (both sides)
   ii) Where there is no attached “PRIVATE GARAGE” OR “CARPORT” 1.2 metres (one side) 3 metres (other side)

e) Minimum Rear Yard Setback 7.6 metres

f) Maximum Lot Coverage 35 %

BUILDING REGULATIONS

a) Minimum Dwelling Unit Area:
   i) One Storey Dwelling Unit 83 square metres
   ii) Dwelling Unit with more than one storey 75 square metres “Ground Floor Area”

b) Maximum Height for Main Building 9 metres
Special Provisions for Accessory Docks and Marine Facilities

a) An accessory dock or marine facility may be occupied only by a boat that is owned by the registered owner of the Lot to which the dock or marine facility is accessory. The dock or marine facility is not to be used as a sales or rental facility.

b) The length of the boat mentioned in subsection a) above, may not exceed the length of the dock or marine facility at which it is moored or berthed and shall not extend further into a waterway than the existing dock or marine facility.

c) Notwithstanding b) above, docks for lots 2 & 3 may be extended a maximum of 2.5 metres further into the waterway but such extension shall be included in the site plan.

e) Exception 5 to the Residential – 1 Zone (B/L 27/2006)

Notwithstanding any other provisions of this By-law the following provision shall apply to those lands zoned Residential 1.5 (R1-5) on Schedule “A” to this By-law:

PERMITTED USES

a) Single Family Dwellings
b) Home Occupations
c) Buildings, Structures and Uses Accessory to a Permitted Use

SITE REGULATIONS

As per Section 7.2.

SPECIAL REGULATION

Notwithstanding any other provisions of this By-law, no dwelling or structure shall have an opening below 182.1 metres G.S.C.

f) Exception 6 to the Residential – 1 Zone (B/L 58/2006)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 1.6 (R1-6) on Schedule “A-8” to this By-law, the following provision shall apply:

PERMITTED USES

a) Single Detached Dwelling
b) Home Occupations
c) Buildings, Structures and Uses Accessory to a Permitted Use

SITE REGULATIONS

Section 7.2 of the By-law shall apply except for the following special provisions:

i) No dwelling being located within 15 metres of the top-of-bank of Hickory Creek

ii) Minimum Flankage Side Yard: 2 metres provided that any vehicular access to an attached garage be a
iii) Dwellings on Lots 1 and 10, Registered Plan are required to have attached garages, and

iv) Any vehicular access to an accessory building constructed on Lots 1, 2, 3 and 10 of Registered Plan must be a minimum of 6 metres from Clyde and/or Argyle Streets.

g) Exception 7 to the Residential – 1 (R1) Zone (B/L 76/2007)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 1.7 (R1-7) on Schedule “A-1” to this By-law, the following provision shall apply:

PERMITTED USES

a) Single Detached Dwelling
b) Home Occupations
c) Buildings, Structures and Uses Accessory to a Permitted Use

SITE REGULATIONS

Section 7.2 of the By-law shall apply except for the following special provisions:

i) Lot Frontage
ii) Dwellings are required to have attached garages.
iii) No more than 10 detached dwelling lots will be permitted in this zone.
iv) Notwithstanding any other provision of this By-law, no dwelling or structure shall have an opening below 178.9 G.S.C.

h) Exception 8 to the Residential - 1 (R1) Zone (B/L 9/09)

Notwithstanding any other provisions of this By-law to the contrary, the existing church building on lands zoned Residential 1-8 (R1-8) on Schedule “A-9” to this By-law and known as 13 Centre Street in Arkona, can be converted to a single detached dwelling unit or a two unit dwelling; subject to the following regulations:

a) One parking space shall be provided per dwelling unit;
b) All parking spaces shall be located in the interior side yard or rear yard or in a private garage;
c) All provisions of the Fire and Building Codes shall be complied with and the dwelling units shall be inspected by the Chief Building Official or his designate before the dwelling units are occupied;
d) No dwelling unit shall have a floor area of less than 50 m²;
e) All the provisions applicable to single detached dwellings in Section 3 and 7.2 of the By-law shall apply to any additions to the existing building; and
f) The building shall be connected to the municipal water and sanitary services.

i) Exception 9 to the Residential – 1 (R-1) Zone (B/L/ 18 of 2011)

Notwithstanding any other provisions of this By-law on lands zoned Residential 1-9 (R1-9) on Schedule “A-8” to this By-law, the following provisions shall apply:
PERMITTED USES

a) Single Detached Dwelling
b) Home Occupation
c) Public Park
d) Buildings, Structures and Uses Accessory to a Permitted Use

SITE REGULATIONS

a) Minimum Lot Area: 700 m²
b) Minimum Lot Frontage: 18 metres
c) Minimum Front Yard Setback: 6 metres
d) Minimum Interior Side Yard Setback for a Dwelling with an attached garage: 1 metre
e) Minimum Interior Side Yard Setback for a Dwelling with no attached garage: 1 metre one side and 3 metres the other side
f) Minimum Exterior Side Yard Setback: 3 metres except 6 metres to the vehicular entrance of an attached or detached garage
g) Minimum Rear Yard Setback: 7 metres
h) Maximum Lot Coverage: 30%
i) Minimum Landscaped Open Space: 40%

SPECIAL PROVISIONS

Section 3.19.1 does not apply.

7.3 HOLDING ZONES (Z/B 13/04)

Where lands zoned R.1 are accompanied by a Holding “h” symbol, the following provisions apply:

a) Conditions for the Removal of the Holding (h) Symbol

No buildings or structures shall be erected on lands zoned R.1(h) until Council has removed the Holding (h) Symbol. Where only one new dwelling is proposed, the Holding (h) Symbol shall only be removed on that portion of the lands if Council is satisfied that the location of the proposed dwelling will not jeopardize the eventual development of the balance of the lands. Where the entire parcel is proposed to be developed, the Holding (h) Symbol shall only be removed following the draft approval of a registered plan of subdivision or condominium.
j) Exception 10 to the Residential 1 (R1) Zone (By-law 13 of 2014)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 1-10 (R1-10) on Schedule A-7 to this By-law, and located on the south side of Allen Street, west of King Street in Thedford and known as 9 Allen Street, the maximum lot coverage for the existing accessory buildings shall be 603 m² and the existing accessory building is considered to be accessory to the residential use.

k) Exception 11 to the Residential 1 (R1) Zone (By-law 52 of 2016)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 1.11 (R1-11) on Schedule “A-8” to this By-law, and known municipally as 1 Beechwood Avenue, Forest, permitted uses are restricted to single detached dwellings and buildings, structures and uses accessory thereto and home occupations, subject to the provisions of Section 7.2, except for the following section regulations:

a) Minimum Lot Area for a Lot Serviced with Municipal Water and Municipal Sanitary Sewers: 500 m²

b) Minimum Lot Frontage for a Lot Serviced with Municipal Water and Municipal Sanitary Sewers: 15 metres

c) Minimum Front Yard Setback: 14 metres

d) A detached accessory building existing on May 17, 2016 is permitted without a single detached dwelling.

l) Exception 12 to the Residential 1 (R1) Zone (By-law 61 of 2017)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential - .12 (R1-12) on Schedule “A-9” to this By-law and known municipally as 7497 Arkona Road, permitted uses are restricted to single detached dwellings and buildings, structures and uses accessory thereto and home occupations, subject to the provisions of Section 7.2, except for the following regulations:

a) Minimum Lot Area:

i) For a lot serviced with Municipal Water and Municipal Sanitary Sewers 500 m²

ii) For a Lot Serviced with Municipal Water and a Private On-Site Septic System 5000 m²

b) Minimum Lot Frontage:

i) For a lot serviced with Municipal Water and Municipal Sanitary Sewers 15 metres

ii) For a Lot Serviced with Municipal Water and a Private On-Site Septic System 40 metres
I) Exception 13 to the Residential 1 (R1) Zone (By-law 115 of 2017)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 1.13 (R1-13) on Schedule "A-8) to this By-law and known as 101 Broadway Street, Forest, the following regulations shall apply;

PERMITTED USES

a) Single Detached Dwelling; and

b) Buildings, Structures and Uses Accessory to a Single Detached Dwelling

SITE REGULATIONS

a) Minimum Lot Area 1800 m²

b) Minimum Lot Frontage 40 metres

c) See Section 7.2 for the balance of Site Regulations

SPECIAL PROVISIONS

a) No residential use shall be established on the lands until an Environmental Site Assessment has been completed for the property and a Record of Site Condition is registered in the Environmental Site Registry.

b) All provisions of the Fire Code and Building Code are complied with.
SECTION 8 - RESIDENTIAL - 2 (R2) ZONE

8.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential - 2 (R2) Zone except for one or more of the following Uses;

a) Single Detached Dwelling
   Semi-Detached Dwelling
   Duplex Dwelling
   Triplex Dwelling
   Group Home Type 1
   Converted Dwelling
b) Home Occupations
   Bed and Breakfasts
c) Buildings, Structures and Uses Accessory to a Permitted Use

8.2 SITE REGULATIONS

a) Minimum Lot Area
   i) Single Detached Dwelling 500 sq. m.
   ii) Semi-Detached Dwelling 300 sq. m./ Dwelling Unit
   iii) Duplex Dwelling 400 sq. m./ Dwelling Unit
   iv) Triplex Dwelling 400 sq. m./ Dwelling Unit
   v) Converted Dwelling see section 3.28

b) Minimum Lot Frontage
   i) Single Detached Dwelling 12 m.
   ii) Semi-Detached Dwelling 8 m./ Dwelling Unit
   iii) Duplex Dwelling 12 m./ Dwelling Unit
   iv) Triplex Dwelling 12 m./ Dwelling Unit
   v) Converted Dwelling see section 3.28
c) Minimum Front Yard Setback

i) Single Detached Dwelling  6 m.

ii) Semi-Detached Dwelling  6 m.

iii) Duplex Dwelling  6 m.

iv) Triplex Dwelling  6 m.

v) Converted Dwelling  see section 3.28

d) Minimum Interior Side Yard Setback (if Attached Garage)

i) Single Detached Dwelling  1 m.

ii) Semi-Detached Dwelling  1 m. & 0 m. where a Semi-Detached Dwelling is attached to another Semi-Detached Dwelling

iii) Duplex Dwelling  1 m.

iv) Triplex Dwelling  1 m.

v) Converted Dwelling  see section 3.28

e) Minimum Interior Side Yard Setback (if no Attached Garage)

i) Single Detached Dwelling  1 m. & 3 m.

ii) Semi-Detached Dwelling  3 m. & 0 m. where a Semi-Detached Dwelling is attached to another Semi-Detached Dwelling

iii) Duplex Dwelling  3 m.

iv) Triplex Dwelling  3 m.

v) Converted Dwelling  see section 3.28

f) Minimum Exterior Side Yard Setback

i) Single Detached Dwelling  6 m.

ii) Semi-Detached Dwelling  6 m.

iii) Duplex Dwelling  6 m.

iv) Triplex Dwelling  6 m.
v) Converted Dwelling see section 3.28

g) Minimum Rear Yard Setback

i) Single Detached Dwelling 7 m.

ii) Semi-Detached Dwelling 7 m.

iii) Duplex Dwelling 7 m.

iv) Triplex Dwelling 7 m.

v) Converted Dwelling see section 3.28

h) Maximum Lot Coverage

i) Single Detached Dwelling 30 %

ii) Semi-Detached Dwelling 35 %

iii) Duplex Dwelling 30 %

iv) Triplex Dwelling 30 %

v) Converted Dwelling see section 3.28

i) Maximum Building Height

i) Single Detached Dwelling 11 m.

ii) Semi-Detached Dwelling 11 m.

iii) Duplex Dwelling 11 m.

iv) Triplex Dwelling 11 m.

v) Converted Dwelling see section 3.28

j) Minimum Landscaped Open Space

i) Single Detached Dwelling 40 %

ii) Semi-Detached Dwelling 30 %

iii) Duplex Dwelling 30 %

iv) Triplex Dwelling 30 %

v) Converted Dwelling see section 3.28
8.3 SPECIAL PROVISIONS (B/L 66/08)

The following Zones apply to unique or existing situations and are not the standard R2 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 8.1 and/or the regulations of Section 8.2 shall apply:

a) Exception 1 to the Residential – 2 Zone

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 2.1 (R2-1) on Schedule “A-1” to this By-law the following provisions shall only apply:

PERMITTED USES

a) Single Detached Dwelling
b) Semi-Detached Dwelling

ZONE PROVISIONS

a) Minimum Lot Area  
As it existed on September 1, 2008
b) Minimum Lot Frontage  
As it existed on September 1, 2008
c) Minimum Front Yard Setback  
See Section 8.2(c)
d) Minimum Interior Side Yard Setback  
See Section 8.2(d)
(if attached garage)
e) Minimum Interior Side Yard Setback  
See Section 8.2(e)
(if no attached garage)
f) Minimum Exterior Side Yard  
3 metres
No encroachments are permitted into the exterior side yard except an eave projection of a maximum of 0.5 metres
g) Minimum Rear Yard Setback  
6 metres
h) Maximum Lot Coverage  
See Section 8.2(h)
i) Maximum Building Height  
See Section 8.2(i)
j) Minimum Landscaped Open Space  
See Section 8.2(j)
k) For Lots 46 and 47, Plan 24, the front lot line shall be the east lot line abutting Gibb’s Lane
l) An uncovered parking area for a semi-detached dwelling unit can be partially provided in the required front yard
SECTION 9 - RESIDENTIAL - 3 (R3) ZONE

9.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential - 3 (R3) Zone except for one or more of the following Uses:

a) Converted Dwelling
   - Triplex Dwelling
   - Street Townhouse Dwelling
   - Stacked Townhouse Dwelling
   - Townhouse Dwelling
   - Multiple Dwelling
   - Group Home-Type 1
b) Home Occupations
   - Bed and Breakfasts
c) Buildings, Structures and Uses Accessory to a Permitted Use

9.2 SITE REGULATIONS

a) Minimum Lot Area

   i) Triplex Dwelling 300 sq. m./ Dwelling Unit
   ii) Townhouse Dwelling 300 sq. m./ Dwelling Unit
   iii) Street Townhouse Dwelling 300 sq. m./ Dwelling Unit
   iv) Multiple Dwelling 300 sq. m./ Dwelling Unit
   v) Converted Dwelling see section 3.28

b) Minimum Lot Frontage

   i) Triplex Dwelling 12 m.
   ii) Townhouse Dwelling 30 m.
   iii) Street Townhouse Dwelling 6 m.
   iv) Multiple Dwelling 30 m.
   v) Converted Dwelling see section 3.28
c) Minimum Front Yard Setback
   i) Triplex Dwelling 6 m.
   ii) Townhouse Dwelling 6 m.
   iii) Street Townhouse Dwelling 6 m.
   iv) Multiple Dwelling 6 m.
   v) Converted Dwelling see section 3.28

d) Minimum Interior Side Yard Setback (if Attached Garage)
   i) Triplex Dwelling 1 m.
   ii) Townhouse Dwelling 3 m. & 0 m. where attached to another Townhouse unit
   iii) Street Townhouse Dwelling 4.5 m. & 0 m. where attached to another Street Townhouse unit
   iv) Multiple Dwelling 10 m. & 0 m. where attached to another Multiple Dwelling unit
   v) Converted Dwelling see section 3.28

e) Minimum Interior Side Yard Setback (if no Attached Garage)
   i) Triplex Dwelling 3 m.
   ii) Townhouse Dwelling 3 m. & 0 m. where attached to another Townhouse unit
   iii) Street Townhouse Dwelling 4.5 m. & 0 (note) m. where attached to another Street Townhouse unit
   iv) Multiple Dwelling 10 m. & 0 m. where attached to another Multiple Dwelling unit
   v) Converted Dwelling see section 3.28

f) Minimum Exterior Side Yard Setback
   i) Triplex Dwelling 6 m.
   ii) Townhouse Dwelling 6 m.
   iii) Street Townhouse Dwelling 7 m.
   iv) Multiple Dwelling 7 m.
v) Converted Dwelling see section 3.28

g) Minimum Rear Yard Setback
   i) Triplex Dwelling 7 m.
   ii) Townhouse Dwelling 10 m.
   iii) Street Townhouse Dwelling 10 m.
   iv) Multiple Dwelling 10 m.
   v) Converted Dwelling see section 3.28

h) Maximum Lot Coverage
   i) Triplex Dwelling 30 %
   ii) Townhouse Dwelling 40 %
   iii) Street Townhouse Dwelling 40 %
   iv) Multiple Dwelling 40 %
   v) Converted Dwelling see section 3.28

i) Maximum Building Height
   i) Triplex Dwelling 11 m.
   ii) Townhouse Dwelling 11 m.
   iii) Street Townhouse Dwelling 11 m.
   iv) Multiple Dwelling 11 m.
   v) Converted Dwelling see section 3.28

j) Minimum Landscaped Open Space
   i) Triplex Dwelling 30 %
   ii) Townhouse Dwelling 30 %
   iii) Street Townhouse Dwelling 30 %
   iv) Multiple Dwelling 30 %
   v) Converted Dwelling see section 3.28
9.3 SUPPLEMENTARY PROVISIONS

a) Planting Strip

Where a Residential (R3) Zone abuts a Residential (R1) Zone or a Residential (R2) Zone, a buffer strip shall be provided adjacent to and inside the R3 Zone boundary along the Side and Rear Lot Lines, having a minimum width of three (3.0) metres, in compliance with the regulations of section 3.20 of this By-law.

9.4 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard R3 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 9.1 and/or the regulations of Section 9.2 shall apply.

a) Exception 1 to the Residential - 3 Zone

Notwithstanding any provisions of this section, the following provisions apply to lands Zoned Residential 3.1 (R3-1) on Schedule “A” to this By-law:

i. A 10 m. Setback from the west bank of the Ausable River is required for all Buildings and Structures;

ii. The minimum floor elevation of all Habitable Rooms shall be 180.0 m. G.S.C. (Geodetic Survey of Canada);

iii. There shall be no openings in any foundation lower than the minimum elevation of 180.0 m. G.S.C.

b) Exception 2 to the Residential - 3 Zone

Notwithstanding any provisions of this section, a Nursing Home, Pharmacy and Amenity Building will also be permitted on lands Zoned Residential 3-2 (R3-2) on Schedule “A” to this By-law. The Pharmacy described herein shall not exceed 100 square metres gross floor area.

c) Exception 3 to the Residential - 3 Zone  (B/L 15/05)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential – 3.3 (R3-3) on Schedule “A” to this By-law, single detached dwellings may be permitted subject to the provisions in Section 12.3 h).

d) Exception 4 to the Residential - 3 Zone  (B/L 79/05)

Notwithstanding any other provisions of this By-law to the contrary, the only use permitted on lands known as 70 and 72 Union Street in Forest and located within the Residential 3.4 (R3-4) Zone shall be used only for “Fourplex” Dwellings, subject to the following provisions:

a) Minimum Lot Area 275 m²/unit

b) Minimum Lot Frontage 25 metres

c) Minimum Front Yard Setback 6 metres

d) Minimum Interior Side Yard 6 metres on one side

3 metres on the other

e) Minimum Exterior Side Yard 6 metres
f) Minimum Rear Yard Setback: 10.5 metres

h) Maximum Building Height: 11 metres

i) Minimum Landscaped Open Space: 30% m²

j) Minimum Floor Area: 65 m²

k) Special Regulations

(i) A landscape strip having a minimum width of 3 metres shall be provided where a parking area containing two or more vehicles abuts a rear or side lot line, except where a mutual driveway is provided between fourplex dwellings on separate lots, then no landscape strip is required along the mutual side lot line.

(ii) No parking shall be permitted in a front yard.

d) Exception 5 to the Residential - 3 Zone (By-law 18 of 2011)

Notwithstanding any other provisions of this By-law, on lands zoned Residential 3-4 (R3-4) on Schedule "A-8" to this By-law, the following provisions shall apply:

PERMITTED USES

a) Street Townhouse
b) Home Occupation
c) Buildings, Structures and Uses Accessory to a Permitted Use

SITE REGULATIONS

a) Minimum Lot Area: 350 m²

b) Minimum Lot Frontage: 8.5 metres

c) Minimum Front Yard Setback: 6 metres

d) Minimum Interior Side Yard Setback: 3 metres (each side), there is no interior side yard required along the common lot line where individual dwelling units are attached by a common wall, there is an interior side yard of 0.6 metres required along the common lot line for those portions of the dwelling units which are not attached by a common wall.

e) Minimum Exterior Side Yard Setback: 3 metres, except 6 metres to the vehicular entrance of an attached or detached garage.

f) Minimum Rear Yard Setback: 7 metres

g) Maximum Lot Coverage: 35%
i) Parking Provisions:  each dwelling shall have 1 private attached garage with a minimum width of 3.35 metres and a minimum depth of 6.1 metres, any vehicular entrance of which shall be setback not less than 6 metres from the front lot line and not less than 6 metres from any side lot line.

e) Exception 6 to the Residential - 3 Zone (By-law 22 of 2017)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 3.6 (R3-6) on Schedule “A-3” to this By-law, and known municipally as 7446 and 7456 Riverside Drive and 10072 Poplar Avenue, Port Franks, the following regulations apply:

PERMITTED USES

No land, Building or Structure shall be used or erected in the Residential 3.6 (R3-6) Zone except for one or more of the following used:

a) Stacked Townhouse Dwelling
b) Buildings and Structures and Uses Accessory to a Permitted Use

SITE REGULATIONS

a) Minimum Lot Area: 0.94 hectares
b) Minimum Lot Frontage: 100 metres
c) Maximum Number of Dwelling Units: 21
d) Minimum Front Yard Setback: 15 metres
e) Minimum Interior Side Yard Setback:
   i) 6.65 metres to a one storey building not exceeding a height of 4 metres;
   ii) 12.96 metres to a two storey building and roof top patio not exceeding a height of 6.73 metres; and
   iii) 18.48 metres to a three storey building with roof top patios.
f) Minimum Exterior Side Yard Setback:
   i) 3 metres to a one storey building not exceeding a height of 4 metres;
   ii) 6.1 metres to a two storey building not exceeding a height of 6.73 metres; and
   iii) 8.5 metres to a three storey building with roof top patios.
g) Minimum Setback from the Ausable River: 17 metres
h) Maximum Lot Coverage: 25%
i) Maximum Building Height: 3 storeys not exceeding 9.1 metres, except that a stair access to a roof top patio and a
rooftop privacy wall can have a maximum height of 11.7 metres

j) Minimum Landscaped Open Space: 35%
SECTION 10 - RESIDENTIAL - 4 (R4) ZONE

10.1 PERMITTED USES

No land, building, or structure shall be used or erected in the Residential - 4 (R4) Zone except for one or more of the following Uses:

a) Single Detached Dwelling
   Modular Home
   Existing Boarding House
   Converted Dwelling
b) Home Occupations
c) Buildings, Structures and Uses Accessory to a Permitted Use

10.2 SITE REGULATIONS

a) Minimum Lot Area
   297 sq. m.
b) Minimum Lot Frontage
   12 m.
c) Minimum Front Yard Setback
   6 m.
d) Minimum Interior Side Yard Setback (if Attached Garage)
   1.2 m.
e) Minimum Interior Side Yard Setback (if no Attached Garage)
   1.2 m. & 3 m.
f) Minimum Exterior Side Yard Setback
   6 m.
g) Minimum Rear Yard Setback
   6 m. or 3 m. for a Corner Lot
h) Maximum Building Height
   9 m.
i) Maximum Lot Coverage
   35 %

10.3 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard R4 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 10.1 and/or the regulations of Section 10.2 shall apply.

a) Exception 1 to the Residential - 4 Zone

Notwithstanding any other provisions of this By-law, for lands Zoned Residential 4.1 (R4-1) on Schedule “A” to this By-law no Building or Structure shall be located closer than 12 metres from the top of the existing steel sheet pile retaining wall with the footings founded at or below the depth recommended by Bos Engineering and Environmental Services study dated June 5, 2000 – Project No. 0002-02.

b) Exception 2 to the Residential - 4 Zone (By-law 103 of 2013)

Notwithstanding any provisions of this section, a Residential Park and Private Recreational Facility will also be permitted on lands zoned Residential 4-2 (R4-2) on Schedule “A” to this By-law.
Notwithstanding, Section 10.1 of this By-law, townhouses and street townhouses are permitted on Lots 1 to 6, Registered Plan 25M42 subject to the provisions in Section 19.2 of this By-law.

Notwithstanding Section 3.12 of this By-law, a deck associated with a townhouse dwelling unit located on Lots 1 to 6, Registered Plan 25M42, can encroach 3 metres into a required rear yard.

Notwithstanding Section 10.2 i) of this By-law, the maximum lot coverage permitted for a one storey (floor) single detached dwelling (bungalow) located in the Residential 4-2 (R4-2) Zone shall be 45%.

Notwithstanding Section 10.1 of this By-law, Semi Detached Dwellings are permitted on Lots 1 to 6, Registered Plan 25M42, subject to the regulations contained in Section 19.2.2 of this By-law.

Notwithstanding Section 10.1 of this By-law, an access driveway to a lot occupied by a multiple dwelling may be permitted on Lot 6, Registered Plan 25M42 subject to a Planting Strip in compliance with the provisions of Section 3.20 and a 1.8 metre high solid wood fence being provided along the lot line abutting a Single Detached Dwelling, Semi Detached Dwelling or a Townhouse Dwelling.

**RESIDENTIAL PARK REGULATIONS**

a) **Minimum Lot Area**  
   2.5 hectares

b) **Minimum Lot Frontage**  
   40 metres

c) **Minimum Front Yard**  
   9 metres

d) **Minimum Side Yard**  
   9 metres

e) **Minimum Rear Yard**  
   9 metres

f) **Building Height Maximum**  
   10 metres

**RESIDENTIAL PARK SITE REGULATIONS**

a) **Minimum Site Area including the parking area**  
   370 square metres

b) **Minimum Site Frontage**  
   12 metres

c) **Minimum clearance between the sides of any modular home or one-family dwelling**  
   4 metres

d) **Minimum clearance between the rear sides of any modular home or one-family dwelling**  
   10 metres

e) **Minimum clearance between any modular home or one-family dwelling and any internal street or internal thoroughfare**  
   3 metres

f) **Minimum modular home or one-family dwelling floor area**  
   50 square metres

g) **Maximum Site coverage**  
   40%
SECTION 11 - RESIDENTIAL - 5 (R5) ZONE

11.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential - 5 (R5) Zone except for one or more of the following Uses:

a) Single Detached Dwelling;
b) Despite section 3.9.1, a seasonal Dwelling fronting onto an Existing Road other than a Street, highway or Road as defined in this By-law;
c) Despite section 3.9.1, a Use lawfully Existing on the date of passing of this By-law fronting onto an existing road other than a Street, highway or Road as defined in this By-law;
d) Day Nursery;
   Home Occupation;
   Institutional Use;
   Passive Recreation;
e) Boat slips, docks and boathouses on a Lot abutting a Watercourse;
f) Buildings, Structures or Uses Accessory to a Permitted Use.

11.2 SITE REGULATIONS

a) Minimum Lot Area 4,000 sq. m.
b) Minimum Lot Frontage 30 m.
c) Minimum Front Yard Setback 7.5 m.
d) Minimum Interior Side Yard Setback (if Attached Garage) 2 m.
e) Minimum Interior Side Yard Setback (if no Attached Garage) 2 m. & 3m.
f) Minimum Exterior Side Yard Setback 4.5 m.
g) Minimum Rear Yard Setback 7.5 m.
h) Maximum Building Height 10 m.
i) Maximum Lot Coverage 25 %
j) Minimum Ground Floor Area
   One-storey dwellings 90 sq. m
   More than One-storey dwellings 70 sq. m
11.3 SUPPLEMENTARY PROVISIONS

a) Special Policy Area and Flood Fringe Area

In those portions of the R5 Zone located in areas identified as "Special Policy Area" or "Flood Fringe Area", no habitable Building or Structure shall have an opening lower than the regional storm elevation (R.F.D.) as identified by the Ausable Bayfield Conservation Authority, except for Building or Structures Existing as of June 18, 1979.

11.4 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard R5 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 11.1 and/or the regulations of Section 11.2 shall apply.

a) Exception 1 to the Residential - 5 Zone

Notwithstanding any provisions of this section, the following provisions apply to lands Zoned Residential 5.1 (R5-1) on Schedule “A” to this By-law;

i) No Building, Structure or individual sanitary disposal system in the Residential 5.1 (R5-1) Zone shall be situated closer than 10 metres from the Top of Bank of any Watercourse.

ii) Ground Floor Area for
   90 square metres minimum for
   a Dwelling Unit: a one-Storey Dwelling Unit
   70 square metres minimum for
   Dwellings over one Storey

iii) No Dwelling shall have an opening less than 181 metres G.S.C.

iv) Any completed Dwelling in existence on May 5, 1980 is exempt from the requirements of subsections 12.4 a) i), ii), and iii).

b) Exception 2 to the Residential - 5 Zone (B/L 74/06)

Notwithstanding any other provisions of this By-law to the contrary, on lands described as Lots 91, 92, 93 and 95, Part Block 7, Registered Plan 6 and known municipally as 7570, 7568 and 7578 Riverside Drive and zoned Residential 5.2 (R5-2) on Schedule “A-3” to this By-law, the following provisions shall be applied:

a) Lot Frontage (minimum) 25 metres

b) Lot Area (minimum) 1,000 m²

c) Prior to a building permit being issued for a single detached dwelling a hydro-geological report shall be submitted to the Municipality and the County of Lambton which verifies that a private septic system can be accommodated on the lots.

d) Any private septic system installed on the lots shall be an approved tertiary septic system.
e) Any dwellings shall be flood proofed to the satisfaction of the Municipality and the Ausable Bayfield Conservation Authority; and

f) Prior to a building permit being issued for a single detached dwelling:
   i) on Lot 95, Part of Block 7, Registered Plan 4, a 2.4 metre high solid screen fence shall be erected along the east and west of boundaries of Lot 95, Part of Block 7, Registered Part 4, to the satisfaction of the Municipality; and
   ii) on Lot 93, Part Block 7, Registered Plan 4, a 2.4 metre high solid screen fence shall be erected along the east boundary of Lot 93, Part Block 7, Registered Plan 4, to the satisfaction of the Municipality;

and no additional buffering or planting strips shall be required to be provided on the abutting commercial lots.

c) Exception 3 to the Residential - 5 Zone (B/L 85/07 OMB ruling)

a) PERMITTED USES

(i) Seasonal Single Detached Dwelling

(ii) Buildings, Structures and Uses Accessory to a Permitted Use

b) SITE REGULATIONS

(i) Lot Frontage (minimum) as existing on October 1, 2007

(ii) Lot Area (minimum) as existing on October 1, 2007

(iii) Minimum Front Yard 2 metres

(iv) Minimum Exterior Side Yard 2 metres

(v) Minimum Interior Side Yard 2 metres and 3 metres

(vi) Minimum Rear Yard 6 metres

(vii) Maximum Dwelling Height 10 metres

(viii) Maximum Lot Coverage 25%

Special Provisions

1. The floor area of an attached or detached accessory building shall not exceed the floor area of the dwelling. Further, the floor area of an attached accessory building shall not exceed a floor area of 44 m².

2. Notwithstanding Sections 3.12 and 3.3.2 of this By-law, no encroachments shall be permitted in any front, interior side yard or exterior side yard, except an eave encroachment of a maximum of 0.3 metres.

3. Notwithstanding Section 3.8 of this By-law, no second dwelling unit will be permitted in any single detached dwelling.
4. Section 3.19.1 of the By-law does not apply to lands in the R5-3 Zone. The extent of development permitted adjacent to Lake Huron is determined by boundary of the R5-3 Zone.

5. All wells and private sewage treatment systems required to service dwellings in the R5-3 Zone shall be located within the R5-3 Zone. The only private sewage treatment systems permitted to be installed to service a dwelling in the R5-3 Zone are those tertiary sewage treatment units permitted by the Ontario Building Code. All wells and sewage treatment systems located in the R5-3 Zone shall be located in compliance with the setback requirements of the Ontario Building Code.

6. For the purposes of defining the “front lot line” for lots in the R5-3 Zone the front lot line shall be that lot line which abuts property defined as Gilnochic Walkway, Smuggler’s Walkway and Shipwreck Walkway on Registered Plan 418. If a lot abuts any of these properties on two or more sides, the shortest side shall be deemed to be the front lot line.

d) Exception 4 to the Residential – 5 Zone (By-law 79 of 2015) –

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 5.4 (R5-4) on Schedule “A-3” to this By-law known municipally as 7292 Leighton Drive and described as Lot 2, Plan 34, (Bosanquet) Municipality of Lambton Shores, the following regulations shall apply:

a) the lot is exempt from the provisions of Section 3.9.1; and

b) Notwithstanding the definition of “Street” in Section 2.2 of By-law 1 of 2003, Hazelwood Drive, as shown on Registered Plan of Subdivision PLAN 34(BQ), shall be considered a “Street” for the purpose of identifying a “Front Lot Line” for the lands described as Lot 2, Plan 34, (Bosanquet) Municipality of Lambton Shores, (7292 Leighton Drive).

d) Exception 5 to the Residential – 5 Zone (By-law 69 of 2016)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 5.5 (R5-5) of Schedule “A-3” to this By-law and described as Part of Lot 3, Registered Plan 13 (BQ) and Part of Lot 22, Registered Plan 16 (BQ), Municipality of Lambton Shores and more particularly described as PARTS 1 to 5, Plan 25R9987, the following regulations shall apply:

a) Minimum Lot Area 1998 m²

b) Minimum Lot Frontage 40 metres

c) The only individual on site private sewage systems permitted to be installed to service dwellings on the lots in the R5-4 zone are those tertiary treatment systems permitted in the Ontario Building Code.

e) Exception 6 to the Residential – 5 Zone (By-law 73 of 2017)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential R5.6 (R5-6) on Schedule “A-3” to this By-law, and known municipally as 7545 Riverside Drive, Port Franks, the following regulations apply:
1. **PERMITTED USES**

No land, Building or Structure shall be used or erected in the Residential 5.6 (R5-6) Zone except for a Multiple Dwelling containing a maximum of six dwelling units located in the building existing on the property on April 25, 2017 and Buildings and Structures and Uses Accessory to a Multiple Dwelling.

2. **SITE REGULATIONS**

   a) Minimum Lot Area
      As existed on April 25, 2017

   b) Minimum Lot Frontage
      As existed on April 25, 2017

   c) Maximum Number of Dwelling Units
      6

   d) Minimum Front Yard Setback
      As existed on April 25, 2017

   e) Minimum Interior Side Yard Setback
      As existed on April 25, 2017

   f) Maximum Lot Coverage
      50%

   g) Maximum Building Height
      As existed on April 25, 2017

   h) Minimum Landscaped Open Space
      25%

3. **SPECIAL REQUIREMENTS**

   a) No dwelling unit shall be rented/leased for a time period of less than 6 months
SECTION 12 – RESIDENTIAL – 6 (R6) ZONE

12.1 PERMITTED USES
No land, Building, or Structure shall be used or erected in the Residential - 6 (R6) Zone except for one or more of the following Uses:

a) Single Detached Dwelling
   Group Home-Type 1
   Day Nursery
b) Home Occupations
c) Buildings, Structures and Uses Accessory to a Permitted Use

12.2 SITE REGULATIONS

a) Minimum Lot Area 4000 m²
b) Minimum Lot Frontage 30 m.
c) Minimum Front Yard Setback 7.5 m.
d) Minimum Interior Side Yard Setback (if Attached Garage) 2 m.
e) Minimum Interior Side Yard Setback (if no Attached Garage) 2 m. & 3 m.
f) Minimum Exterior Side Yard Setback 4.5 m.
g) Minimum Rear Yard Setback 7.5 m.
h) Maximum Building Height 10 m.
i) Maximum Lot Coverage 25 %
j) Minimum Ground Floor Area
   One-storey dwellings 90 sq. m
   More than One-storey dwellings 70 sq. m

12.3 SPECIAL PROVISIONS
The following Zones apply to unique or existing situations and are not the standard R6 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 12.1 and/or the regulations of Section 12.2 shall apply.

a) Exception 1 to the Residential - 6 Zone
Notwithstanding any other provisions of this By-law to the contrary, a Bed & Breakfast Establishment is not Permitted on lands Zoned Residential – 6.1 (R6-1) on Schedule “A” to this By-law.

b) Exception 2 to the Residential - 6 Zone
Notwithstanding any other provisions of this By-law to the contrary, on lands Zoned Residential – 6.2 (R6-2) on Schedule “A” to this By-law the Minimum Front Yard Setback shall be 10.7 metres, the Minimum Interior Side Yard Setback shall be 4.6 metres (with or without an Attached Garage) and the Minimum Rear Yard Setback shall be 7.6 metres.

c) Exception 3 to the Residential - 6 Zone (B/L 15/05)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential – 6.3 (R6-3) on Schedule “A” to this By-law the Minimum Lot Area shall be 1200 square metres and the Minimum Lot Frontage shall be 17 metres.

d) Exception 4 to the Residential – 6 Zone (B/L 61/03)

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Residential – 6.4 (R6-4) on Schedule “A” to this By-Law, the Minimum Lot Area shall be 1400 square metres and the Minimum Lot Frontage shall be 22 metres.

e) Exception 5 to the Residential – 6 Zone

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Residential – 6.5 (R6-5) on Schedule “A” to this By-law the storage of firewood for commercial sale is permitted. The minimum setback from all lot lines for the wood storage shall be 3 metres. The maximum height of the stored wood shall not exceed 2 metres.

f) Exception 6 to the Residential – 6 Zone (B/L 12/04)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential - 6.6 (R6-6) on Schedule A-8 to this By-law the minimum lot frontage shall be 24 metres.

g) Exception 7 to the Residential – 6 Zone (B/L 15/05)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Residential - 6.7 (R6-7) on Schedule “A” to this By-law the Minimum Lot Area shall be 800 square metres and the Minimum Lot Frontage shall be 17 metres.

h) Exception 8 to the Residential – 6 Zone (B/L 20/05)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential - 6.8 (R6-8) on Schedule “A-2” to this By-law, the minimum lot area shall be 2,000 square metres, subject to:

i) a soils report verifying that the soils can support a septic system; and

ii) an approved tertiary septic system being used.

j) Exception 9 to the Residential – 6 Zone (B/L 50/05)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential - 6-9 (R6-9) on Schedule “A” to this By-law the minimum lot area shall be 1,570 square metres and the minimum lot frontage shall be 29 metres.
k) Exception 10 to the Residential – 6 Zone (B/L 9/06)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.10 (R6-10) on Schedule “A” to this By-law, the following special provisions shall apply:

i) a dwelling shall be flood proofed to a minimum flood elevation of 181 GSC; and
ii) prior to a building permit being issued for any building a tree and vegetation preservation report shall be prepared to the satisfaction of the Municipality and all the development shall comply with the plan.

l) Exception 11 to the Residential – 6 Zone (B/L 21/06)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.11 (R6-11) on Schedule “A” to this By-law, the following special provision shall apply:

i) that prior to a building permit being issued for any building a tree and vegetation preservation management report shall be prepared to the satisfaction of the Municipality and all development shall comply with the plan.

m) Exception 12 to the Residential – 6 Zone (B/L 42/06)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.12 (R6-12) on Schedule “A-4” to this By-law, the minimum lot area shall be 3,480 square metres and the minimum lot frontage shall be 40 metres, subject to the following:

i) no trees and vegetation shall be removed from the lands and no building permits shall be issued unless approval in writing is received from the Municipality, which may require the preparation of a tree and vegetation assessment to the satisfaction of the Municipality.

n) Exception 13 to the Residential – 6 Zone (B/L 65/06)

Notwithstanding any other provisions of this by-law to the contrary, on lands zoned Residential 6.13 (R6-13) on Schedule “A-5” to this By-law, the minimum lot area shall be 2,200 square metres and the minimum lot frontage shall be 21 metres, subject to:

i) the existing tourist rental is not a permitted use and shall cease to exist on October 5, 2006

o) Exception 14 to the Residential – 6 Zone (B/L 61/07)

Notwithstanding any other provisions of this by-law to the contrary, on lands zoned Residential 6.14 (R6-14) on Schedule “A-1” to the By-law, only one single detached dwelling shall be permitted until municipal water, sanitary and stormwater services are available to the lands.

p) Exception 15 to the Residential – 6 Zone (B/L 62/07)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.15 (R6-15) on Schedule “A-4” to this By-law, the following provision shall apply:

i) Minimum Lot Area 3800 m²
ii) Minimum Lot Frontage on Northville Crescent 6 metres
iii) Minimum Lot Frontage on Highway 21

60 metres

Special Regulations:

(a) The lands in this zone shall be deemed to have two front lot lines, one on Northville Crescent and one on Highway 21 (Lakeshore Road)

(b) No access to the lands in this zone shall be permitted from Highway 21 (Lakeshore Road)

q) Exception 16 to the Residential – 6 Zone (B/L 41/08)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.16 (R6-16) on Schedule “A-4” to this By-law and known as 9890 Elizabeth Street, Grand Bend, a Bed and Breakfast Establishment shall be permitted subject to the following provisions:

i) A maximum of 2 guest rooms shall be permitted.

ii) Four Parking spaces shall be provided
   - Two (2) in the existing garage
   - Two in the existing driveway in the front yard setback

r) Exception 17 to the Residential – 6 Zone (B/L 12/2010)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6-17 (R6-17) on Schedule “A-2” to this By-law, and described as Part of Lot 16, Lake Road East Concession, the following provisions shall apply:

i) No trees and vegetation shall be removed from the lands until approval in writing is received from the Municipality and then only those trees and vegetation approved by the Municipality for removal shall be removed.

ii) Only one access to the lands within this zone shall be permitted from Highway 21.

s) Exception 18 to the Residential – 6 Zone (By-law 23 of 2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6-18 on Schedule “A-5” to this By-law, and known municipally as 6804 East Parkway Drive, a detached accessory building (garage) with a second floor dwelling unit shall be permitted to be constructed on the lands, subject to the following provisions:

a) Minimum Side Yards:
   - east side yard – 2 metres
   - west side yard – 3 metres

b) Location: front yard
c) Minimum Front Yard: 40 metres
d) Maximum Ground Floor Coverage: 135 m²
e) Maximum Dwelling Unit Floor Area: 157 m²
f) Maximum Height from floor of Garage: 8.5 metres

g) Only one (1) additional Dwelling Unit will be permitted.
h) One (1) Parking Space is to be provided for the additional Dwelling Unit.
i) All provisions of the Fire Code and Building Code are to be complied with.
j) No Dwelling Unit is to be established in a Cellar.
k) The Dwelling Unit must be inspected by the Corporation’s Chief Building Official before the additional Dwelling Unit is occupied.

l) In areas served with private on-site sewage systems, the proposed conversion must be approved under Part 8 of the Ontario Building Code before the additional Dwelling Unit is to be established.

m) The second dwelling unit shall be connected to municipal water.

n) The accessory building must have a residential character.

o) Section 3.3.1 (b) does not apply.

p) No additional accessory buildings are permitted.

t) **Exception 19 to the Residential 6 Zone (By-law 103 of 2012)**

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6-19 (R6-19) on Schedule “A-1” to this By-law, and described as PARTS 3,4,5 and 6, PLAN 25R9881, geographic Township of Bosanquet, Municipality of Lambton Shores, no buildings, structures or site alteration, including tree preservation and vegetation removal shall be permitted until it has been demonstrated to the satisfaction of the Municipality that there is no negative impact on the Old Ausable Channel, which is a provincially significant wetland, and habitat to endangered species.

u) **Exception 20 to the Residential 6 Zone (By-law 120 of 2013)**

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.19 (R6-19) on Schedule “A-2” to this By-law, and described as Part of Lot 27, Lake Road East Concession (Part 3, PLAN 25R7575), geographic Township of Bosanquet, Municipality of Lambton Shores, a single detached dwelling, accessory building and septic system may be constructed subject to the following provisions:

a) **Minimum Lot Area**

b) **Minimum Lot Frontage**

c) **Maximum Height**

**Special Provisions:**

1. No Buildings or structures shall be constructed within the drip line of the trees.

2. No building permit shall be issued for any buildings or structures in the R6-19 zone until:

   i) Approval is received from the Ministry of Natural Resources and all of the recommendations required in the Letter to the Proponent or Permit are complied with.

   ii) A tree preservation plan is received and approved by the Municipality for the entire property known as Part 3, Plan 25R7575.

   iii) Survey pins marking the extent of the Residential 6.19 (R6-19) zone (excluding driveway) are installed to mark the boundary and prevent un-intentional encroachment into the adjacent wildlife habitat and Environmental Protection – Natural Conservation (EP-NC) Zone.
iv) A sediment control fence is erected around the Residential 6.19 (R6-19) zone to keep construction equipment within the development footprint, control silt within the site and provide a barrier to wildlife movement from adjacent lands, such fence can be removed when construction is complete.

v) If construction begins during the active period for large snakes in Ontario, visual snake salvage searches should be conducted after the erection of barrier fencing. All contractors working on site should be familiar with the Eastern Hognosed Snake and Common Five-lined Skink and their habitats and should conduct daily site and equipment checks for reptiles. If a snake is suspected of being an Eastern Hognosed Snake or a skink is observed, all work within 30 m of the animal should immediately cease. The location of the animal should be monitored and MNR or a Qualified Biologist should be contacted to relocate the snake beyond the barrier fence with 250 m of the site. The encounter should then be reported to MNR within 5 business days.

vi) The construction site should be kept clean and free of debris, especially any thin flat objects (plywood, plastic) or piled debris.

v) Exception 21 to the Residential 6 Zone (By-law 121 of 2013)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.20 (R6-20) on Schedule “A-6” to this By-law, known as 5401 Oak Avenue and described as Lot 69 and Part Lot 68, Plan 479, geographic Township of Bosanquet, Municipality of Lambton Shores, a bed and breakfast shall be permitted.

w) Exception 22 to the Residential 6 Zone (By-law 68 of 2016)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.21 (R6-21) on Schedule “A-5” to this By-law and described as Lot 32, Registered Plan 512 (BQ) and known municipally as 9667 Margaret Place, a second single detached dwelling shall be permitted subject to the following regulations:

a) The second single detached dwelling shall have dimensions of 7.69 metres by 9.15 metres and be a maximum of 2 storeys;

b) Any new buildings or structures constructed or placed on the lands shall be located landward of the Dynamic Beach Hazard Limit as determined by the St. Clair Region Conservation Authority;

c) Prior to the issuance of a building permit for the second dwelling unit, the County of Lambton shall be satisfied that a new tertiary sewage system is designed and installed to service the two dwellings on the lands or alternatively, a hydrogeological report must be provided for the consideration and approval of the County which supports an alternative on-site private sewage treatment strategy;

d) Prior to the issuance of a building permit or the placing of any building or structure on the lands, a permit from the St. Clair Region Conservation Authority shall be obtained for any building or structure within the Authority’s regulation limit; and

e) A minimum 2 metre interior side yard being provided.
x) Exception 23 to the Residential 6 Zone (By-law 112 of 2017)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.23 (R6-23) on Schedule “A-2” to this By-law and described as Part Lot 19, Lake Road East Concession (BQ), the following regulations shall apply:

PERMITTED USES

a) Single Detached Dwelling; and

b) Buildings, Structures and Uses Accessory to a Single Detached Dwelling

SITE REGULATIONS

a) Minimum Lot Area 5.5 hectares

b) Minimum Lot Frontage 20 metres

c) See Section 12.2 for the Balance of Site Regulations

SPECIAL PROVISIONS

a) A detached accessory building with a maximum lot coverage of 100 m² shall be permitted in the front yard.

b) No buildings or structures shall be constructed within the drip line of the trees.

c) No building permit shall be issued for any buildings or structures in the Residential 6.23 (R6-23) Zone until:

i. Approval is received from the Ministry of Natural Resources and all of the recommendations required in the Overall Benefit Permit are complied with;

ii. Survey pins marking the extent of the Residential 6.23 (R6-23) Zone (excluding driveway) are installed to mark the boundary and prevent un-intentional encroachment into the adjacent wildlife habitat and Environmental Protection – Natural Conservation (EP-NC) Zone;

iii) A sediment control fence is erected around the Residential 6.23 (R6-23) Zone to keep construction equipment within the development footprint, control silt within the site and provide a barrier to wildlife movement from the adjacent lands, such fence can be removed when construction is complete;

iv) A Woodland Stewardship Plan is submitted to the satisfaction of the Municipality, to direct long-term stewardship of the woodland including guidelines for:

1. landscaping in and around the proposed residence to avoid introduction for undesirable species, such as non-native and/or invasive plant;

2. disposal of garden waste;
3. recreational use of woodland; and
4. removal of wood and debris from the woodland;

v) A Tree Saving Plan is submitted to the satisfaction of the Municipality for the building envelope; and

vi) A septic Permit for a new septic system is obtained from The County of Lambton.

d) If construction begins during the active period for large snakes in Ontario, visual snake salvage searches should be conducted after the erection of barrier fencing. All contractors working on site should be familiar with the Eastern Hog-Nosed Snake and the Common Five Lined Skink and their habitats and should conduct daily site and equipment checks for reptiles. If a snake suspected of being an Eastern Hog-nosed Snake or a Five Lined Skink is observed, all work within 30 m of the animal should immediately cease. The location of the animal should be monitored and MNR or a Qualified Biologist should be contacted to relocate the snake beyond the barrier fence within 250 m of the site. The encounter should then be reported to MNR within 5 business days.

e) The construction site should be kept clean and free of debris, especially any thin flat objects (plywood, plastic) or piled debris.

f) No grading or construction should occur outside of the proposed development area (the R6-23 Zone), with the exception of any topsoil placement deemed necessary in order to protect the root zone of the edge tree species from damage during construction and to maintain the local drainage patterns adjacent to the natural features.

g) Tree clearing activities occur outside the breeding bird window of April 15 to August 9.

y) Exception 24 to the Residential 6 Zone (By-law 35 of 2018)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential – 6 (R6-24) on Schedule “A-2” to this By-law and described as Part Lot 19, Lake Road East Concession (BQ), the following regulations shall apply:

PERMITTED USES

a) Single Detached Dwelling; and

b) Buildings, Structures and Uses Accessory to a Single Detached Dwelling

SITE REGULATIONS

a) Minimum Lot Area: 4,000 sq. metres

b) Minimum Lot Frontage: 44 metres

c) Minimum Rear Yard: 6 metres

d) See Section 12.2 for Balance of Site Regulations
SPECIAL PROVISIONS

1. No buildings or structures shall be constructed within the drip line of the trees.

2. No site alteration or tree removal is permitted on the lot until a building permit is obtained from the Municipality.

3. No building permit shall be issued for any buildings or structures in the Residential 6.24 (R6-24) Zone until:

   • A geotextile fencing cloth is installed as a wildlife exclusion barrier along the entire west, south and north boundary of the Residential – 6.24 (R6-24) Zone. The geotextile fence should be at least 0.8 metres high from grade at all locations and be continuously affixed to the ground using sand bags or other materials to ensure there are no gaps that snakes may access through. The barrier fencing should extend out from it’s terminal edges by a distance of at least 5 metres and angle out or back at a 45 degree angle (whichever is most beneficial) to direct wildlife, including reptiles, away from and around the construction site. In addition, construction barrier fence shall be installed along the eastern and southern boundary of the Residential – 6.24 (R6-24) Zone and such construction barrier fence shall be connected to the wildlife exclusion barrier to create a continuous barrier around the Residential – 6.24 (R6-24) Zone to prevent equipment from impacting remaining vegetation.

   • A circle barrier fence with a radius of 9 metres should be marked around each dwarf hackberry during on site construction activities to prevent damage to the trees or the critical habitat surrounding them.

   • A Tree Saving and Landscaping Plan for the entire lot is submitted to the satisfaction of the Municipality, which shall address the following:

     a) Identifies trees to be removed;

     b) Incorporates the dwarf hackberry into the final landscaping of the subject lands and provides for the barrier fence identified above to be replaced with a less obvious marker, such as stone monuments, landscaping edging, planting, etc.;

     c) Includes a suitable landscaping plan incorporating native understorey and sub canopy vegetation species that suit woodland openings, (e.g., lupine, coneflower, dwarf hackberry, serviceberry, etc.) to add for plant diversity to these vegetation layers and also to provide natural forest floor to create suitable habitat for germination of additional dwarf hackberry trees;

     d) Retains oak species.

   • A grading plan is submitted which will mitigate recharge impacts associated with the development by incorporating storm water controls such as roof leader water being directed to grassed areas rather that to the drainage ditch along the road frontage.

   • A Septic Permit for a new septic system is obtained from the County of Lambton.

4. Between April 1st and October 30th, all equipment and machinery that is left idle for over 1 hour, or overnight, on the property must be visually examined prior to (re)ignition, to ensure reptiles
are not present within the machinery. This visual examination should include all lower components of the machinery, including operational extensions and running gear.

5. Any protected reptile that is encountered on site must be protected from harm and harassment. Should a protected reptile be observed in the work area and presumed to be unharmed, all project personnel and operating machinery should maintain a minimum 30 metre distance from it at all times until it has left the area. MNRF Aylmer District must be contacted immediately if this cannot be done. Large Rubbermaid-type container with ventilated lid should be kept on site at all times in the event a protected reptile is injured or killed during the project. Should a protected reptile be injured, it should be immediately transported in the container to a licensed Veterinarian for care and/or euthanasia. During transport, the reptile inside the container should be maintained at a temperature between 10 and 30°C. Contact the Aylmer District MNR office immediately if any reptiles are harmed or killed during construction.

6. The construction area should be clean and free of debris for any activities that occur during the active season for reptiles (April 15th to October 15th). Reptiles may find and occupy material and equipment stored on site and could be harmed when materials and debris are handled or used. Materials such as excavated soils should only be stored in areas that have previously had understorey vegetation (1m or shorter) mowed to a height of 5 cm or shorter. Excavated soil should not be stored on the site long-term. Flat materials such as plywood or rubber mats should not be left lying on the ground. Any material stockpiles created on the property during the project must be visually examined for protected reptiles prior to disturbance or removal.

7. Existing maintained areas (lawn) should be maintained to ensure grass does not grow higher that 7 – 10 cm. Allowing grass to grow greater than 15 cm in height could attract reptiles and other wildlife to the construction site.

8. That no grading or construction should occur outside of the proposed development area (the R6-24 Zone).

z) Exception 25 to the Residential 6 Zone (By-law 113 of 2017)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.25 (R6-25) on Schedule “A-5” to this By-law and described as Lot 109, Registered Plan 433 (BQ), the following regulations shall apply:

PERMITTED USES

a) Single Detached Dwelling; and

b) Buildings, Structures and Uses Accessory to a Single Detached Dwelling

SITE REGULATIONS

a) Minimum Lot Area 2.4 hectares

b) Minimum Lot Frontage 30 metres

c) See Section 12.2 for the balance of Site Regulations
SPECIAL PROVISIONS

a) No buildings or structures shall be constructed within the drip line of the trees bordering the boundaries of the Residential 6.25 (R6-25) Zone.

b) No site alteration or tree removal is permitted on the lot until a building permit is obtained from The Municipality.

c) No building permit shall be issued for any buildings or structures in the Residential 6.25 (R6-25) Zone until:

i) Approval is received from the Ministry of Natural Resources and all of the recommendations required in the Letter to the Proponent are complied with;

ii) Survey pins marking the extent of the Residential 6.25 (R6-25) Zone (excluding driveway) are installed to mark the boundary and prevent un-intentional encroachment into the Environmental Protection – Natural Conservation (EP-NC) Zone;

iii) A sediment control fence is erected around the Residential 6.25 (R6-25) Zone to keep construction equipment within the development footprint, control silt within the site and provide a barrier to wildlife movement from the adjacent lands. Such fence can be removed when construction is complete;

iv) A geotextile barrier fence to prevent wildlife, in particular the eastern hognose snake and snapping turtle from entering the site shall be erected along the boundaries of the Residential 6.25 (R6-25) Zone, before construction begins and remain in place throughout the active period of April 1 to October 31. The geotextile fence should be at least 0.8 metres high from the grade at all locations and be continuously entrenched below the ground at all points.

v) A tree Saving Plan and Landscaping Plan is submitted to the satisfaction of the Municipality for the building envelope, which shall address the following:

1. Identifies trees to be removed;

2. Provides methods of protection of the Dwarf Chinquapin Oak on the edge of the building envelope;

3. Includes a suitable landscaping plan incorporating native understorey and sub canopy vegetation species;

vi) A septic permit for a new septic system is obtained from The County of Lambton.

d) If construction begins during the active period for large snakes and turtles in Ontario, visual snake and turtle salvage searches should be conducted after the erection of barrier fencing. All contractors working on site should be familiar with the Eastern Hog-Nosed Snake and Snapping Turtle, and their habitats and should conduct daily site and equipment checks for reptiles. If a snake or turtle is suspected of being an Eastern Hog-Nosed Snake or a Snapping Turtle is observed, all work within 30m of the animal should immediately cease. The location of the animal should be monitored and MNRF or a Qualified Biologist should be contacted to relocate the snake beyond the barrier fence within 250 m of the site. The encounter should then be reported to MNR within 5 business days.
e) The construction site should be kept clean and free of debris. All thin flat objects such as plywood and/or plastics shall be stored up off the ground to prevent fauna from crawling underneath them.

f) Tree clearing activities occur outside the breeding bird window of April 15 and August 9.

aa) Exception 26 to the Residential 6 Zone (By-law 103 of 2017)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.26 (R6-26) on Schedule “A-4” to this By-law and described as Part of Lot 22, Concession C (BQ) the following regulations shall apply:

PERMITTED USES

No land, Building or Structure shall be erected in the Residential 6.26 (R6-26) except for a Single Detached Dwelling and Buildings, Structures and Uses Accessory to a Single Detached Dwelling.

SITE REGULATIONS

a) Minimum Lot Area 4000 m²
b) Minimum Lot Frontage 27 metres
c) Maximum Height 10 metres
d) Minimum Front Yard 7.5 metres
e) Minimum Interior Side Yard (if attached garage) 1.2 metres
f) Minimum Interior Side Yard (if no attached garage) 1.2 metres and 3 metres
g) Maximum Lot Coverage 25 %
h) Minimum Ground Floor Area
   One Storey Dwellings 90 m²
   More than One Storey Dwellings 70 m²

i) No buildings or structures (including pools/hot tubs) shall be located within 10 metres of the boundary of the adjacent Natural Conservation (EP-NC) Zone (edge of the woodlot).

j) Any Planning Act Application to allow buildings or structures (including pools/hot tubs) within 10 metres of the boundary of the adjacent Natural Conservation (EP-NC) Zone (edge of the woodlot) shall be subject to an additional Environmental Evaluation Report being submitted.

k) A dwelling shall be flood proofed to a minimum flood elevation of 181 GSC.

SPECIAL PROVISIONS

a) No building permit shall be issued for any buildings or structures in the Residential 6.26 (R6-26) Zone until:
i) Approval is received from the Ministry of Natural Resources and all of the recommendations required in the Overall Benefit Permit are complied with;

ii) Sediment and erosion control fencing be installed along the north boundary of the Residential 6.26 (R6-26) zone to keep construction equipment within the development footprint, control silt within the site and provide a barrier to wildlife movement from the adjacent lands, such fence can be removed when construction is complete; The sediment and erosion control fencing shall be installed according to the Guidelines for Erosion and Sediment Control for Urban Construction Sites (OMNR, 1987) and the applicable standards established in the Ontario Provincial Standard Specifications/Ontario Provincial Standard Drawings (OPSS/OPSD) documents. The sediment and erosion fence shall be inspected and approved by the Municipality prior to a building permit being issued.

iii) The Municipality is satisfied that a municipal water service has been provided to the lot.

bb) Exception 27 to the Residential 6 Zone (By-law 47 of 2018)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.27 (R6-27) on Schedule “A-5” to this By-law and described as Lot 35, Registered Plan 417 (BQ) and known municipally as 6218 Juniper Lane, a second single detached dwelling shall be permitted subject to the following regulations:

a) The second single detached dwelling shall have dimensions of 6.3 metres by 10.3 metres and be a maximum of two storeys;

b) That any new buildings or alterations to existing, buildings or structures constructed or erected on the lands shall be located landward of the Dynamic Beach Hazard Limit as determined by the St. Clair Region Conservation Authority;

c) Prior to the issuance of a building permit for the second dwelling unit, the County of Lambton shall be satisfied that a new tertiary sewage system is designed and installed to service the two dwellings on the lands or alternatively a hydrogeological report must be provided for the consideration and approval of the County which supports an alternative on-site private sewage treatment strategy; and

d) Prior to the issuance of a building permit or the placing of any building or structure on the lands, a permit from the St. Clair Region Conservation Authority shall be obtained for any building or structure within the Authority’s regulation limit.
SECTION 13 - RESIDENTIAL - 7 (R7) ZONE

13.1 - RESIDENTIAL – 7.1 (R7-1) ZONE

13.1.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential – 7.1 (R7-1) Zone except for one or more of the following Uses:

a) Mobile Home Park

b) The following uses if located in a Mobile Home Park:
   - Office
   - Personal Service Store
   - Local Retail Store
   - Passive Recreation
   - Storage Compound

c) Buildings, Structures and Uses Accessory to a Permitted Use

13.1.2 SITE REGULATIONS

   a) Minimum Lot Area  
      4 ha

   b) Minimum Lot Frontage  
      90 m.

   c) Minimum Front Yard Setback  
      9 m.

   d) Minimum Side Yard Setback  
      9 m.

   e) Minimum Rear Yard Setback  
      9 m.

   f) Maximum Building Height  
      10 m.

13.1.3 MOBILE HOME SITE REGULATIONS

   a) Minimum Mobile Home site area, including Parking Area  
      370 sq. m. for a Single Wide site and 464 sq. m. for a Double Wide site

   b) Minimum Mobile Home site frontage
      i) Single Wide  
         11 m.
      ii) Double Wide  
         15 m.
c) Minimum clearance between the sides of any Mobile Home 7.6 m.

d) Minimum clearance between the end sides of any Mobile Home 6 m.

e) Minimum clearance between any Mobile Home and any internal Street 3 m.

f) Minimum Mobile Home size 50 sq. m.

g) Maximum Mobile Home site Coverage 40 %

13.1.4 ADDITIONAL MOBILE HOME SITE REGULATIONS

a) The maximum density of Mobile Homes in a Mobile Home Park shall be 15 units per gross hectare.

b) Each Mobile Home located within a Mobile Home Park shall be connected to communal water and sewerage services.

c) Each Mobile Home site within a Mobile Home Park shall be located on an internal access road which shall have a dust-free surface and shall have a minimum width of four (4) metres for a one-way street and six (6) metres for a two-way street.

d) Parking shall be provided on the basis of 2 Parking Spaces on each Mobile Home site and visitor parking on the basis of 1 space for every 4 Mobile Home sites.

e) A minimum of 5% of the Lot Area shall be used for Passive Recreation purposes.

f) Commercial Buildings and their required Parking Spaces, calculated on the basis of one (1) Parking Space for each ten (10) square metres of Gross Floor Area, shall not occupy more than one (1) percent of the Lot Area.

g) Structures containing Accessory storage facilities shall be located and designed so that each Building provides storage space for a minimum of 8 Mobile Homes (on the basis of 3.5 cubic metres of storage space per Mobile Home) and no Mobile Home site is more than 30 metres from its storage facility.

h) Each Mobile Home placed on a Mobile Home site shall be placed on a continuous permanent substructure with access where necessary or on concrete piers and enclosed with blocking or skirting.

i) Not more than one Mobile Home shall be placed on any Mobile Home site.

j) A 3 metre planting strip shall be provided along the Front Lot Line of a Motor Home Park, excluding areas required for entrances, exits and pedestrian walkways.
SECTION 13.2 - RESIDENTIAL – 7.2 (R7.2) ZONE

13.2.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential – 7.2 (R7-2) Zone except for one or more of the following Uses:

(a) Mobile Home Park
(b) The following Uses if located in a Mobile Home Park:
   - Restaurant
   - Local Retail Store
   - Active Recreation
   - Passive Recreation
   - Storage Compound
(c) Buildings, Structures and Uses Accessory to a Permitted Use

13.2.2 MOBILE HOME SITE REGULATIONS

See sections 13.1.2 and 13.1.3 of this By-law.

13.2.3 ADDITIONAL MOBILE HOME SITE REGULATIONS

a) the maximum density of Mobile Homes in a Mobile Home Park shall be 11 units per gross hectare;

b) each Mobile Home located within a Mobile Home Park shall be connected to communal water and sewage services;

c) each Mobile Home site within a Mobile Home Park shall be located on an internal access road which shall have a dust free surface and shall be a minimum width of 6 metres;

d) Parking shall be provided on the basis of 2 Parking Spaces on each Mobile Home site and visitor parking on the basis of 1 space for every 4 Mobile Home sites;

e) a minimum of 8% of the Lot Area shall be used for Passive Recreation purposes;

f) commercial Buildings and their required Parking Spaces, calculated on the basis of one (1) Parking Space for each ten (10) square metres of Gross Floor Area, shall not occupy more than one (1) % of the Lot Area;

g) structures containing Accessory storage facilities shall be located and designed so that each Building provides storage space for a minimum of 8 Mobile Homes (on the basis of 3.5 cubic metres of storage space per Mobile Home);

h) each Mobile Home placed on a Mobile Home site shall be placed on a continuous permanent substructure with access where necessary or concrete piers and enclosed with blocking or skirting;

i) not more than one Mobile Home shall be placed on any Mobile Home site.
SECTION 14 - RESIDENTIAL - 8 (R8) ZONE

14.1 RESIDENTIAL – 8.1 (R8-1) ZONE

14.1.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential – 8.1 (R8-1) Zone except for one or more of the following Uses:

a) Single Detached Dwelling
   Semi-Detached Dwelling
   Townhouses
   Street Townhouses

b) Buildings, Structures and Uses Accessory to a Permitted Use

14.1.2 SITE PROVISIONS

a) Minimum Lot Area

   Single Detached Dwelling  400 m2
   Semi-Detached Dwelling  300 m2/ unit
   Townhouse and Street Townhouse  250 m2/ unit

b) Minimum Lot Frontage

   Single Detached Dwelling  12 metres
   Semi-Detached Dwelling  10 metres
   Street Townhouse         8 metres
   Townhouse                30 metres

   c) Minimum Front Yard Setback

   4.5 metres to the Dwelling and 6 metres to the vehicular opening of an attached garage

   d) Minimum Interior Side Yard Setback

   Single Detached Dwelling  1 metre
   Semi-Detached Dwelling  1 metre, except no interior side yard is required along the common lot line where individual dwelling units are attached by a common wall. Further, there is an interior side yard of 0.6 metres required along the common lot line for those portions of the dwelling units which are not attached by a common wall above grade.

   iii) Street Townhouse

   3 metres, except no interior side yard is required along the common lot line where
iv) Townhouses

e) Minimum Exterior Side Yard Setback

Single Detach, Semi Detached and Street Townhouse Dwelling

3 metres to the Dwelling and 6 metres to the vehicular opening of an attached garage

Townhouse

7.5 metres

f) Minimum Rear Yard Setback

Single Detached, Semi Detached and Street Townhouse Dwelling

7 metres

Townhouse

7.5 metres

g) Maximum Building Height

10 metres

h) Maximum Lot Coverage

50 %
i) Minimum Landscaped Open Space

30 %
j) Maximum Density of Dwelling Units within Block within a registered plan

25 units per hectare

k) Parking Provisions

Single detached, Semi Detached and Street Townhouse Dwelling

Each dwelling shall have 1 private attached garage with a minimum width of 3.35 metres and a minimum depth of 6.1 metres.

1.5 spaces per Dwelling Unit, but each dwelling shall have 1 private attached garage with a minimum width of 3.35 metres and a minimum depth of 6.1 metres.

Townhouse

l) Minimum Dwelling Unit Area

80 m²

m) Buffer/Screening

A buffer/screen shall be established along all lot lines in the R8-1 Zone which abuts lands...
zoned M1. The buffer screen shall be comprised of earthen berms and evergreen trees or solid wood fencing and shall be not less than 1.8 metres (6ft.) in height. The height of the buffer screen shall be measured from the Finished Grade of the yards which are immediately adjacent to the building constructed on the R8-1 Zoned lands.
14.2 RESIDENTIAL – 8.2 (R8-2) ZONE

14.2.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential – 8.2 (R8-2) Zone except for one or more of the following Uses:

a) Single Detached Dwelling
   Semi-Detached Dwelling
   Townhouses
   Street Townhouses
   Multiple Dwelling
   Retirement Home

b) Buildings, Structures and Uses Accessory to a Permitted Use

14.2.2 SITE PROVISIONS

a) Minimum Lot Area

   Single Detached Dwelling  400 m²
   Semi Detached Dwelling  300 m²/unit
   Townhouse and Street Townhouse  250 m²/unit
   Multiple Dwelling and Retirement Home  2500 m²

b) Minimum Lot Frontage

   Single Detached Dwelling  12 metres
   Semi-Detached Dwelling  10 metres
   Street Townhouse  8 metres
   Townhouse, Multiple Dwelling and Retirement Home  30 metres

c) Minimum Front Yard

   Single Detached, Semi Detached and Street Townhouse Dwelling  4.5 metres to the Dwelling and 6 metres to the vehicular opening of the attached garage.

   Townhouse, Multiple Dwelling and Retirement Home  7.5 metres

d) Minimum Interior Side Yard Setback

   Single Detached Dwelling  1 metre
   Semi-Detached Dwelling  1 metre, except no interior side yard is required along the common lot line where individual dwelling units are attached by a common wall. Further, there is an interior side yard of 0.6 metres required along the common lot line for those portions of the dwelling units which are not attached by a common wall above grade.
Street Townhouse

3 metres, except no interior side yard is required along the common lot line where individual dwelling units are attached by a common wall. Further, there is an interior side yard of 0.6 metres required along the common lot line for those portions of the dwelling units which are not attached by a common wall above grade.

Townhouse, Multiple Dwelling and Retirement Home

7.5 metres

e) Minimum Exterior Side Yard Setback

Single Detached, Semi Detached and Street Townhouse Dwelling

3 metres to the Dwelling and 6 metres to the vehicular opening of an attached garage.

Townhouse, Multiple Dwelling and Retirement Home

7.5 metres

f) Minimum Rear Yard Setback

Single Detached, Semi Detached and Street Townhouse Dwelling

7 metres

Townhouse, Multiple Dwelling and Retirement Home

7.5 metres

g) Maximum Height

Single Detached, Semi Detached and Street Townhouse Dwelling

10 metres

Townhouse, Multiple Dwelling and Retirement Home

11.5 metres/ 3 storeys

h) Maximum Lot Coverage

50%

i) Maximum Landscaped Open Space

30%

j) Maximum Density of Dwelling Units within Block within a registered plan

Single Detached, Semi Detached and Street Townhouse Dwelling

25 units/ha.

Townhouse, Multiple Dwelling and Retirement Home

35 units/ha. (for the purpose of calculating density, three (3) Retirement Home bedrooms equals on (1) Dwelling Unit)

k) Parking Provisions

Single Detached, Semi Detached and
Street Townhouse Dwelling

Each dwelling shall have 1 private attached garage with a minimum width of 3.35 metres and a minimum depth of 6.1 metres.

Townhouse Dwelling

1.5 spaces per Dwelling Unit, but each dwelling shall have 1 private attached garage with a minimum width of 3.35 metres and a minimum depth of 6.1 metres.

Multiple Dwelling

1.5 spaces per dwelling unit.

Retirement Home

1 parking space per 3 beds.

l) **Minimum Dwelling Unit Area**

Single Detached, Semi Detached, Street Townhouse and Townhouse Dwelling 80 m²

Retirement Home bedroom or bachelor apartment dwelling unit 37 m²

One bedroom apartment dwelling unit 55 m²

Two bedroom apartment dwelling unit 65 m²

Three bedroom apartment dwelling unit 80 m²

m) **Minimum Separation Distances**

Between a Single Detached, Semi Detached and Street Townhouse Dwellings and a Residential 1 (R1) 7 metres

Between Townhouse, Multiple Dwelling and Retirement Home and the most northerly boundary of a Residential 1 (R1) Zone 7 metres
14.3 RESIDENTIAL – 8.3 (R8-3) ZONE

14.3.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential – 8.3 (R8-3) Zone except for one or more of the following Uses:

a) Private Club

14.3.2 SITE PROVISIONS

a) Minimum Lot Area 7,500 sq. m.
b) Minimum Lot Frontage 30 m.
c) Minimum Front Yard Setback 7.6 m.
d) Minimum Side Yard Setback 7.6 m.
e) Minimum Rear Yard Setback 10 m.
f) Maximum Building Height 10 m.
g) Maximum Lot Coverage 40 %
h) Minimum Landscaped Open Space

14.3.3 SUPPLEMENTARY PROVISIONS

a) Buffer/Screening

A buffer/screen shall be established along all Lot Lines in the R8-3 Zone which abut lands Zoned M1 that are used for industrial purposes. The buffer/screen shall be comprised of earthen berms and/or evergreen trees and/or solid wood fencing and shall be no less than 1.8 m. (6 feet) in height. The height of the buffer/screen shall be measured from the Finished Grade of the yards which are immediately adjacent to the Building constructed on the R8-3 Zoned lands.
14.4 RESIDENTIAL – 8.4 (R8-4) ZONE (B/L 6 of 2004)

14.4.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential – 8.4 (R8-4) Zone except for one or more of the following Uses:

a) Single Detached Dwelling
   Semi-Detached Dwelling

b) Building, Structures and Uses Accessory to a Permitted Use

14.4.2 SITE PROVISIONS

a) Minimum Lot Area
   i) Single Detached Dwelling 200 sq. m
   ii) Semi-Detached Dwelling 150 sq. m

b) Minimum Lot Frontage
   i) Single Detached Dwelling 10 m
   ii) Semi-Detached Dwelling 8 m

c) Minimum Front Yard Setback 4.5 m

d) Minimum Interior Side Yard Setback
   i) Single Detached Dwelling 1.2 m
   ii) Semi-Detached Dwelling 0 m. for common wall between units and 1.2 m for the other side

e) Minimum Exterior Side Yard Setback 6 m

f) Minimum Rear Yard Setback
   i) Single Detached Dwelling 3 m
   ii) Semi-Detached Dwelling 3 m

g) Maximum Building Height 2 storeys

h) Maximum Lot Coverage 55 %
i) Minimum Landscaped Open Space 30%

j) Minimum Dwelling Unit Area
   i) Single Detached Dwelling 85 sq. m
   ii) Semi-Detached Dwelling 55 sq. m

14.4.3 SPECIAL PROVISIONS
Notwithstanding the provisions of Section 3.19.1 of this by-law, the minimum setback from top of bank of a watercourse on lands zoned R8-4 shall be 0 m.
14.5 RESIDENTIAL – 8.5 (R8-5) ZONE (B/L 78 of 2006)

14.5.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential – 8.5 (R8-5) Zone except for one or more of the following Uses:

a) One Family Dwelling in a Vacant Land Condominium
b) Home Occupations
b) Uses, Buildings and Structures Accessory to the Permitted Uses

14.5.2 SITE PROVISIONS

a) Maximum Number of Units 19

b) Lot Unit/Area (minimum) 260 m² for single detached dwellings in a Vacant Land Condominium

c) Lot Frontage (minimum) 10 metres for single detached dwellings in a Vacant Land Condominium, except for the lot adjacent to the parking lot which will have a frontage of 9 metres

d) Front Yard (minimum) 4.5 metres to the dwelling 6.0 metres to the vehicular opening of an attached garage

e) Rear Yard (minimum) Single Storey Dwelling – 3 m Two Storey or More Dwelling – 6 m

f) Side Yard (minimum) 1.2 metres one side, 0 metres the other side but in no case shall the separation between the dwellings be less than 1.5 metres for Vacant Land Corporation.

g) Lot Coverage (maximum) 50%

h) Building Height (maximum) 9 metres

i) Special Parking Provision Each dwelling unit shall have an attached garage with a minimum width of 3.35 metres (11 ft) and minimum depth of 6 meters (19.7 feet). In addition a parking area with a minimum of 7 parking spaces shall be provided within the Vacant Land
Condominium. Notwithstanding Section 39.29.6 and 3.29.7 of the By-law:

i) the parking area shall be setback a minimum of 3 metres from the west lot line abutting Lot 48, Registered Plan 24 and a minimum of 4.5 metres from the private road in the Vacant Land Condominium; and

ii) access to the parking spaces within this parking area shall be provided directly from Centre Street. No access driveway shall be required.
14.6 RESIDENTIAL – 8.6 (R8-6) ZONE  (B/L 78 of 2006 Replaced by B/L 87 of 2013)

14.6.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential – 8.6 (R8-6) Zone except for the following Uses:

a) Single Detached Dwelling
b) Home Occupations
b) Uses, Buildings and Structures Accessory to the Permitted Uses

14.6.2 SITE PROVISIONS

a) Lot Area (minimum)  
   400 m²
b) Lot Frontage (minimum)  
   18 metres
c) Front Yard (minimum)  
   5.5 metres
d) Rear Yard (minimum)  
   5.5 metres
e) Side Yard (minimum)  
   3 metres one side and 4.88 metres the other side
f) Lot Coverage (maximum)  
   50%
g) Building Height (maximum)  
   9 metres
h) Parking
   The dwelling shall have a double car attached garage with a minimum width of 6 metres and a minimum depth of 6 metres
i) Yard Projections (maximum)  
   i) A covered porch constructed onto the rear of the dwelling shall project a maximum of 3 metres into the required yard; and
   ii) A second floor covered cantilevered balcony constructed onto the front of the dwelling shall project a maximum of 2.1 metres into the required front yard.
14.7 RESIDENTIAL – 8.7 (R8-7) (B/L 12 of 2015)

14.7.1 PERMITTED USES

No land, building or structure shall be used or erected in the Residential – 8.7 (R8-7) Zone except for the following uses:

a) Single Detached Dwellings in a Vacant Land Condominium
b) Home Occupation
c) Uses, Buildings and Structures Accessory to a single detached dwelling

14.7.2 SITE PROVISIONS

a) Maximum Number of Lots/Dwellings Permitted in the Zone: 37
b) Lot/Unit Area (minimum): 360 m²
c) Lot/Unit Frontage (minimum): 7 metres
d) Front Yard (minimum): 4.5 metres to the dwelling and 6 metres to the vehicular opening of an attached garage
e) Rear Yard (minimum): 6 metres
f) Interior Side Yards (Minimum): 1 metre
g) Exterior Side Yard (minimum): 2 metres
h) Building Height (maximum): 9 metres
i) Lot Coverage (maximum): 50%

14.7.3 SPECIAL PARKING PROVISIONS

Each dwelling shall have an attached garage with a minimum width of 3.4 metres and a minimum depth of 6 metres.

14.7.4 SPECIAL PROVISIONS

Notwithstanding any other provisions in this By-law and for the purposes of the Residential 8.7 (R8-7) Zone the following shall apply:

a) “Lot” shall mean a lot within a registered plan of vacant land condominium.
b) “Street” shall mean a private road within a registered vacant land condominium.
c) Section 3.9.1 shall not apply to the lands within the “Residential 8.7 (R8-7)” Zone.
SECTION 15 - RESIDENTIAL - 9 (R9) ZONE

15.1 PERMITTED USES
No land, Building, or Structure shall be used or erected in the Residential - 9 (R9) Zone except for one or more of the following Uses:

a) Townhouse
b) Marine Facility Accessory to a residential Use
c) Buildings, Structures or Uses Accessory to a Permitted Use

15.2 SITE PROVISIONS

a) Minimum Lot Area 1.2 ha.
b) Minimum Lot Frontage 50 m.
c) Minimum Front Yard Setback 7.5 m.
d) Minimum Interior Side Yard Setback 7.5 m.
e) Minimum Exterior Side Yard Setback 7.5 m.
f) Minimum Rear Yard Setback 7.5 or 3 m. when the end of a wall abuts a Rear Yard
g) Maximum Building Height 10 m.
h) Maximum Lot Coverage 30 %
i) Minimum Landscaped Open Space 20 %
j) Maximum Number of Dwelling Units 29
k) Maximum Distance Between Main Buildings 50 % of the Building Height of the higher Building

15.3 SUPPLEMENTARY PROVISIONS

a) Marine Facilities provided in an R.9 Zone shall be clearly Accessory and incidental to the primary residential Use.

b) Notwithstanding Section 3.19.1 to the contrary, no Building or Structure shall be erected within 10 metres of the Top of Bank of any open drainage ditch or Watercourse.

Temporary Use By-law (Seven Winds Marina) (B/L 2 of 2004)

a) Permitted Use
i) a camping ground
ii) winter storage of travel trailers

b) Regulations

i) This By-law applies only to lands described as Los 67, 67A and 68 and Part of Lots 69, 70, 71 and 80 and Robinson Street, Registered Plan 6, former Township of Bosanquet (Port Franks) and known as the “Seven Winds Marina” property.

ii) The camping ground use shall be permitted only between May 1 and October 31 of each year during the term of this By-law.

iii) The winter storage shall be only for trailers occupied on-site during the May 1 to October 31 period. No trailers shall be brought from off-site for storage.

iv) This use shall be permitted for a maximum period of two (2) years from the date of passing of this By-law. A third year will be permitted without a further application for amendment or extension provided the Municipality of Lambton Shores is satisfied that, at the end of the two year period, substantial progress has been made toward the approval and construction of a permanent residential development on the site.
SECTION 16 - RESIDENTIAL - 10 (R10) ZONE

16.1 PERMITTED USES
No land, Building, or Structure shall be used or erected in the Residential - 10 (R10) Zone except for one or more of the following Uses:

a) Multiple Dwelling
   Townhouse
b) Home Occupation
c) Uses, Buildings and Structures Accessory to the Permitted Uses

16.2 SITE PROVISIONS

a) Minimum Lot Area 1200 sq. m.
b) Minimum Lot Frontage 30 m.
c) Minimum Front Yard Setback 7.6 m.
d) Minimum Side Yard Setback 3 m.
f) Minimum Rear Yard Setback 7.6 m.
h) Maximum Building Height 8 m.
i) Maximum Lot Coverage 40 %
j) Minimum Landscaped Open Space 15 %
k) Maximum Number of Dwelling Units 35 Dwelling Units on the lands described as Part of Lot 1, Aux Sables Concession, 22R2239 (ST), Pts 1, 2 and 3, and Lots 26 and 27 and Block 38 in Registered Plan 510, inclusive.
l) Minimum Dwelling Unit Area 50 sq. m.

16.3 SUPPLEMENTARY PROVISIONS

a) No Dwelling shall have an opening less than 182.1 metres G.S.C.
SECTION 17 - RESIDENTIAL - 11 (R11) ZONE

17.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential - 11 (R11) Zone except for one or more of the following Uses:

a) Single Detached Dwellings;
b) Uses, Buildings and Structures Accessory to the Permitted Uses

17.2 SITE PROVISIONS

a) Minimum Lot Area 4,750 sq. m.
b) Minimum Lot Frontage 40 m.
c) Minimum Front Yard Setback 23 m.
d) Minimum Side Yard Setback 9 m.
e) Minimum Rear Yard Setback 23 m.
f) Maximum Building Height 10 m.
g) Maximum Lot disturbance (includes house, septic, gardens, driveway, garages, etc.) 40 %

17.3 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard R11 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 17.1 and/or the regulations in Section 17.2 shall apply.

a) Exception 1 to the Residential - 11 Zone

Notwithstanding any other provisions of this By-law to the contrary, the Minimum Lot Area for lands zoned Residential – 11.1 (R11-1) on Schedule “A-3” to the By-law and described as Part of Lot 18, Registered Plan 16 shall be 1900 square metres.
SECTION 18 - RESIDENTIAL - 12 (R12) ZONE

18.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential - 12 (R12) Zone except for one or more of the following Uses:

a) Townhouse;
b) Golf Course
c) Uses, Buildings and Structures Accessory to the Permitted Uses

18.2 SITE PROVISIONS

a) **Maximum Number of Units** 125

b) **Minimum Front Yard Setback** 25 m.

c) **Minimum Side Yard Setback** 25 m.

d) **Minimum Rear Yard Setback** 25 m.

e) **Maximum Building Height** 2 Storeys

18.3 SUPPLEMENTARY PROVISIONS

a) Each residential unit shall have direct access to an internal service road shown on a plan of condominium that in turn has direct access to a street.

b) Each residential unit shall be provided with a private open space area with a minimum area of 10 sq. m.

c) Each unit shall be serviced by a communal water and communal sewerage system approved by the Ministry of the Environment.

18.4 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard R12 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 18.1 and/or the regulations in Section 18.2 shall apply.

a) **Exception 1 to the Residential - 12 Zone**

Notwithstanding section 18.2 of this By-law to the contrary, the Maximum Number of Units for a Townhouse is 26 for lands Zoned Residential – 12.1 (R12-1) on Schedule “A” to this By-law.
SECTION 19 - RESIDENTIAL - 13 (R13) ZONE

19.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Residential - 13 (R13) Zone except for one or more of the following Uses:

a) Amenity Building
   - Home for the Aged
   - Multiple Dwelling
   - Nursing Home
   - Pharmacy
   - Retirement Home
   - Street Townhouse (By-law 36 of 2009)
   - Townhouse

b) Home Occupation

c) Uses, Buildings and Structures Accessory to the Permitted Uses

19.2 SITE PROVISIONS

a) Maximum Number of Units:

   - Townhouses: 44 units per hectare
   - Multiple Dwelling: 70 units per hectare, provided the multiple dwelling is located within 40 metres of the south boundary of Block 26, Registered Plan 25M42 and a Minimum of 65 metres from Tatersall Lane, otherwise 50 Units per hectare.
   - Home for the Aged, Nursing Home, Retirement Home: n/a

b) Minimum Lot Area: 2500 sq. metres

c) Minimum Lot Frontage: 30 metres, except for a multiple dwelling, the minimum lot frontage shall be 10 metres

d) Minimum Front Yard Setback: 6 metres

e) Minimum Side Yard Setback: 3 metres
f) Minimum Rear Yard Setback: 6 metres

g) Maximum Height: 10 metres, except a multiple dwelling which is located within 40 metres of the south boundary of Block 26, Registered Plan 25M42 and a Minimum of 65 metres from Tatersall Lane shall have a maximum height of 15 metres and 4 stories, otherwise 10 metres.

h) Minimum Dwelling Unit Area: 50 sq. metres

i) Maximum Lot Coverage: 40 %

j) Minimum Landscaped Open Space: 15 %

19.2.1 SITE PROVISIONS FOR STREET TOWNHOUSES

a) Minimum Lot Area 300 sq.m/dwelling unit

b) Minimum Lot Frontage 6 m

c) Minimum Front Yard Setback 6 m

d) Minimum Interior Side Yard Setback 3 m one side and 0 m the other side where units are attached

e) Minimum Exterior Side Yard Setback 5.5 m

f) Minimum Rear Yard Setback 7 m

g) Maximum Lot Coverage 50 %

h) Maximum Building Height 11 metres

i) Minimum Landscaped Open Space 30 %

j) Special Minimum Parking Provisions Each dwelling unit shall have an attached garage with a minimum width of 3.35 metres and a minimum depth of 6 metres

k) Notwithstanding Section 3.12 of this By-law, a deck associated with a townhouse dwelling unit can encroach 3 metres into a required rear yard, provided the townhouse dwelling unit is located within 64 metres of the east boundary of Block 26, Registered Plan 25M42
19.2.2 SITE PROVISIONS FOR SEMI DETACHED DWELLINGS

a) Minimum Lot Area: 400 m²/dwelling unit
b) Minimum Lot Frontage: 14 metres
c) Minimum Front Yard: 6 metres
d) Minimum Interior Side Yard: 1 metre & 0 metres where a Semi Detached Dwelling is attached to another Semi Detached Dwelling
e) Minimum Exterior Yard: 6 metres
f) Minimum Rear Yard: 7 metres
g) Minimum Lot Coverage: 35%
h) Maximum Building Height: 9 metres
i) Minimum Landscaped Open Space: 30%
j) Minimum Parking Requirements: Ever Dwelling shall have an attached garage with a minimum width of 5.5 metres and a minimum depth of 5.5 metres

19.3 SUPPLEMENTARY PROVISIONS

a) The Pharmacy shall not exceed 100 square metres gross floor area.

19.4 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard R13 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 19.1 and/or the regulations in Section 19.2 and 19.3 shall apply.

a) Exception 1 to the Residential-13 Zone

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential – 13.1 (R13-1) the following provision shall apply:

i) A minimum 12 metre rear yard is required to be provided by a multiple dwelling, home for the aged, nursing home, and retirement home; and

ii) A minimum 6 metre wide buffer strip, including a 1.8 metre high solid wood fence shall be provided along the rear lot line (lot line abutting the existing single detached dwellings on Gill Road).
SECTION 19A - RESIDENTIAL - 14 (R14) ZONE (B/L 7 of 2004)

19A.1 PERMITTED USES

a) One-Family Dwelling in a Vacant Land Condominium or a Registered Plan of Subdivision;
b) Home Occupation in accordance with the provisions of Section 15.5 of this By-law;
c) Uses, Buildings and Structures Accessory to the Permitted Uses

19A.2 LOT/UNIT PROVISIONS

a) Minimum Lot/Unit Area 900 square metres
b) Minimum Lot/Unit Frontage 15 metres
c) Minimum Lot/Unit Front Yard Depth 6 metres
d) Minimum Lot/Unit Side Yard Width 3 metres
e) Minimum Lot/Unit Rear Yard Depth 6 metres

19A.3 BUILDING REGULATIONS

a) Minimum Dwelling Unit Area
   i) One Storey Dwelling Unit 140 square metres
   ii) Dwelling Unit with more than One Storey 120 square metres Ground Floor Area

19A.4 DEFINITIONS

a) For the purposes of Section 19A.1, “Vacant Land Condominium” means a declaration and description registered by a declarant, pursuant to the Condominium Act, 1998, that create a corporation in which, at the time of registration,
i) one or more units are not part of a building or structure and do not include any part of a building or structure; and
ii) none of the units are located above or below any other unit.

b) For the purposes of Section 19A.2, “Unit” means a part of the property designated as a unit by the description and includes the space enclosed by its boundaries and all of the land, structures and fixtures within this space in accordance with the declaration and description.

19A.5 SPECIAL PROVISIONS

Despite the provisions of Section 3.19.1 of this by-law, the minimum setback from top of bank shall be 13m for the Main Building and 9m for an Accessory Building or Structure.

19A.6 HOLDING PROVISIONS

Where lands zoned R.14 are accompanied by a Holding “h” Symbol, the following provisions apply:
a) **Conditions for the Removal of the Holding – h(1) Symbol**

With the exception of the Model Home, gatehouse and recreational facilities provided for in By-law 33 of 2003, no Building or Structure shall be erected on lands zoned R.14-h(1) until Council has removed the Holding “h(1)” Symbol. The Holding “h(1)” Symbol shall only be removed upon the satisfactory completion of the environmental study which is required as a condition of draft condominium approval, indicating that the Top of Bank setbacks provided for in Section 19A.5 of this by-law are appropriate from an environmental perspective as well as from a geotechnical perspective.

### 19A.7 SPECIAL PROVISIONS

a) **Exception 1 to the Residential 14 Zone**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to lands zoned Residential 14.1 (R14.1) on Schedule A-6 to this By-law:

**Minimum Dwelling Unit Area:**

i) One Storey Dwelling Unit: 83 square metres

ii) Dwelling Unit with more than one storey: 75 square metres Ground Floor Area

b) **Conditions for the Removal of the Holding – 2h(2) Symbol**

No building or structure shall be erected on lands zoned R.14-h(2) until Council has removed the Holding “h(2)” Symbol. The Holding “h(2)” Symbol shall only be removed following the Draft Approval of a residential plan of condominium or plan of subdivision.
SECTION 19B - RESIDENTIAL - 15 (R15) ZONE (B/L 84 of 2007)

19B.1 PERMITTED USES

a) Townhouses

b) Building and Uses accessory to the Permitted Uses including a Private 228 m² Club House

19B.2 SITE REGULATIONS

a) Minimum Lot Area 3.3 hectares
b) Minimum Lot Frontage 59 metres
c) Minimum Front Yard 7.5 metres
d) Minimum Interior Side Yard 7.6 metres
e) Minimum Rear Yard 11 metres
f) Maximum Height 9 metres
g) Maximum Number of Units 50
h) Maximum Lot Coverage 30%
i) Minimum Landscaped Open Space 50%

19B.3 UNIT REGULATIONS

a) All townhouse units shall have an attached garage the vehicular entrance to which shall be located a minimum of 6 metres from any internal private road or driveway.

b) A minimum separation of 5 metres shall be required between townhouse dwellings
SECTION 19C - RESIDENTIAL - 16 (R16) ZONE (B/L 24 of 2008)

19C.1 PERMITTED USES

a) Three Semi-Detached Dwelling Units (B/L 35/08)
b) Building and Uses accessory to the Permitted Uses

19C.2 SITE REGULATIONS

a) Lot Area 2600 m²
b) Minimum Lot Frontage As it existed on April 21, 2008
c) Minimum North Yard 8.5 metres
d) Minimum West Yard 11 metres
e) Minimum East Yard 3 metres
f) Minimum South Yard 0 metres
g) Maximum Height 12 metres (B/L 35/08)
h) Maximum Number of Units 6
i) Maximum Lot Coverage 30%
j) Minimum Landscaped Open Space 40%

19C.3 SPECIAL PROVISIONS

a) All townhouse units shall have an attached garage the vehicular entrance to which shall be located a minimum of 8.5 metres from any lot line.
b) Notwithstanding Section 3.29 of this By-law, 3 parking spaces shall be required for each townhouse dwelling.
c) Notwithstanding other provisions in this By-law, a planting strip with a minimum width of 1.5 metres shall be provided along the north lot line.
d) Notwithstanding other provisions in this By-law, no parking area shall be permitted within 6 metres of the west lot line, however a driveway leading to a parking area may be located a minimum of 4.4 metres from the west lot line.
e) Section 3.19.1 of the By-law does not apply to lands in the R16 Zone.
f) No development is permitted on the lands in the R16 Zone until the Owner submits to the satisfaction of the Municipality an environmental report which assess the site for contaminates.
SECTION 20 - COMMERCIAL – 1 (C1) ZONE

20.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial – 1 (C1) Zone except for one or more of the following Uses:

a) Art Gallery
   Retail Store
   Assembly Hall
   Retail Warehouse
   Auditorium
   School
   Bake Shop
   Service and Repair Shop
   Bank
   Shopping Centre
   Bed and Breakfast
   Tavern
   Boarding House
   Theatre
   Brewing on Premises Establishment
   Church
   Clinic
   Commercial Recreation Establishment
   Commercial Use
   Convenience Stores
   Day Nursery
   Dry Cleaning Establishment
   Dwelling Unit, Accessory
   Farmer’s Market
   Funeral Home
   Home Occupation
   Hotel
   Institutional Use
   Laundromat
   Office
   Park
   Parking Lot
   Personal Service Establishment
   Place of Entertainment
   Private Club
   Restaurant
   Restaurant Fast Food
   Retail Food Store
20.2 SITE PROVISIONS

a) Minimum Lot Area 0 sq. m
b) Minimum Lot Frontage 0 m.
c) Minimum Front Yard Setback 0 m. (2 m. maximum)
d) Minimum Side Yard Setback 0 m or 3 m where a Side Lot Line abuts a Residential or Institutional Zone.
e) Minimum Rear Yard Setback 0 m.
f) Maximum Building Height 12 m.
g) Maximum Lot Coverage 100 %
h) Minimum Landscaped Open Space 0 %

20.3 SUPPLEMENTARY PROVISIONS

a) Regulations for Accessory Dwelling Units

i) bachelor 40 sq. m

ii) one bedroom 40 sq. m.

iii) two bedrooms 55 sq. m.

iv) three bedrooms 70 sq. m.

b) Access
Pedestrian access to each Dwelling Unit, other than an Accessory Dwelling Unit, shall be provided from an adjacent Street or Lane and shall be for the sole Use of the occupants of the said Dwelling Units.

20.4 SPECIAL PROVISIONS
The following Zones apply to unique or existing situations and are not the standard C1 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 20.1 and/or the regulations of Section 20.2 shall apply.

a) Exception 1 to the Commercial - 1 Zone
Notwithstanding any provisions of this section, the Front Yard Setback will be 3.0 m. on the lands Zoned Commercial 1.1 (C1-1) on Schedule “A” to this By-law.

b) Exception 2 to the Commercial - 1 Zone

Notwithstanding any provisions of this section, a Building Supply Establishment, excluding Open Storage will be Permitted on lands Zoned Commercial 1.2 (C1-2) on Schedule “A” to this By-law.

c) Exception 3 to the Commercial - 1 Zone (B/L 37/2006)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 1.3 (C1-3) on Schedule “A” to this By-law, and known as 5 King Street in Forest, the following provision shall apply:

a) a front yard depth of a minimum of 0 metres and a maximum of 11 metres shall apply to the King Street frontage of the property; and

b) no vehicular parking or vehicle access areas shall be located between any building and King Street in that area extending from the west property line to a point 15 metres from the east property line.

d) Exception 4 to the Commercial – 1 Zone (B/L 65 of 2009)

Notwithstanding provisions of Section 20.1, 20.2 and 20.3 to this By-law, the lands zoned Commercial 1.4 (C1-4) on Schedule “A-8) to this By-law and known as 16 Watt Street in Forest can be used for the following additional uses which will be subject to the specified regulations in this section:

Additional Uses Permitted

a) Multiple dwelling
b) Townhouse
c) Nursing home
d) Home for the aged
e) Retirement home
f) Accessory amenity building

Site regulations for uses listed above, except townhouses which are subject to Section 9 of the By-law and Special Provision b) below:

a) Maximum Number of Units
   Multiple Dwelling  98 units per hectare
   Home for the Aged  n/a
   Nursing Home  n/a
   Retirement Home  n/a

b) Minimum Lot Area  0.42 hectares
c) Minimum Lot Frontage  30 metres
d) Minimum Front Yard  6 metres
e) Minimum Exterior Side Yard  3 metres
f) Minimum Rear Yard  6 metres
g) Maximum Building Height  13.5 metres
h) Minimum Dwelling Unit Area  50 sq. metres
i) Minimum Landscaped Open Space  15%
j) Maximum Lot Coverage  40%

Special Provisions:
a) Each dwelling unit in a multiple attached dwelling shall have a balcony.
b) The lot line abutting Watt Street shall be the front lot line.
c) No development of the land shall be permitted until the Municipality is satisfied with respect to Municipal fire fighting ability.

e) Exception 5 to the Commercial – 1 Zone (B/L 79 of 2017)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 1.5 (C1-5) on Schedule “A-8” to this By-law, and known municipally as 5 Watt Street, Forest, the following regulations apply;

1. PERMITTED USES

a) an existing detached dwelling which shall be subject to the Site Regulations contained in Section 7.2; and

b) a second dwelling unit in an existing detached Accessory Building which shall be subject to the following provisions:

- a) Location: Rear Yard
- b) Maximum Ground Floor Coverage: As existing on September 5, 2017
- c) Maximum Dwelling Unit Floor Area: As existing on September 5, 2017
- d) Maximum Height: As existing on September 5, 2017

- e) Only one(1) additional dwelling unit will be permitted.

- f) One (1) Parking Space is to be provided for the additional Dwelling Unit.

- g) All provisions of the Fire Code and Building Code are to be complied with.

- h) The Dwelling Unit must be inspected by the Corporations Chief Building Official before the additional Dwelling Unit is occupied.

- i) The second dwelling unit shall be connected to municipal water and sanitary sewer.

- j) The accessory building must have a residential character.

- k) Section 3.3.1 (b) does not apply.

c) a second dwelling unit in a new Accessory Building which shall be subject to the following provisions:

- a) Location: Rear Yard

- b) Maximum Ground Floor Coverage: As per Section 3.3.4

- c) Maximum Height: As per Section 3.3.4
d) Setbacks: As per Section 3.3.3 b) and 3.3.3 e)

e) Only one (1) additional Dwelling Unit will be permitted.

f) One (1) Parking Space is to be provided for the additional Dwelling Unit.

g) All provisions of the Fire Code and Building Code are to be complied with.

h) The second dwelling unit shall be connected to municipal water and municipal sanitary sewer.

i) The accessory building must have a residential character.

j) Section 3.3.1 (b) does not apply.
SECTION 21 - COMMERCIAL – 2 (C2) ZONE

21.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial – 2 (C2) Zone except for one or more of the following Uses:

a) Agricultural Implement Sales
   Personal Service Establishment
   Agricultural Service Establishment
   Place of Entertainment
   Animal Hospital
   Private Club
   Auction Hall
   Restaurant
   Bake Shop
   Restaurant Drive-In
   Bakeries
   Restaurant Drive Through Service Facility
   Building or Contracting Establishment
   Restaurant Fast Food
   Building Supply Establishment
   Retail Food Store
   Church
   Service and Repair Shop
   Clinic
   Travel Trailer Sales Establishment
   Commercial Recreation Establishment
   Veterinary Establishment
   Commercial Storage
   Retail Store on lands in the Commercial 2 Zones on Schedule “A-1” (B/L 30/2007)
   Convenience Store
   Day Nursery
   Dry Cleaning Establishment
   Funeral Home
   Garden Centre
   Gas Bar
   Health Club
   Health/Recreational Facility
   Hotel
   Kennel
   Laundromat
   Marine Sales and Service Establishment
   Motel
   Motor Vehicle Sales Establishment
   Motor Vehicle Service Establishment
   Motor Vehicle Repair Establishment
   Motor Vehicle Washing Establishment
   Office
   Parking Lot
b) Bed & Breakfast Establishment in an Existing Single Detached Dwelling
   Dwelling Unit above a Permitted Use
   Accessory Single Detached Dwelling Unit
c) Buildings, Structures and Uses Accessory to a Permitted Use

21.2 SITE PROVISIONS

a) Minimum Lot Area 700 sq. m
b) Minimum Lot Frontage 20 m.
c) Minimum Front Yard Setback 6 m.
d) Minimum Interior Side Yard Setback 4.5 m.
e) Minimum Exterior Side Yard Setback 6 m.
f) Minimum Rear Yard Setback 4.5 m.
g) Maximum Building Height 11 m.
h) Maximum Lot Coverage 50 %
i) Minimum Landscaped Open Space 10 %

21.3 REGULATIONS FOR MOTOR VEHICLE SERVICE ESTABLISHMENTS

Notwithstanding any other previous provisions of this By-law, where a Lot in the Commercial – 2 (C2) Zone is used for a Motor Vehicle Service Establishment, the following regulations shall apply:

<table>
<thead>
<tr>
<th></th>
<th>Interior Lot</th>
<th>Corner Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>Minimum Lot Frontage</td>
<td>45.0 m</td>
</tr>
<tr>
<td>b)</td>
<td>Minimum Lot Depth</td>
<td>40.0 m</td>
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<tr>
<td>c)</td>
<td>No portion of any pump island on a service station shall be located closer than six (6.0) metres from the Street Line of any Street.</td>
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<tr>
<td>d)</td>
<td>The minimum distance from the intersection of two Street Lines to the nearest ingress or egress ramp shall not be less than nine (9.0) metres, or in the case of the intersection of two arterial Streets, the minimum distance shall not be less than fifteen (15.0) metres.</td>
<td></td>
</tr>
<tr>
<td>e)</td>
<td>The minimum distance from any portion of any ingress or egress ramp to any Interior Side Lot Line which abuts any other Lot shall not be less than three (3.0) metres.</td>
<td></td>
</tr>
<tr>
<td>f)</td>
<td>The width of any ingress or egress ramp along any Street Line shall not be more than nine (9.0) metres or less than seven and one-half (7.5) metres.</td>
<td></td>
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<tr>
<td>g)</td>
<td>The minimum distance between ramps shall not be less than nine (9.0) metres.</td>
<td></td>
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<tr>
<td>h)</td>
<td>The minimum interior angle of any ramp to the Street Line shall be greater than sixty degrees (60°).</td>
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</tr>
<tr>
<td>i)</td>
<td>All parts of the ingress and egress ramps shall be maintained with a cement, or asphaltic binder or any other type of permanent surfacing to prevent the raising of dust or loose particles.</td>
<td></td>
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<tr>
<td>j)</td>
<td>Land which is not used for Buildings, ramps or paving shall be Landscaped in lawn, trees or shrubs and maintained in a healthy growing condition and neat and clean in appearance.</td>
<td></td>
</tr>
</tbody>
</table>
21.4 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard C2 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 21.1 and/or the regulations of Section 21.2 shall apply.

a) Exception 1 to the Commercial – 2 Zone
   Notwithstanding any provisions of this section, a Bank, exclusive of teller services and having no greater than 70 sq. m. of Commercial Floor Area will be Permitted on lands Zoned Commercial 2.1 (C2-1) on Schedule “A” to this By-law.

b) Exception 2 to the Commercial – 2 Zone (B/L 18/05)
   Notwithstanding any other provisions of this By-law to the contrary, all of the permitted uses listed in Section 21.1, except Bake Shop, Office, Personal Service Establishment, Clinic, Dry Cleaning Establishment and Laundromat are permitted on lands zoned Commercial 2.2 (C2-2) on Schedule A-8 to this By-law. In addition the following uses are also permitted: Assembly Hall, Institutional Uses, and Retail Warehouses with minimum floor areas of 1,000 square metres.

c) Exception 3 to the Commercial – 2 Zone (B/L 25/05)
   Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 2.3 (C2-3) on Schedule “A-1” to this By-law, which are known as 19 Eighty One Crescent, 28 parking spaces are required for a 143 square metre restaurant, 2 of which must be provided on site with cash-in-lieu of parking being acceptable for the remaining 26 spaces.

d) Exception 4 to the Commercial – 2 Zone (B/L 51/05)
   Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 2.4 (C2-4) on Schedule “A-1” to this By-law, which are known as 72 Ontario Street South, a second dwelling unit is permitted on the property on the ground floor of the existing building, provided no commercial floor space is located on the ground floor of the existing building. If any commercial use is re-established on the ground floor of the existing building, the ground floor dwelling unit must be eliminated.

e) Exception 5 to the Commercial – 2 Zone (B/L 69/06)
   Notwithstanding any other provisions of this By-law to the contrary, on lands zoned commercial 2.5 (C2) on Schedule “A-1” to this By-law, which are known as 15 Ontario Street South, a retail store is a permitted use in addition to the uses in Section 21.1 of this By-law.

f) Exception 6 to the Commercial – 2 Zone (B/L 71/06)
   Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 2.6 (C2-6) on Schedule “A-8” to this By-law, which are known as 90 Main Street Forest, one retail store with a minimum floor area of 750 m$^2$ and one retail store with a minimum floor area of 500 m$^2$ are permitted in addition to the uses in Section 21.1 of this By-law. Further, a planting strip of a minimum width of 6 metres is required to be provided on the lands along the front lot line.

g) Exception 7 to the Commercial – 2 Zone (B/L 4/07)
   Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 2.7 (C2-7) on Schedule “A-1” to this By-law, which are known as 55, 63 & 65 Main Street East, Grand Bend, a retail store is a permitted use in addition to the uses in Section 21.1 of this By-law.
h) Exception 8 to the Commercial – 2 Zone (B/L 96/07)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 2.8 (C2-8) on Schedule “A-8” to this By-law and described as the west 76.9 metres PART 1, PLAN 25R 1306, one single detached dwelling is the only use permitted on the lands subject to the following provisions.

a) Lot Area (minimum) 2,200 m²
b) Lot Frontage (minimum) 76 metres
c) Front Yard (minimum) 6 metres
d) Interior Side Yard (minimum) 4.5 metres
e) Rear Yard (minimum) 4.5 metres
f) Lot Coverage (maximum) 25%
g) Height (maximum) 11 metres
h) Landscaped Open Space (minimum) 40%
i) Special Provisions:
ii) Sections 3.3.3 and 3.3.4 shall apply to any accessory building constructed on the lands

i) Exception 9 to the Commercial – 2 Zone (B/L 3/08)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 2.9 (C2-9) on Schedule “A-1” to this By-law and known municipally as 12 Ontario Street South, Grand Bend, the following shall apply:

i) Only one dwelling unit will be permitted in the existing two storey commercial building; and

ii) A maximum of 60% of the ground floor area of the commercial building may be occupied by a portion of the one dwelling unit permitted.

j) Exception 10 to the Commercial – 2 Zone (B/L 81/15)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 2.10 (C2-10) on Schedule “A-8” to this By-law, and known municipally as 104 King Street East, a personal service establishment and accessory attached dwelling unit are the only permitted uses, subject to the following regulations:

a) the site provisions in Section 21.2 applying; and

b) the planting strip required in Section 3.20 of the By-law is not required along the west lot line.
SECTION 22 - COMMERCIAL – 3 (C3) ZONE

22.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial – 3 (C3) Zone except for one or more of the following Uses:

a) Abattoir
   Agricultural Service Establishment
   Agricultural Supply Establishment
   Farm Implement Sales Establishment
   Farmers Market
   Veterinary Clinic
   Stock Yard

b) Buildings, Structures and Uses Accessory to a Permitted Use

22.2 SITE PROVISIONS

a) Minimum Lot Area 1,850 sq. m
b) Minimum Lot Frontage 30 m.
c) Minimum Front Yard Setback 7.5 m.
d) Minimum Interior Side Yard Setback 7.5 m.
e) Minimum Exterior Side Yard Setback 7.5 m.
f) Minimum Rear Yard Setback 7.5 m.
g) Maximum Building Height 12 m.
h) Maximum Lot Coverage 30 %
i) Minimum Landscaped Open Space 10 %

22.3 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard C3 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 22.1 and/or the regulations of Section 22.2 shall apply.

a) Exception 1 to the Rural Commercial Zone

Notwithstanding any provisions of this section, a Commercial Greenhouse will also be Permitted on lands Zoned Commercial Rural 3.1 (C3-1) on Schedule “A” to this By-law.
b) Exception 2 to the Rural Commercial Zone

Notwithstanding any provisions of this section, only a Farmers Market and Buildings, Structures and Uses Accessory to a Permitted Use will be Permitted on lands Zoned Commercial Rural 3.2 (C3-2) on Schedule “A” to this By-law.
SECTION 23 - COMMERCIAL – 4 (C4) ZONE

23.1 PERMITTED USES
No land, Building, or Structure shall be used or erected in the Commercial – 4 (C4) Zone except for one or more of the following Uses:

a) Motor Vehicle Repair Establishment
   Motor Vehicle Service Establishment
   Bonded Warehouse
   Farmers Market
   Gasoline Retail Facility, With Accessory Convenience Store
   Restaurant Drive-In
   Truck Stop

b) Buildings, Structures and Uses, including Offices and a Dwelling Unit, Accessory to a Permitted Use

23.2 SITE PROVISIONS

a) Minimum Lot Area 7,000 sq. m
b) Minimum Lot Frontage 100 m.
c) Minimum Front Yard Setback 30 m.
d) Minimum Interior Side Yard Setback 10 m.
e) Minimum Exterior Side Yard Setback 10 m.
f) Minimum Rear Yard Setback 10 m.
g) Maximum Building Height 12 m.
h) Maximum Lot Coverage 20 %
i) Minimum Landscaped Open Space 10 %

23.3 REGULATIONS FOR MOTOR VEHICLE SERVICE ESTABLISHMENTS
Notwithstanding any other previous provisions of this By-law, where a Lot in the Commercial – 4 (C4) Zone is used for a Motor Vehicle Service Establishment, the regulations of 21.3 of this By-law shall apply.

23.4 SPECIAL PROVISIONS
The following Zones apply to unique or existing situations and are not the standard C4 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 23.1 and/or the regulations in Section 23.2 shall apply.
a) Exception 1 to the Service Centre Commercial – 4 (c4) zone

Notwithstanding any provisions of this section, a Garden Centre and Retail Store will also be Permitted on lands Zoned Commercial 4.1 (C4-1) on Schedule “A” to this By-law.
SECTION 24 –COMMERCIAL – 5 (C5) ZONE

24.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial –5 (C5) Zone except for one or more of the following Uses:

a) Local Retail Store
   Personal Service Store
   Restaurant
   Retail store
   Office
   Bank
b) One Accessory Dwelling Unit in a Building designed for, intended for and used for a Permitted Use
c) Buildings, Structures and Uses, Accessory to a Permitted Use.

24.2 SITE PROVISIONS (B/L 77/04)

a) Minimum Lot Area
   1,400 sq. m
b) Minimum Lot Frontage
   22 m.
c) Minimum Front Yard Setback
   9 m.
d) Minimum Interior Side Yard Setback
   4.5 m.
e) Maximum Exterior Yard Setback
   4.5 m.
f) Minimum Rear Yard Setback
   9 m.
g) Maximum Building Height
   10 m
h) Maximum Lot Coverage
   50 %
i) Minimum Landscaped Open Space
   10 %

24.3 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard C5 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 24.1 and/or the regulations in Section 24.2 shall apply.

a) Exception 1 to the Commercial - 5 (C5) Zone

Notwithstanding any provisions of this section, a Personal Service Shop and a Restaurant are not Permitted on lands Zoned Commercial – 5.1 (C5-1) on Schedule “A” to this By-law.

b) Exception 2 to the Commercial – 5 (C5) Zone

Notwithstanding any provisions of this section, a Motor Vehicle Service Establishment and a Travel Trailer Service Establishment are also Permitted Uses on lands Zoned Commercial – 5.2 (C5-2) on Schedule “A”
LAMBTON SHORES ZONING BY-LAW 1 OF 2003

to this By-law. The regulations of 21.3 of this By-law shall apply to any Motor Vehicle Service Establishment established on lands Zoned C5-2.

c) Exception 3 to the Commercial (C5) Zone

Notwithstanding any provisions of this section, a Tavern and a Gas Bar are also Permitted on lands Zoned Commercial – 5.3 (C5-3) on Schedule “A” to this By-law, subject to section 21.3 of this By-law. Notwithstanding section 21.3 c) to the contrary, no portion of any pump island shall be located closer than 4.5 metres to a Lot Line along any Street on lands Zoned C5-3.

d) Exception 4 to the Commercial – 5 (C5) Zone

Notwithstanding any provisions of this section, a Retail Store and Buildings, Structures, or Uses Accessory to a Retail Store are the only Permitted Uses on lands Zoned Commercial –5.4 (C5-4) on Schedule “A” to this By-law.

e) Exception 5 to the Commercial – 5 (C5) Zone (B/L 1/2004)

Notwithstanding any provisions of this section, a Convenience Store or similar Use where groceries and other household necessities are sold to the public is not a Permitted Use on lands Zoned Local Commercial – 5.5 (C5-5) on Schedule “A” to this By-law.

Notwithstanding any provisions of this section, a Multiple Dwelling in an Existing Building is a permitted use on lands Zoned Commercial 5.5 (C5.5) on Schedule A-1 to this By-law.

f) Exception 6 to the Commercial – 5 (C5) Zone

Notwithstanding any provisions of this section, a Single Detached Dwelling not Accessory to a Permitted Use and a Golf Course Clubhouse are Permitted Use on lands Zoned Commercial – 5.6 (C5-6) on Schedule “A” to this By-law.

g) Exception 7 to the Commercial – 5 (C5) Zone

Notwithstanding any provisions of this section, a Single Detached Dwelling not Accessory to a Permitted Use is Permitted on lands Zoned Commercial – 5.7 (C5-7) on Schedule “A” to this By-law. A Bank is not Permitted on lands Zoned Local Commercial – 5.7 (C5-7) on Schedule “A” to this By-law.

h) Exception 8 to the Commercial – 5 (C5) Zone (B/L 42/2005)

Notwithstanding any other provisions of this By-law to the contrary, a private club is also a permitted use on lands zoned Commercial 5.8 (C5-8) on Schedule “A” to this By-law.
SECTION 25 –COMMERCIAL - 6 (C6) ZONE

25.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial – 6 (C6) Zone except for one or more of the following Uses:

a) Commercial Recreation
   Hotel
   Marina
   Motel
   Tourist Establishment
   Restaurant
   Retail Store
   Tavern
   Tourist Home

b) One Accessory Dwelling Unit in a Building designed for, intended for and used for a Permitted Use

c) Buildings, Structures and Uses, Accessory to a Permitted Use

25.2 SITE PROVISIONS

a) Minimum Lot Area 1,400 sq. m

b) Minimum Lot Frontage 22 m.

c) Minimum Front Yard Setback 9 m.

d) Minimum Interior Side Yard Setback 4.5 m.

e) Minimum Exterior Side Yard Setback 4.5 m.

f) Minimum Rear Yard Setback 9 m.

g) Maximum Building Height 10 m.

h) Maximum Lot Coverage 50 %

i) Minimum Landscaped Open Space 0 %

25.3 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard C6 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 25.1 and/or the regulations of Section 25.2 shall apply.
a) Exception 1 to the Commercial – 6 (C6) Zone

Notwithstanding any provisions of this section, a Marina and Commercial Recreation are not Permitted on lands Zoned Commercial 6.2 (C6-2) on Schedule “A” to this By-law.

b) Exception 2 to the Commercial – 6 (C6) Zone

Notwithstanding any provisions of this section, a Marina and Commercial Recreation are not Permitted on lands Zoned Commercial 6.2 (C6-2) on Schedule “A” to this By-law. The following provisions also apply to lands Zoned C6-2:

i) Maximum Density
   1 Rental Cabin per 150 sq. m. of Lot Area
   1 Guest Room per 100 sq. m. of Lot Area

c) Exception 3 to the Commercial – 6 (C6) Zone

Notwithstanding any provisions of this section, in addition to the uses listed in Section 25.1 a), a Miniature Golf Course is Permitted on lands Zoned Commercial 6.3 (C6-3) on Schedule “A” to this By-law.

d) Exception 4 to the Commercial – 6 (C6) Zone (B/L 62/07) (B/L 19/10)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned Commercial 6.4 (C6-4) on Schedule “A4” to this By-law, and known as 9755 Northville Crescent, the following special regulations shall apply:

(i) In addition to those uses permitted in Section 25.1, a Commercial Warehouse is also permitted, subject to the following:

   a) Minimum Interior Side Yard Setback 6.7 m
   b) Minimum Exterior Side Yard Setback 14 m
   c) Minimum Rear Yard Setback 6.7 m
   d) Minimum Landscaped Open Space 10%
   e) A driveway associated with the Commercial Warehouse shall be permitted to extend into the required exterior side yard 8 metres.
   f) 1 1.8 metre high solid wood fence, which drops to a height of 0.9 metres at a point 3 metres from the Northville Crescent lot line, shall be constructed along the north and east property boundaries. This provision applies to all uses permitted in Section 25.1.
   g) A 3 metre wide landscape buffer strip shall not be required adjacent the residential driveway to the north or the residential use to the east. This provision applies to all uses permitted in Section 25.1.
   h) That a commercial storage building have a residential character to the satisfaction of the Municipality.

e) Exception 5 to the Commercial – 6 (C6) Zone (B/L 15/05 – OMB Attachment 1)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial – 6.5 (C6-5) on Schedule “A” to this By-law the following regulations shall also apply:

i) a Hotel may have a maximum height of 12 metres; and
ii) The following shall apply to the maintenance of existing vegetation along the westerly property boundary of the lands within the C6-5 Zone:

A vegetative landscaped strip having a minimum depth of 15 metres shall be provided along no less than 40% of the westerly property boundary. The balance of the westerly property boundary shall contain a vegetative landscaped strip with a minimum depth of 10 metres; no portion of the length of the 15 metres landscaped strip shall be less than 15% of the length of the westerly property boundary. A minimum of 50% of the existing trees having a 150 mm diameter at breast height or greater shall be retained within these vegetative landscaped strips, and subject to the conclusions of a Tree and Vegetation Management Report.

f) Exception 6 to the Commercial – 6 (C6) Zone  (B/L 15/05)

Notwithstanding any other provisions of this By-law to the contrary, lands zoned Commercial – 6.6 (C6-6) on Schedule “A” to this By-law may be developed for residential uses in compliance with Section 9 and Section 9.3 (c) if no commercial uses exist in the zone.

g) Exception 7 to the Commercial – 6 (C6) Zone  (B/L 61/08)

Notwithstanding any other provisions of this By-law to the contrary, lands zoned Commercial – 6.7 (C6-7) on Schedule “A” to this By-law shall be used as an access and parking area associated with the commercial development of lands to the south. No buildings or structures shall be permitted on lands within the C6-7 Zone.

h) Exception 8 to the Commercial – 6 (C6) Zone (By-law 72 of 2013)

Notwithstanding any provisions of this section, in addition to the uses listed in Section 25.1 a) the following uses are also permitted on lands zoned Commercial 6.8 (C6-8) on Schedule A-4 and known as 9763 Port Franks Road:

a) Miniature golf course
b) Travel trailer sales establishment
c) Equipment sales and service establishment (golf course/lawn/garden maintenance equipment and gold carts
d) Auction Hall

Further, no fill shall be placed in the low lying area at the northwest corner of the lands known as 9763 Port Franks Road.
SECTION 26 –COMMERCIAL – 7 (C7) ZONE

26.1 PERMITTED USES
No land, Building, or Structure shall be used or erected in the Commercial – 7 (C7) Zone except for one or more of the following Uses:

a) Marina
   Marine Facility

a) Buildings, Structures or Uses Accessory to a Permitted Use

26.2 SITE PROVISIONS

a) Minimum Lot Area
   500 sq. m

b) Minimum Lot Frontage
   15 m.

c) Minimum Front Yard Setback
   3 m.

d) Minimum Interior Side Yard Setback
   3 m.

e) Minimum Exterior Side Yard Setback
   4.5 m.

f) Minimum Rear Yard Setback
   9 m.

g) Maximum Building Height
   10 m.

h) Maximum Lot Coverage
   50 %

i) Minimum Landscaped Open Space
   0 %
SECTION 27 - COMMERCIAL 8 (C8) ZONE

27.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial 8 (C8) Zone except for one or more of the following Uses:

a) Mobile Home Park;

b) Restaurant

c) Buildings, Structures and Uses, Accessory to a Permitted Use.

27.2 SITE PROVISIONS

a) Minimum Lot Area

   i) Restaurant 1,286 sq. m.

   ii) Mobile Home Park 3.38 ha.

   iii) Restaurant and Mobile Home Park on the same Lot 3.5 ha.

b) Minimum Lot Frontage

   i) Restaurant 40 m.

   ii) Mobile Home Park 40 m.

   iii) Restaurant and Mobile Home Park on the same Lot 80 m.

c) Minimum Front Yard Setback

   i) Restaurant 9 m.

   ii) Mobile Home Park 9 m.

d) Minimum Interior Side Yard Setback

   i) Restaurant 4.5 m.

   ii) Mobile Home Park 9 m.

e) Minimum Exterior Side Yard Setback

   i) Restaurant 4.5 m.

   ii) Mobile Home Park 9 m.

f) Minimum Rear Yard Setback

   9 m.

g) Maximum Building Height

   10 m.
27.3 SUPPLEMENTARY PROVISIONS

a) Mobile Home Site Regulations

b) Other Regulations – Mobile Home Park

Section 14.1.2 of this By-law applies.

Section 14.1.3 of this By-law applies.

c) Maximum Number of Restaurants per Lot

1
SECTION 28 – COMMERCIAL (C9) ZONE

28.1 PERMITTED USES
No land, Building, or Structure shall be used or erected in the Commercial (C9) Zone except for one or more of the following Uses:

a) Campground
   Recreational Vehicle Sales Establishment
b) Dwelling Unit above a Permitted Use
c) Buildings, Structures and Uses Accessory to a Permitted Use

28.2 SITE PROVISIONS

a) Minimum Lot Area 4,000 sq. m
b) Minimum Lot Frontage 20 m.
c) Minimum Front Yard Setback 7.5 m.
d) Minimum Interior Side Yard Setback 3 m. (see Supplementary Provisions)
e) Minimum Exterior Side Yard Setback 7.5 m.
f) Minimum Rear Yard Setback 7.5 m.
g) Maximum Building Height 10 m.
h) Maximum Lot Coverage 50 %
i) Minimum Landscaped Open Space 10 %

28.3 SUPPLEMENTARY PROVISIONS

a) Campsite Area
   i) Minimum Campsite Area 100 sq. m.

b) Accessory Uses
   i) Accessory Uses include the storage of Recreational Vehicles

c) Interior Side Yard Setback for Accessory Single Detached Dwelling Units
   i) With Attached Garage 1.2 m.
   ii) Where No Attached Garage 1.2 m. & 3 m.
28.4 SPECIAL PROVISIONS (B/L 82/05)

The following Zones apply to unique or existing situations and are not the standard C9 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 28.1 and/or the regulations in Sections 28.2 shall apply.

a) Exception 1 to the Commercial – 9 (C9) Zone

Notwithstanding any other provisions of this By-law to the contrary, the only use permitted on lands located within the Commercial 9.1 (C9-1) Zone shall be for a Private Recreation Facility accessory to the Trailer Park use on lands known as 52 Ontario Street North, Grand Bend, subject to the following provisions:

i) For the purpose of the Commercial 9.1 Zone (C9-1) a Private Recreational Facility accessory to the trailer park use, is defined as follows:

“A PRIVATE RECREATION FACILITY” means a Building or part thereof and its associated lands designed and intended to accommodate various forms of indoor and outdoor recreational and leisure activities for use by residents of an associated Trailer Park and shall include but not be limited to multi-purpose rooms, general assembly area, lounge, education rooms, shuffleboard, mini-putt, pitching green, lawn bowling, tennis, swimming pool and fitness equipment.

ii) Site Regulations:

a) No building shall be located within 7.5 metres of a lot line which abuts a Residential Zone and within 3 metres of any other lot line.

b) No outdoor use shall be located within 5 metres of a lot line which abuts a Residential zone.

c) Maximum Building Height 6 metres.
SECTION 29 - COMMERCIAL - 10 (C10) ZONE

29.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial – 10 (C10) Zone except for one or more of the following Uses:

a) Assembly Hall
   Bank
   Clinic
   Commercial Club
   Commercial Recreation Establishment
   Day Nursery
   Dry Cleaning Depot
   Gaming Establishment
   Hotel
   Laundromat
   Merchandise Service Shop
   Office
   Parking Lot
   Personal Service Shop
   Private Club
   Restaurant
   Restaurant Fast Food
   Retail Store
   Tavern
b) Bed & Breakfast Establishment in an Existing Single Detached Dwelling

c) Dwelling Unit above a Permitted Commercial Use

d) Existing Accessory Single Detached Dwelling Units.

e) Buildings, Structures and Uses Accessory to a Permitted Use

29.2 SITE PROVISIONS

a) Minimum Lot Area 300 sq. m

b) Minimum Lot Frontage 12 m.

c) Minimum Front Yard Setback 0 m.

d) Minimum Interior Side Yard Setback 0 m. or 3 m. where the Side Lot Line abuts a Residential (R) Zone.

e) Minimum Exterior Side Yard Setback 1.5 m.

f) Minimum Rear Yard Setback 7.5 m.

g) Maximum Building Height 10 m.

h) Maximum Lot Coverage 100 %

i) Minimum Landscaped Open Space 0 %
29.3 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard C10 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 29.1 and/or the regulations in Section 29.2 shall apply.

a) Exception 1 to the Commercial – 10 (C10) Zone

Notwithstanding any other provisions in this By-law, for those lands Zoned Commercial - 10.1 (C10-1) on Schedule “A” to this By-law the Front Lot Line is defined as the southerly Lot Line coinciding with the northern boundary of the Right-of-Way of Main Street, Grand Bend, and with the extension of that boundary. Parking is also permitted in all Yards except the Front Yard for lands Zoned C10-1. The following additional special provisions apply to lands zoned C10-1:

i) Maximum number of Dwelling Units: 46 units
ii) Minimum Lot Area: 4000 square metres
iii) Minimum Interior and Exterior Side Yard Setback: 0 metres
iv) Minimum Rear Yard Setback: 0 metres
v) Minimum Gross Leasable Floor Area for a Retail Store: 20 square metres
SECTION 30 - COMMERCIAL – 11 (C11) ZONE

30.1 PERMITTED USES
No land, Building, or Structure shall be used or erected in the Commercial - 11 (C11) Zone except for one or more of the following Uses:

a) Active Recreation;
   Campground, which may include a Retail Store and Restaurant;
   Commercial Club;
   Commercial Recreation;
   Marina which may include a Restaurant, a Tavern and a Commercial Club;
   Marine Facility
   Motel
   Hotel
   Restaurant
   Tavern;

b) Dwelling Unit, located within a Permitted Non-Residential Use

c) Open Storage

d) Buildings, Structures and Uses Accessory to a Permitted Use

e) despite Section 3.9.1 of this By-law, a Use lawfully Existing on June 18, 1979 fronting onto an Existing road other than a Street, Highway or Road

30.2 SITE PROVISIONS

a) Minimum Lot Area 1,400 sq. m

b) Minimum Lot Frontage 22 m.

c) Minimum Front Yard Setback Notwithstanding Section 3.17a) of this By-law to the contrary, 9 m. and 6 m. for those lands lying on the north side of Riverside Drive and Erie Street, for Permitted rental Dwellings and Dwelling Units only.

d) Minimum Interior Side Yard Setback Notwithstanding Section 3.17a) of this By-law to the contrary, 4.5 m.
e) **Minimum Exterior Side Yard Setback**

   Notwithstanding section 3.17a) of this By-law to the contrary, 4.5 m.

f) **Minimum Rear Yard Setback**

   Notwithstanding section 3.17a) of this By-law to the contrary, 4.5 m.

g) **Maximum Building Height**

   10 m.

h) **Maximum Lot Coverage**

   35 %

i) **Minimum Landscaped Open Space**

   0 %

j) **Maximum Recreational Vehicle, Cabin or Park Model Unit Size** *(B/L 29/05)*

   100 sq. m

### 30.3 SUPPLEMENTARY PROVISIONS

a) **Flood Fringe Area**

   i) In those portions of the C11 Zone located in areas identified as "Flood Fringe Area", no permanent Buildings or Structures shall have an opening lower than the regional storm elevation (RFD) as identified by the Ausable Bayfield Conservation Authority, except Marine Facilities and any permanent Building or Structure Existing as of on June 18, 1979.

### 30.4 SPECIAL PROVISIONS *(B/L 10 of 2005)*

The following zones apply to unique or existing situations and are not the standard C11 zone. If a regulation or use is not specified, the list of permitted uses in Section 30.1 and/or the regulations in Section 30.2 shall apply.

a) **Exception 1 to the Commercial – 11 (C11) Zone**

   i) A maximum number of 11 campsites shall be permitted on the lands within the C11-1, with these campsites being leased by one individual for the entirety of the camping season. The campsites shall not be for transient use.

   ii) Two parking spaces shall be provided at each campsite.

   iii) Each campsite shall be used by no more than one Recreational Vehicle at any one time.

   iv) The campground use shall be permitted only between May 1 and October 31 of each year.

   v) Each campsite shall be connected to communal water and sewage facilities as well as hydro.

   vi) Winter storage of recreational vehicles shall be permitted only for recreational vehicles that occupied the lands zoned C11-1 during the May 1 to October 31 period. No recreational vehicles shall be brought from off-site for storage.

   vii) For the purpose of the C11-1 zone a recreational vehicle does not include tents or tent trailers.
viii) No campsite shall be located within 60 metres of Biddulph Street.

ix) No boat storage including buildings and structures exceeding 3 metres in height shall be located within 15 metres of a residential zone or within 4.5 metres of a property line.

x) Boat storage areas, building and structures having a maximum height of 3 metres shall be located a minimum of 1 metre from a side or rear lot line.
SECTION 31 - COMMERCIAL 12 (C12) ZONE

31.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial – 12 (C12) Zone except for one or more of the following Uses:

a) Bank
   Commercial Recreation
   Local Retail Store
   Office
   Personal Service Shop
   Restaurant
   Tavern
   Retail Store
   Marine Facilities

b) a Dwelling Unit located within a Permitted Non-Residential Use

c) Open Storage

d) Buildings, Structures and Uses Accessory to a Permitted Use

31.2 SITE PROVISIONS

a) Minimum Lot Area 1,400 sq. m

b) Minimum Lot Frontage 22 m.

c) Minimum Front Yard Setback Notwithstanding section 3.17 a) to the contrary, 9 m.

d) Minimum Interior Side Yard Setback Notwithstanding section 3.17 a) to the contrary, 4.5 m.

e) Minimum Exterior Side Yard Setback Notwithstanding section 3.17 a) to the contrary, 4.5 m.

f) Minimum Rear Yard Setback Notwithstanding section 3.17 a) to the contrary, 4.5 m.

g) Maximum Building Height 10 m.

h) Maximum Lot Coverage 50 %

i) Minimum Landscaped Open Space 0 %

31.3 SUPPLEMENTARY PROVISIONS

a) Flood Fringe Area

i) In those portions of the C12 Zone located in areas identified as "Flood Fringe Area", no permanent Buildings or Structures shall have an opening lower than the regional storm elevation (RFD) as
identified by the Ausable Bayfield Conservation Authority, except Marine Facilities and any permanent Building or Structure Existing as of on June 18, 1979.

a) Exception 1 to the Commercial – 12 (C12) ZONE  (B/L 68/05)

Notwithstanding any other provisions of this By-law to the contrary, lands zoned Commercial 12.1 (C12-1) on Schedule “A-3” and known as 7578 Riverside Drive shall be used only as the site of a 126 m² accessory building, which is accessory to the residential use located on lands known as 7579 Biddulph Street, subject to the following provisions:

a) Front Yard (minimum) 14.6 metres
b) Interior Side Yard (minimum) 4.5 metres
c) Rear Yard (minimum) 7.5 metres
d) Lot Coverage (maximum) 25%
e) Building Height (maximum) 7.93 metres
f) Landscaped Open Space (minimum) 40%
g) Roof Pitch and Style 10 to 12 gable roof
SECTION 32 - COMMERCIAL 13 (C13) ZONE

32.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial – 13 (C13) Zone except for one or more of the following Uses:

a) Produce Warehouse
b) Dwelling Unit in a Building used as a Produce Warehouse, for employees engaged in the business located on the property
c) Buildings, Structures and Uses, Accessory to a Permitted Use.

32.2 SITE PROVISIONS

a) **Minimum Lot Area** 7,000 sq. m
b) **Minimum Lot Frontage** 50 m.
c) **Minimum Front Yard Setback** 12 m.
d) **Minimum Interior Side Yard Setback** 7 m.
e) **Minimum Exterior Side Yard Setback** 7 m.
f) **Minimum Rear Yard Setback** 3 m.
g) **Maximum Building Height** 10 m.
h) **Maximum Lot Coverage** 50 %
i) **Minimum Landscaped Open Space** 0 %
SECTION 33 - COMMERCIAL 14 (C14) ZONE

33.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial – 14 (C14) Zone except for one or more of the following Uses:

a) Campground
   Motel
   Motor Vehicle Sales Establishment
   Motor Vehicle Service Station, including a Gas Bar
   Motor Vehicle Washing Establishment
   Restaurant
   Retail store
   Travel Trailer Sales Establishment
b) One (1) Accessory Dwelling designed for, intended for or used by an employee or owner of a Permitted Use
c) Buildings, Structures and Uses Accessory to a Permitted Use

33.2 SITE PROVISIONS

a) Minimum Lot Area 1,800 sq. m
b) Minimum Lot Frontage 30 m.
c) Minimum Front Yard Setback 9 m.
d) Minimum Interior Side Yard Setback 4.5 m.
e) Minimum Exterior Side Yard Setback 4.5 m.
f) Minimum Rear Yard Setback 9 m.
g) Maximum Building Height 10 m.
h) Maximum Lot Coverage 50 %
i) Minimum Landscaped Open Space 0 %

33.3 REGULATIONS FOR MOTOR VEHICLE SERVICE ESTABLISHMENTS

Notwithstanding any other previous provisions of this By-law, where a Lot in the Commercial – 14 (C14) Zone is used for a Motor Vehicle Service Establishment, the regulations of 21.3 of this By-law shall apply:

3.4 REGULATIONS FOR CAMPGROUNDS

i) Minimum campsite area, including Parking Area: 232 square metres
   ii) Maximum campsite coverage: 40%
iii) Minimum campsite frontage: 9 m.

iv) Minimum Setback from Front and Rear Lot Lines as defined in this by-law for all Buildings and Structures: 9 m.

v) Minimum Setback from Side Lot Line as defined in this By-law for all Buildings and Structures: 4.5 m.

vi) Minimum clearance between any Recreational Vehicle, Park Model Unit, Building or Structure: 3 m.

vii) Minimum clearance between any Recreational Vehicle or Park Model Unit and any internal street: 3 m.

viii) Maximum Recreational Vehicle, Cabin or Park Model Unit size: 100 sq. m. (B/L 29/05)

33.5 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard C14 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 33.1 and/or the regulations in Section 33.2 shall apply.

b) Exception 1 to the Commercial – 14 (C14) Zone

Notwithstanding any provisions of this section, an Auction Hall and Commercial Recreation are Permitted on lands Zoned Commercial - 14.1 (C14-1) on Schedule “A” to this By-law.

c) Exception 2 to the Commercial – 14 (C14) Zone

Notwithstanding any provisions of this section, a Campground is not Permitted on lands Zoned Commercial - 14.2 (C14-2) on Schedule “A” to this By-law.

d) Exception 3 to the Commercial – 14 (C14) Zone (B/L 23/2007)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 14.3 (C14-3) on Schedule “A-2” to this By-law, the following provisions shall apply:

a) Permitted Uses
   i) Recreational Vehicle Sales Establishment
   ii) Buildings, Structures and Uses Accessory to a Permitted Use

b) Site Regulations for Buildings and Structures
   i) Lot Frontage (minimum) 100 metres
   ii) Lot Area (minimum) 5,000 m²
   iii) Front Yard (minimum)
       a) For Buildings and Structures including Accessory buildings: 29 metres
       b) For Open Storage 21 metres
   iv) Interior Side Yard (minimum) 4.5 metres
   v) Rear Yard (minimum)
      a) For Buildings and Structures including Accessory buildings: 10 metres
      b) For Open Storage 6 metres
vi) Building Height (maximum) 10 metres
vii) Lot Coverage (maximum)
   a) For Buildings and Structures including Accessory buildings: 50%
   b) For Open Storage and Buildings 90%
viii) Landscaped Open Space
   a) a landscaped open space strip, with a minimum width of 21 metres shall be provided along the Front Lot Line
   b) a landscaped open space strip, with a minimum width of 6 metres shall be provided along the Rear Lot Line
   c) Landscaped Open Space (minimum) 10%

Access
ix) No direct access shall be permitted to the lands in this zone from Highway 21.

e) EXCEPTION 4 TO THE COMMERCIAL – 14 (C14) ZONE (B/L 43/2013)
Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 14.4 (C14-4) on Schedule “A-2” to this By-law, the following provisions shall apply:

i) In addition to those uses permitted in Section 33.1, a carpentry, cabinet manufacturing, assembly and installation business and accessory single detached dwelling are permitted, subject to the following:

   c) Minimum Front Yard Setback 20 m
   d) Minimum Interior Side Yard Setback
      i) Carpentry, cabinet manufacturing, assembly and installation business 1.8 metres one side, 20 metres the other side
      ii) Accessory Single Detached Dwelling 1.8 metres one side, 6 metres the other side
   e) Minimum Rear Yard Setback 10 metres
   f) Maximum Building Height 10 metres
   g) Maximum Lot Coverage 50%
   h) Minimum Landscaped Open Space 5%
   i) Parking 1 space per 37 m² for office floor area and for floor area accessible to the public; for all other floor area – 1 space per employee
SECTION 34 - COMMERCIAL 15 (C15) ZONE

34.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial – 15 (C15) Zone except for one or more of the following Uses:

a) Campground
   Marina
   Motor Vehicle Sales Establishment
b) Buildings, Structures and Uses Accessory to a Permitted Use

34.2 SITE PROVISIONS

a) Minimum Lot Area 1 ha.
b) Minimum Lot Frontage 100 m.
c) Minimum Front Yard Setback 9 m.
d) Minimum Interior Side Yard Setback 9 m.
e) Minimum Exterior Side Yard Setback 9 m.
f) Minimum Rear Yard Setback 9 m.
g) Maximum Building Height 10 m.
h) Maximum Lot Coverage 25 %
i) Minimum Landscaped Open Space 0 %

34.3 SUPPLEMENTARY PROVISIONS

a) Access
   No direct Street access is Permitted to Provincial Highway No. 21 from lands zoned Commercial - 15 (C15).

34.4 REGULATIONS FOR TRAVEL TRAILER CAMPGROUNDS

i) Minimum campsite area, including Parking Area: 232 square metres

ii) Maximum campsite Lot Coverage: 30%

iii) Each Campground site shall be used by no more than one Travel Trailer at any one time.

iv) Each Campground site may contain one patio, one picnic table, a fireplace and a waste receptacle.
v) Each Campground site shall be connected to communal water and sewage facilities, as well as hydro.

vi) Each Campground site shall have direct access to an internal Street.

vii) Planting Strips shall be established where the Campground abuts a Street Allowance.

viii) Two Parking Spaces shall be provided at each Campground site.

ix) Maximum Recreational Vehicle, Cabin or Park Model Unit Size: 100 sq. m.

(B/L 29/05)
SECTION 35 - COMMERCIAL 16 (C16) ZONE

35.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial – 16 (C16) Zone except for one or more of the following Uses:

a) Active Recreation
   Ambulance Dispatch Establishment
   Assembly Hall
   Bank
   Clinic
   Commercial Club
   Commercial Recreation Establishment
   Dry Cleaning Establishment
   Farmer’s Market
   Funeral Home
   Gas Bar
   Laundromat
   Office
   Motor Vehicle Repair Establishment
   Motor Vehicle Sales Establishment
   Motor Vehicle Service Establishment
   Motor Vehicle Washing Establishment
   Parking Lot
   Personal Service Establishment
   Private Club
   Restaurant
   Restaurant Drive-In
   Restaurant Drive through Service Facility
   Restaurant Fast Food
   Retail Store
   Service and Repair Shop
   Veterinary Establishment

b) Dwelling Unit above a Permitted Use

c) Buildings, Structures and Uses Accessory to a Permitted Use
35.2 SITE PROVISIONS

a) Minimum Lot Area 650 sq. m
b) Minimum Lot Frontage 18 m.
c) Minimum Front Yard Setback 6 m.
d) Minimum Interior Side Yard Setback 1.2 m.
e) Minimum Exterior Side Yard Setback 3 m.
f) Minimum Rear Yard Setback 7 m.
g) Maximum Building Height 10 m.
h) Maximum Lot Coverage 50 %
i) Minimum Landscaped Open Space 10 %
j) Minimum Dwelling Unit Area 50 sq. m

35.3 SUPPLEMENTARY PROVISIONS

a) Minimum gross leasable floor area for a Retail Store shall be no less than 20 square metres.
b) A planting strip a minimum width of 6 metres shall be provided where:
   i) lot abuts a Street Line; and/or
   iii) A lot line abuts a 0.3 metre reserve which abuts a street line

35.4 REGULATIONS FOR MOTOR VEHICLE SERVICE ESTABLISHMENTS

Notwithstanding any other previous provisions of this By-law, where a Lot in the Commercial – 16 (C16) Zone is used for a Motor Vehicle Service Establishment, the following regulations shall apply:

<table>
<thead>
<tr>
<th>Interior Lot</th>
<th>Corner Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Minimum Lot Frontage</td>
<td>45.0 m</td>
</tr>
<tr>
<td>b) Minimum Lot Depth</td>
<td>40.0 m</td>
</tr>
<tr>
<td>c) No portion of any pump island on a service station shall be located closer than six (6.0) metres from the Street Line of any Street.</td>
<td></td>
</tr>
<tr>
<td>d) The minimum distance from the intersection of two Street Lines to the nearest ingress or egress ramp shall not be less than nine (9.0) metres, or in the case of the intersection of two arterial Streets, the minimum distance shall not be less than fifteen (15.0) metres.</td>
<td></td>
</tr>
<tr>
<td>e) The minimum distance from any portion of any ingress or egress ramp to any Interior Side Lot Line which abuts any other Lot shall not be less than three (3.0) metres.</td>
<td></td>
</tr>
</tbody>
</table>
f) The width of any ingress or egress ramp along any Street Line shall not be more than nine (9.0) metres or less than seven and one-half (7.5) metres.

g) The minimum distance between ramps shall not be less than nine (9.0) metres.

h) The minimum interior angle of any ramp to the Street Line shall be greater than sixty degrees (60°).

i) All parts of the ingress and egress ramps shall be maintained with a cement or asphaltic binder or any other type of permanent surfacing to prevent the raising of dust or loose particles.

j) Land which is not used for Buildings, ramps or paving shall be Landscaped in lawn, trees or shrubs and maintained in a healthy growing condition and neat and clean in appearance.

35.5 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard C16 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 35.1 and/or the regulations of Section 35.2 and Section 35.3 shall apply.

a) Exception 1 to the Commercial – 16 Zone

Notwithstanding any provisions of this section, a Church, Nursing Home and Library will also be Permitted on lands Zoned Commercial 16.1 (C16-1) on Schedule “A” to this By-law.

Further, notwithstanding the definition of “Clinic” the overnight accommodation of dementia patients is permitted. (By-law 46 of 2012)
SECTION 36 - COMMERCIAL 17 (C17) ZONE

36.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial – 17 (C17) Zone except for one or more of the following Uses:

a) Building or Contracting Establishment
   Commercial Storage
   Motor Vehicle Repair Establishment
   Open Storage
   Truck Transport Terminal
b) Dwelling Unit which is structurally combined with a permitted commercial use
c) Buildings, Structures and Uses Accessory to a Permitted Use

36.2 SITE PROVISIONS

a) Minimum Lot Area 1400 sq. m
b) Minimum Lot Frontage 22 m.
c) Minimum Front Yard Setback 9 m.
d) Minimum Interior Side Yard Setback 4.5 m.
e) Minimum Exterior Side Yard Setback 4.5 m.
f) Minimum Rear Yard Setback 9 m.
g) Maximum Building Height 10 m.
h) Maximum Lot Coverage 50 %
SECTION 37 - COMMERCIAL 18 (C18) ZONE

37.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Commercial – 18 (C18) Zone except for one or more of the following Uses:

a) Accessory Single Detached Dwelling
   Motor Vehicle Sales Establishment
   Motor Vehicle Wrecking Establishment
b) Buildings, Structures and Uses Accessory to a Permitted Use

37.2 SITE PROVISIONS

a) Minimum Lot Area 1400 sq. m
b) Minimum Lot Frontage 22 m.
c) Minimum Front Yard Setback 15 m.
d) Minimum Interior Side Yard Setback 10 m.
e) Minimum Exterior Side Yard Setback 10 m.
f) Minimum Rear Yard Setback 10 m.
g) Maximum Building Height 10 m.
h) Maximum Lot Coverage 35 %

37.3 SPECIAL PROVISIONS

a) Open Storage & Display:
   No open storage or wrecked vehicles or vehicle parts will be permitted in the front, or side yards. For open storage purposes, the rear yard setback shall be 3 metres. The display of motor vehicles for sale will be permitted in the front yard.

b) Location of Wrecking Area:
   No wrecking or dismantling of vehicles shall take place except within a fenced area.
SECTION 38 – MIXED COMMERCIAL INDUSTRIAL - 1 (CM1) ZONE

38.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Mixed Commercial Industrial – 1 (CM1) Zone except for one or more of the following Uses:

a) Animal Hospital
   Agricultural Supply Establishment
   Building Supply Establishment
   Bulk Sales Establishment
   Bulk Fuel Depot
   Commercial Storage
   Building or Contracting Establishment
   Farm Implement Sales Establishment
   Farm Produce Processing Establishment
   Garden Supply Centre
   Home Decorating Centre
   Gasoline Retail Facility
   Golf Driving Tee or Range
   Grain Elevator
   Kennel
   Light Industrial Use
   Lumber Yard
   Motor Vehicle Sales Establishment
   Motor Vehicle Service Establishment
   Motor Vehicle Washing Establishment
   Restaurant Drive-In
   Retail Warehouse
   Service and Repair Shop
   Travel Trailer Sales Establishment
   Truck Transport Terminal
   Tourist Centre
   Warehouse

b) Buildings, Structures and Uses Accessory to a Permitted Use
38.2 SITE PROVISIONS

a) Minimum Lot Area  
   2,500 sq. m

b) Minimum Lot Frontage  
   30 m.

c) Minimum Front Yard Setback  
   30 m.

d) Minimum Interior Side Yard Setback  
   30 m. see Supplementary Provisions

e) Minimum Exterior Side Yard Setback  
   10 m.

f) Minimum Rear Yard Setback  
   10 m.

g) Maximum Building Height  
   12 m.

h) Maximum Lot Coverage  
   30 %

i) Minimum Landscaped Open Space  
   10 %

38.3 SUPPLEMENTARY PROVISIONS

a) Rear Yard Setback

Notwithstanding any other provisions of this By-law, where a Mixed Commercial Industrial - 1 (CM1) Zone abuts a Residential Zone, Open Space Zone, Future Development Zone or existing residential use, the minimum Rear Yard Setback shall be 15 m.

b) Minimum Side Yard Setback

Notwithstanding any other previous provisions of this By-law, the Minimum Side Yard Setback shall be 10 m. where a Side Lot Line of a property in the Mixed Commercial Industrial - 1 (CM1) Zone abuts a Residential (R) Zone.

c) Minimum Rear Yard Setback

Notwithstanding any other previous provisions of this By-law, the Minimum Rear Yard Setback shall be 10 m. where the Rear Lot Line of a property in the Mixed Commercial Industrial - 1 (CM1) Zone abuts a Residential (R) Zone.

d) Motor Vehicle Service Establishment

Notwithstanding any other previous provisions of this By-law, where a Lot in the Mixed Commercial Industrial – 1 (CM1) is used for a Motor Vehicle Service Establishment, the regulations of 21.3 of this By-law shall apply.
38.4 SPECIAL PROVISIONS

a) EXCEPTION 1 TO THE MIXED COMMERCIAL INDUSTRIAL – 1 (CM1) ZONE (83/05)

Notwithstanding any other provisions of this By-law to the contrary, a Retail Food Store is permitted on lands located within the Mixed Commercial Industrial 1.1 (CM1-1) Zone, subject to the following provisions:

i) For the purpose of the Mixed Commercial Industrial 1.1 Zone (CM1-1) a Retail Food Store is defined as follows:

“RETAIL FOOD STORE” means a Building used primarily for the sale of food products and which specifically excludes the sale of specialty products as a principle use and does not include a dry cleaning establishment or depot, a personal service establishment, a pharmacy or a florist shop.
SECTION 39 – MIXED COMMERCIAL INDUSTRIAL - 2 (CM2) ZONE

39.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Mixed Commercial Industrial – 2 (CM2) Zone except for one or more of the following Uses:

a) Concrete Batching Plant;
   Open Storage associated with a Concrete Batching Plant;
   Manufacturing activities related with a Concrete Batching Plant;
b) Buildings, Structures and Uses Accessory to the Permitted Uses

39.2 SITE PROVISIONS

a) Minimum Lot Area 10,000 sq. m
b) Minimum Lot Frontage 30 m.
c) Minimum Front Yard Setback 20 m.
d) Minimum Interior Side Yard Setback 10 m.
e) Minimum Exterior Side Yard Setback 10 m.
f) Minimum Rear Yard Setback 10 m.
g) Maximum Building Height 12 m.
h) Maximum Lot Coverage 50 %
i) Minimum Landscaped Open Space 10 %

39.3 SUPPLEMENTARY PROVISIONS

a) Setback for Stockpiles

Notwithstanding any other provision of this By-law to the contrary, stockpiles of aggregate materials used in the production of concrete may be Permitted in any Yard provided they meet all of the Setbacks required in this Zone.

b) Width of Driveways

Notwithstanding any other provision of this By-law to the contrary, driveways serving Uses in this Zone are Permitted to be a maximum width of 37 metres.
SECTION 40 - INDUSTRIAL – 1 (M1) ZONE

40.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Industrial –1 (M1) Zone except for one or more of the following Uses:

a) Auction Hall
   An Office in the existing building on lands known as 42 Broadway Street, Forest
   Commercial Recreation Establishment
   Building or Contracting Establishment
   Commercial Storage
   Dry Cleaning Depot
   Dry Cleaning Establishment
   Grain Elevator
   Industrial Use
   Light Industrial Use
   Motor Vehicle Repair Establishment,
   Motor Vehicle Washing Establishment
   Motor Vehicle Service Establishment
   Public Garage
   Parking Lot
   Repair and Rental Establishment
   Service Trade
   Truck Transport Terminal
   Warehouse
   Wholesale Establishment
b) One (1) Accessory Dwelling designed for, intended for or used by an employee or owner of a Permitted Use
c) Buildings, Structures and Uses Accessory to a Permitted Use

40.2 SITE PROVISIONS

a) Minimum Lot Area 2,500 sq. m
b) Minimum Lot Frontage 50 m.
c) Minimum Front Yard Setback 8 m.
d) Minimum Interior Side Yard Setback 4.5 m.
e) Minimum Exterior Side Yard Setback 8 m.
f) Minimum Rear Yard Setback 4.5 m.
g) Maximum Building Height 12 m.
h) Maximum Lot Coverage 60 %
i) Minimum Landscaped Open Space 10 %
40.3 SUPPLEMENTARY PROVISIONS

a) Yards Abutting a Railway Right-of-way

Notwithstanding any other provisions of this By-law, where a General Industrial –1 (M1) Zone abuts a railway Right-of-Way, no Yard shall be required.

b) Yards Abutting a Residential Zone

Where an Interior Side Lot Line or Rear Lot Line abuts a Residential (R) Zone, one of the following requirements shall be met:

i) the land adjoining such abutting Lot Line shall be used for no purpose other than a Planting Strip having a minimum width of 1.5 metres measured perpendicularly to the Lot Line abutting such Planting Strip and a minimum Height of 1.5 metres; or

ii) a privacy fence having a minimum Height of 1.8 metres shall be erected and maintained along said Lot Line.

iii) The buffering required in a) above shall be erected for a minimum depth of 40 metres, which shall be measured perpendicularly from the Front Lot Line.
SECTION 41 - EXTRACTIVE INDUSTRIAL – 2 (M2) ZONE

41.1 PERMITTED USES
No land, Building, or Structure shall be used or erected in the Extractive Industrial – 2 (M2) Zone except for one or more of the following Uses:

a) Extractive Use
   Agriculture
   Forestry
   Conservation
b) Buildings, Structures and Uses Accessory to a Permitted Use

41.2 SITE PROVISIONS

a) Minimum Lot Area
b) Minimum Lot Frontage
   n/a

c) Minimum setback
   i) Where any Yard abuts a site boundary 15 m.
   ii) Where any Yard abuts a highway, land used for residential purposes or land restricted to residential use by a zoning by-law 30 m.
   iii) Where any Yard abuts a property Used for the same purpose 0 m.

d) Maximum Building Height 12 m.

41.3 SUPPLEMENTARY PROVISIONS

a) Extractive Accessory Use
With the exception of earth berms that are intended to screen adjoining lands from the operations of the site, there shall be no buildings, structures or piled aggregate, topsoil or subsoil or overburden within:
   a) 30 m. of the site boundary;
   b) 90 m. of any part of the boundary that abuts land used for residential purposes or land restricted to residential use in this Zoning By-law;
   c) 0 m. of any part of the boundary if the adjoining property is being used for the same purpose.
SECTION 42 – INSTITUTIONAL - 1 (I1) ZONE

42.1 PERMITTED USES
No land, Building, or Structure shall be used or erected in the Institutional - 1 (I1) Zone except for one or more of the following Uses:

a) Cemetery
   Church
   Day Nursery
   Institutional Use
   Nursing Home or Rest Home
   School

b) Buildings, Structures and Uses Accessory to a Permitted Use

42.2 SITE PROVISIONS

a) Minimum Lot Area 500 sq. m
b) Minimum Lot Frontage 18 m.
c) Minimum Front Yard Setback 6 m.
d) Minimum Interior Side Yard Setback 6 m.
e) Minimum Exterior Side Yard Setback 6 m.
f) Minimum Rear Yard Setback 6 m.
g) Maximum Building Height 12 m.
h) Maximum Lot Coverage 50 %
i) Minimum Landscaped Open Space 10 %

42.3 SUPPLEMENTARY PROVISIONS

a) Yards Abutting a Residential 1 (R1) Zone
Where the Institutional – 1 (I1) Zone abuts the Residential 1 (R1) Zone, a Planting Strip shall be provided adjacent to and inside the “I1” Zone boundary along the Side and Rear Lot Lines, having a minimum width of one and one-half (1.5) metres, in compliance with the regulations of Section 4.20.

42.4 SPECIAL PROVISIONS
The following Zones apply to unique or existing situations and are not the standard I1 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 42.1 and/or the regulations of Section 42.2 shall apply.
(a) Exception 1 to the Institutional – 1.1 Zone (I1-1)

Notwithstanding any provisions of this section, a Private Club shall be permitted on the lands Zoned Institutional – 1.1 (I1-1) on Schedule “A” to this By-law.

(b) Exception 2 to the Institutional – 1.1 Zone (I1-2) (B/L 35/2003)

Notwithstanding any other provisions of this section, the following applies to lands Zoned Institutional – I-2 (I1-2) on Schedule A-9 to this By-law:

Minimum Interior Side Yard Setback: 1.2 m

(c) Exception 3 to the Institutional – 1.1 Zone (I1-3) (B/L 24/2005)

Notwithstanding any other provisions of this By-law to the contrary, the only use shall be permitted on lands zoned Institutional 1.3 (I-3) on Schedule “A” to this By-law, shall be a cemetery, subject to the site provisions of Section 42.2.

(d) Exception 4 to the Institutional – 1.1 Zone (I1-4) (B/L 75/2005)

Notwithstanding any other provisions of this By-law to the contrary, the only use permitted on lands known as 8324 Glendale Road and located within the Institutional 1.4 (I1-4) Zone shall be an Institutional Use, subject to the following provisions:

(a) Lot Area (minimum): 8 hectares

(b) Lot Frontage (minimum): 45 metres

(c) All other provisions are subject to Section 42.2

(e) Exception 5 to the Institutional – 1.1 Zone (I1-4) (B/L 92/2007)

Notwithstanding any other provisions of this By-law to the contrary, the only use permitted on lands zoned Institutional 1.5 (I1-5) on Schedule “A-9” to this By-law, shall be a cemetery, subject to the site provisions of Section 42.2.
SECTION 43 - INSTITUTIONAL – 2 (I2) ZONE

43.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Institutional - 2 (I2) Zone except for one or more of the following Uses:

a) Active Recreation
   Assembly Hall
   Cemetery
   Church
   Clinic
   Day Nursery
   Home for the Aged
   Institutional Uses
   Library
   Nursing Home
   Private Club
   School

b) Buildings, Structures and Uses Accessory to a Permitted Use

43.2 SITE PROVISIONS

   a) Minimum Lot Area                                      500 sq. m
   b) Minimum Lot Frontage                                   15 m.
   c) Minimum Front Yard Setback                             6 m.
   d) Minimum Interior Side Yard Setback                     3 m.
   e) Minimum Exterior Side Yard Setback                     3 m.
   f) Minimum Rear Yard Setback                              6 m.
   g) Maximum Building Height                                12 m.
   h) Maximum Lot Coverage                                    50 %
   i) Minimum Landscaped Open Space                           10 %

43.3 SUPPLEMENTARY PROVISIONS

a) Yards Abutting a Residential 1 (R1) Zone

Where the Institutional - 2 (I2) Zone abuts the Residential 1 (R1) Zone, a Planting Strip shall be provided adjacent to and inside the "I2" Zone boundary along the Side and Rear Lot Lines, having a minimum width of one and one-half (1.5) metres, in compliance with the regulations of Section 4.20.
SECTION 44 - OPEN SPACE - 1 (OS1) ZONE REGULATIONS

44.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Open Space - 1 (OS1) Zone except for one or more of the following Uses:

a) Conservation
   Forestry
   Passive Recreation
   Public Park
b) Buildings, Structures and Uses Accessory to a Permitted Use

44.2 SITE PROVISIONS

a) Minimum Lot Area 500 sq. m
b) Minimum Lot Frontage 16 m.
c) Minimum Front Yard Setback 6 m.
d) Minimum Interior Side Yard Setback 6 m.
e) Minimum Exterior Side Yard Setback 6 m.
f) Minimum Rear Yard Setback 6 m.
g) Maximum Building Height 10.5 m.
h) Maximum Lot Coverage 5 %
i) Minimum Landscaped Open Space n/a

(a) Exception 1 to the Open Space – 1 Zone (OS-1.1)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Open Space -.1 (OS1-1) on Schedule “A-4” to this By-law known municipally as part of 9763 Port Franks Road, the following regulations shall apply:

i) A miniature golf course and a golf teaching facility shall be additional permitted uses.

ii) Notwithstanding Section 44.2, the minimum lot frontage shall be 8.9 metres.
SECTION 45- OPEN SPACE - 2 (OS2) ZONE REGULATIONS

45.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Open Space - 2 (OS2) Zone except for one or more of the following Uses:

a) Active Recreation
   Campground
   Fairground
   Forestry
   Golf Course
   Golf Driving Tee or Range
   Public Park
   Private Park

b) Accessory Uses Excluding Buildings and Structures

45.2 SITE PROVISIONS

a) Minimum Lot Area
   5,000 sq. m

b) Minimum Lot Frontage
   30 m.

c) Minimum Front Yard Setback
   6 m.

d) Minimum Interior Side Yard Setback
   6 m.

e) Minimum Exterior Side Yard Setback
   6 m.

f) Minimum Rear Yard Setback
   6 m.

g) Maximum Building Height
   10.5 m.

h) Maximum Lot Coverage
   5 %

i) Minimum Landscaped Open Space
   n/a

j) Maximum Recreational Vehicle, Cabin or Park Model Unit Size (B/L 29/05)
   100 sq. m.

45.3 SPECIAL PROVISIONS (B/L 15/2006 – OMB Attachment 1)

The following Zones apply to unique or existing situations and are not the standard Open Space 2 (OS2) zone uses or regulations. If a regulation or use is not specific, the list of Permitted Uses in Section 45.1 and/or the regulations in Section 45.2 shall apply.

(a) Exception 1 to the Open Space – 2 Zone (OS-2.1)

Notwithstanding any other provisions of this By-law to the contrary, lands zoned Open Space – 2.1 (OS2.1) on Schedule “A” to this By-law may be used only for the following uses:
i) Golf Course in compliance with Section 45.2  
ii) Stormwater Management Facilities  
iii) Sanitary Pump Stations  
iv) Forestry  
v) Public Park  
vi) Buildings, Structures and Uses Accessory to a Permitted Use in compliance with Section 45.2.

(b) Exception 2 to the Open Space – 2 Zone (OS-2.2) (B/L 27/2006)

Notwithstanding any other provisions of this By-law to the contrary, lands zoned Open Space 2.2 (OS2.2) on Schedule “A” to this By-law may be used only for Stormwater Management Facilities and Buildings, Structure and Uses Accessory thereto.

(c) Exception 3 to the Open Space – 2 Zone (OS2-3) (B/L 18 of 2011)

Notwithstanding any other provisions of this By-law, lands zoned Open Space – 2.3 (OS2-3) on Schedule “A-8” to this By-law, may be used for a municipal storm water management facility, a municipal pump station and a public park.

(d) Exception 4 to the Open Space – 2 Zone (OS2-4) (B/L 114 of 2017)

Notwithstanding any other provisions of this By-law to the contrary, lands zoned Open Space 2.4 (OS2-4) on Schedule “A-9) to the By-law and known as 7297 Arkona Road, may be used only as a Private Park or a Public Park, including Buildings, Structures and Uses Accessory thereto, subject to a Record of Site Condition being registered in the Environmental Site Registry prior to any Private Park or Public Park being established on the lands.
SECTION 46 - ENVIRONMENTAL PROTECTION – WETLAND (EP-WET) ZONE

46.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Environmental Protection -Wetland (EP-WET) Zone except for one or more of the following Uses:

a) Agriculture, Exclusive of Buildings and Structures
   Passive Recreation, Exclusive of Buildings and Structures
   Conservation, Exclusive of Buildings and Structures

46.2 SITE PROVISIONS

a) Minimum Lot Area 0 sq. m
b) Minimum Lot Frontage 0 m.
SECTION 47 - ENVIRONMENTAL PROTECTION - WOODLOT (EP-WD) ZONE

47.1 PERMITTED USES

No land, building, or structure shall be used or erected in the Environmental Protection Woodlot (EP-WD) Zone except for one or more of the following uses:

a) Agriculture, exclusive of buildings and structures
   Active Recreation, exclusive of buildings and structures
   Passive Recreation, exclusive of buildings and structures
   Conservation, exclusive of buildings and structures

47.2 SITE PROVISIONS

a) Minimum Lot Area 0 sq. m
b) Minimum Lot Frontage 0 m.

47.3 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard EP-WD Zone. If a regulation or use is not specified, the list of permitted uses in Section 47.1 and/or the regulations in Section 47.2 shall apply.

a) Exception 1 to the Environmental Protection – Hazard (EP-WD-1)

Notwithstanding any provisions of this section, a building or contracting establishment and a single detached dwelling shall be permitted on the lands zoned Environmental Protection – Woodlot (EP-WD-1) on Schedule “A” to this By-law.
SECTION 48 - ENVIRONMENTAL PROTECTION - HAZARD (EP-H) ZONE

48.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Environmental Protection - Hazard (EP-H) Zone except for one or more of the following Uses:

a) Agriculture, exclusive of Buildings and Structures
   - Active Recreation, exclusive of Buildings and Structures
   - Passive Recreation, exclusive of Buildings and Structures
b) Buildings and Structures required for the safety of persons living in or adjacent to the Environmental Protection - Hazard (EP-H) Zone.
c) Marine Facilities

48.2 SITE PROVISIONS

a) Minimum Lot Area 0 sq. m
b) Minimum Lot Frontage 0 m.
c) Maximum Building Height 0 m.

48.3 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard EP-NC Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 48.1 and/or the regulations of Section 48.2 shall apply.

a) Exception 1 to the Environmental Protection –Hazard (EP-H1)

Notwithstanding any provisions of this section, a Golf Course, Active Recreation, Marina, Marine Facilities, and a Commercial Club or community centre shall be Permitted on the lands Zoned Environmental Protection–Hazard 1 (EP-H1) on Schedule “A” to this By-law.
48.4 - ENVIRONMENTAL PROTECTION – HAZARD 2 (EP-H2) ZONE (B/85/07 OMB Ruling)

48.4.1 PERMITTED USES

a) Conservation, exclusive of buildings and structures
b) Passive Recreation, exclusive of buildings and structures
c) Structures owned by a public agency, which are required to mitigate flood and erosion hazards
d) Marine Facility

48.4.2 SPECIAL PROVISIONS

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Environmental Protection – Hazard 2 (EP-H2) on Schedule “A-3” to this By-law, existing legal nonconforming dwellings:

(a) are permitted to expand provided that the regulations which apply to the Residential 5.3 (R5-3) Zone are met; and

(b) may only be replaced, strengthened or restored to a safe condition in compliance with Section. 3.5 of this By-law if the dwelling is destroyed by fire or other natural causes not associated with erosion or flooding.

b) Exception 3 to the Environmental Protection –Hazard (EP-H3) (B/L 24/2008)

Notwithstanding any provisions of this section a cantilevered second floor balcony associated with a townhouse dwelling unit in the Residential 16 (R16) Zone may project into the Environmental Protection – Hazard 3 Zone a maximum of 1.8 metres. This provision applies only to the east three dwelling units permitted in the Residential 16 (R16) Zone.
SECTION 49 - ENVIRONMENTAL PROTECTION – NATURAL CONSERVATION (EP-NC) ZONE

49.1 PERMITTED USES
No land, Building, or Structure shall be used or erected in the Environmental Protection – Natural Conservation (EP-NC) Zone except for one or more of the following Uses:

a) Conservation

49.2 PROHIBITED USES

a) the erection of any Buildings or Structures including fences, with the exception of a page wire fence

49.3 SUPPLEMENTARY PROVISIONS

a) Lot Area, Lot Frontage and Setbacks

i) When a Lot is divided into more than one Zone and part of the Lot is Zoned EP-NC, the portion of the Lot Zoned EP-NC may be used for calculating any required minimum Lot Area and Frontage.

ii) The depth of the EP-NC Zone abutting Highway 21 shall be 23 metres from the widened limit of Highway 21. (B/L 77/04)

b) Tree Removal

i) No trees or vegetation may be removed or cleared, and no other alterations of any kind will be permitted within the area Zoned EP-NC without the written permission of the Municipality.

49.4 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard EP-NC Zone. If a regulation or Use is not specified the list of Permitted Uses in Section 49.1 shall apply.

a) Exception 1 to the Environmental Protection – Natural Conservation Zone (EP-NC1)

Notwithstanding any provisions of this section, a walkway shall be Permitted on the lands Zoned Environmental Protection – Natural Conservation 1 (EP-NC1) on Schedule “A” to this By-law.

b) Exception 2 to the Environmental Protection – Natural Conservation Zone (EP-NC2)

Notwithstanding any provisions of this section, a single detached dwelling shall be Permitted in accordance with the regulations in Section 12.2 on the lands Zoned Environmental Protection – Natural Conservation 2 (EP-NC2) on Schedule “A-5” to this By-law.

c) Exception 3 to the Environmental Protection – Natural Conservation Zone (EP-NC3) (B/L 66 of 2004)

i) Notwithstanding any other provisions of this section, a single detached dwelling shall be permitted in accordance with all of the provisions of an Environmental Evaluation prepared by...
the Ausable-Bayfield Conservation Authority on lands zoned Environmental Protection – Natural Conservation 3 (EP-NC3) on Schedule A-5 to this By-law

ii) Despite the provisions of Section 3.9.1 of this By-law, the single detached dwelling shall be permitted in the EP-NC3 Zone on a lot without street frontage only if the municipality is satisfied that the lot has adequate access to West Ipperwash Road.

d) Exception 4 to the Environmental Protection – Natural Conservation Zone (EP-NC4)  (B/L 25 of 2006)

Notwithstanding any other provisions of this By-law to the contrary, the width of the Environmental Protection – Natural Conservation 4 (EP-NC4) zone shall be 16 metres from the widened limit of Highway 21.

e) Exception 5 to the Environmental Protection – Natural Conservation Zone (EP-NC5)  (B/L 76 of 2007)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Environmental Protection – Natural Conservation 5 (EP-NC5) on Schedule “A-1” to this By-law, the following provision shall only apply:

a) Permitted Uses
   i) Conservation
   ii) A private dock accessory to a single detached dwelling on the same lot which is parallel to the river bank, subject to the written approval being obtained from the Ausable Bayfield Conservation Authority and the Municipality.
   iii) Low level storm water management facilities, subject to written approval being obtained from the Ausable Bayfield Conservation Authority and the Municipality.

b) Prohibited Uses
   i) The erection of any Building or Structure, including fences, but excluding stairs, subject to the written approval being obtained from the Ausable Bayfield Conservation Authority and the Municipality.
   ii) Any alteration to the topography of the lands or the removal of any vegetation or trees, except as it is necessary for low level storm water management facilities, subject to written approval being obtained from the Ausable Bayfield Conservation Authority and the Municipality.

c) Supplementary Provisions
   i) When a lot is divided into more than one Zone and part of the lot is zoned EP-NC, the portion of the lot zoned EP-NC may be used for calculating any required minimum Lot Area and Frontage.
SECTION 50 - ENVIRONMENTAL PROTECTION – PORT FRANKS (EP-PF) ZONE

50.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Environmental Protection – Port Franks (EP-PF) Zone except for one or more of the following Uses:

a) Conservation
   Marine Facility
   Passive Recreation
b) Accessory Uses Excluding Buildings and Structures

50.2 PROHIBITED USES

a) the placing or removal of fill, except in accordance with the regulations of the Conservation Authority having jurisdiction;
b) the erection of Buildings or Structures except:
   i) those Permitted in Section 45.1.
   ii) those required for flood or erosion control purposes;
   iii) Road bridges;

50.3 SPECIAL PROVISIONS

The following Zones apply to unique or existing situations and are not the standard EP-PF Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 50.1 shall apply.

(a) Exception 1 to the Environmental Protection – Port Franks Zone (EP-PF1)

Notwithstanding any provisions of this section, pedestrian bridges Accessory to a Golf Course shall be Permitted on lands Zoned Environmental Protection – Port Franks – 1 (EP-PF1) on Schedule “A” to this By-law, provided that such bridges are approved by the Conservation Authority.
SECTION 51 – LAKESHORE (LS) ZONE

51.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Lakeshore Zone (LS) except for one or more of the following Uses:

a) Conservation
   - Existing Parking Area
   - Marine Facility
   - Park
   - Passive Recreation
b) Buildings, Structures and Uses Accessory to a Permitted Use

51.2 PROHIBITED USES

a) Within the Defined Portion of the Dynamic Beach area, as shown in Schedule A, no Building may be erected.

b) Within the Defined Portion of the Dynamic Beach area as shown in Schedule A, only the following Structures may be erected:
   i) Stairs with a maximum width of 1.2 m.;
   ii) Landing connected to stairs for purposes of breaking grading, and which are less than 9 m²;
   iii) Decks are Permitted subject to a 3 m. Setback from the Top-of-Bank.

c) Within the Defined Portion of the Dynamic Beach area as shown in Schedule A, no site alteration is Permitted:

51.3 SITE PROVISIONS

a) Maximum Building Height 8 m
SECTION 52 – HARBOUR (HB) ZONE

52.1 PERMITTED USES

No land, Building, or Structure shall be used or erected in the Harbour (HB) Zone except for one or more of the following Uses:

a) Boating Club
   Commercial Club
   Fishery
   Marina
   Marine Facility
   Park
   Private Club
   Restaurant
   Retail Store
b) Existing Buildings, Structures Accessory to a Permitted Use, Accessory Uses

52.2 PROHIBITED USES

a) The placing or removal of fill.

b) The erection of new Buildings or Structures, or the expansion of Existing Buildings or Structures except for those required for flood control erosion control purposes.

c) Dwelling Unit

52.3 SITE PROVISIONS

a) Minimum Lot Area 300 sq. m
b) Minimum Lot Frontage 12 m.
c) Minimum Front Yard Setback 4.5 m.
d) Minimum Interior Side Yard Setback 1.2 m.
e) Minimum Exterior Side Yard Setback 1.2 m.
f) Minimum Rear Yard Setback 5 m.
g) Maximum Building Height 8 m.
h) Maximum Lot Coverage 35 %
i) Minimum Landscaped Open Space n/a
SECTION 53 – FUTURE DEVELOPMENT (FD) ZONE

53.1 PERMITTED USES

a) any Use in lawful existence at the time of passing of this By-law shall be a Permitted Use or such Lot, so long as such Lot continues to be used for such purpose;

b) Buildings, Structures and Uses accessory to a Permitted Use

53.2 SITE REGULATIONS

a) Minimum Lot Area
   Existing Lot Area

b) Minimum Lot Coverage
   Existing Lot Frontage

c) Minimum Front Yard Setback
   7 m

d) Minimum Side Yard Setback
   i) Interior Side Yard
      3 m
   ii) Exterior Side Yard
      7 m

e) Minimum Rear Yard Setback
   7 m

f) Maximum Lot Coverage
   10%

53.3 BUILDING REGULATIONS

a) Maximum Building Height
   11 m

53.4 SPECIAL PROVISIONS

a) When any portion of a Lot zoned FD is rezoned, the remaining portion shall be considered as an existing Lot in compliance with Section 53.2 a) and b) of this By-Law.
SECTION 54 - ADOPTION

This By-law read a first time this ____ day of ____________________ 2003.
This By-law read a second time this ____ day of ____________________ 2003.
This By-law read a third time and finally passed this 3rd day of February 2003.

SIGNED:

___________________________________
Mayor, Cam Ivey

___________________________________
Clerk, Carol McKenzie

************

I hereby certify that the foregoing is a true copy of By-law No. 1 of 2003 as enacted by the Council of the Corporation of the Municipality of Lambton Shores on the 3rd day of February, 2003.

Signed:

___________________________________
Clerk, Carol McKenzie
APPENDIX A - MINIMUM DISTANCE SEPARATION 1 (MDS I) FORMULAE

1.0 MINIMUM DISTANCE SEPARATION 1 (MDS I) CALCULATION FORM

ASSESSMENT OF THE LIVESTOCK FACILITY
To calculate Livestock Units, complete Step 1 based on information in Table 1 below.

STEP 1. TOTAL LIVESTOCK UNITS

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>TYPE OF LIVESTOCK</td>
<td>HOUSING CAPACITY</td>
<td>NUMBER OF ANIMALS PER LIVESTOCK UNIT (From Table 1)</td>
<td>NUMBER OF LIVESTOCK UNITS (Col. 2/Col.3)</td>
</tr>
</tbody>
</table>

(A) = TOTAL LIVESTOCK UNITS (sum of Column 4) (A)

If there are more than 300 livestock units, reference must be made to a full set of tables available from the Ontario Ministry of Agriculture, Food and Rural Affairs

TABLE 1. ANIMAL GROUPS

<table>
<thead>
<tr>
<th>ANIMAL GROUP 1</th>
<th>ANIMAL GROUP 2</th>
<th>ANIMAL GROUP 3</th>
<th>ANIMAL GROUP 4</th>
<th>ANIMAL GROUP 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Livestock Unit equals</td>
<td>1 Livestock Unit equals</td>
<td>1 Livestock Unit equals</td>
<td>1 Livestock Unit equals</td>
<td>1 Livestock Unit equals</td>
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<tr>
<td>200...Chicken Broilers</td>
<td>4....Adult Sheep</td>
<td>1....Beef Cow</td>
<td>80....Adult Mink</td>
<td>4....Feeder Hogs</td>
</tr>
<tr>
<td>1....Horse</td>
<td>1....Beef Cow</td>
<td>2....Beef Feeder Yard/Barn</td>
<td>40....Adult Fox</td>
<td>5....Sows/Bours</td>
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<tr>
<td></td>
<td>10....Feeder Lambs</td>
<td>1....Dairy Cow</td>
<td>2....Dairy Heifer/Yard/Barn</td>
<td>125....Caged Layers</td>
</tr>
<tr>
<td></td>
<td>100....Ducks</td>
<td>4....Adult Goats</td>
<td>40....Adult Rabbits</td>
<td>75....Turkey Breeder Layers</td>
</tr>
<tr>
<td>5....Emu</td>
<td>4....Adult Goats</td>
<td>3....Red Veal &lt;300kg</td>
<td>125....Chicken Breeder Layers</td>
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<td>4....Feeder Goats</td>
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<tr>
<td>3....Ostrich</td>
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<td>500...Pullets</td>
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<td>50..Turkeys (&gt;10kg)</td>
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<td>75..Turkeys (5-10kg)</td>
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<td>100..Turkeys (&lt;5kg)</td>
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</tbody>
</table>

1 Includes calf to 150 kg, 2 Multiply the number of milking cows by 1.5 to account for dry cows, heifers and calves on the same farm, 3 Includes offspring until weaned, 4 Includes offspring to market size.

Select Animal Group 1 2 3 4 or 5, depending on type of animals on farm. If there are animals from different groups, select the highest group number. The group number is used when referring to Table 2.

STEP 2. LAND BASE ASSESSMENT (B)

Number of tillable hectares* on site __________ x 5 = __________ (B) Potential Livestock Units

*Maximum (B) is 150 Livestock Units

STEP 3.
Enter the GREATER OF (A) Total Livestock Units OR (B) Potential Livestock Units __________

Use this figure to enter Column 1 of Table 2.
### TABLE 2. MINIMUM DISTANCE SEPARATION FROM LIVESTOCK FACILITY

Read across appropriate line from Column 1 to respective Animal Group and Land Use Type. This number is the Minimum Distance Separation requirement in metres from a livestock facility.

<table>
<thead>
<tr>
<th>Greater of Livestock Units (A) or Potential Livestock Units (B)</th>
<th>Animal Group</th>
<th>Animal Group</th>
</tr>
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Continue to TABLE 3 (next page).
### MANURE STORAGE DISTANCE

<table>
<thead>
<tr>
<th>Distance for Livestock Facility from Table 2 (Step 4) (m)</th>
<th>Column 1 Covered Storage Systems (m)</th>
<th>Column 2 Open Solid and Runoff Storage Systems (m)</th>
<th>Column 3 Open Liquid Tank and Runoff Storage Systems (m)</th>
<th>Column 4 Earthen Liquid and Runoff Storage Systems (m)</th>
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<tbody>
<tr>
<td></td>
<td>Type “A” Land Use</td>
<td>Type “B” Land Use</td>
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</table>

**STEP 5** TABLE 3: MINIMUM DISTANCE SEPARATION FROM MANURE STORAGE

The following table is used to calculate MDS requirements in metres from manure storages associated with livestock facilities. Using the resulting MDS distance from Table 2, read across the appropriate line to Column 1, 2, 3 or 4. Select the distance under the appropriate Land Use Type.

This is the MINIMUM DISTANCE SEPARATION REQUIREMENT from the manure storage of a livestock facility for the establishment of a non-farm use.

- **Column 1**: Roofed or covered storages for manure, runoff, and milkhouse washwater. Includes any covered or roofed concrete, steel or earthen storages, in-barn solid manure packs, and storages under fully slatted floors.
- **Column 2**: Open solid manure pile on concrete slab. Includes the runoff storages (concrete or earthen) used for capturing seepage liquids from solid manure storage or runoff liquids from yards. If yards are scraped into runoff storage, use column 3 when runoff storage is a concrete or steel tank and column 4 when runoff storage is earthen. Milkhouse washwater may be added to runoff storage.
- **Column 3**: Open concrete or steel tanks used for storing liquid manure, milkhouse washwater, or yard runoff where yard is scraped into storage.
- **Column 4**: Open earth-sided or earth-sided storage with concrete floor to be used for storing liquid manure or yard runoff when yard is scraped into storage or milkhouse washwater.
## 2.0 MINIMUM DISTANCE SEPARATION II (MDS II) CALCULATION FORM

### Farm Name/Owner

<table>
<thead>
<tr>
<th>Type of Livestock/Poultry</th>
<th>Existing Barn Capacity</th>
<th>Livestock Units</th>
<th>Additional Barn Capacity</th>
<th>Livestock Units</th>
<th>Total Barn Capacity</th>
<th>Livestock Units</th>
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**Total 1**

<table>
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<th></th>
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<th><strong>Total 3</strong></th>
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</thead>
<tbody>
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</tbody>
</table>

**Calculation of Percentage Increase:**

\[
\text{Total 2} \rightarrow \left( \frac{\text{Total 1}}{\text{Factor A}} \times 100 \right) = \text{Factor B} \%
\]

**Factor A:** Livestock/poultry to be added, Table 1

**Factor B:** Total number of livestock units, Table 2

**Factor C:** Percentage increase, Table 3

**Factor D:** Type of manure system (Solid=0.7, Liquid=0.8)

### Building Base distance (A x B x C x D)

- Base Distance 'F':

### Manure Storage Base Distance Table 4

- Base Distance 'S':

### MINIMUM DISTANCE SEPARATION SUMMARY

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Col. 2</th>
<th>Col. 3</th>
<th>Col. 4</th>
<th>Col. 5</th>
<th>Col. 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighbouring land use or boundary</td>
<td>Factor</td>
<td>Distance &quot;F&quot; x Col. 2 (m)</td>
<td>Actual Distance (m)</td>
<td>Distance &quot;S&quot; x Col. 2 (m)</td>
<td>Actual Distance (m)</td>
</tr>
<tr>
<td>Nearest Neighbour's Dwelling</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Areas zoned or designated Agriculturally Related Commercial Use Passive Recreational or Industrial</td>
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<tr>
<td>Areas zoned or designated Residential, Institutional, Active Recreational, or Commercial, Urban Areas</td>
<td>2.0</td>
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<tr>
<td>Nearest Side or Rear Lot Line</td>
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<td>Nearest Road Allowance (Side or Front Lot Line)</td>
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</table>

### BUILDING: "F"

<table>
<thead>
<tr>
<th>Base Distance</th>
<th>[ ] metres</th>
</tr>
</thead>
</table>

### MANURE STORAGE: "S"

<table>
<thead>
<tr>
<th>Base Distance</th>
<th>[ ] metres</th>
</tr>
</thead>
</table>
## TABLE 1: FACTOR 'A' (Barn Odour Potentials), and Animals per Livestock Unit (based on housing capacity).

<table>
<thead>
<tr>
<th>Animals per Livestock Unit</th>
<th>Factor A:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BEEF</strong></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Beef Cow 1 (barn confinement) 0.7</td>
</tr>
<tr>
<td>2</td>
<td>Beef Feeder (barn confinement) 0.8</td>
</tr>
<tr>
<td><strong>CHICKEN</strong></td>
<td></td>
</tr>
<tr>
<td>125</td>
<td>Caged Layers (manure stored in barn) 1.0</td>
</tr>
<tr>
<td>125</td>
<td>Caged Layers (daily manure removal) 0.8</td>
</tr>
<tr>
<td>200</td>
<td>Chicken Broilers/Roasters 0.65</td>
</tr>
<tr>
<td>500</td>
<td>Pullets (replacement layers) 0.7</td>
</tr>
<tr>
<td><strong>DAIRY</strong></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Milking Cow 1 (tie-stall) 0.65</td>
</tr>
<tr>
<td>2</td>
<td>Dairy Heifer (tie-stall) 0.7</td>
</tr>
<tr>
<td>2</td>
<td>Dairy Heifer (barn confinement) 0.8</td>
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<tr>
<td><strong>DUCK</strong></td>
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</tr>
<tr>
<td>100</td>
<td>Ducks 0.7</td>
</tr>
<tr>
<td><strong>EMU</strong></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Emu 0.7</td>
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<tr>
<td><strong>FOX</strong></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>Adult Fox 1.1</td>
</tr>
<tr>
<td>10</td>
<td>Feeder Goats (&gt;20 kg) 0.7</td>
</tr>
<tr>
<td><strong>GOAT</strong></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Adult Goats 0.7</td>
</tr>
<tr>
<td>10</td>
<td>Feeder Goats (&gt;20 kg) 0.7</td>
</tr>
<tr>
<td><strong>HORSE</strong></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Horse 0.65</td>
</tr>
<tr>
<td><strong>MINN</strong></td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>Adult Mink 1.1</td>
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<tr>
<td><strong>OSTRICH</strong></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Ostrich 0.7</td>
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<tr>
<td><strong>RABBIT</strong></td>
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<td>40</td>
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<tr>
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<tr>
<td>4</td>
<td>Adult Sheep 0.7</td>
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<td>Feeder Lambs (&gt;20 kg) 0.7</td>
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<td>5</td>
<td>Sows/Boars 1.0</td>
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<tr>
<td>20</td>
<td>Weaners (4-30 kg) 1.0</td>
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<td>4</td>
<td>Feeder Hogs (30-120 kg) 1.0</td>
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<td><strong>TURKEY</strong></td>
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<tr>
<td>59</td>
<td>Meat Turkeys (&gt;10 kg) 0.7</td>
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<tr>
<td>75</td>
<td>Meat Turkeys (5-10 kg) 0.7</td>
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<tr>
<td>75</td>
<td>Turkey Breeder Layers 0.8</td>
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<tr>
<td>100</td>
<td>Meat Turkeys (&lt;5 kg) 0.7</td>
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<tr>
<td>500</td>
<td>Pullets (replacement breeders) 0.7</td>
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<td><strong>VEAL</strong></td>
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</tr>
<tr>
<td>6</td>
<td>White Veal 1.0</td>
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<tr>
<td>3</td>
<td>Red Veal (&lt;300 kg) 0.8</td>
</tr>
</tbody>
</table>

Notes: For all other animals/poultry use 1 livestock unit per 450 kg housed at one time (A=0.8).

1Includes calf to 150 kg.
2A dairy farm usually has milking cows, dry cows, heifers and calves. Multiply the number of milking cows by 1.5 to account for the followers when they are all kept on the same farm.
3Includes offspring until weaned.
4Includes breeding to market size.
5Multiply number of sows by 2.4 to determine the number of weaners.
### TABLE 2: FACTOR ‘B’ (Final Livestock Units).

<table>
<thead>
<tr>
<th>Livestock Units</th>
<th>Factor B</th>
<th>Livestock Units</th>
<th>Factor B</th>
<th>Livestock Units</th>
<th>Factor B</th>
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### TABLE 3: FACTOR ‘C’ (Percentage Increase).

<table>
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<th>Factor C</th>
<th>Percentage Increase</th>
<th>Factor C</th>
<th>Percentage Increase</th>
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<td>700</td>
<td>1.14</td>
</tr>
</tbody>
</table>

Note: For new livestock farms or if the % increase is greater than 700 percent, use Factor C = 1.14
TABLE 4: SITING DISTANCES FOR MANURE STORAGES (metres).

Column 1: Roofed or covered storages for manure, runoff, and milkhouse wastewater. Includes any covered or roofed concrete, steel or earthen storages, in-barn solid manure packs, and storages under fully slatted floors.

Column 2: Open solid manure pile on concrete slab. Includes the runoff storages (concrete or earthen) used for capturing seepage liquids from solid manure storage or runoff liquids from yards. If yards are scraped into runoff storage, use column 3 when runoff storage is a concrete or steel tank and column 4 when runoff storage is earthen. Milkhouse wastewater may be added to runoff storage.

Column 3: Open concrete or steel tanks used for storing liquid manure, milkhouse wastewater, or yard runoff where yard is scraped into storage.

Column 4: Open earth-sided or earth-sided storage with concrete floor to be used for storing liquid manure or yard runoff when yard is scraped into storage or milkhouse wastewater.

<table>
<thead>
<tr>
<th>Minimum Base Distance “F” for the Building (m)</th>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Covered Storage Systems (m)</td>
<td>Open Solid and Runoff Storage Systems (m)</td>
<td>Open Liquid Tank and Runoff Storage Systems (m)</td>
<td>Earthen Liquid and Runoff Storage Systems (m)</td>
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