MUNICIPALITY OF LAMBTON SHORES

BY-LAW 1 OF 2003

“COMPREHENSIVE ZONING BY-LAW”

Prepared By:

County of Lambton

Planning & Development Department

Office Consolidation December 2024

MUNICIPALITY OF LAMBTON SHORES

ZONING BY-LAW 1 OF 2003

SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
10 of 2003	*March 3, 2003*	*V.B. Sand & Gravel* *Pt Lot 2, Con CB* *A.1 to M2(H5)*	***Notice of Passing***
35 of 2003	*August 7, 2003*	*Elim Bible Chapel* *8457 Townsend Line* *Pt 1, Blk 2, Plan 4* *R.1 to I.1-2*	***Notice of Passing***
42 of 2003	*July 7, 2003*	*Municipality of Lambton Shores* *22 Eighty One Cres* *Pt Lt 29, Plan 30* *I.1 to C.2*	***Notice of Passing***
44 of 2003	*July 7, 2003*	*Brian Dunbar* *Lots 110 & 113, Plan 433, West Parkway Drive* *OS1 to R6*	***Notice of Passing***
52 of 2003	*October 8, 2003*	*John & William MacDonald* *Lot 106, Plan 433* *West Parkway Dr* *OS.1 to R.6*	***Notice of Passing***
53 of 2003	*October 6, 2003*	*Anil Kumar Nakhwal* *Frank Street* *Pt Lts 16 & 17, Plan 7* *C.2 to R.1*	***Notice of Passing***
54 of 2003		*Kernohan Motors Ltd.* *6377 Townsend Line* *Pt Lt 4, Con 8 NER* *Site specific A.1-2 zone*	***Notice of Passing***

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
61 of 2003	*October 8, 2003*	*Huron Woods Subd* *Pt Lt 6, Con LRW* *Pt Lts 1-3, Plan 25* *Site specific zone*	*Notice of Passing*
1 of 2004	*January 5, 2004*	*38 Ontario Street Limited* *38 Ontario St. South* *Pt Lts 25 & 26, Plan 540* *To allow a multiple dwelling in a C5.5 Zone*	*Notice of Passing*
2 of 2004	*October 21, 2003*	*Seven Winds Marina* *7562 Biddulph Street* *Temporary Use By-law* *(expires January 5, 2006 with a one year possible extension)*	*Notice of Passing*
7 of 2004	*February 16, 2004*	*Reflection Shores Developments Inc.* *Pt Lot 76, Con LRW* *A.1 to R.14-h(1), R.14.1-h(2) & A1.3*	*Notice of Passing*
12 of 2004	*February 16, 2004*	*FBF Farms Ltd.* *33 Beechwood Ave* *Pt Lot 37, Con SB* *A.1 to R6.6 & A1.4*	*Notice of Passing*

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
13 of 2004	*February 16, 2004*	*Doris McChesney* *7446 Arkona Road* *Pt Lot 5, Con SB* *FD to R. & R.1(h)*	*Notice of Passing*
14 of 2004	*February 16, 2004*	*William & Johanna VandenBygaart* *Parkview Cres* *Pt Lot 10, Con LEW* *OS.2 to R.6*	*Notice of Passing*
25 of 2004	*April 4, 2004*	*Roman Catholic Episcopal Corporation* *Pt of Unnumbered Lot, Plan 6* *I.1 to R.1*	*Notice of Passing*
26 of 2004	*April 5, 2004*	*Gary Connors* *9534 Ipperwash Road* *Pts 1&2 of Pt Lot 4, Con 19* *C.6 to R.6*	*Notice of Passing*
6 of 2004	*January 19, 2004*	*MT Johnstone Construction* *Block J, Plan 30* *C2 & FD to R8-4*	*Notice of Passing*
47 of 2004	*June 21, 2004*	*Don-Ann Builders Ltd* *Pt Lts36 & 37, Con SB* *Parts 7, 8 & 10 on RP 25R5601* *R1 to C2*	*Notice of Passing*

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By-law Number	*Date Passed*	*Description*	*Status*
65 of 2004	*October 4, 2004*	*Don-Ann Builders Ltd* *Pt Lts 36 & 37, Con SB* *Part 6 on RP 25R5601* *R1 to C2*	*Notice of Passing*
66 of 2004	*October 4, 2004*	*Terrence & Elaine Bell* *North Pt Lot 7, Con 18* *EP-NC to EP-NC3*	*Notice of Passing*
76 of 2004	*December 6, 2004*	*Paul Bastiaansen* *9755 Northville Cres* *C6 to C6-4*	*Notice of Passing*
77 of 2004	*December 6, 2004*	*Lambton Shores (Housekeeping By-law)*	*Notice of Passing*
3 of 2005	*January 10, 2005*	*VB Sand & Gravel* *8840 Rock Glen Road* *Remove the Holding Zone*	*Notice of Passing*
10 of 2005	*February 7, 2005*	*Seven Winds Marina* *7562 Biddulph Street* *R9 to C11*	*Notice of Passing*
15 of 2005	*March 7, 2005*	*Grand Bend Community Corporation* *Pt Lts 6-10, Con LRE*	*Notice of Passing*
16 of 2005	*April 4, 2005*	*Agrotec Construction Ltd.* *Altvater & Dreschler* *Pt Lot 1, Plan 7, Con C* *A2-1 to A1-5*	*Notice of Passing*

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
20 of 2005	*April 4, 2005*	*Southwinds Development Co.* *Pt Lots 36 & 37, Con SB* *10023 Jenna Rd & 8696 Goosemarsh Line* *A2 & OS2 to R6.8*	*Signed By-law*
18 of 2005	*April 4, 2005*	*1600935 Ontario Limited* *Vaughn Wellington* *Pt Lot 36, Con SB* *M1 to C2-2*	*Notice of Passing*
24 of 2005	*April 18, 2005*	*Pinehill Cemetary Board* *Pt Lt 15, Con 2* *A-1 to I 1-3*	*Notice of Passing*
25 of 2005	*April 18, 2005*	*Schoolhouse Restaurant (Grand Bend Inc.)* *19 Eighty One Cres* *C2 to C2.3*	*Notice of Passing*
29 of 2005	*May 2, 2005*	*Lambton Shores Housekeeping By-law*	*Notice of Passing*
33 of 2005 ****OPA #9 not approved – b/l not in force and effect****	*May 2, 2005*	*495257 Ontario Inc.* *Keith Tremaine* *5984 Douglas Line* *A1 to OS 2*	*Notice of Passing*
42 of 2005	*June 6, 2005*	*Cassia Masonic Temple Corporation* *7453 Lakeshore Road* *C5 to C5.8*	*Notice of Passing*
43 of 2005	*June 6, 2005*	*Judith Janssen* *9766 Cold Storage Road* *A2.1 to A2.4*	*Notice of Passing*

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
50 of 2005	*July 4, 2005*	*Don Milburn* *9179 Ipperwash Road* *R1 to C5* *9181 Ipperwash Road* *C5 to R6.9*	*Notice of Passing*
51 of 2005	*July 4, 2005*	*John Wright* *72 Ontario Street South* *C2 to C2-4*	*Signed By-law*
57 of 2005	*August 15, 2005*	*Lambton Shores* *Lots 69 & 70, Con LRW* *R6 & EP-H to R6.10 & EP-NC*	*Signed By-law*
67 of 2005	*October 17, 2005*	*Lakeside Grain & Feed* *7858 Rawlings Road* *Amend existing A1 to recognize existing uses*	*Signed By-law*
68 of 2005	*November 7, 2005*	*Lawrence Bradley* *7578 Riverside Drive* *C12 to C12-1*	*Signed By-law*
74 of 2005	*November 7, 2005*	*Suncor Energy Products Inc.* *6243 Lakeshore Road* *A1 to A1-7*	*Signed By-law*
75 of 2005	*November 21, 2005*	*Forest Cliff Camp* *8324 Glendale Drive* *R6 to I1*	*Notice of Passing*

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
79 of 2005	*December 5, 2005*	*Middlesex Concrete Form* *70 & 72 Union Street* *R3 to R3-4*	*Notice of Passing*
82 of 2005	*December 19, 2005*	*BKB Company Ltd* *48 Ontario Street North* *C2 to C9*	*Signed By-law*
83 of 2005	*December 19, 2005*	*Southside Construction* *Pt Lot 36, Con SB* *Add a permitted use to the CM1 Zone*	*Signed By-law*
9 of 2006	*January 19, 2006*	*Richard & Karen Sewell* *Pt Lot 22, Plan 7, Con C* *A2 & R6 to R6-10*	*Signed By-law*
12 of 2006	*January 19, 2006*	*Aeolian Energy Ltd* *Pt Lt 71, Con LRE* *6463 Lakeshore Road* *A1 to A-8*	*Signed By-law*
13 of 2006	*January 19, 2006*	*Aeolian Energy Ltd* *Pt Lt 56, Con LRE* *Lakeshore Road* *A1 to A-9*	*Signed By-law*
21 of 2006	*March 17, 2006*	*John & Lee Munn* *Pt Lot 7, Con LRE* *9792 Lakeshore Road* *FD to R6-11 & EP-NC*	*Signed By-law*

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
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*

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
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*
43 of 2006	*June 1, 2006*	*Lambton Shores* *Pt Lts 36 & 37, Con LRE* *8593 Lakeshore Road* *M2 to C18*	*Signed By-law*
55 of 2006	*August 3, 2006*	*Eusi Farms Ltd/MK Ince & Associates* *8070 Rawlings Road* *A1 to A1-11*	*Signed By-law*
58 of 2006	*August 7, 2006*	*Roncone Construction Ltd.* *S Pt Lt 112, Lot 113 & S Pt Lt 115, Plan 14* *R3 to R1.6*	*Signed By-law*
65 of 2006	*October 5, 2006*	*James & Holly Borgiel* *6526 West Parkway Dr* *C61. to R6.13 & EP-H*	*Signed By-law*
69 of 2006	*November 2, 2006*	*Richard Shapiro Holdings* *15 Ontario Street South* *C2 to C2.5*	*Signed By-law*

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	***Status***
70 of 2006	*November 2, 2006*	*Van Engelen Dairy Farms Ltd.* *8271 Arkona Road* *A1 to A1.12*	***Signed By-law***
71 of 2006	*November 2, 2006*	*Carolyn General* *90 Main Street South* *C2 to C2.6*	***Signed By-law***
73 of 2006	*November 2, 2006*	*Green Breeze Energy Systems/Hog Tied Farms Ltd* *7912 Gordon Road* *A1 to A1.13*	***Signed By-law***
74 of 2006	*November 2, 2006*	*Heather Bradley* *7568, 7570 & 7578 Riverside Drive* *C12 & C12.1 to R5.2*	***Signed By-law***
78 of 2006	*November 16, 2006*	*Wonder Grove Developments Inc.* *Lots 12 to 20, Lots 46 & 47, Lots 50-56, Plan 24 & Pt 3 of RP 25R4460* *R4 to R8-5 & R4 to R8-6*	***Signed By-law***
4 of 2007	*January 8, 2007*	*Grand Bend Development Inc. (Rock Development)* *55, 63 & 65 Main St East* *C2 to C2-7*	***Signed By-law***
7 of 2007	*January 22, 2007*	*John DeGroot Farms Inc.* *8054 Northville Road* *A1 to A1.14 & A1.15*	***Signed By-law***
11 of 2007	*January 22, 2007*	*MK Ince a/f Eric Ungerer* *9331 Elliott Road* *A1 to A1.16*	***Signed By-law***

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23 of 2007	***March 19, 2007***	***Klondyke Trailer Park Inc.*** ***9923 Lakeshore Road*** ***R6 to C14.3***	***Signed By-law***
25 of 2007	***March 19, 2007***	***John & Charlotte Lacey*** ***9311 Arkona Road*** ***A2.1 to A1.17***	***Signed By-law***
30 of 2007	***March 26, 2007***	***Lambton Shores*** ***Add permitted uses in C2 Zone***	***Signed By-law***
32 of 2007	***April 16, 2007***	***Lambton Shores*** ***General Regulations for Wind Energy& Siting of Wind Energy Facilities***	***Signed By-law***
33 of 2007	***April 16, 2007***	***Frazer & Ruth Hodgson*** ***6463 Lakeshore Road*** ***A1.8 to A3(H6)***	***Signed By-law***
34 of 2007	***April 16, 2007***	***Douglas & Tracey Rogers*** ***7184 Lakeshore Road*** ***A1 to A3(H6)***	***Signed By-law***
35 of 2007	***April 16, 2007***	***Douglas & Tracey Rogers*** ***7256 Lakeshore Road*** ***A1 to A3(H6)***	***Signed By-law***
36 of 2007	***April 16, 2007***	***Kenneth Johnson*** ***7249 Lakeshore Road*** ***A1 to A3(H6)***	***Signed By-law***
37 of 2007	***April 16, 2007***	***Douglas & Tracey Rogers*** ***7311 Lakeshore Road*** ***A1 to A3(H6)***	***Signed By-law***
38 of 2007	***April 16, 2007***	***Calvin & Bonnie Hill*** ***5882 Proof Line*** ***A1 to A3(H6)***	***Signed By-law***

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
39 of 2007	*April 16, 2007*	*Frazer & Ruth Hodgson* *6629 Lakeshore Road* *A1 to A3(H6)*	*Signed By-law*
40 of 2007	*April 16, 2007*	*Frazer & Ruth Hodgson* *Pt Lot 69, Con LRE* *A1 to A3(H6)*	*Signed By-law*
41 of 2007	*April 16, 2007*	*Norman & Elizabeth Buchanan* *A1 to A3(H6)*	*Signed By-law*
42 of 2007	*April 16, 2007*	*Eusi Farms Inc* *8405 Rawlings Road* *A1 to A3(H6)*	*Signed By-law*
43 of 2007	*April 16, 2007*	*Douglas & Tracey Rogers* *Pt Lot 56, Con LRE* *A1.9 to A3(H6)*	*Signed By-law*
61 of 2007	*June 18, 2007*	*Corrie Relouw* *9827 Parkview Cres* *C6 to R6(14)*	*Signed By-law*
62 of 2007	*June 18, 2007*	*Paul Bastiaansen* *(Appliance Doctor)* *9755 Northville Cres* *C6(4) to R6(15)*	*Signed By-law*
64 of 2007	*July 3, 2007*	*Lambton Shores* *6012 & 6014 Lakeshore Road* *C4 to C14*	*Signed By-law*
65 of 2007	*July 3, 2007*	*Canadian Green Power* *7104 Ravenswood Line* *A1 to A1(18)*	*Signed By-law*

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
72 of 2007	*Sept. 4, 2007*	*Lambton Shores* *Lots 2-13, 15, 16, 19, 20, 24, 28-33, 36 & 37, Pl 510* *Remove Holding 3 Zone*	*Signed By-law*
73 of 2007	*Sept. 4, 2007*	*Aeolian Energy Inc.* *Lts 56-58, Con LRE* *Lts 58 & 59, Con LRW* *Remove Holding 6 Zone*	*Signed By-law*
76 of 2007	*Sept. 4, 2007*	*Hampton Group* *89 Gill Road* *R1 to R1(7) and EP-NC5*	*Signed By-law*
82 of 2007	*Oct. 2, 2007*	*Susan & Gary McAlpine* *90 Victoria Street* *C5 toR1*	*Signed By-law*
84 of 2007	*Oct. 2, 2007*	*Roman Catholic Diocese of London* *68 Union Street, Forest* *I1 to R15*	*Signed By-law*
85 of 2007 *(OMB Ruling)*	*October 1, 2007*	*Municipality of Lambton Shores* *-Chicken Island-*	*Signed By-law*
92 of 2007	*Nov. 19, 2007*	*Lambton Shores – Arkona Cemetary* *8628 Townsend Line* *OS2 & A1 to I1.5*	*Signed By-law*
96 of 2007	*Dec. 17, 2007*	*Gilpin Furniture & Funeral Services Ltd* *123 King Street East* *C2 to C2.8*	*Signed By-law*
3 of 2008	*Jan. 7, 2008*	*Barbara & Lonnie Gower* *12 Ontario Street South* *C2 to C2.9*	*Signed By-law*

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	***Status***
8 of 2008	***Feb. 4, 2008***	***Lambert & Jane Vanderkant*** ***8093 Arkona Road*** ***A1 to A1.19***	***Signed By-law***
24 of 2008	***April 21, 2008***	***Sanders Tavern Limited/Boondocks Marina Inc.*** ***24 Government Rd*** ***C6.3 to R16 & C6.3 to EP-H3***	***Signed By-law***
29 of 2008	***May 5, 2008***	***Suncor Energy a/f Robert Stutt*** ***6676 Cedar Point Line*** ***A1 to A1.20***	***Signed By-law***
35 of 2008	***June 16, 2008***	***Arthur Blumas a/f Blucor Group*** ***24 Government Road*** ***Add R16 Zone Provisions***	***Signed By-law***
39 of 2008	***July 7, 2008***	***Adrian & Jane Rombouts*** ***8957 Northville Road*** ***A1 to A1.21***	***Signed By-law***
41 of 2008	***July 7, 2008***	***Peter Miller*** ***9890 Elizabeth Street*** ***R6 to R6.16***	***Signed By-law***
50 of 2008	***August 7, 2008***	***Phyllis Williamson*** ***7739 Lakeshore Road*** ***A1 to A1.22***	***Signed By-law***
61 of 2008	***September 15, 2008***	***Sean & Theresa Aveling*** ***9895 & 9909 Northville Crescent*** ***C6 & C14.2 to R6 & C6.7***	***Signed By-law***

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
66 of 2008	*October 6, 2008*	*1579188 Ontario Limited* *(Sam Karamaoutzos)* *11 & 13 Lakeside Circle*	*Signed By-law*
68 of 2008	*October 6, 2008*	*Cornelis J. Boekhorst* *8052 Arkona Road* *A1 to A1.22 & A1.23*	*Signed By-law*
82 of 2008	*November 17, 2008*	*Don & Carol Stefanik* *8229 Fuller Road* *A1 to A1.24*	*Signed By-law*
84 of 2008	*December 1, 2008*	*Stan Franjkovic* *(1625848 Ontario Ltd.)* *9734 Lakeshore Road* *R6.3 to EP-NC*	*Signed By-law*
6 of 2009	*February 2, 2009*	*Lisa & Jason Smith* *15 Allen Street (Thedford)* *FD to R1 & EP-H*	*Signed By-law*
9 of 2009	*March 2, 2009*	*Ian & Jennifer Fleming* *13 Centre Street (Arkona)* *I1 to R1.8*	*Signed By-law*
13 of 2009	*April 14, 2009*	*MK Ince a/f Eugen Burgin* *8070 Rawlings Road* *A1 to A3(H7)(H10)*	*Signed By-law*
14 of 2009	*April 14, 2009*	*MK Ince a/f Charles Moon* *8124 Rawlings Road* *A1 to A3(H7)(H10)*	*Signed By-law*
15 of 2009	*April 14, 2009*	*MK Ince a/f Eugen Burgin* *6672 Townsnd Line* *A1 to A3(H7)(H10)*	*Signed By-law*

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By-law Number	*Date Passed*	*Description*	*Status*
20 of 2009	***April 14, 2009***	***MK Ince a/f Eugen & Silvia Burgin*** ***Part Lot 6, Con 7 NER*** ***Hickory Creek Line*** ***A1 to A3(H7)(H10)***	***Signed By-law***
34 of 2009	***June 15, 2009***	***MK Ince a/f Eugen & Silvia Burgin*** ***Part Lot 6, Con 7 NER*** ***Hickory Creek Line*** ***A1 to A3-1(H7)(H10)(H11***	***Signed By-law***
36 of 2009	***June 15, 2009***	***Rice Development*** ***77 Main Street East*** ***Add H12 Zone***	***Signed By-law***
63 of 2009	***September 21, 2009***	***Jack & Wanda VanGeel*** ***8914 Kinnaird Road*** ***A1 to A1.26 & A1.27***	***Signed By-law***
65 of 2009	***October 5, 2009***	***Southside Construction Mgmt Ltd*** ***16 Watt Street*** ***C1 & M1 to C1.4***	***Signed By-law***
71 of 2009	***November 2, 2009***	***Adelheid & Alois Ruettimann*** ***7429 Lakeshore Road*** ***A1 to A.28 & A1.29***	***Signed By-law***
79 of 2009	***November 16, 2009***	***Eleanore Prokop*** ***59 Broadway Street*** ***I1 to R1***	***Signed By-law***
9 of 2010	***February 8, 2010***	***Townsend View Farms Ltd c/o John Loman*** ***8097 Gordon Road*** ***A1 to A1.30 & A1.31***	***Signed By-law***

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By-law Number	*Date Passed*	*Description*	*Status*
12 of 2010	***February 8, 2010***	***Frank Teahen*** ***9862 Lakeshore Road*** ***FD to R6.17***	***Signed By-law***
19 of 2010	***April 6, 2010***	***Paul Bastiaansen*** ***9755 Northville Road*** ***Amending C6-4 Zone***	***Signed By-law***
24 of 2010	***May 3, 2010***	***David Martin*** ***Pt Lt 12, Con 12*** ***Kinnaird Road*** ***I1 to A1.32***	***Signed By-law***
56 of 2010	***June 7, 2010***	***Roger & Diane Sutherland*** ***Lots 13 & 14, Plan 34, Leighton Drive*** ***R5 to EP-H***	***Signed By-law***
71 of 2010	***August 9, 2010***	***Berguss Farms Ltd*** ***8529 Kinnaird Road*** ***A1 to A1.33 & A1.34***	***Signed By-law***
4 of 2011	***January 10, 2011***	***Gary & Joanne Eastman*** ***8608 Arkona Road*** ***A1 to A1.35 & A1.36***	***Signed By-law***
6 of 2011	***January 10, 2011***	***Mark & Lisa Baastiensen*** ***6494 Proof Line*** ***A1 to A1.37***	***Signed By-law***
9 of 2011	***January 20, 2011***	***Lawrence & Metje Swart*** ***5497 Huronview Drive*** ***A1 to R6***	***Signed by-law***

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SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
18 of 2011	***February 22, 2011***	***Wellington Bros. Of Forest Construction*** ***Pt. Lot 3, Con 7 NER*** ***R1, OS1 & EP-H to R1.9 & R.3.5***	***Signed By-law***
34 of 2011	***May 2, 2011***	***Cecil & Kevin Thody*** ***6872 Clemens Line*** ***EP-NC to EP-NC2***	***Signed By-law***
54 of 2011	***June 20, 2011***	***David Hendricks*** ***6429 Townsend Line*** ***A1 to A1.38 & A1.39***	***Signed By-law***
56 of 2011	***June 20, 2011***	***Kevin Rombouts*** ***9119 Gordon Road*** ***A1 to A1.40 & A1.41***	***Signed By-law***
71 of 2011	***August 8, 2011***	***Mark & Lisa Baastiensen*** ***7722 Jericho Road*** ***A1 to A1.42 & A1.43***	***Signed By-law***
81 of 2011	***September 19, 2011***	***Kelly & David MacKenzie*** ***10100 Huron Drive*** ***R6 to EP-H***	***Signed By-law***
87 of 2011	***October 17, 2011***	***Gary Mitchell DeBorger*** ***Part Lot 45, Con SB*** ***A1 to A1.44***	***Signed By-law***
8 of 2012	***January 9, 2012***	***Maria & Theodore Vanos*** ***7634 Jericho Road*** ***A1 to A1.45***	***Signed By-law***

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By-law Number	*Date Passed*	*Description*	***Status***
10 of 2012	***January 23, 2012***	***Rice Development Company Inc*** ***77 Main Street East*** ***R13H to R13*** ***Remove H***	***Signed By-law***
23 of 2012	***March 5, 2012***	***Rupke & Bardwell*** ***6804 East Parkway Drive*** ***R6 to R6.18***	***Signed By-law***
46 of 2012	***May 7, 2012***	***Once Care Home & Support Services*** ***69 Main Street East*** ***Addition to C16-1 uses***	***Signed By-law***
50 of 2012	***May 7, 2012***	***Dignus & Berendina Boekhorst*** ***7656 Arkona Road*** ***A1 to A1.46 & A1.47***	***Signed By-law***
79 of 2012	***July 9, 2012***	***Mila Hills Swine Ltd*** ***Ursula & William O'Neil*** ***8110 Kinnaird Road*** ***A1 to A1.48 & A1.49***	***Signed By-law***
91 of 2012	***August 14, 2012***	***Joseph & Daniel Lacey*** ***6443 Townsend Line*** ***A1 to A1.50 & A1.51***	***Signed By-law***
101 of 2012	***September 4, 2012***	***Austin Hatchery & Farms Ltd.*** ***8623 Townsend Line*** ***A1 to A1.52 & A1.53***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003

SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
103 of 2012	***September 4, 2012***	***Brad Oke*** ***Part of 7, Con LWR, Lakeshore Road*** ***FD to R6, R6-4, R-19 & EP-NC***	***Signed By-law***
126 of 2012	***November 19, 2012***	***Brad Zantingh Ltd.*** ***8903 Townsend Line*** ***A1 to A1.54 & A1.55***	***Signed By-law***
7 of 2013	***January 17, 2013***	***Mike & Jenna Beernink*** ***9 Water Street*** ***R3 to R1***	***Signed By-law***
8 of 2013	***January 14, 2013***	***Lambton Shores*** ***Accessory Building Amendments***	***Signed By-law***
14 of 2013	***January 28, 2013***	***Martin Leenders*** ***6472 Cedar Point Line*** ***A1 to A1.56 & A1.57***	***Signed By-law***
43 of 2013	***May 2, 2103***	***Jason Henderson*** ***(Carolinian Cabinet Company Inc)*** ***9773 Lakeshore Road*** ***C14 to C14-4***	***Signed By-law***
46 of 2013	***May 16, 2013***	***Rice Development Company*** ***Lots 1-21, Blk 27, 25M-42, Main Street East*** ***R4-2(H12) to R4-2 &*** ***C16(H12) to C16***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003

SUMMARY OF AMENDMENTS

50 of 2013	***May 16, 2013***	***1863866 Ont Ltd o/a Mike VanKessel*** ***7606 Townsend Line*** ***A1 to A1.58 & A1.59***	***Signed By-law***
72 of 2013	***July 4, 2013***	***Sand Hills Golf Resort*** ***9763-9767 Port Franks Road*** ***C6.3 to C6.8***	***Signed By-law***
87 of 2013	***September 5, 2013***	***Wonder Grove Developments Inc.*** ***Lots 12 & 13, Plan 24*** ***Centre St/Kitchener Ave*** ***Amend R8.6 Zone***	***Signed By-law***
103 of 2013	***October 24, 2013***	***Rice Development Company Inc.*** ***Block 26, Lots 106*** ***Main Street East*** ***R4-2 to R4-2(H13)***	***Signed By-law***
108 of 2013	***November 20, 2013***	***Roy Schrijver*** ***7549 Arkona Road*** ***A1 to A1.60 & A.61***	***Signed By-law***
109 of 2013	***November 20, 2013***	***Gary Struyf*** ***392 Main Street East*** ***A1 to A1.62***	***Signed By-law***
120 of 2013	***December 20, 2013***	***Les & Wendy Kobayashi*** ***A2 to R6.20 & EP-NC***	***Signed By-law***
121 of 2013	***December 20, 2013***	***James & Stephenie Pounds*** ***R6 to R6.21(h14)***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003

SUMMARY OF AMENDMENTS

122 of 2013	***December 20, 2013***	***Southwinds Development Co. Inc.*** ***R8.1to R8.2***	***Signed By-law***
13 of 2014	***February 21, 2014***	***Don & Peggy Mason*** ***9 Allen Street*** ***A1 to FD & R1.10***	***Signed By-law***
15 of 2014	***February 21, 2014***	***Nicola & Gregory Gallello*** ***69 Main Street West*** ***Temporary Use By-law (C10) Zone***	***Signed By-law***
78 of 2014	***August 7, 2014***	***Erich & Annegret Ungerer*** ***9122 Northville Road*** ***A1 to A1.63 & A1.64***	***Signed By-law***
80 of 2014	***August 7, 2014***	***Donald's Crossroads Farms Ltd.*** ***5883 Proof Line*** ***A1 to A1.65 & A1.66***	***Signed By-law***
99 of 2014	***October 2, 2014***	***John Baldwin*** ***8521 Lakeshore Road*** ***A2 to A2.6***	***Signed By-law***
116 of 2014	***December 10, 2014***	***John & Rita Smits*** ***Pt Lots 3 & 4, Concession C, Goosemarsh Line*** ***A2.1 to A2.9***	***Signed By-law***
118 of 2014	***December 10, 2014***	***Jeffery Struyf*** ***7962 Willsie Line*** ***A2 & A2.1 to A2.7 & A2.8***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003

SUMMARY OF AMENDMENTS

12 of 2015	***March 5, 2015***	***Grand Bend Developments Corp*** ***Lt 1, Con Aux Sables & Lt 20, Pl 510, Gill Rd*** ***A1 & A1-2 to R8.7 & EP-H***	***Signed By-law***
18 of 2015	***March 24, 2015***	***Gerald & Diane Barcroft*** ***44 Ann Street*** ***FD to R1 & EP-H***	***Signed By-law***
38 of 2015	***May 26, 2015***	***Artur Czyzyk*** ***163 Main Street*** ***I1 to R1***	***Signed By-law***
47 of 2015	***June 16, 2015***	***Werner & Margaret Schoeley*** ***8972 Arkona Road*** ***A1 to A1.67 & A1.68***	***Signed By-law***
63 of 2015	***July 14, 2015***	***Walden a/f June Pike*** ***80 Third Street*** ***FD to R1***	***Signed By-law***
79 of 2015	***August 11, 2015***	***David & Ursula Syrowik*** ***7292 Leighton Drive*** ***R5 to R5.4***	***Signed By-law***
81 of 2015	***September 1, 2015***	***Brenda Bakker*** ***104 King Street East*** ***R1 to C2.10***	***Signed By-law***
83 of 2015	***September 1, 2015***	***Willsie Equipment Sales Limited*** ***9516 Northville Road*** ***C4 to A4***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003

SUMMARY OF AMENDMENTS

98 of 2015	***October 19, 2015***	***Karl & Mabel Elliott*** ***6852 Proof Line*** ***A1 to A1.69, A1.70,*** ***EP-H & EP-WD***	***Signed By-law***
7 of 2016	***February 2, 2016***	***Sand Hills Golf Resort Inc.*** ***9763 Port Franks Road*** ***OS1 to OS1-1***	***Signed By-law***
25 of 2016	***April 6, 2016***	***Jo-Anne Lewylle*** ***8149 Kennedy Line*** ***A1 to A1-71 & A1-72***	***Signed By-law***
38 of 2016	***April 26, 2016***	***Gary Vance*** ***5545 Proof Line*** ***A1 to A1-73***	***Signed By-law***
52 of 2016	***May 17, 2016***	***Tarvis Woolings & Lee Ann Cloud*** ***1 Beechwood Ave*** ***R6 to R1-11***	***Signed By-law***
68 of 2016	***July 6, 2016***	***Harry & John Strybosch*** ***9667 Margaret Place*** ***R6 to R6-22***	***Signed By-law***
69 of 2016	***July 6, 2016***	***Tridon Management Ltd*** ***Pt Lot 3, Plan 13 & Pt Lt 22, Plan 16*** ***FD to R5-5 & EP-NC***	***Signed By-law***
118 of 2016	***December 6, 2016***	***Rice Development Company Inc.*** ***Lots 1-6, Blk 26, Plan 25M-42 & 25M-60***	***Signed By-law***
11 of 2017	***February 14, 2017***	***Lambton Shores*** ***Lots 14, 18 & 21, Pl 510*** ***28, 36 & 42 Erin Place*** ***Remove H3 zone***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003
SUMMARY OF AMENDMENTS

22 of 2017	***March 7, 2017***	***Pier 10 Marina Inc.*** ***7446 & 7456 Riverside Drive & 10072 Poplar Ave*** ***C11 & EP-PF to R3.6(H15) & EP-PF2(H15)***	***Signed By-law***
34 of 2017	***April 25, 2017***	***Brian & Debbie Dehetre*** ***7545 Riverside Drive*** ***C12 to R5-6 & H16***	***Signed By-law***
61 of 2017	***June 9, 2017***	***Paul Kidd*** ***7497 Arkona Road*** ***A1 to R1-12***	***Signed By-law***
74 of 2017	***September 5, 2017***	***Kathleen Russell/Ruston Family Campground*** ***9878 Lakeshore Road*** ***C14 to C14-5***	***Signed By-law***
76 of 2017	***July 18, 2017***	***Amtelecom Holdings Inc.*** ***42 Broadway Street*** ***Amend M1 provisions***	***Signed By-law***
79 of 2017	***September 5, 2017***	***Sam DiCesare a/f Denning's Ltd.*** ***5 Watt Street*** ***C1 to C1-5***	***Signed By-law***
80 of 2017	***September 5, 2017***	***Lambton Shores*** ***6530, 6534, 6538, 6542 West Parkway Dr & 9723 Ipperwash Road*** ***R11 & EP-H to R6 & EP-H***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003
SUMMARY OF AMENDMENTS

81 of 2017	***September 5, 2017***	***Grand Bend Developments Corp*** ***74 Main Street East*** ***FD, A1-2 & EP-H to C2(H17); C2 (H17)(H18); R13-1(H17); R8-2(H17); OS1(H17)***	***Signed By-law***
103 of 2017	***November 7, 2017***	***Richard & Karen Sewell*** ***8375 Goosemarsh Line*** ***R6-10 & A2 to R6-26 and EP-NC***	***Signed By-law***
112 of 2017	***December 12, 2017***	***Tammy & Chris Schmid*** ***9718 Lakeshore Road*** ***FD to R6-23 & EP-NC***	***Signed By-law***
113 of 2017	***December 12, 2017***	***John & Charles McClemont*** ***Lt 109, Pl 433, West Parkway Drive*** ***OS1 to R6-25 & EP-NC***	***Signed By-law***
114 of 2017	***December 12, 2017***	***Arkona Lions Club*** ***7297 Arkona Road*** ***C2 to OS204***	***Signed By-law***
115 of 2017	***December 12, 2017***	***Roelands a/f Nelya Inc.*** ***101 Broadway Street*** ***C2 to R1-13***	***Signed By-law***
9 of 2018	***January 23, 2018***	***Henk Goertz*** ***7922 Townsend Line*** ***A1 to A1.75***	***Signed By-law***
26 of 2018	***February 13, 2018***	***Rice Development Company Inc.*** ***Block 26, & Lts 1-6, Plan 25M42*** ***Brooklawn Drive***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003
SUMMARY OF AMENDMENTS

27 of 2018	***March 6, 2018***	***Rice Development Company Inc.*** ***Block 26, Plan 25M42*** ***Brooklawn Drive***	***Signed By-law***
35 of 2018	***April 24, 2018***	***Leo Ducharme & Lindsey Ashworth*** ***Pt Lt 19, Con LRE*** ***A2 to R6-24 & EP-NC***	***Signed By-law***
47 of 2018	***May 15, 2018***	***Miller & Daniela Longanilla*** ***6218 Juniper Lane*** ***R6 to R6-27***	***Signed By-law***
65 of 2018	***October 2, 2018***	***Grazyna McDermott*** ***Pt Lot 24, Con 3, Widder Road*** ***M2 to A1***	***Signed By-law***
66 of 2018	***September 11, 2018***	***Maryann & David Atkinson*** ***10051 Lakeshore Road*** ***A2 to R6 & EP-NC***	***Signed By-law***
71 of 2018	***October 2, 2018***	***Joann VanEnglelen*** ***7680 Townsend Line*** ***A1 to A1-75 & A1-76***	***Signed By-law***
72 of 2018	***October 2, 2018***	***Stan & Antoinette Pachlarz*** ***Pt Lts 21, 22 & 23, Con C, Walker Road*** ***R6, A2 & A2-1 to R6-28, EP-NC, EP-NC(6) & A2-1***	***Signed By-law***
77 of 2018	***November 20, 2018***	***VB Sand & Gravel*** ***9899 Klondyke Road*** ***M2 & A2-1 to A2-10, A2-1 & EP-WD***	***Signed By-law***
78 of 2018	***October 30, 2018***	***Gary Vance*** ***Pt Lot 71, Con LRW, Proof Line*** ***A1 to R6***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003

SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
79 of 2018	***October 30, 2018***	***Richard & Judy Russell*** ***7610 Biddulph Street*** ***C11 to C11-2***	***Signed By-law***
81 of 2018	***November 20, 2018***	***Rice Development Company Inc.*** ***77 Main Street East*** ***Removal of H12***	***Signed By-law***
5 of 2019	***January 22, 2019***	***Dale Hayter & Sons*** ***10410 Lakeshore Road*** ***C5 & FD to C5-9***	***Signed By-law***
8 of 2019	***February 12, 2019***	***Rice Development Company Inc.*** ***77 Main Street East*** ***R4-2(H12) to R4-3, R4-2 to R4-3 & R13 to R4-3***	***Signed By-law***
14 of 2019	***March 5, 2019***	***Lotte Hock & Ron Golemba*** ***6603 East Parkway Dr*** ***C6 to R6***	***Signed By-law***
57 of 2019	***July 16, 2019***	***Huron Shores Investment/Desjardine*** ***Lts 407, Pl 540, Ontario Street*** ***FD & C2-H1 to C2-11***	***Signed By-law***
66 of 2019	***August 13, 2019***	***Leslie Kobayashi*** ***8612 Goosemarsh Line*** ***EP-NC to R6-29***	***Signed By-law***
75 of 2019	***October 1, 2019***	***JDK2019 Holdings Inc*** ***9765 Lakeshore Road*** ***C5 & A2 to C5-10***	***Signed By-law***
79 of 2019	***October 22, 2019***	***Rice Development Corporation Inc.*** ***Lts 7031, Pl 25M-71*** ***Brooklawn & Deerfield*** ***H12 to R4-2***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003

SUMMARY OF AMENDMENTS

By-law Number	*Date Passed*	*Description*	*Status*
83 of 2019	***November 12, 2019***	***Karen Alberti*** ***141 Main Street*** ***Lots 37 & 38, Plan 2*** ***CM1 to C1-6***	***Signed By-law***
4 of 2020	***January 14, 2020***	***Renee Henderson*** ***9569 Ipperwash Road*** ***EP-NC & A1 to EP-NC, EP-WET, R6 & R6-30***	***Signed By-law***
9 of 2020	***February 11, 2020***	***Allie Thompson*** ***8923 Widder Road*** ***R1 to R1-14***	***Signed By-law***
11 of 2020	***March 3, 2020***	***Small Town Storage Inc*** ***9917 Northville Cres*** ***C6 to C6-9***	***Signed By-law***
28 of 2020	***June 23, 2020***	***Rice Development Inc.*** ***77 Main Street East*** ***C16(h12) to C16-2(h12)***	***Signed By-law***
29 of 2020	***June 23, 2020***	***Ross Lichty*** ***7352 Arkona Road*** ***C1 to R1***	***Signed By-law***
30 of 2020	***June 23, 2020***	***Richard Veens*** ***7975 Kennedy Line*** ***A1 to A1-78***	***Signed By-law***
31 of 2020	***June 23, 2020***	***1737547 Ontario Inc.*** ***24 Shady Lane*** ***R-3 to R4-4***	***Signed By-law***
32 of 2020	***June 23, 2020***	***Kim Heathcoate*** ***8543 Goosemarsh Line*** ***A2 to A2-11***	***Signed By-law***
45 of 2020	***August 11, 2020***	***Darren Brown*** ***7405 Arkona Road*** ***FD & EP-H to R1-1***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003

SUMMARY OF AMENDMENTS

52 of 2020	***September 8, 2020***	***Arkona Lions Club*** ***7297 Arkona Road*** ***OS2-4 to C2***	***Signed By-law***
62 of 2020	***October 20, 2020***	***Grand Bend Developments Corp*** ***74 Main Street East*** ***C2(h17) to R8-2(h17)***	***Signed By-law***
63 of 2020	***October 20, 2020***	***Ross Hayter*** ***Pt Lt 27, Con LRE, Goosemarsh Line*** ***A2 to EP-NC & R6-31***	***Signed By-law***
70 of 2020	***December 1, 2020***	***Elly Leenders*** ***8678 Rawlings Road*** ***A1 to A1-79***	***Signed By-law***
78 of 2020	***December 15, 2020***	***Joe & Allison Fieder*** ***6769 & 6771 East Parkway Drive*** ***R6 to R6-32***	***Signed By-law***
79 of 2020	***December 15, 2020***	***Petree Holding Inc.*** ***20 Main Street (Thedford)*** ***FD to R3-7 & C1-6***	***Signed By-law***
5 of 2021	***February 9, 2021***	***Julie Silk*** ***Pt 1 of Pt Lot 25, Eric Street*** ***A2-1 to R5-1 & EP-WD***	***Signed By-law***
6 of 2021	***February 9, 2021***	***Merrywood Inc.*** ***358 Ontario Street South*** ***FD to R6-33***	***Signed By-law***
8 of 2021	***February 9, 2021***	***Parkbridge Lifestyle Communities*** ***9338 West Ipperwash Road*** ***C14, FD& EP-NC to C14, C14(H18), EP-NC & OS1-2***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003

SUMMARY OF AMENDMENTS

21 of 2021	***April 13, 2021***	***BDS Construction (Paolo)*** ***10020 Port Franks Estate Drive*** ***R5 to R5-7***	***Signed By-law***
26 of 2021	***May 4, 2021***	***Michael & Laura Ryan*** ***Pt Lt 21, Con 3 Elizabeth St - Ravenswood Line (Thedford)*** ***R1 to R1-15***	***Signed By-law***
27 of 2021	***May 4, 2021***	***Habitat for Humanity Sarnia/Lambton*** ***70 & 72 Union Street*** ***Replace R3-4 Zone***	***Signed By-law***
43 of 2021	***June 15, 2021***	***2366021 Ontario Inc & Teresa Bousfield*** ***244 & 252 Ontario St S*** ***R6-1, A2 & EP-H to R6-1, R6-1(H1), R6-34, FD-1 & EP-H***	***Signed By-law***
52 of 2021	***July 13, 2021***	***Parkbridge Lifestyle Communities Inc.*** ***9883 West Ipperwash Road*** ***Remove "H" provision***	***Signed By-law***
56 of 2021	***August 12, 2021***	***Municipal*** ***Maximum Building Height provisions***	***Signed By-law***
57 of 2021	***August 12, 2021***	***Kaumanns Farms Ltd*** ***5907 Lakeshore Road*** ***A1 & C3 to A1 & A1-80***	***Signed By-law***

MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003

SUMMARY OF AMENDMENTS

63 of 2021	***September 10, 2021***	***Chris Morrison & Patti Burke*** ***Pt Lt 29, Con LRE,*** ***8498 Goosemarsh Line*** ***FD to A1 & EP-NC***	***Signed By-law***
64 of 2021	***September 10, 2021***	***Bas-Tim Inc.*** ***7942 Townsend Line*** ***C3 & A1 to A1.81***	***Signed By-law***
69 of 2021	***September 30, 2021***	***Jody McDonald*** ***9170 Arkona Road*** ***A1 & EP-H to A1.82, A1 & EP-H***	***Signed By-law***
74 of 2021	***October 19, 2021***	***Tim Henry*** ***10072 Huron Drive*** ***R6 to R6-35***	***Signed By-law***
89 of 2021	***November 30, 2021***	***Huron Shores Investments/Desjardines*** ***77 & 85 Ontario Street South*** ***Remove "H" provision***	***Signed By-law***
101 of 2021	***December 21, 2021***	***Lambton Kent District School Board*** ***Pt Lts 36 & 37, Con SB Townsend Line*** ***A1, R1-H1, R6, R1 & OS2 to R1, I1-6 & OS2***	***Signed By-law***
102 of 2021	***December 21, 2021***	***Velma MacLachlan*** ***8381 Defore Drive*** ***A2-1 to R5-8, R5 & A2-12***	***Signed By-law***
103 of 2021	***December 31, 2021***	***Doug Pedlar*** ***9782 Northville Crescent*** ***R3 to R3, R6 & EP-NC***	***Signed By-law***
21 of 2022	***April 29, 2022***	***Grand Bend Development Corp.*** ***74 Main St.*** ***R8-2(H17) to R8-2***	***Signed By-law***

26 of 2022	***May 20, 2022***	***MR Engineering and Design Ltd.*** ***9981 Lakeshore Rd*** ***A2-1 to C2, A2, A2-1***	***Signed By-law***
39 of 2022	***June 7, 2022***	***Gregory & Sabrina Dalgity*** ***8081 Willsie Line*** ***A2-1 to R5-9***	***Signed By-law***
40 of 2022	***June 7, 2022***	***Michael Vanos*** ***8562 to 8580 Townsend Line*** ***R1 to R1-16***	***Signed By-law***
34 of 2022	***May 17, 2022***	***Lekker Homes*** ***6320 Lakeshore Rd*** ***C5-3 to R3***	***Signed By-law***
27 of 2022	***June 28, 2022***	***Michael Backx*** ***10039, 10045, 10057, 10063 Lakeshore Rd*** ***A2, R6 and EP-WD to R6 & EP-WD***	***Signed By-law***
46 of 2022	***June 28, 2022***	***Cynthia Maxfield*** ***8499 Goosemarsh Line*** ***A2 to A1-83 & EP-WD***	***Signed By-law***
54 of 2022	***July 19.2022***	***Merrywood Inc.*** ***358 Ontario St. South*** ***FD EP-H to OS1-3, EP-H, EP-NC, EP-NC(7), R6-36, FD***	***Signed By-law***
62 of 2022	***August 9, 2022***	***789278 Ontario Inc.*** ***89 Main St.*** ***C1 to C1-8***	***Signed By-law***
63 of 2022	***August 9, 2022***	***Rice Development Company Inc.*** ***77 Main St.*** ***R4-2(H12) to R4-2***	***Signed By-law***
65 of 2022	***August 9, 2022***	***Wellington Builders Inc.*** ***5852/5894 Douglas Line*** ***A1 to A1-84(H19), Definitions***	***Signed By-law***

67 of 2022	***September 6, 2022***	***Earl Thomas*** ***7414 Townsend Line*** ***A1. EP-WD to A1-85, A1 EP-WD***	***Signed By-law***
74 of 2022	***October 18, 2022***	***2783822 Ontario Inc.*** ***63 Main St.*** ***C10 to C10-2***	***Signed By-law***
82 of 2022	***November 8, 2022***	***Annette Vander Vloet*** ***6780 East Parkway Drive*** ***R6 to R6-37***	***Signed By-law***
24 of 2023	***March 14, 2023***	***Tim MacNaught*** ***6795 East Parkway Drive*** ***EP-NC & R6 to EP-NC & R6-38***	***Signed By-law***
27 of 2023	***March 14, 2023***	***VSBN Holdings Inc.*** ***10026 Walker Rd*** ***C13 to C13-1***	***Signed By-law***
40 of 2023	***August 15, 2023***	***Rice Development Company Inc.*** ***73 Main St. Grand Bend*** ***C-16 to C16-3***	***Signed By-law***
41 of 2023	***May 16th, 2023***	***Widder Station Golf & Country Club Inc.*** ***319 Main St. Thedford*** ***EP-H1, OS2 to EP-H1, OS2 & R1-17***	***Signed By-law***
46 of 2023	***June 6th, 2023***	***Municipality of Lambton Shores Parking*** ***All C1 & C10***	***Signed By-law***
47 of 2023	***June 6th, 2023***	***Jacob and Lynda Feenstra*** ***7468 & 7476 Lakeshore Rd*** ***I1 to R1***	***Signed By-law***
58 of 2023	***July 18th, 2023***	***Sarah Thibeault &*** ***Brandon Flaming*** ***6414 Victoria Ave*** ***R6 to R6-39***	***Signed By-law***
69 of 2023	***September 26,2023***	***Pete Sisler & Patrick Daragon*** ***14 Union St. & 20 Smith***	***Signed By-law***

		St. Arkona ***I1 & R1 to I1-7***	
79 of 2023	***November 7, 2023***	***AAR-CON Aggregates Corp.*** ***9461 Klondyke Rd.*** ***A2-1 to M2***	***Signed By-law***
80 of 2023	***November 7, 2023***	***Garry Willsie*** ***9502 Sitter Rd*** ***C4-4 & M2 to A4***	***Signed By-law***
88 of 2023	***December 19, 2023***	***Adam Brebner*** ***125 King St.*** ***R1 to R1-18***	***Signed By-law***
4 of 2024	***January 16, 2024***	***Gold Leaf Properties Inc.*** ***Clyde St*** ***R1-6 & EP-H to R3-8, EP-H & H20***	***Signed By-law***
26 of 2024	***March 19, 2024***	***Sarah Benjay & Rebecca Sheppard*** ***9602 West Ipperwash Rd.*** ***FD & R6 to FD & R6-40***	***Signed By-law***
30 of 2024	***April 9, 2024***	***Ron Vanos*** ***8545 Rawlings Rd*** ***A1 to A1-87 & A1***	***Signed By-law***
31 of 2024	***April 9, 2024***	***Karl & June Elliott*** ***2 Allen St*** ***A1 & EP-WD to A1-86 & EP-WD***	***Signed By-law***
44 of 2024	***June 4, 2024***	***Tyler Townsend*** ***9395 Ipperwash Rd*** ***A1 to C14-6***	***Signed By-law***
46 of 2024	***June 4, 2024***	***Roelands Plant Farms Inc.*** ***5894 Douglas Line*** ***Removal of H19 symbol***	***Signed By-law***
54 of 2024	***June 25, 2024***	***Solis Beach Inc.*** ***5958 Lakeshore Rd*** ***A1 & EP-H to C14, EP-WD, A1 & EP-H***	***Signed By-law***

57 of 2024	***July 16, 2024***	***Mike Shaw*** ***84 Royal St.*** ***C1 to R1***	***Signed By-law***
70 of 2024	***September 10, 2024***	***VB Sand and Gravel Ltd.*** ***8152 Bog Line*** ***A2-1 to M2***	***Signed By-law***
72 of 2024	***September 10, 2024***	***Michael & Laura Ryan*** ***168 Elizabeth St.*** ***R1-15 & EP-H to R1-15, R3-9, R3-10, OS-1 & EP-H***	***Signed By-law***
73 of 2024	***September 10, 2024***	***Nicole Thomson*** ***9310-9312 Arkona Rd.*** ***A1-17, EP-WD,EP-H to A1-88, A1-17, EP-WD, EP-H***	***Signed By-law***
78 of 2024	***October 1, 2024***	***Barbara Willsie*** ***9530 Northville Rd*** ***M2 to A1-89***	***Signed By-law***
79 of 2024	***October 1, 2024***	***Karen Alberti*** ***141 Main St.*** ***C1-6 to R1-19***	***Signed By-law***
83 of 2024	***October 22, 2024***	***Herbert S. givens & Marsha Benbow*** ***38 Queen St. West*** ***I1 to R1***	***Signed By-law***
85 of 2024	***October 22, 2024***	***Municipal*** ***Plan 9, Part Lot 1, Dietrich Crescent Grand Bend*** ***R-4 to C10-3***	***Signed By-law***

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MUNICIPALITY OF LAMBTON SHORES
ZONING BY-LAW 1 OF 2003

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 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 use 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, towed or 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.

l.1) **"ON-FARM ACCOMMODATIONS"** means a dwelling that is used for the housing of on-site farm labour where the workers assist on the subject farm on a regular basis. On-Farm Accommodations shall include any form of Dwelling defined in the By-law and may include a Multiple Dwelling with Dwelling Units used as a Boarding House. (By-law 65-2022)

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 premise 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.

"**METAL FABRICATION**" means a specific Industrial Use of Building(s) and/or Structure(s) for the assembly of raw materials using the processes of cutting, welding, machining and finishing services that include polishing, coating and painting to create a final product. (B/L 80 of 2023)

"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, hearses, 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.

"NURSING HOME" 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. **"ON-FARM ACCOMMODATIONS"** see **"DWELLING".**

"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 speciality 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 a Building for the accommodation of retired persons or couples within single or double rooms or suites or wards which do not contain kitchens other than microwaves and refrigerators and where central kitchen, dining and laundry facilities are provided under the supervision of staff or other residents. This definition shall not include a Nursing Home licensed under the *Long-Term Care Homes Act*, as amended. (B/L 57/2019)

"RIDING SCHOOL/BOARDING STABLE" shall mean the commercial Use of land and Buildings for the instruction of Persons in the manner of riding horses and/or the boarding and stabling of horses and may include one accessory dwelling. (B/L 25/2016)

"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.

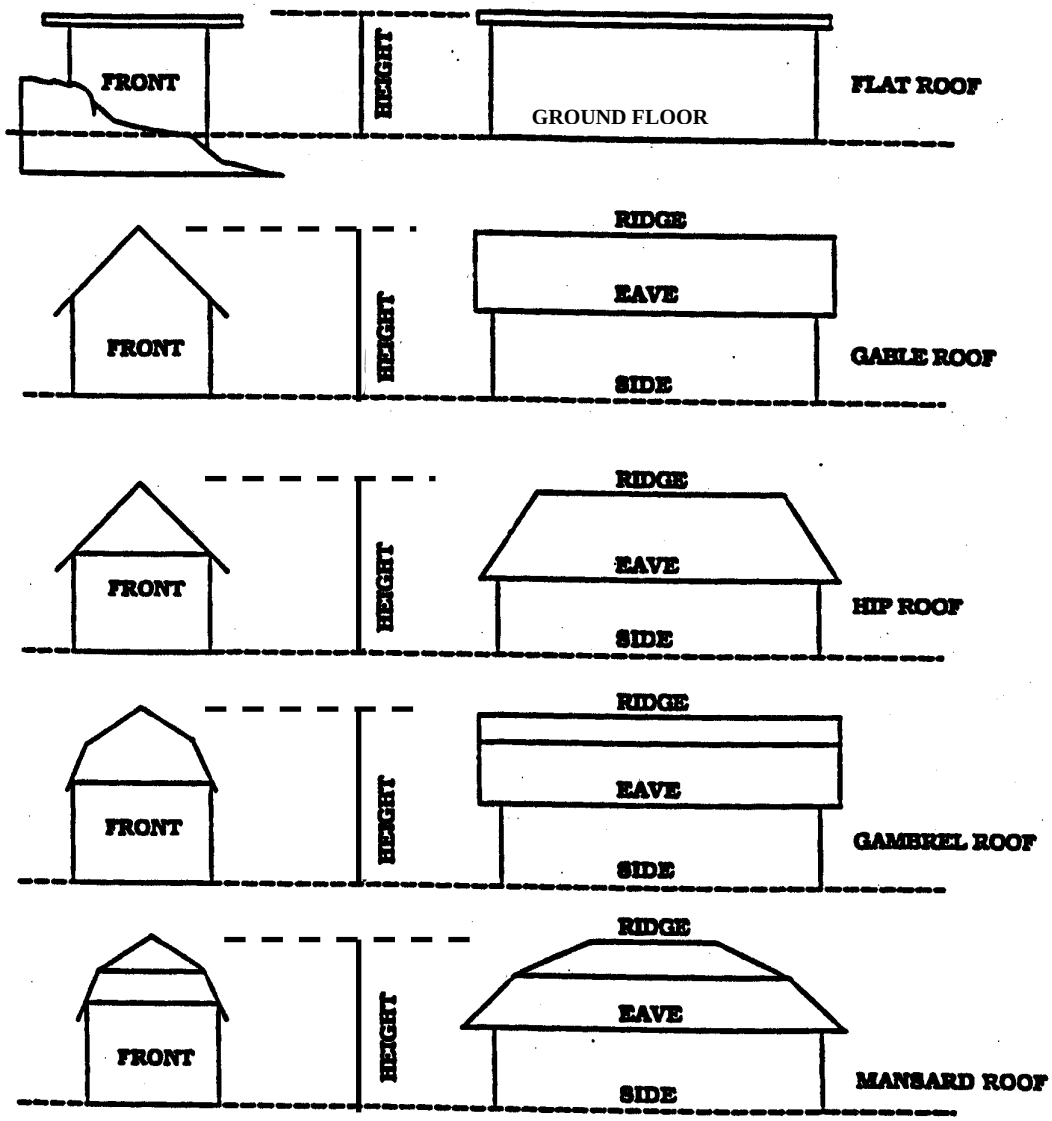
h) **"INTERIOR SIDE YARD"** means a Side Yard other than an Exterior Side Yard.

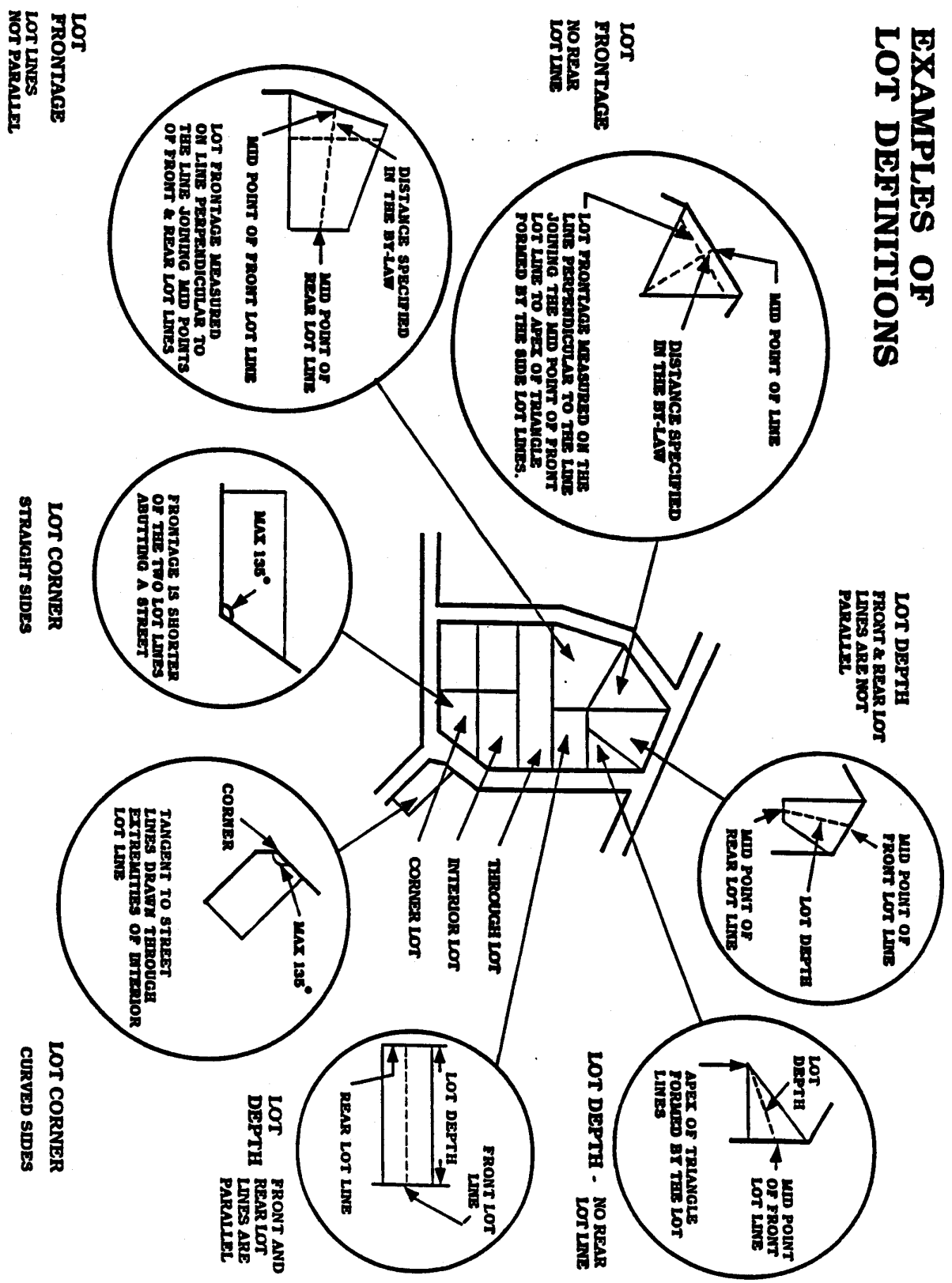
i) **"REQUIRED YARD"** means a Yard with the minimum Front Yard Setback, Rear Yard Setback, or Side Yard Setback required by the provisions of this By-law. A required Side Yard shall extend from the required Front Yard to the required Rear Yard, or in the case of a Lot which has no Rear Lot Line, the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

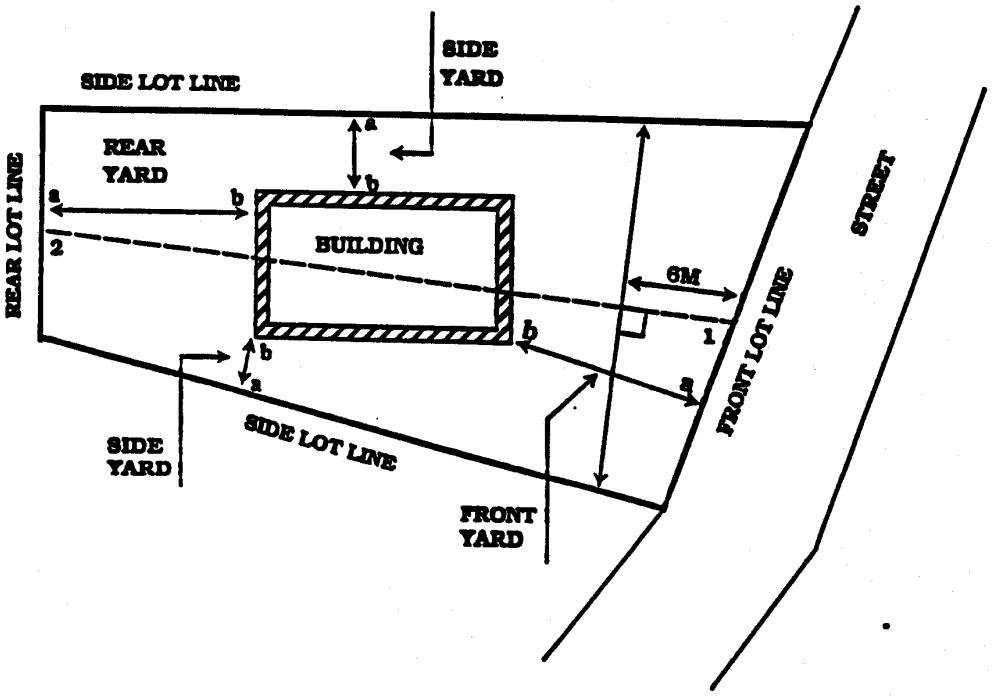
GUIDE TO HEIGHT DEFINITIONS




EXAMPLES OF
LOT DEFINITIONS
LOT FRONTAGE
NO REAR LOT LINE
MID POINT OF LINE
DISTANCE SPECIFIED IN THE BY-LAW
LOT FRONTAGE MEASURED ON THE LINE PERPENDICULAR TO THE LINE JOINING THE MID POINT OF FRONT LOT LINE TO APEX OF TRIANGLE FORMED BY THE SIDE LOT LINES.
LOT FRONTAGE
LOT LINES NOT PARALLEL
DISTANCE SPECIFIED IN THE BY-LAW
MID POINT OF REAR LOT LINE
MID POINT OF FRONT LOT LINE
LOT FRONTAGE MEASURED ON LINE PERPENDICULAR TO THE LINE JOINING MID POINTS OF FRONT & REAR LOT LINES
LOT DEPTH
FRONT & REAR LOT LINES ARE NOT PARALLEL
MID POINT OF FRONT LOT LINE
MID POINT OF REAR LOT LINE
LOT DEPTH
LOT CORNER
STRAIGHT SIDES
MAX 135°
FRONTAGE IS SHORTER OF THE TWO LOT LINES ABUTTING A STREET
THROUGH LOT
INTERIOR LOT
CORNER LOT
LOT DEPTH - NO REAR LOT LINE
LOT DEPTH
APEX OF TRIANGLE FORMED BY THE LOT LINES
MID POINT OF FRONT LOT LINE
LOT CORNER
CURVED SIDES
CORNER
MAX 135°
TANGENT TO STREET LINES DRAWN THROUGH EXTREMITIES OF INTERIOR LOT LINE
LOT DEPTH
FRONT AND REAR LOT LINES ARE PARALLEL
FRONT LOT LINE
REAR LOT LINE
LOT DEPTH

IRREGULAR LOT

NO PARALLEL LOT LINES
YARD DEFINITIONS



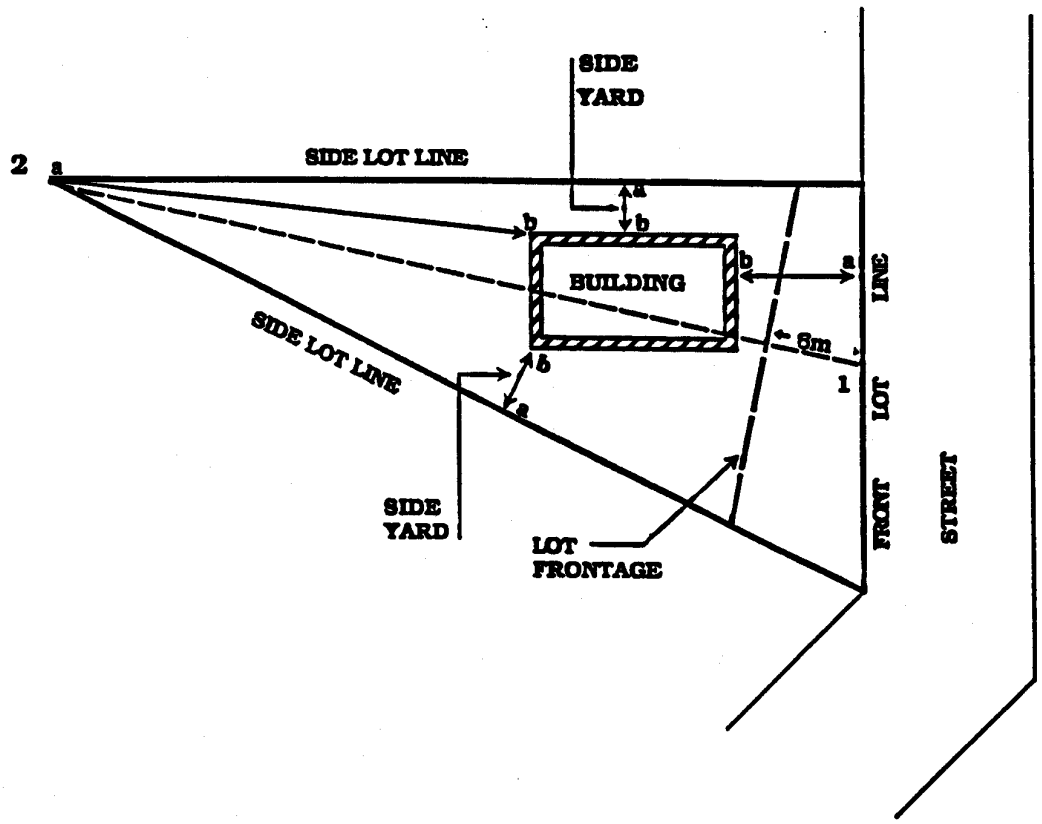
LOT FRONTAGE

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



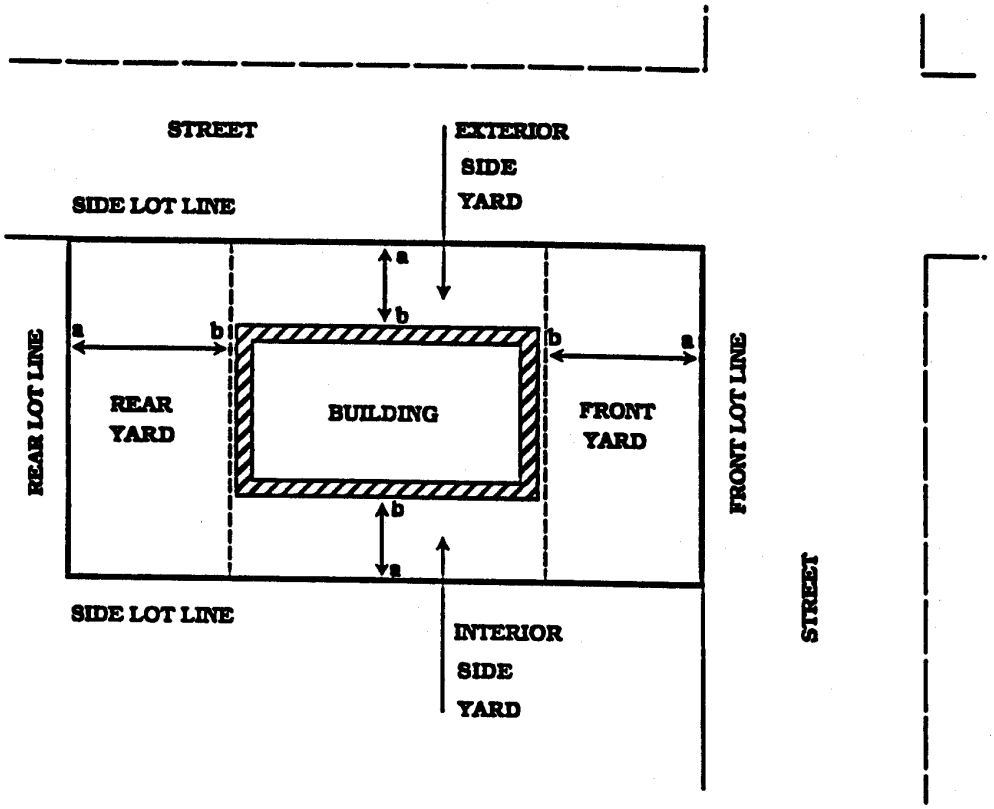
LOT FRONTAGE

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.

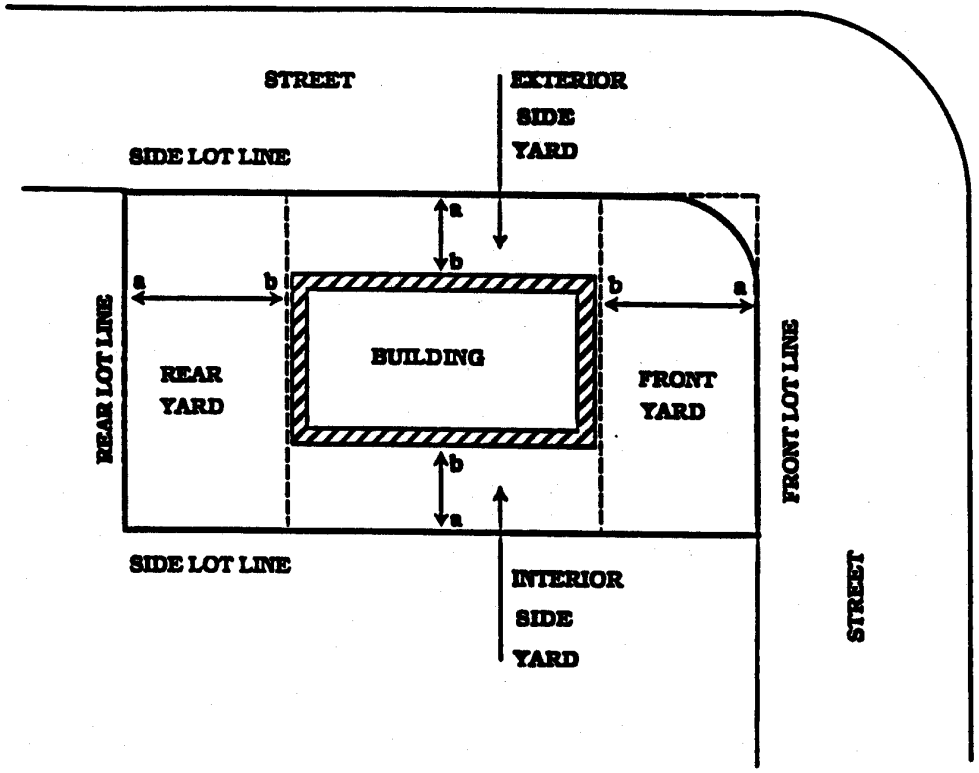
DISTANCE ab REPRESENTS THE SHORTEST DISTANCE MEASURED BETWEEN THE LOT LINE AND NEAREST PART OF THE MAIN BUILDING. DISTANCE ab MUST BE THE MINIMUM DISTANCE SPECIFIED IN THE BY-LAW.

CORNER LOT
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.

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.

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/L 8 /2013)

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 a 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 lot coverage between 68 square metres to 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 and Structure. Despite the foregoing, the construction of fences shall conform to the Municipality of Lambton Shores Fencing By-law. (B/L 8/2013)

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 comply 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 77/2004)

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:

	STRUCTURE	YARD IN WHICH ENCROACHMENT IS PERMITTED	MAXIMUM ENCROACHMENT PERMITTED INTO REQUIRED YARDS UNDER ZONE REGULATIONS
a)	Sills, belt courses, cornices, eaves, gutters, chimneys or similar architectural Structure	Any Yard	0.5 metre
b)	Outdoor heating and air conditioning unit	Any Yard	1.0 metre
c)	Porches (unenclosed) excluding eaves	Any Yard	2.0 metres
d)	Decks (unenclosed)	Any Yard	2.0 metres
e)	Balconies, ramps and steps (unenclosed)	Any Yard	2.0 metres
f)	Bay windows and awnings	Any Yard	1.0 metre

g)	Fully enclosed one Storey Porches	Front Yard	
		Rear Yard	2.0 metres
h)	Main Building cantilever	Front Yard	
		Rear Yard	1.0 metre

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 sky light; q) a smoke stack; r) a staircase; s) a television antenna, t) a farm silo; u) a ventilator; v) a water or fuel tank; w) 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

Boarding house	1 Parking Space per Dwelling Unit, plus 1 Parking Space per guest room
Group Home	1 Parking Space per staff member
Multiple Dwelling	1.5 Parking Spaces per Dwelling Unit
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 76/2004)
Animal Grooming Establishment Combined with a Kennel	1 Parking Space per 25 square metres of Gross Floor Area (B/L 76/2004)
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
MV Service Establishment	5 Parking Spaces per working bay
MV Washing Establishment	
i) self-service Operation	2 Parking Spaces per wash stall
ii) Conveyor Operation	8 Parking Spaces per wash stall
Bank	1 Parking Space per 37 square metres of Gross Floor Area
Bed and Breakfast	1 Parking Space per Guest Room
Bingo Hall	The greater of: a) 1 Parking Space per 14 square metres of Gross Floor Area; b) 1 Parking Space for 4 Person Occupant Load of the hall

Church	1 Parking Space per 10 square metres of Gross Floor Area
Clinic	The greater of: a) 5 Parking Spaces per practitioner; or b) 1 Parking Space per 18.5 square metres of Gross Floor Area
Convenience Store	1 Parking Space per 20 square metres of Gross Floor Area
Day Nursery	1 Parking Space per staff member
Flea Market	1 Parking Space for every 5 square metres of Retail area
Funeral Home	The greater of: a) 1 Parking Space for every 5 fixed seats and 1 Parking Space for every 5 square metres Floor Area where non-fixed seating can be made available for chapel purposes; or b) 1 Parking Space for every 5 square metres of Floor Area devoted to reposing rooms
Golf Course	8 per tee
Hospital	0.75 Parking Spaces per bed
Hotel	1 Parking Space per bed plus 1 Parking Space per 20 square metres of communal eating or entertainment area
Industrial Use	Sufficient off-street parking required to accommodate all workers
Kennel	1 Parking Space per 30 square metres of Gross Floor Area (B/L 76/2004)
Library	1 Parking Space for each 37 square metres of Gross Floor Area
Miniature Golf	12 spaces minimum

Motel	1.25 Parking Space per Unit plus 1 Parking Space per 20 square metres of communal eating or entertainment area
Nursing Home	1 Parking Space per 4 beds
Office	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
Private Club	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
Recreation, Commercial	The greater of: a) 1 Parking Space per 14 square metres of Gross Floor Area or b) 1 Parking Space per 4 Persons Occupant Load of the establishment
Restaurant	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 77/2004)
Restaurant, Drive-In	10 Parking Spaces per Lot
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.

3.29.11 Core Commercial Zones (B/L 46 of 2023)

Notwithstanding Section 3.29.1 of this By-law, Parking Spaces shall be required in the Commercial-1 (C1) and the Commercial-10 (C10) Zones and zone exceptions thereto, in the following numbers:

a) For Residential Uses, 1 Parking Space per Dwelling Unit,
b) For a Hotel Use, 1 Parking Space per Guest Room, and
c) For other Uses, 1 Parking Space per 93 m2 of Ground Floor Area.

In all other respects, the provisions of Section 3.29 shall apply, including, for clarity, Sections 3.29.2 and 3.29.3.

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:

Gross Floor Area of Building or Structure	**Loading Spaces**
i) more than 280 square metres to 2,800 square metres	1

ii)	more than 2,800 square metres to 5,600 square metres	2
iii)	Each additional 5,600 square metres	1 additional

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 29/2005)

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:

SECTION	ZONE NAME	SYMBOL
5	Agricultural – 1	A1
6	Agricultural – 2	A2
6	Agricultural – 3	A3
6	Agricultural – 4	A4
7	Residential – 1	R1
8	Residential – 2	R2
9	Residential – 3	R3
10	Residential – 4	R4
11	Residential – 5	R5
12	Residential – 6	R6
13	Residential – 7	R7
14	Residential – 8	R8
15	Residential – 9	R9
16	Residential – 10	R10
17	Residential – 11	R11
18	Residential – 12	R12
19	Residential – 13	R13
19A	Residential - 14	R14
19B	Residential - 15	R15
19C	Residential - 16	R16
20	Commercial – 1	C1
21	Commercial – 2	C2
22	Commercial – 3	C3
23	Commercial – 4	C4
24	Commercial – 5	C5
25	Commercial – 6	C6

26	Commercial – 7	C7
27	Commercial – 8	C8
28	Commercial – 9	C9
29	Commercial – 10	C10
30	Commercial – 11	C11
31	Commercial – 12	C12
32	Commercial – 13	C13
33	Commercial – 14	C14
34	Commercial – 15	C15
35	Commercial – 16	C16
36	Commercial – 17	C17
37	Commercial – 18	C18
38	Mixed Commercial Industrial	CM1
39	Mixed Commercial Industrial	CM2
40	Industrial	M1
41	Extractive Industrial	M2
42	Institutional –1	I1
43	Institutional – 2	I2
44	Open Space – 1	OS1
45	Open Space – 2	OS2
46	Environmental Protection – Wetland	EP-WET
47	Environmental Protection – Woodlot	EP-WD
48	Environmental Protection – Hazard	EP-H
49	Environmental Protection – Natural Conservation	EP-NC
50	Environmental Protection – Port Franks	EP-PF
51	Lakeshore	LS
52	Harbour	HB
53	Future Development	FD

4.2 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.

4.3 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 10/2003)

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 15/2005)

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 32/2007)

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 85/2007 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 85/2007 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 the holding symbol H10 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) 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) (B/L 34/2009)

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) The municipality is satisfied that the Ministry of Natural Resources are consulted and satisfied with respect to Endangered Species Act prior to the substation construction proceeding.

l) Holding Provision 12 (H12)

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) The Municipality is satisfied that sufficient sanitary sewage treatment capacity is available in the municipal sanitary treatment facility and such capacity has been allocated by the Municipality to development of the lands.

m) Holding Provision 13 (H13) (B/L 103/2013)

Where a holding symbol H13 is added as a suffix to any Zone category on Schedule "A" to this By-law, the H symbol shall not be removed or a building permit issued for townhouses or street townhouses until the Municipality of Lambton Shores is satisfied with the existing lot configuration.

n) Holding Provision 14 (H14) (B/L 121/2013)

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; and

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) (B/L 22/2017)

Where a holding symbol H15 is added as a suffix to any Zone category on Schedule "A-3" to this By-law, the H 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 the 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 the Ausable Bayfield Conservation Authority have been issued.

p) Holding Provision 16 (H16) (B/L 34/2017)

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; and

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

q) Holding Provision 17 (H17) (B/L 81/2017)

Where a holding symbol (H17) is added as a suffix to any Zone category in this By-law, the Holding 17 (H17) 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

such capacity has been allocated by the Municipality to develop the lands.

r) Holding Provision 18 (H18) (B/L 81/2017)

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

s) Holding Provision 19 (H19) (B/L 65/2022)

Where a holding symbol (H19) is added as a suffix to any Zone category in the Zoning By-law, expansion of a Commercial Greenhouse shall be prohibited until the Holding 19 (H19) symbol is removed by amendment of the Zoning By-law. The Holding 19 (H19) symbol shall not be removed until a traffic impact study has been completed to the satisfaction of the Municipality and, if necessary, an agreement has been entered into to implement the recommendations of the study.

t) Holding Provision 20 (H20) (B/L 4/2024)

Where a Holding Symbol 20 (H20) is added as a suffix to a Zone category in this By-law, the Holding Provision 20 (H20) symbol shall not be removed until a satisfactory Environmental Site Assessment and site remediation has been completed to allow the Uses Permitted by the applicable Zone designation. Until such time as the Holding Provision 20 (H20) symbol is removed, Permitted Uses of any portion of a Lot subject to the H20 symbol shall exclude any Building or Landscaped Open Space Use associated with the Main Use of the property.

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)

5.2 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 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:	400 metres or within MOE 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 54/2003)

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 7/2004)

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 12/2004)

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 16/2005)

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 67/2005)

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 74/2005)

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 12/2006)

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 13/2006)

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 39/2006)

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 55/2006)

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 70/2006)

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 73/2006)

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 7/2007)

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 7/2007)

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 11/2007)

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 25/2007)

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 9310 and 9312 Arkona Road:

Permitted Uses

a) Two Single Detached Dwellings, provided the Dwelling existing 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 65/2007)

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 8/2008)

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 29/2008)

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 39/2008)

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 68/2008)

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 8/2008)

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 50/2008)

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:

i) A minimum of 50 parking spaces shall be provided; and

ii) A maximum of 8 (eight) employees who do not reside on the property

y) Exception 25 to the Agricultural – 1 Zone (B/L 82/2008)

Notwithstanding any other provisions of this By-law to the contrary the following regulation shall affect lands zoned Agricultural 1.24 (A1-24) on Schedule "A-1" to this By-law, and known as 8229 Fuller Road:

Permitted Uses

a) Agriculture, 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 63/2009)

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 Lots 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 63/2009)

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 71/2009)

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 71/2009)

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 9/2010)

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.

ee) Exception 31 to the Agricultural – 1 Zone (B/L 9/2010)

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 m^2 detached building is considered to be an accessory building to the residential use.

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

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.32 (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) Buildings, structures and uses accessory to a permitted use

Site Regulations

a)	Minimum Lot Area	3,000 m^2
b)	Minimum Lot Frontage	40 metres
c)	Minimum Front Yard & 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 than 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 71/2010)

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 71/2010)

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 m^2 detached building is considered to be an accessory building to the residential use.

ii) Exception 35 to the Agricultural – 1 Zone (B/L 4/2011)

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 4/2011)

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 m^2 to recognize two existing storage sheds.

kk) Exception 37 to the Agricultural – 1 Zone (B/L 6/2011)

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 54/2011)

Notwithstanding any other provisions of this 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, Concession 8 NER, 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 54/2011)

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 56/2011)

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 Lots 23 and 24, Concession 4, the existing 836 m^2 (approximately) barn, formerly a chicken barn now 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 the Agricultural – 1 Zone (B/L 56/2011)

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 m^2; and these existing accessory buildings are considered to be accessory to the residential use.

pp) Exception 42 to the Agricultural – 1 Zone (B/L 71/2011)

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 Half of 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 (B/L 71/2011)

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 m^2 and the existing accessory building is considered to be accessory to the residential use.

rr) Exception 44 to the Agricultural – 1 Zone (B/L 87/2011)

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 Part Lot 45, South Boundary Concession, no dwelling of any kind shall be permitted and the minimum lot area shall be 33 hectares.

ss) Exception 45 to the Agricultural – 1 Zone (B/L 8/2012)

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 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.

tt) Exception 46 to the Agricultural – 1 Zone (B/L 50/2012)

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 Lots 1 and A, Concession 1, geographic Township of Bosanquet, no dwelling of any kind shall be permitted.

uu) Exception 47 to the Agricultural – 1 Zone (B/L 50/2012)

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 m^2 and the existing accessory building is considered to be accessory to the residential use.

vv) Exception 48 to the Agricultural – 1 Zone (B/L 79/2012)

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.

ww) Exception 49 to the Agricultural – 1 Zone (B/L 79/2012)

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 m^2 and the existing accessory building is considered to be accessory to the residential use.

xx) Exception 50 to the Agricultural – 1 Zone (B/L 91/2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.50 (A1-50) on Schedule "A-1" to this By-law and described as Part of Lot 5, Concession 8 NER, 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.

yy) Exception 51 to the Agricultural – 1 Zone (B/L 91/2012)

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 m^2 and the existing accessory building is considered to be accessory to the residential use.

zz) Exception 52 to the Agricultural – 1 Zone (B/L 101/2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.52(A1-52) on Schedule "A-1" to this By-law and described as Part of Lot 26, Concession 6 NER, 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 (B/L 101/2012)

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 connected thereto.

bbb) Exception 54 to the Agricultural – 1 Zone (B/L 126/2012)

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): 29.3 hectares

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 (B/L 126/2012)

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 (B/L 14/2013)

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 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.

eee) Exception 57 to the Agricultural – 1 Zone (B/L 14/2013)

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 m^2 and the existing accessory building is considered to be accessory to the residential use.

fff) Exception 58 to the Agricultural – 1 Zone (B/L 50/2013)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned 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) minimum lot frontage: 130 metres

ggg) Exception 59 to the Agricultural – 1 Zone (B/L 50/2013)

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 (B/L 108/2013)

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 the Part of Lots 6 and 7, South Boundary Concession, geographic Township of Bosanquet, now the Municiipality of Lambton Shores and known municipally as 7549 Arkona Road, no dwelling unit of any kind shall be permitted; and

iii) Exception 61 to the Agricultural – 1 Zone (B/L 108/2013)

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 Road, the maximum

lot coverage for accessory buildings shall be 416 m^2 and the existing accessory building is considered to be accessory to the residential use.

jjj) Exception 62 to the Agricultural – 1 Zone (B/L 109/2013)

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 the Parts 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 (B/L 78/2014)

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 the 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.

lll) Exception 64 to the Agricultural – 1 Zone (B/L 78/2014)

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 the 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 m^2.

mmm) Exception 65 to the Agricultural – 1 Zone (B/L 80/2014)

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 the 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 22.5 hectares and a lot frontage of 110 metres.

nnn) Exception 66 to the Agricultural – 1 Zone (B/L 80/2014)

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 the Part of 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 m^2.

ooo) Exception 67 to the Agricultural – 1 Zone (B/L 47/2015)

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 the Part of Lot 21, Concession 1, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 8972 Arkona Road, the minimum lot area for an agricultural lot shall be 12.85 hectares.

ppp) Exception 68 to the Agricultural – 1 Zone (B/L 47/2015)

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 the Part of 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 (B/L 98/2015)

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 the Part of 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 (B/L 98/2015)

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 the Part of Lot 13, Concession 11, Geographic Township of Bosanquet, now the Municipality of Lambton Shores and known municipally as 6852 Proof Line, the maximum lot coverage for existing accessory buildings shall be 707 m^2.

sss) Exception 71 to the Agricultural – 1 Zone (B/L 25/2016)

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 the 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 (B/L 25/2016)

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 the 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 (B/L 38/2016)

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 the Part of Lot 72, 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 (B/L 9/2018)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural 1.74 (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.

www) Exception 75 to the Agricultural – 1 Zone (B/L 71/2018)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Agricultural-1.75 (A1-75) on Schedule "A" to this By-law and known municipally as 7680 Townsend Line and being a

residential lot created by severance application B-09/2018, the minimum required lot frontage shall be 10 metres and the minimum distance separation I (MDS I) required from the existing livestock facility and manure storage at 7681 Northville Road shall be 610 metres and 690 metres, respectively.

xxx) Exception 76 to the Agricultural – 1 Zone (B/L 71/2018)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Agricultural-1.76 (A1-76) on Schedule "A" to this By-law and described as Concession South Boundary West Part Lot 17 and East Part Lot 18, exclusive of the severed lot approved by consent application B-09/2018, no dwelling of any kind shall be permitted.

yyy) Exception 77 to the Agricultural – 1 Zone (B/L 78/2018)

Notwithstanding the 38 hectare minimum lot area requirement in Section 5.2a) of this By-law, to the contrary, on lands described as Concession Lake Road West, Part Lot 71, located at Proof Line and Lakeshore Road, being the retained lands resulting from Consent Application B-10/2018, a minimum lot area of 15 hectares shall be permitted.

zzz) Exception 78 to the Agricultural – 1 Zone (B/L 30/2020)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Agricultural-1.78 (A1-78) on Schedule "A" to this By-law and known municipally as 7975 Kennedy Line, in addition to the Uses Permitted of Section 5.1:

i) a secondary Single Detached Dwelling with a maximum Gross Floor Area of 105 square metres shall be Permitted, and

ii) Permitted Single Detached Dwellings shall be Permitted to house migrant labourers.

aaaa) Exception 79 to the Agricultural – 1 Zone (B/L 70/20)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Agricultural-1.79 (A1-79) on Schedule "A" to this By-law and described as Concession 13, Part Lot 16, geographic Township of Bosanquet, now the Municipality of Lambton Shores, no Dwelling Unit of any kind shall be Permitted, and the minimum required Lot Area for an Agricultural Lot shall be 32 hectares.

bbbb) Exception 80 to the Agricultural – 1 Zone (B/L 57/21)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Agricultural-1.80 (A1-80) on Schedule "A" to this By-law and described as Concession Lake Road East, Part Lot 80, geographic Township of Bosanquet, now the Municipality of Lambton Shores, no Dwelling Unit of any kind shall be Permitted.

cccc) Exception 81 to the Agricultural – 1 Zone (B/L 64/21)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Agricultural-1.81 (A1-81) on Schedule “A” to this By-law, and described as Concession South Boundary, Part Lots 13 and 14, geographic Township of Bosanquet, now the Municipality of Lambton Shores, known municipally as 7942 Townsend Line, the required MDS for a replacement Livestock Facility with a maximum capacity of 12,000 layer hens using a liquid manure system:

i) For the barn, from the C3 Zone on the Lot known municipally as 7930 Townsend Line, shall be equal to the existing Setback, if the replacement Livestock Facility is constructed over the location of the Livestock Facility existing on September 7, 2021, and

ii) For a type M1 Manure Storage (as defined in the provincial MDS Guidelines), from the C3 Zone on the Lot known municipally as 7922 Townsend Line shall be 116m.

dddd) Exception 82 to the Agricultural – 1 Zone (B/L 69/21)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural-1.82 (A1-82) on Schedule "A" to this By-law, and described as Concession 1, Part Lot 24, geographic Township of Bosanquet, now the Municipality of Lambton Shores, no Dwelling Unit of any kind shall be Permitted and the minimum required Lot Frontage and Lot Area shall be 92m and 29 hectares, respectively.

eeee) Exception 83 to the Agricultural -1 Zone (B/L 46/2022)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural- 1.83 (A1-83) on Schedule "A" to this By-law, on the south side of Goosemarsh Line known legally as Concession C, Plan 7 Part Lot 20 RP 25R8732 Part 2, the minimum setback for all Buildings and Structures from the EP-WD Zone shall be 15 m. In all other respects the permitted uses are regulations applicable to the A1 Zone shall apply to the A1-83 Zone Exception.

gggg) Exception 84 to the Agricultural -1 Zone (B/L 65/2022)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural -1.84 (A1-84) on Schedule "A" to this By-law, known municipally as 5894 Douglas Line, the following special provisions shall apply:

a) In addition to the Uses Permitted by Section 5.1, On-Farm Accommodations shall be Permitted, subject to the following provisions:

i.	Minimum Rear Yard Setback:	10.0m
ii.	Minimum Interior Side Yard Setback:	6.0m
iii.	Minimum Setback from Forest Wastewater Treatment Facility	150.0m
iv.	Maximum Number of Bedrooms	232 on the lot
v.	Maximum Height	12.0m
vi.	Minimum Number Parking Spaces	0.5 per Dwelling Unit

vii. All other provisions shall comply with Section 5.2 for regulations associated with Single Detached Dwellings.

b) Notwithstanding any other provision of this By-law to the contrary, the maximum Lot Coverage for Commercial Greenhouses shall be 60% of the Lot Area and the maximum Lot Coverage for all other Uses shall be 10% of the Lot Area.

c) In all other respects the permitted uses and regulations applicable to the A1 Zone shall apply to the A1-84 Zone Exception.

hhhh) Exception 85 to the Agricultural – 1 Zone (B/L 67 of 2022)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural-1.85 (A1-85) on Schedule "A" to the By-law, and described as Concession SB, Part Lot 21, Municipality of Lambton Shores, no Dwelling Unit of any kind shall be Permitted and the minimum required Lot Area for an Agricultural Lot shall be 37.5 hectares.

iiii) Exception 86 to the Agricultural – 1 Zone (B/L 31 of 2024)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Exception 86 to the Agricultural-1 (A1-86) Zone on Schedule "A" to this By-law, being lands known as 2 Allen St, Thedford, a second Farm Dwelling shall be Permitted in addition to the one (1) Farm Dwelling Permitted by Section 5.1 a) of the By-law. In all other aspects the provisions of the A1 Zone shall apply.

jjjj) Exception 87 to the Agricultural- 1 Zone (B/L 30 of 2024)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Exception 87 to the Agricultural-1 (A1-87) Zone on Schedule "A" to the By-law, and described as Concession 14, Lot 14, Municipality of Lambton Shores, no Dwelling Unit of any kind shall be Permitted.

kkkkk) Exception 88 of the Agricultural- 1 Zone (B/L 73 of 2024)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Exception 88 to the Agricultural-1 (A1-88) Zone on Schedule "A" to this By-law, and located within Concession 1, Lot 27, Municipality of Lambton Shores:

i) no Dwelling Unit of any kind shall be Permitted, and
ii) the minimum required lot area shall be 35 hectares.

llll) Exception 89 of the Agricultural-1 Zone (B/L 78 of 2024)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Exception 89 to the Agricultrual – 1 (A1-89) Zone on Schedule "A" to this By-law, being lands described as CON 5 W Pt Lot 30, Lambton Shores, the following provisions shall apply:

i) Minimum Lot Area shall be 0.72ha.
ii) Minimum Front Yard Setback shall be 4.3m
iii) In all other respects, the Permitted Uses and Site Regulations of the A1 Zone shall apply.

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 43/2005)

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 28/2006)

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	.5 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 (B/L 99/2014)

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 a 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 Zone (B/L 118/2014)

Notwithstanding any other provisions of this By-law, on lands Zoned Agricultural – 2.7 (A2-7) on Schedule "A-4" to this By-law, and described as the 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, no buildings or structures including a dwelling unit of any kind shall be permitted.

h) Exception 8 to the Agricultural - 2 Zone (B/L 118/2014)

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 the 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 Zone (B/L 116/2014)

Notwithstanding any other provisions of this By-law to the contrary, on lands Zoned Agricultural – 2.9 (A2-9) on Schedule "A-2 " to this By-law, and described as the Part of 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.

j) Exception 10 to the Agricultural - 2 Zone (B/L 77/2018)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural – 2.10 (A2-10) on Schedule "A-2 " to this By-law and being part of lands known as 9899 Klondyke Road, the following provisions shall apply in addition to those of the standard A2 Zone:

a) In addition to the uses Permitted in Section 6.1, Permitted uses shall include a Single Detached Dwelling and Buildings, Structures, and Uses Accessory thereto.

b) The provisions of the A2-1 Zone shall also apply in the A2-10 Zone.

c) All development shall be subject to such approvals as may be required from the Conservation Authority under regulations under the *Conservation Authorities Act.*

k) Exception 11 to the Agricultural - 2 Zone (B/L 32/2020)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Agricultural – 2.11 (A2-11) on Schedule "A-2 " to this By-law and known municipally as 8543 Goosemarsh Line, in addition to the Uses Permitted in Section 6.1:

i) a Single Detached Dwelling shall be Permitted; and
ii) a secondary Single Detached Dwelling shall be Permitted subject to the following provisions:
    a) the maximum Permitted Gross Floor Area shall be 70 square metres;
    b) the secondary Single Detached Dwelling may be a modified Park Model Home, meaning a Park Model Home that has been expanded with a framed addition and modified in compliance with the Ontario Building Code for year-round occupancy;
    c) the Permitted location shall include any Yard;
    d) the minimum required Front Yard Setback shall be 6m; and
    e) the minimum required Interior Side Yard shall be 1.2m.

l) Exception 12 to the Agricultural - 2 Zone (B/L 102/2021)

Notwithstanding the Permitted Uses of Section 6.1 and any other provisions of this By-law to the contrary, on lands zoned Agriculture – 2.12 (A2-12) on Schedule "A" to this By-law, no Dwelling of any kind is Permitted. In all other respects the Permitted Uses and regulations applicable to the A2-1 Zone Exception shall apply to the A2-12 Zone Exception.

SECTION 6A – AGRICULTURAL COMMERCIAL WIND ENERGY CONVERSION SYSTEM – 3 (A3) ZONE (B/L 32/07)

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 whichever 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 m^2 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.

6A.3 SPECIAL PROVISIONS (B/L 34/2009)

The following Zones apply to unique or existing situations and are not the standard A3 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 6A.1 and or the regulations of 6A.2 shall apply.

a) Exception 1 to the Agricultural – 3 Zone

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 NER, 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 83/2015)

6B.1 PERMITTED USES (B/L 80 of 2023)

a) Agricultural Implement Sales Establishment
b) Agricultural Service Establishment
c) Agricultural Supply Establishment
d) Agricultural Processing Establishment
e) Farm Produce Processing Establishment
f) Farmers Market
g) Kennel
h) Metal Fabrication
i) Motor Vehicle Repair Establishment
j) Motor Vehicle Service Establishment
k) Nursery
l) Terminal Grain Elevator
m) Buildings, Structures and Uses Accessory to a Permitted Use

For the purpose of the Agricultural-4 (A4) Zone, Metal Fabrication, as a Permitted Use, is defined as follows:

"**METAL FABRICATION**" means a specific Industrial Use of Building(s) and/or Structure(s) for the assembly of raw materials using the processes of cutting, welding, machining and finishing services that include polishing, coating and painting to create a final product.

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
f) Minimum Exterior Side Yard Setback	10 metres
g) Minimum Rear Yard Setback	10 metres
h) 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) – removed through By-law 4 of 2023

g) Exception 7 to the Residential – 1 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 13.5 metres
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 Zone (B/L 9/2009)

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-1" 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 compiled 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 m^2
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 Zone (B/L 18/2011)

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 provision shall apply:

PERMITTED USES

a) Single Detached Dwelling
b) Home Occupations
c) Public Park

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

SITE REGULATIONS

a)	Minimum Lot Area	700 m^2
b)	Minimum Lot Frontage	18 metres
c)	Minimum Front Yard Setback	6 metres
d)	Minimum Interior Side Yard Setback for Dwelling with an Attached Garage	1 metre
e)	Minimum Interior Side Yard Setback for Dwelling with no Attached Garage	1 metre one side 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%
j)	Special Provisions	
i)	Section 3.19 does not apply	

j) Exception 10 to the Residential – 1 Zone (B/L 13/2014)

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 m^2 and the existing accessory building is considered to be accessory to the residential use.

k) Exception 11 to the Residential – 1 Zone (B/L 52/2016)

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 special regulations:

a)	Minimum Lot Area for a Lot Serviced with Municipal Water and Municipal Sanitary Sewers	500 m^2
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 Zone (B/L 81/2017)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 1.12 (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 special regulations:

1. Minimum Lot Area:

i)	For a Lot Serviced with Municipal Water and Municipal Sanitary Sewers	500 m^2
ii)	For a Lot Serviced with Municipal Water and a Private On-Site Septic System	5,000 m^2

2. 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

m) Exception 13 to the Residential – 1 Zone (B/L 115/2017)

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 m^2
b)	Minimum Lot Frontage	40 metres
c)	See Section 7.2 for 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.

n) Exception 14 to the Residential – 1 Zone (B/L 9/2020)

Notwithstanding any other provisions of the By-law to the contrary, on lands zoned Residential - 1.14 (R1-14) on Schedule "A-7" to this By-law, being lands described as Part Lot 20, Concession 2 (BO) and known municipally as 8923 Widder Road, the following provisions shall apply:

i) An additional dwelling unit in the form of a second Single Detached Dwelling shall be Permitted in addition to the Existing Single Detached Dwelling and other Uses permitted in Section 7.1.

ii) The additional Dwelling Unit shall be subject to a maximum Permitted Height of 8m and a maximum Permitted Ground Floor Area of 93 square metres.

o) Exception 15 to the Residential – 1 Zone (B/L 26/2021) (B/L 72/2024)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential – 1.15 (R1-15) on Schedule "A" to this By-law, east of Elizabeth Street and south of Ravenswood Line in Thedford, in addition to the uses Permitted in the R1 Zone, the pasturing and keeping of horses shall be Permitted subject to the following regulations apply:

i) The minimum required Interior Side Yard (if attached garage) shall be:
- 1.2m for a Single Detached Dwelling
- 1.2m & 0 m for a Semi Detached Dwelling where a Semi-Detached Dwelling is attached to another Semi-Detached Dwelling.

ii) The minimum required Interior Side yard (if no attached garage) shall be:
- 1.2 m and 3 m for a Single Detached Dwelling

iii) The minimum required Exterior Side Yard shall be 4.5 m for all Permitted Uses.

iv) In all other respects the Permitted Uses and provisions of the R1 Zone shall apply.

p) Exception 16 to the Residential - 1 Zone (B/L 40/2022)

Notwithstanding any other provisions of the By-law to the contrary, on lands zoned Residential-1.16(R1-16) on Schedule “A” to the By-law, known municipally as 8580 Townsend Line, the maximum permitted total Lot Coverage for all Accessory Buildings and Structures shall be 250m$^{2.}$ In all other respects the permitted uses and regulations applicable to the R1 Zone shall apply to the R1-16 Zone Exception.

q) Exception 17 to the Residential -1 Zone (B/L 41 of 2023)

Notwithstanding and any other provisions of this By-law to the contrary, on lands zoned Residential-1.17 (R1-17) on Schedule "A" to this By-law, known municipally as 319 Main Street, Thedford, the maximum Permitted Lot Coverage shall be 45%. In all other respects the permitted uses and regulations applicable to the R1 Zone shall apply to the R1-17 Zone Exception.

r) Exception 18 to the Residential – 1 Zone (B/L 88 of 2023)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Exception 18 to the Residential-1 (R1-18) Zone on Schedule "A-7" to this By-law and known Municipally as 125 King St, Thedford, the following provisions shall apply:

i) In addition to the Uses Permitted in the R1 Zone under Section 7.1, a Day Nursery and Uses Accessory thereto shall also be Permitted in the R1-18 Zone.
ii) A Day Nursery shall be subject to the site regulations in Section 7.2 that apply to a Single Detached Dwelling.
iii) The existing situation of Parking Spaces encroaching partially on the boulevard of the Sherrand Street Street Allowance shall be Permitted to continue. Such permission applies only as long as the lands continue to be used as a Day Nursery and is subject to the Parking Spaces being maintained by the Owner in a condition and location satisfactory to the Municipality.

s) Exception 19 to the Residential – 1 Zone (B/L 79 of 2024)

Notwithstanding and other provisions of this By-law to the contrary, on lands zoned Exception 19 to the Residential-1 (R1-19) Zone on Schedule "A" to this By-law, known as 141 Main Street, Thedford, the following provisions shall apply:

i) Permitted Uses shall include those Uses Permitted in the R1 Zone, and for clarity, shall include a Bed and Breakfast Establishment.
ii) The limit of 3 Guest Rooms for a Bed and Breakfast shall not apply.
iii) The following site regulations shall apply:

a.	Minimum Front Yard Setback	3m
b.	Minimum Interior Side Yard Setback	1.2m or 3m where abutting a Lot with a Residential Main Use
c.	Minimum Rear Yard Setback	7m
d.	Maximum Height	11m
e.	Maximum Lot Coverage	50%
f.	Minimum Landscaped Oper Space	35%

iv) Buildings, Structures and Uses Accessory to a Single Detached Dwelling or Bed and Breakfast are Permitted subject to the provisions applicable to Lots in Residential Zones under Section 3.3.

7.4 HOLDING ZONES (Z/B 13/2004)

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.

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 66/2008)

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 (if attached garage)	See Section 8.2(d)
e)	Minimum Interior Side Yard Setback (if no attached garage)	See Section 8.2(e)
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 15/2005)

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 27/2021)

Notwithstanding any other provisions of this By-law to the contrary, on lands Residential - 3.4 (R3-4) Zone on Schedule "A" to this By-law, known municipally as 70 and 72 Union Street, Forest, Permitted Uses shall be limited to Semi-Detached Dwellings and "Fourplex" Dwelling, subject to the following provisions:

a) Buildings, Structures, and Uses Accessory to a Permitted Use shall be Permitted, including Home Occupations.

b) Semi-detached Dwellings shall be subject to the site regulations applicable to a Semi-Detached Dwellings in the Residential - 1 (R1) Zone contained in Section. 7.2 of this By-law.

c) A Fourplex Dwelling shall be subject to the following site regulations and special provisions:

i) Minimum Lot Area	275 m^2/Dwelling unit
ii) Minimum Lot Frontage	25 m
iii) Minimum Front Yard Setback	6 m
iv) Minimum Interior Side Yard	6 m on one side, 3 m on the other
v) Minimum Exterior Side Yard	6 m
vi) Minimum Rear Yard Setback	10.5 m
vii) Maximum Lot Coverage	30%
viii) Maximum Building Height	11 m
ix) Minimum Landscaped Open Space	30%
x) Minimum Floor Area	65 m^2/Dwelling Unit

k) Special Regulations

a. 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.

b. No parking shall be permitted in a front yard.

e) Exception 5 to the Residential - 3 Zone (B/L 18/2011)

Notwithstanding any other provisions of this By-law on lands zoned Residential 3.5 (R3.5) 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 m^2
b) Minimum Lot Frontage	8.5 metres

c) Minimum Front Yard Setback	6 metres
d) Minimum Interior Side Yard Setback	3m (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 0.6m required along the common lot line for those portions of the dwelling units which are not attached by a common wall.
e) Minimum Rear Yard Setback	7 metres
f) Maximum Lot Coverage	35%
g) Minimum Landscaped Open Space	40%
h) 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 6m from the front lot line and not less than 6m from any side lot line.

f) Exception 6 to the Residential - 3 (R3) Zone (B/L 22/2017)

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 shall 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 Uses:

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 rooft top patio not exceeding a height of 6.73 metres; and

iii) 18.48 metres to a three story 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 story 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 roof top privacy wall can have a maximum height of 11.7 metres
j) Minimum Landscaped Open Space	35%

SPECIAL REQUIREMENTS

a) Riverside Drive shall be deemed to be the front lot line.

b) Despite Section 3.3 no accessory buildings shall be permitted in the exterior or interior side yards. One accessory building not exceeding a lot coverage of 40 m^2 and a height of 4 metres may be permitted in the front yard but only as provided for in the Site Plan Agreement with the Municipality.

c) A 6 metre wide landscape strip shall be provided along the east lot line north of the proposed parking area and a 3 metre wide buffer strip shall be provided along the east lot line adjacent to the parking area.

d) a 2.4 metre high solid decorative wall shall be provided along the east lot line to a point located 17 meters from the top of the bank of the Ausable River and a 1.2 metre high open style wrought iron fence shall be provided north from a point located 17 metres from the top of bank of the Ausable River to the end of the boat slip located along the east lot line.

e) No dwelling unit shall be rented/leased for a time period of less than 6 months.

f) A minimum Flood elevation.

g) Exception 7 to the Residential - 3 (R3-7) Zone (B/L 79/2020)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential - 3.7(R3-7) on Schedule "A" to this By-law, and described as Part Lot 20, Concession 3, located between Main Street and Allen Street in Thedford, the following minimum setback requirements shall apply:

i) 10 metres to the Lot Line abutting Main Street

ii) 4.5 metres to all other Lot Lines abutting a Street

iii) 10 metres to the boundary of any Commercial Zone

iv) 3 metres to any other Lot Line.

h) Exception 8 to the Residential – 3 (R3- 8) Zone (B/L 4 of 2024)

Notwithstanding any other provision of the By-law to the contrary, on lands zoned Exception 8 to the Residential- 3 (R3-8) Zone on Schedule "A" to the By-law, located at the southeast corner of intersection of Clyde and Argyle Streets in Forest, the following provisions shall apply:

i) The minimum required Rear Yard shall be 7.0 metres.

ii) Those Lot Lines abutting Clyde Street shall be deemed Front Lines, the most southerly Lot Line abutting the former railroad right of way shall be deemed the Rear Lot Line, the portion of the Lot Line abutting Argyle Street shall be deemed an Exterior Side Lot Line, and all other Lot Lines or portions thereof shall be deemed Interior Side Lot Lines.

i) Exception 9 to the Residential – 3 (R3-9) Zone (B/L 72 of 2024)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Exception 9 to the Residential- 3 (R3-9) Zone on Schedule "A" to this By-law, located east of Elizabeth Street in Thedford, Permitted Uses shall be limited to Street Townhouse, Townhouse, Multiple Dwelling and Retirement Home, and the following provisions shall apply:

i) The minimum required Lot Area shall be:

- 250 m^2/unit for a Townhouse
- 121 m^2/unit for a Multiple Dwelling
- 121 m^2/unit for a Retirement Home

ii) The minimum required Exterior Yard Setback shall be:

- 4.5 m for a Street Townhouse
- 4.5 m for a Townhouse
- 6 m for a Multiple Dwelling
- 6 m for a Retirement Home

iii) The minimum number of Parking Spaces required shall be:

- 1.4 parking spaces per dwelling unit for a Multiple Dwelling
- 1 parking space for every 3 bed for a Retirement Home

iv) Where abutting an Industrial Zone boundary, a buffer strip shall be provided adjacent to and inside the Residential Zone boundary along the Side and Rear Lot Lines, having a minimum width of three (3.0) metres, in compliance with Section 3.20 of the By-law.

v) In all other respects, a Retirement Home shall be subject to the same provisions as apply to a Multiple Dwelling in the R3-9 Zone.

vi) In all other respects the Permitted Uses and provisions of the R3 Zone shall apply.

j) Exception 10 to the Residential -3 (R3-10) Zone (B/L 72 of 2024)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Exception 10 to the Residential-3 (R3-10) Zone on Schedule "A" to this By-law, located east of Elizabeth Street in Thedford, the Permitted Uses and provisions of the "Residential-3 Exception 9 (R3-9)" shall apply with the following exceptions:

i) Retirement Home is not a Permitted Use
ii) The minimum required Lot Area for a Multiple Dwelling shall be 139 m^2/unit
iii) The minimum required Interior Side Yard for a Multiple Dwelling shall be 1.3 m
iv) The minimum required Exterior Side Yard for a Multiple Dwelling shall be 1.3 m
v) The minimum number of Parking Spaces required for a Multiple Dwelling shall be 1.5 parking spaces per dwelling unit

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	7.4m for any portion of a Permitted Dwelling with a flat roof or roof pitch of less than a 4 to 12 rise to run ratio;and 9 m in all other instances
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 the maximum Permitted Building Height for a Single Detached Dwelling shall be 9 meters, and 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/L 56/21)

b) Exception 2 to the Residential - 4 Zone

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.

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

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%. (B/L 118/16)

Notwithstanding Section 10.2 h) of this By-law, the maximum Permitted Building Height for a Single Detached Dwelling located in the Residential 4-2 (R4-2) Zone, if it is not located within a Residential Park, shall be 9 m. (B/L 56/21)

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%

c) Exception 3 to the Residential - 4 Zone (B/L 8/2019)

Within the residential 4.3 (R4-3) Zone, the following provisions shall apply:

Permitted Uses

i) Semi-Detached Dwellings shall be permitted in addition to the permitted uses of the R4 Zone.

ii) an access driveway to a lot occupied by a Multiple Dwelling may be permitted on Lot 6, Registered Plan 25M-42 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.

Site Provisions

iii) For a lot developed for a Single Detached Dwelling that is no more than one storey in height, the maximum permitted lot coverage shall be 45%.

iv) Notwithstanding Section 10.2 h) of this By-law, the maximum Permitted Building Height for a Single Detached Dwelling located in the Residential 4-3 (R4-3) Zone shall be 9m. (B/L 56/21)

v) Semi-Detached Dwellings shall be subject to the following site provisions:

a) Minimum Lot Area	400 m^2/dwelling unit
b) Minimum Lot Frontage	14 metres
c) Minimum Front Yard	6 metres
d) Minimum Interior Side Yard	1 metres & 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) Maximum Lot Coverage	35%
h) Building Height Maximum	9 metres
i) Minimum Landscaped Open Space	30%
j) Minimum Parking Requirements	Every Dwelling shall have an attached garage with a minimum width of 5.5 metres and a minimum depth of 5.5 metres

d) Exception 4 to the Residential - 4 Zone (B/L 31/2020)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Residential-4.4 (R4-4) on Schedule "A-1" to this By-law and described as Plan 4, Part Lots 25, D, and 26:

i) the minimum required Setback from the most northerly Lot Line and any other Lot Line shared with a Street Allowance shall be 2 metres;

ii) the minimum required setback from the Rear Lot Line for all Structures other than an Unenclosed Deck shall, subject to section 10.3 d) iv), be defined by a line that is perpendicular to the Side Lot Lines and set back the specified Rear Yard Setback from the centre point of the Rear Lot Line. The specified Rear Yard Setback is:
   a) 20.5 metres on lands described as Part Lot 25, Plan 4,
   b) 17.5 metres on lands described as Part Lots 25, D, and 26, Plan 4, and
   c) 12 metres on lands described as Part Lot 26, Plan 4;

iii) no Rear Yard Setback shall be required for an Unenclosed Deck, subject to section 10.3 d)iv);

iv) section 3.19.1 *top of bank setback* shall not apply to any Structure that obtains such approvals as may be required under Regulations passed under the *Conservation Authorities Act*; and

v) section 10.2b) *minimum lot frontage* shall not apply; a Lot shall be required to abut a Street Allowance for a minimum of 3 metres and shall have a minimum Lot width of 12 metres.

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 a Dwelling Unit:
- 90 square metres minimum for 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 74/2006)

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 m^2

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 85/2007 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%
(ix)	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 m^2.

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 Gilnochie 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 (B/L 79/2015)

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).

e) Exception 5 to the Residential - 5 Zone (B/L 69/2016)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 5.5 (R5-5) on 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 m^2
b) Minimum Lot Frontage 40 metres
c) The only individual onsite private sewage systems permitted to be installed to service dwellings on the lot in the R5-5 Zone are those tertiary treatment systems permitted in the Ontario Building Code.

f) Exception 6 to the Residential - 5 Zone (B/L 34/2017)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 5.6 (R5-6) on Schedule "A-3" to this By-law, and known municipally as 7545 Riverside Drive, Port Franks the following regulations apply:

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.

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%

Special Requirements

a) No dwelling unit shall be rented/leased for a time period of less than 6 months.

g) Exception 7 to the Residential - 5 Zone (B/L 21/2021)

Notwithstanding Sections 3.8 and 11.1 and any other provisions of this By-law to the contrary, on lands zoned Residential 5.7 (R5-7) on Schedule "A" to this By-law, and known municipally as 10020 Port Franks Estate Drive, the following regulations shall apply:

i) A second Dwelling Unit with a maximum permitted Gross Floor Area of 93 m^2 shall be permitted in a Detached Building Accessory to a Single Detached Dwelling.
ii) A maximum of 2 Dwelling Units (including the primary Single Detached Dwelling) shall be permitted on the Lot.
iii) The minimum required Interior Side and Rear Yard Setbacks shall be 1.2m for a Detached Accessory Building containing a Dwelling Unit.
iv) Within the R5-7 Zone, “short term rental” shall mean a Dwelling or Dwelling Unit that, in whole or in part, is rented or available for rent with the intent of financial compensation for an occupancy of less than 30 consecutive days and shall include a Bed and Breakfast Establishment.
v) Use of a Single Detached Dwelling as a short term rental is prohibited.
vi) Use of a second Dwelling Unit permitted under subsection i) as a short term rental is permitted.
vii) The minimum required Lot Area shall be 1392 m^2.
viii) In all other respects, the Permitted Uses and provisions applicable to the R5 Zone shall apply to the R5-7 Zone Exception.

h) Exception 8 to the Residential - 5 Zone (B/L 102/2021)

Notwithstanding Sections 3.3.4 and any other provisions of this By-law to the contrary, on lands zoned Residential 5.8 (R5-8) on Schedule "A" to this By-law, and known municipally as 8381 Defore Drive, the maximum Permitted Lot Coverage of Detached Accessory Buildings shall be 229 square meters. In all other respects the permitted uses and regulations applicable to the R5 Zone shall apply to the R5-8 Zone Exception.

i) Exception 9 to the Residential – 5 Zone (B/L 39 of 2022)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential-5-9 (R5-9) on Schedule "A" to this By-law, with Lot Frontage on Willsie Line and Eric Street.

i) The minimum require Lot Area shall be 3000 square metres;
ii) Where lands zoned R5-9 are conveyed as a Lot addition to an Existing Lot, the minimum Lot Area requirements of the Zoning By-law shall not apply, provided the Lot Area of the resultant Lot is greater than that of the Existing Lot.
iii) No Dwelling shall have an opening less than 181 G.S.C. unless approved by the local Conservation Authority pursuant to an approval under regulations under the *Conservation Authorities Act*.
iv) In all other respects the permitted uses and regulations applicable to the R5 Zone shall apply to the R5-9 Zone Exception.

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 m^2
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 15/2005)

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 61/2003)

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 12/2004)

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 15/2005)

Notwithstanding any other provisions 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 20/2005)

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.

i) **Exception 9 to the Residential – 6 Zone** (B/L 50/2005)

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.

j) **Exception 10 to the Residential – 6 Zone** (B/L 9/2006)

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.

k) **Exception 11 to the Residential – 6 Zone** (B/L 21/2006)

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.

l) **Exception 12 to the Residential – 6 Zone** (B/L 42/2006)

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.

m) **Exception 13 to the Residential – 6 Zone** (B/L 65/2006)

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

n) **Exception 14 to the Residential – 6 Zone** (B/L 61/2007)

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.

o) Exception 15 to the Residential – 6 Zone (B/L 62/2007)

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 m^2
ii)	Minimum Lot Frontage on Northville Crescent:	6 metres
iii)	Minimum Lot Frontage on Highway 21:	60 metres
iv)	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)

p) Exception 16 to the Residential – 6 Zone (B/L 41/2008)

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

q) 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 be removed.

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 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.

r) Exception 18 to the Residential – 6 Zone (B/L 23/2012)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.18 (R6-18) 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 construct 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 m^2
e) Maximum Dwelling Unit Floor Area: 157 m^2
f) Maximum Height from Floor of Garage: 8.5 metres
g) Only one (1) additional Dwelling Unit will be permitted.
h) Only 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.

s) Exception 19 to the Residential – 6 Zone (B/L 103/2012)

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, structure or site alteration, including tree 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.

t) Exception 20 to the Residential – 6 Zone (B/L 120/2013)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.20 (R6-20) 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: 2 hectares (B/L 66/2019)
b) Minimum Lot Frontage: 75 metres (B/L 66/2019)
c) Maximum Height: 10 metres
d) 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 R6.20 zone until:

   i) Approval is received from the Ministry of Natural Resources and all 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 6.20 (R6-20) 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 6.209 (R6-20) 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.

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 Eastern Hognosed Snake and 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 Hognosed Snake or a skink is observed, all work within 30m 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 250m 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.

u) Exception 21 to the Residential – 6 Zone (B/L 121/2013)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.21 (R6-21) 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.

v) Exception 22 to the Residential – 6 Zone (B/L 68/2016)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.22 (R6-22) on Schedule "A-5" to this By-law and described as Lot 32, Registered Plan 512 (BQ) and known municipality 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 two 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 of 2 metre interior side yard being provided.

w) Exception 23 to the Residential – 6 Zone (B/L 112/2017)

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 Balance of Site Regulations	

SPECIAL PROVISIONS

a) A detached accessory building with a maximum lot coverage of 100 m^2 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 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 Eastern Hog-nosed Snake and 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 Linked Skink is observed, all work within 30m 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 250m 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 damaged 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.

x) Exception 24 to the Residential – 6 Zone (B/L 35/2018)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.24 (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 square metres
b) Minimum Lot Frontage	44 metres
c) Minimum Rear Yard	6 metres

c) 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:

   i) 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 its 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.

   ii) 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.

   iii) A Tree Saving and Landscaping Plan for the entire lot is submitted to the satisfaction of Municipality for the building envelope, which shall address the following:

      1. Identifies trees to be removed;

      2. 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, landscape edging, plantings, etc;

      3. 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;

      4. Retains oak species.

   iv) A grading plan is submitted which will mitigate recharge impacts associated with the development by incorporating stormwater controls such as roof leader water being directed to grassed areas rather than to the drainage ditch along the road frontage.

   v) 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 30m distance from it at all times until it has left the area. MNRF Aylmer District must be contacted immediately if this cannot be done. A 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^{o}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 materials 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 understory vegetation (1m or shorter) mowed to a height of 5cm 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 than 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).

y) Exception 25 to the Residential – 6 Zone (B/L 113/2017)

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 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 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 meters high from 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 Municipality for the building envelope, which shall address the following:

1. Identifies trees to be removed;
2. Provides methods for 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 contactors working on site should be familiar with 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 250m 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 off the ground to prevent fauna from crawling underneath them.

f) Tree clearing activities occur outside the breeding bird window of April 15 to August 9.

aa) Exception 26 to the Residential – 6 Zone (B/L 103/2017)

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:

1. **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.

2. **SITE REGULATIONS**

a)	Minimum Lot Area	4000 m^2
b)	Minimum Lot Frontage	27 metres
c)	Maximum Height	10 metres
d)	Minimum Front Yard Setback	7.5 metres
e)	Minimum Interior Side Yard Setback (if attached garage)	1.2 metres
f)	Minimum Interior Side Yard Setback (if no attached garage)	1.2 metres and 3 metres
g)	Maximum Lot Coverage	25%
h)	Minimum Ground Floor Area	
	One-storey dwellings	90 m^2
	More than One-storey dwellings	70 m^2

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 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.

3. **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 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 (B/L 47/2018)

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.

cc) Exception 28 to the Residential – 6 Zone (B/L 72/2018)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.28 (R6-28) on Schedule "A-4" to this By-law and located on the south side of Goosemarsh Line west of Walker Road, the following regulations shall apply:

a) The Minimum Rear Yard Setback for buildings, including accessory buildings, shall be 15m;
b) The Minimum Front Yard Setbacks shall be 10m;
c) Any tree and shrub removal should occur between September 1 and April 15 of any given year to avoid migratory bird nesting season and to conform to the *Migratory Bird Convention Act* (1994);
d) A general tree preservation plan will be identified as part of an environmental impact study. Lot-specific preservation plans to protect living native tree species should accompany building permit applications. All native tree species including wildlife snags shall be preserved within any portion of a lot zoned EP-NC Zone where such lot is located in the EP-NC Zone in part and the R6-28 Zone in part;

e) The area that is within 15m of the rear lot line should be naturalized through native species planting which will expand and enhance the woodland edge.

dd) Exception 29 to the Residential – 6 Zone (B/L 66/2019)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential 6.29 (R6-29) on Schedule "A-2" to this By-law, being part of lands abutting Goosemarsh Line described as Concession Lake Road East Part Lot 27 (BO), Part 3 of RP 25R7575, the following provisions shall apply:

i) No Buildings or Structures shall be constructed within the dripline of the trees.
ii) All development on the Lot shall be consistent with the requirements of the Province identified in "Letter to Proponent AYL-L-200-18" and/or any subsequent letter issued pursuant to the *Endangered Species Act*, 2007.
iii) The minimum Lot Area shall be 2 hectares and the minimum Lot Frontage shall be 75 metres.

ee) Exception 30 to the Residential – 6 Zone (B/L 4/2020)

Notwithstanding any other provisions of the By-law to the contrary, on lands zoned Residential 6.30 (R6-30) on Schedule "A-5" to this By-law, being part of lands described as Part Lots 5 and 6, Concession 19 (BO) and known municipally as 9569 Ipperwash Road, the following provisions shall apply:

i) The minimum Lot Area shall be 4350 square metres.
ii) In addition to the site regulations of Section 12.2, no portion of any Buildling or Structure shall be located further than 42 metres from the Front Lot Line.
iii) In addition to the preceding Section 12.3 ee) ii), the minimum required Setback from the EP-WET Zone shall be determined pursuant to Section 3.22.1 of this By-law and Conservation Authority approvals required pursuant to regulations under the *Conservation Authorities Act*.
iv) A Swimming Pool shall not be a Permitted Accessory Use.
v) All development shall comply with the requirements included in the Letter to Proponent AYL-L-043-19 issued by the Provincial Ministry of Natural Resources and Forestry respecting the lands and/or any further correspondence issued by the Province with respect to the *Endangered Species Act*.

ff) Exception 31 to the Residential – 6 Zone (B/L 63/2020)

On lands forming part of lands described as Concession Lake Road East, Part Lot 27, Reference Plan 25R7575, Part 4, and zoned Residential-6.31 (R6-31) on Schedule A-2 to this By-law, all site development shall comply with the requirements of the *Endangered Species Act, 2007*, the specific recommendations of the Preliminary Screening for Species at Risk Report prepared for the property by MTE dated October 23, 2019, and correspondence regarding the property from the Ministry of the Environment, Conservation and Parks to MTE dated April 29, 2020.

gg) Exception 32 to the Residential – 6 Zone (B/L 78/2020)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential-6.32 (R6-32) on Schedule "A" to this By-law, and known as 6769 and 6771 East Parkway Drive, Ipperwash, the following provisions shall apply:

i) The maximum Permitted Lot Coverage of all Detached Accessory Buildings combined shall be 103 m^2, provided the Lot Coverage of no individual Detached Accessory Building exceeds 93 m^2.

ii) The maximum Permitted Height of a Detached Accessory Building shall be 7.3m if the Building contains a second floor secondary Dwelling Unit.

iii) A secondary Dwelling Unit shall be permitted in one Detached Accessory Building provided:
   1) The Lot must have a minimum Lot Frontage of 30 metres.
   2) The secondary Dwelling Unit shall not exceed 93 m^2 in Gross Floor Area.

hh) Exception 33 to the Residential – 6 Zone (B/L 6/2021)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential-6.33 (R6-33) on Schedule "A" to this By-law, adjacent to Merrywoods Drive, the following provisions shall apply:

i) The minimum required Front Yard shall be 4.5m

ii) The minimum required Lot Area shall be 2900 m^2

iii) Bed and Breakfast Establishments shall be prohibited.

ii) Exception 34 to the Residential – 6 Zone (B/L 43/2021)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential-6.34 (R6-34) Zone on Schedule "A" to this By-law, known municipally as 244 and 252 Ontario Street South, Grand Bend, a Bed and Breakfast Establishment is not a Permitted Use, the minimum required Lot Area shall be 2500 m^2, and the minimum required Lot Frontage shall be 20m.

jj) Exception 35 to the Residential – 6 Zone (B/L 74/2021)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential-6.35 (R6-35) on Schedule “A” to this By-law, known municipally as 10072 Huron Drive, the following provisions shall apply:

a) A second Dwelling Unit shall be permitted on the Lot in a Detached Accessory Building, including within the Detached Accessory Building’s second floor, provided the Detached Building complies with the following provisions:

i)	Maximum Lot Coverage	45 m^2
ii)	Maximum Building Height	6.1 metres

iii)	Minimum Front Yard	27 metres
iv)	Minimum Rear Yard	36 metres
v)	Minimum Side Yards	1.2 m (northeast side), 15 m (other side)

b) A maximum of 2 Dwelling Units (including the primary Single Detached Dwelling) shall be permitted on the Lot.

c) No Dwelling shall be used as a short term rental in the R6-35 Zone, meaning a Dwelling or Dwelling Unit that, in whole or in part, is rented or available for rent with the intent of financial compensation for an occupancy period of less than 30 consecutive days, including a Bed and Breakfast Establishment.

d) In all other respects, the Permitted Uses and provisions applicable to the R6 Zone shall apply to the R6-35 Zone.

kk) Exception 36 to the Residential - 6 Zone (B/L 54 of 2022)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Residential-6 Exception 36(R6-36) on Schedule “A” to the By-law, abutting Merrywood Drive:

a) for the northerly Interior Side Lot Line, which abuts the Lot known as 10129 Merrywood Drive, the minimum required Setback for all Buildings, Structures, and Uses shall be 6m and the area within 4.5m of the Interior Side Lot Line shall be maintained with trees and used for no other purpose than a vegetated buffer area,
b) the minimum required Lot Area shall be 2750 square metres,
c) Bed and Breakfast Establishments shall be prohibited, and
d) in all other respects the permitted uses and regulations applicable to the R6 Zone shall apply to the R6-36 Zone Exception.

ll) Exception 37 to the Residential -6 Zone (B/L 82/2022)

Notwithstanding and any other provisions of the By-law to the contrary, on lands zoned Residential-6.37 (R6-37) on Schedule “A” to this By-law, known municipally as 6780 East Parkway Drive, Ipperwash, the following provisions shall apply:

a) In addition to the Uses Permitted in the R6 Zone, a Dwelling Unit shall be Permitted in a Detached Building as an Accessory Use to the main Use of the Lot and subject to a maximum Permitted Ground Floor Area of $90m^2$.
b) Notwithstanding Section 3.3.4, the maximum Permitted Lot Coverage of all Detached Accessory Buildings and Structures combined, including the Detached Accessory Dwelling, shall be $155m^2$.
c) Notwithstanding Sections 12.2 d) and e), the minimum required Interior Side Yard Setbacks in the R6-37 Zone shall be 3m (one side) and 1.2m(other side).

mm) Exception 38 to Residential – 6 Zone (B/L 24 of 2023)

Notwithstanding and any other provisions of this By-law to the contrary, on lands zoned Residential-6.38 (R6-38) on Schedule “A” to this By-law, known municipally as 6795 East Parkway Drive, Ipperwash, the maximum Permitted Lot Coverage of all Detached Accessory Buildings and Structures combined shall be 110 m^2. In all other respects the permitted uses and regulations applicable to the R6 Zone shall apply to the R6-38 Zone Exception.

nn) Exception 39 to the Residential - 6 Zone (B/L 58 of 2023)

Notwithstanding and any other provisions of this By-law to the contrary, on lands zoned Residential-6.39 (R6-39) on Schedule "A" to this By-law, known municipally as 6414 Victoria Avenue, Lambton Shores, A second Dwelling with a maximum lot coverage of 50 m2 shall be permitted in a Detached Building Accessory to a Single Detached Dwelling. The second Dwelling Unit shall be subject to, not in addition to, the Accessory Use Lot Coverage Permitted by Section 3.3.4. In all other respects the permitted uses and regulations applicable to the R6 Zone shall apply to the R6-39 Zone Exception.

mm) Exception 40 to the Residential – 6 Zone (B/L 26 of 2024)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Exception 40 to the Residential-6 (R6-40) Zone on Schedule “A” to this By-law, being Part of Lot 7 in Concession 19 (BO) and located on West Ipperwash Road), in Ipperwash, the following provisions shall apply:

i) Minimum Lot Area shall be 1330 m^2
ii) Minimum Lot Frontage shall be 19 m.
iii) Minimum Rear Yard Setback shall be 10m, measured from the nearer of the Rear Lot Line or the boundary of any EP-NC Zone located on the same Lot.
iv) Accessory Buildings, Structures, and Uses shall be subject to Section 3.3.
v) In all other respects, the Permitted Uses and Site Regulations of the R6 Zone shall apply.

SECTION 13 - RESIDENTIAL - 7 (R7) ZONES

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 14.1.2 and 14.1.3 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 (B/L 122/2013)

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

i) Single Detached Dwelling	400 m^2
ii) Semi-Detached Dwelling	300 m^2/ unit
iii) Townhouse and Street Townhouse	250 m^2/ unit

b) Minimum Lot Frontage

i) Single Detached Dwelling	12 metres
ii) Semi-Detached Dwelling	10 metres
iii) Street Townhouse	8 metres
iv) Townhouse	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 an attached garage.
Townhouse	7.5 metres

d) Minimum Interior Side Yard	
i) Single Detached Dwelling	1 metre
ii) 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 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.
iv) Townhouses	7.5 metres
e) Minimum Exterior Side Yard	
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	7.5 metres
f) Minimum Rear Yard	
Single Detached, Semi-Detached and Street Townhouse Dwelling	7 metres
Townhouse	7.5 metres

g) Maximum 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/ha
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	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.
l) Minimum dwelling unit area	80 m^2
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 not be less than 1.8 metres (6 ft.) 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 (B/L 122/2013)

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:

b) 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

i) Single Detached Dwelling	400 m^2
ii) Semi-Detached Dwelling	300 m^2/ unit
iii) Townhouse and Street Townhouse	250 m^2/ unit
iv) Multiple Dwelling and Retirement Home	2500 m^2

b) Minimum Lot Frontage

i) Single Detached Dwelling	12 metres
ii) Semi-Detached Dwelling	10 metres
iii) Street Townhouse	8 metres
iv) Townhouse and 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 an attached garage.
Townhouse and Multiple Dwelling and Retirement Home	7.5 metres

d) Minimum Interior Side Yard	
i) Single Detached Dwelling	1 metre
ii) 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	0 metres where joined to another dwelling unit by an above-grade common wall; 0.6m where otherwise joined to another dwelling unit; 1.5m in a plan of condominium where not joined to another unit; and 3m in all other instances. (B/L 62/2020)
iv) Townhouses and Multiple Dwelling and Retirement Home	7.5 metres
e) Minimum Exterior Side Yard	
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 and Multiple Dwelling and Retirement Home	7.5 metres
f) Minimum Rear Yard	
Single Detached, Semi-Detached and Street Townhouse Dwelling	7 metres
Townhouse and Multiple Dwelling and Retirement Home	7.5 metres
g) Maximum Height	
Single Detached, Semi-Detached and Street Townhouse Dwelling	10 metres
Townhouse and Multiple Dwelling and Retirement Home	11.5 metres/3 storeys

h) Maximum Lot Coverage	50%
i) Minimum 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 and Multiple Dwelling and Retirement Home	35 units/ha (for the purpose of calculating density, three (3) Retirement Home bedrooms equals One (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 and Street Townhouse Dwelling	80 m^2
Retirement Home bedroom or bachelor apartment dwelling unit	37 m^2
One bedroom apartment dwelling unit	55 m^2
Two bedroom apartment dwelling unit	65 m^2
Three bedroom apartment dwelling unit	80 m^2
m) Minimum Separation Distances	
Between a Singled Detached, Semi-Detached, And Street Townhouse Dwellings and a Residential 1 (R1) Zone	7 metres

Between Townhouse, Multiple Dwelling and Retirement Home and the most northerly boundary of 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	30 %

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 6/2004)

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 78/2006)

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 m^2 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. Not withstanding 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 87/2013)

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

c) Uses, Buildings and Structures Accessory to the Permitted Uses

14.6.2 SITE PROVISIONS

a) Lot Frontage (minimum)	18 metres
b) Lot Area (minimum)	400 m^2
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 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 rear 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) ZONE (B/L 12/2015)

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 m^2
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 PROVISION (MINIMUM)

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

Nothwithstanding 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 2/2004)

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
Townhouse
Street Townhouse (B/L 36/09)

b) Home Occupation

c) Uses, Buildings and Structures Accessory to the Permitted Uses

19.2 SITE PROVISIONS

a) Maximum Number of Units (B/L 27/2018)	
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 25M-42 and a minimum of 65 metres from Tattersall Lane; otherwise 50 units per hectare
Home For the Aged, Nursing Home, Retirement Home	n/a
b) Minimum Lot Area	2500 sq. m
c) Minimum Lot Frontage (B/L 27/2018)	30 metres, except for a multiple Dwelling the minimum lot frontage shall be 10 metres.
d) Minimum Front Yard Setback	6 m.
e) Minimum Side Yard Setback	3 m.
f) Minimum Rear Yard Setback	6 m.
g) Maximum Height (B/L 27/2018)	10 m except a multiple dwelling Which is located within 40 metres of the south boundary of Block 26, Registered Plan 25M-42 and a minimum of 65 metres from Tattersall Lane shall have a maximum height of 15 metres and 4 stories, otherwise 10 metres.
h) Minimum Dwelling Unit Area	50 sq. m
i) Maximum Lot Coverage	40 %
j) Minimum Landscaped Open Space	15 %

19.2.1 SITE PROVISIONS FOR STREET TOWNHOUSES (B/L 36/2009)

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 9 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 .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 25M-42. (B/L 118/2016)

19.3 SUPPLEMENTARY PROVISIONS

a) The Pharmacy shall not exceed 100 square metres gross floor area.

19.4 SPECIAL PROVISIONS (B/L 81/2017)

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 R-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 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 7/2004)

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 84/2007)

19B.1 PERMITTED USES

a) Townhouses

b) Building and Uses accessory to the Permitted Uses including a Private 228 m^2 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 (OMB Order)

19C.1 PERMITTED USES

a) One Family Dwelling in a Vacant Land Condominium
b) Home Occupations
c) Uses, Building and Structures Accessory to the Permitted Uses

19C.2 SITE PROVISIONS

a) Maximum Number of Units	5
b) Lot Unit/Area (minimum)	290 m^2 for a single detached dwelling in a Vacant Land Condominium
c) Lot Frontage (minimum)	12 metres for a single detached dwelling in a Vacant Land Condominium, except for Unit 3 will have a frontage of 6 metres
d) Front Yard (minimum)	3 metres to the dwelling 6 meters to the vehicular opening of an attached garage
e) Rear Yard (minimum)	Single Storey Dwelling - 3 metres
f) Side Yard (minimum)	1.2 metres one side, 0 metres the other side, but in no case shall the separation between dwellings be less than 1.5 metres
g) Lot Coverage (maximum)	50%
h) Building Height (maximum)	12 metres
i) Special Parking Provision	Each dwelling unit shall have an attached garage with a minimum width of 6 metres (19.7 ft) and minimum depth of 6 metres (19.7 ft)

j) 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.

k) Section 3.19.1 of the By-law does not apply to lands in the R16 Zone.

l) 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
Assembly Hall
Auditorium
Bake Shop
Bank
Bed and Breakfast
Boarding House
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
Retail Store
Retail Warehouse
School
Service and Repair Shop
Shopping Centre
Tavern
Theatre

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 65/2009)

Notwithstanding provisions of Section 20.1 and 20.3 to this By-law the lands zoned Commercial 1.4 (C1-4) on Schedule "A" 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:

Addition Uses Permitted

a) multiple dweling
b) townhouse
c) nursing home
d) home for aged
e) retirement home
f) accessory amenity building

Site Regulations for uses listed above, except townhouses which are subject to Section 9 of this 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:	5 metres
e)	Minimum Exterior Side Yard:	3 metres
f)	Minimum Rear Yard Setback:	6 metres
g)	Maximum Building Height	13.5 metres
h)	Minimum Dwelling Unit Area:	50 sq. m
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 79/2017)

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:

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 follow provisions:

(a)	Location:	Rear Yard
(b)	Maximum Ground Floor Coverage:	as existing on Sept. 5, 2017
(c)	Maximum Dwelling Unit Floor Area:	as existing on Sept. 5, 2017
(d)	Maximum Height:	as existing on Sept. 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 Corporation's 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) & 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.

f) **Exception 6 to the Commercial - 1 Zone** (B/L 83/2019) – Deleted by B/L 79 of 2024

g) Exception 7 to the Commercial - 1 Zone (B/L 79/2020)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial - 1.6 (C1-6) on Schedule "A" to this By-law, and described as Part Lot 20, Concession 3, located north of Main Street in Thedford, in addition to the Permitted Uses in Section 20.1, a Building or Contracting Establishment shall be Permitted where the Establishment's main Office is located on the Lot. No Planting Strip shall be required on adjacent to an R3-7 Zone.

h) Exception 8 to the Commercial – 1 Zone (B/L 62/2022)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial-1 Exception 8 (C1-8) on Schedule “A” to this By-law, known municipally as 89 Main Street, Thedford, a Single Detached Dwelling shall be a Permitted Use in addition to the Uses Permitted in the C1 Zone shall apply to the C1-8 Zone Exception.

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
Agricultural Service Establishment
Animal Hospital
Auction Hall
Bake Shop
Bakeries
Building or Contracting Establishment
Building Supply Establishment
Church
Clinic
Commercial Recreation Establishment
Commercial Storage
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
Personal Service Establishment
Place of Entertainment
Private Club
Restaurant
Restaurant Drive-In
Restaurant Drive Through Service Facility
Restaurant Fast Food
Retail Food Store
Service and Repair Shop
Travel Trailer Sales Establishment
Veterinary Establishment
Retail Store on lands in the Commercial 2 Zones on Schedule “A-1” (B/L 30/07)

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:

	Interior Lot	**Corner Lot**
a) Minimum Lot Frontage	45.0 m	55.0 m
b) Minimum Lot Depth	40.0 m	40.0 m

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.

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.

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.

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^{o}).

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.

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 /2005)

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 /2005)

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 /2005)

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 69/2006)

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 71/2006)

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 4/2007)

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 96/2007)

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 m^2
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:	

i) 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 3/2008)

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 81/2015)

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.

k) Exception 11 to the Commercial – 2 Zone (B/L 57/2019)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 2.11 (C2-11) on Schedule "A-1" to this By-law, being part of lands known municipally as 85, 87, 89 & 91 Ontario Street South in Grand Bend, the following provisions shall apply:

i) A Retirement Home and Buildings, Structures and Uses Accessory thereto shall be permitted in addition to the uses permitted in Section 21.1.

ii) The Minimum Required Interior Side Yard and Rear Yard Setbacks for Detached Buildings and Decks Accessory to a Retirement Home shall be 1.5m.

iii) The following site provisions and zone regulation exceptions shall apply to a Retirement Home:

a)	Minimum Lot Area	6000 square metres
b)	Minimum Lot Frontage	45 metres
c)	Minimum Front Yard Setback	16 metres
d)	Minimum Interior Side Yard Setback	7.5 metres
e)	Minimum Exterior Side Yard Setback	16 metres
f)	Minimum Rear Yard Setback	10 metres
g)	Maximum Building Height	16 metres
h)	Maximum Lot Coverage	35%
i)	Maximum number of apartment units	1 unit per 65 sq. m of Lot Area

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 77/2004)

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" 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

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. (B/L 1/04)

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.

i) EXCEPTION 9 TO THE COMMERCIAL – 5 (C5) ZONE (B/L 5/2019)

Notwithstanding any other provisions of this By-law to the contrary, on land zoned Commercial - 5.9 (C5-9) on Schedule A-1 to this By-law:

i) Commercial Storage shall be a permitted use in addition to the other uses permitted in the C5 Zone.
ii) The minimum required interior side yard shall be 3 metres.
iii) The minimum required rear yard shall be 3 metres.

iv) Notwithstanding Section 3.20, no Planting Strip shall be required along a portion of a lot line along which a solid wood fence with a minimum height of 1.8 metres exists and is maintained or is erected and maintained.

j) EXCEPTION 10 TO THE COMMERCIAL – 5 (C5) ZONE (B/L 75/2019)

Notwithstanding any other provisions of this By-law to the contrary, on land zoned Commercial - 5.10 (C5-10) on Schedule A-2 to this By-law, being part of lands described as Part Lot 18, Concession Lake Road East (BO) and known Municipally as 9765 Lakeshore Road, the following provisions shall apply:

i) Commercial Storage shall be Permitted in addition to the Uses Permitted in Section 24.1.
ii) The minimum Required Interior Side Yard shall be 3 metres for a Building Used exclusively for Commercial Storage.

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 19/2010)

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 municipally 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: 6.7m
(b) Minimum Exterior Side Yard Setback: 14m
(c) Minimum Rear Yard Setback: 6.7m
(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) A 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 shall not be required adjacent to 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 15/2005 – OMB Attachment 1)

Nothwithstanding 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 15/2005)

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 61/2008)

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 (B/L 72/2013)

Notwithstanding any other 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 golf 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.

i) EXCEPTION 8 TO THE COMMERCIAL – 6 (C6) ZONE (B/L 11/2020)

Notwithstanding any other provisions of the By-law to the contrary, on lands zoned Commercial-6.9 (C6-9) on Schedule A-4 to this By-law, known municipally as 9917 Northville Crescent, the C6 Zone provisions shall apply with the following modifications:

i) Commercial Storage shall be Permitted in addition to the other Uses Permitted under Section 25.1.

ii) Open Storage of Recreational Vehicles and recreational boats shall also be Permitted if Accessory to Commercial Storage, provided Open Storage of any Derelict Motor Vehicle shall be prohibited, and provided Planting Strips are provided as may be required under Section 3.20.

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	3 m.
i) Restaurant	9 m.
ii) Mobile Home Park	9 m.
d) Minimum Interior Side Yard Setback	3 m.
i) Restaurant	4.5 m.
ii) Mobile Home Park	9 m.
e) Minimum Exterior Side Yard Setback	4.5 m.
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	Section 14.1.2 of this By-law applies.
b) Other Regulations – Mobile Home Park	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

f) a 19 m^2 food preparation trailer may be placed on the lands to which this by-law applies, being lands described as Lot 1, Plan 4 and known municipally as 68 Main Street West, Grand Bend, as a temporary use for 1 year, with a possible extension for one year at a time for a total of two additional years with Council approval, subject to the owner entering into a site plan agreement with the municipality before the trailer is placed on the lands. (B/L 15/2014)

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

b) EXCEPTION 2 TO THE COMMERCIAL – 10 ZONE

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial-10 Exception 2 (C10-2) Zone on Schedule "A" to the By-law, lands known municipally as 63 Main Street, Grand Bend:

i) The minimum Exterior Side Yard Setback shall be 0m;

ii) The minimum Rear Yard Setback shall be 0m;
iii) The following items shall be subject to a maximum Building Height of 12.5m: shade pergolas; railings; a structure housing stairwells, elevators, mechanical rooms and related lobby area; mechanical equipment; architectural arches; and a glass-sided roof over a corridor. The Main Building and all other features shall be subject to a maximum Building Height of 10m and to Section 3.16; and
iv) In all other respects the Permitted Uses and regulations applicable to the C10 Zone shall apply to the C10-2 Zone Exception.

C) EXCEPTION 3 TO THE COMMERCIAL -10 ZONE (B/L 85 of 2024)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Exception 3 to the Commercial-10 (C10-3) Zone on Schedule “A” to this By-law, described as Plan 9, Part Lot 1, Part 1 RP 25R11437, Grand Bend, the following provisions shall apply:

i) Permitted Uses shall be limited to the following:
   a. Open Space
   b. Parking Area Accessory to a Permitted Use on the same Lot
   c. Parking Lot

   All other Uses shall be prohibited.
ii) Permitted Parking Area and Parking Lot Uses shall be limited to surface Parking Spaces.
iii) Notwithstanding Section 3.9.3 of this By-law and provided the Uses of the C10-3 portion of the Lot are limited to those Permitted under Section 29.3 i), where a Lot is divided into the C10 and C10-3 Zone, the Zone Boundary shall not be considered a Lot line for Setback purposes, and the C10-3 and C10 Zone portions shall not be considered separately from each other for the purposes of determining Zone provisions such as Lot Area, Lot Frontage, Lot Coverage, and Required Yards.
iv) In all other respects the Zone provisions applicable to the standard C10 Zone shall apply.

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 10/2005)

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

k) 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 68/2005)

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 m^2 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 %

32.3 SPECIAL PROVISIONS (B/L 27 of 2023)

The following Zones apply to unique or existing situations and are not the standard C13 Zone. If a regulation of Use is not specified, the list of Permitted Uses in Section 32.1 and/or the regulation the regulations of Section 32.2 shall apply.

a) **Exception 1 to the Commercial – 13 Zone**

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial-13.1 (C13-1) on Schedule "A" to this By-law, known municipally as 10026 Walker Road, in addition to the Uses Permitted in the C13 Zone, the following Uses shall be Permitted, but only where and if they are subordinate and secondary to a main Use Permitted by Section 32.1:

i) Motor Vehicle Repair Establishment

ii) Commercial Storage of privately-owned Recreational Vehicles, boats, and Motor Vehicles, excluding the storage of Derelict Motor Vehicles.

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:

33.4 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: (B/L 29/05)	100 sq. m.

ix) **9338 West Ipperwash Road - Top of Bank Setback**
Notwithstanding section 3.19.1, *Setbacks from Drains and Watercourses*, on those lands within the C14 Zone portion of lands described as Part Lots 6 to 8, Concession 18 (BO) and known as 9338 West Ipperwash Road and also located within 15m of the Top-of-Bank of the Fuller Campbell Drain, Structures that were existing on October 5, 2020 shall be Permitted at the existing Setback. No addition to a Building shall be closer to the Top-of-Bank than the existing Setback of the Building. No new Accessory Structure shall be located closer to the Top-of-Bank than the Dwelling to which it is Accessory. (B/L 8/21)

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 m^2
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%

ix) Access
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, and known municipally as 9773 Lakeshore Road, 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 metres
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 m^2 for office floor area and for floor area accessible to the public; for all other floor area 1 space per employee.

f) EXCEPTION 5 TO THE COMMERCIAL – 14 (C14) ZONE (B/L 74/2017)

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Commercial 14.5 (C14-5) on Schedule "A-2" to this By-law, and known municipally as 9787 Lakeshore Road, two (2) Accessory Dwellings designed for, intended for or used by an employee or Owner of a Permitted Use shall be permitted subject to a 1.8 metre high solid wood fence being installed along the north lot line adjacent to the building proposed to be converted to a second dwelling unit which shall commence from a point approximately 35 metres from the edge of pavement on Lakeshore Road (Highway 21) and extend 29 metres, prior to a building permit being issued for the second dwelling unit.

g) EXCEPTION 6 TO THE COMMERCIAL – 14 (C14) ZONE (B/L 44/2024)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Exception 6 to the Commercial – 14 (C14-6) Zone on Schedule "A" to this By-law, being lands known as 9395 Ipperwash Road, Ipperwash, the following provisions shall apply:

i) Notwithstanding Section 33.1, no land, Building, or Structure shall be used of Erected in the C14-6 Zone except for one or more of the following Uses:
a. Campground
b. One Dwelling Accessory to a Campground
c. Retail Store Accessory to a Campground
d. Buildings, Structures, and Uses Accessory to a Permitted Use

ii) Section 33.2 and Section 33.4, subsections i) through viii), applicable to the standard C14 Zone, shall apply to the C14-6 Zone.

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) a lot abuts a Street Line; and/or

ii) a lot line abuts a 0.3 metre reserve which abuts a Street Line (B/L 36/2009)

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:

	Interior Lot	**Corner Lot**
a) Minimum Lot Frontage	45.0 m	55.0 m
b) Minimum Lot Depth	40.0 m	40.0 m

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.

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.

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.

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^{o}).

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. (B/L 46/12)

b) Exception 2 to the Commercial – 16 Zone (B/L 28/2020)

Notwithstanding any provisions of this By-law to the contrary, on lands zoned Commercial-16.2 (C16-2) on Schedule A-1 to this By-law and located on Main Street East, Grand Bend, the following provisions shall apply:

i) Multiple Dwellings and Multiple Dwellings above a Permitted Use shall be Permitted in addition to the Uses Permitted by Section 35.1.

ii) Multiple Dwellings and Multiple Dwellings above a Permitted Use shall be subject to the provisions in Sections 35.2 and 35.3 b) with the following exceptions:

a)	Maximum number of Dwelling Units	70 units per hectare
b)	Minimum Lot Area	2500 square metres
c)	Minimum Lot Frontage	30 metres
d)	Minimum Interior Side Yard	3 metres
e)	Minimum Rear Yard	the greater of 7m and a Setback such that no portion of any Structure is closer to the Rear Lot Line that the Height of that portion of the Structure
f)	Maximum Height	15m to a maximum of 4 storeys
g)	Maximum Lot Coverage	40%
h)	Minimum Landscaped Open Space	15%

c) Exception 3 to the Commercial-16 Zone (B/L 40-2023)

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Exception 3 to the Commercial-16 (C16-3) Zone on Schedule "A-1" to this By-law and located on Main Street East, Grand Bend, the following provisions shall apply:

i) A Hotel shall be Permitted in addition to the Uses Permitted by Section 35.1.

ii) A Hotel shall be subject to the provisions in Sections 35.2 with the following exceptions:

a. Minimum Lot Area required for a Hotel Use to be Permitted — 2500 square metres
b. Minimum Lot Frontage required for a Hotel Use to be Permitted — 30 metres
c. Minimum Yards (All Yards) — 6m
d. Maximum Height — 15m to a maximum of 4 storeys
e. Maximum Lot Coverage — 40%
f. Minimum Landscaped Open Space — 15%
g. Notwithstanding subsection 35.5 c) ii) c., every portion of a Hotel Building shall maintain a setback from any Lot Line abutting a Residential Zone a distance equal to the greater of 7m or twice the Height of that portion of the Building (excluding from the Height measurement those features exempt from Height restrictions by section 3.16).
h. Within any Yard abutting a Lot in a Residential Zone, places intended for persons to congregate in relation to the Hotel Use are not permitted, including but not limited to a Restaurant patio, sitting area, play area, or Swimming Pool.

4. This By-law shall come into force and effect pursuant to Section 34(21) or Section 34(30) of the *Planning Act,* R.S.O. 1990.

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** (83/2005)

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 (B/L 76/17)

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	n/a
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 (I1-5) (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.

(f) Exception 6 to the Institutional – 1.1 Zone (I1-6) **(B/L 101/2021)**

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned Institutional – 1.6 (I1-6) on Schedule "A" to this By-law, in the Town of Forest north of Townsend Line and east of Beechwood Ave, the following provisions shall apply:

(a) Maximum permitted height shall be 15m

(b) The Minimum required Front, Exterior Side, Interior Side, and Rear Yards shall be 12m; and

(d) In all other respects, the Permitted Uses and provisions applicable to the I1 Zone shall apply to the I1-6 Zone.

(g) Exception 7 to the Institutional – 1.1 Zone (I1-7) (B/L 69/2023)

Notwithstanding any other provision of this by-law to the contrary, on lands zoned Exception 7 to the Institutional -1 (I1-7) Zone on Schedule “A-9” to this By-law and known Municipally as 14 Union St. East and 20 Smith St., Arkona, the following provisions shall apply:

i) The minimum Required Exterior Side Yard Setback shall be 5 metres.
ii) Where the Use of the Lot is a Clinic, the minimum required number of parking Spaces shall be six(6).

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

44.3 SPECIAL PROVISIONS (B/L 7/2016)

The following Zones apply to unique or existing situations and are not the standard provisions for a OS1 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 44.1 and or the regulations of Section 44.2 shall apply.

a) Notwithstanding any other provisions of the By-law to the contrary, on lands zoned Open Space -1.1 (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.

b) Notwithstanding any other provision of the By-law to the contrary, in addition to the Uses Permitted in Section 44.1 a Golf Course and Golf Driving Tee or Range shall be Permitted on lands zoned Open Space-1.2 (OS1-2) on Schedule A-5 to this By-law, known

municipally as 9338 West Ipperwash Road. The additional Permitted Uses shall be Permitted only where Accessory to a Campground located on the same Lot. (B/L 8/2021)

C) Exception 3 to the Open Space -1 Zone **(B/L 54 of 2022)**

Notwithstanding any other provisions of the By-law to the contrary, on lands zoned Open Space 1 Exception 3 (OS1-3) on Schedule "A" to this By-law, located in Lots 4 and 5 Concession Lake Road East the following provisions shall apply:

i) The minimum required Lot Frontage shall be 16m

ii) In addition to the uses Permitted by section 44.1, an interpretive centre for education purposes and accessory to other Permitted Uses shall be Permitted.

iii) In all other respects the permitted uses and regulations applicable to the OS1 Zone shall apply to the OS1-3 Zone Exception.

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 29/2005)	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 (OS-2.3) (B/L 18/2011)

Notwithstanding any other provisions of this By-law to the contrary, lands zoned Open Space - 2.3 (OS2.3) on Schedule “A-8” to this By-law may be used for municipal storm water management facility, municipal pump station and public park.

(d) Exception 4 to the Open Space – 2 Zone (OS-2.4) (B/L 114/2017)

Notwithstanding any other provisions of this By-law to the contrary, lands zoned Open Space - 2.4 (OS2.4) on Schedule "A-9" to this 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/85/2007 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 25/2006)

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 76/2007)

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.

f) Exception 6 to the Environmental Protection – Natural Conservation Zone (EP-NC6) (B/L 72/2018)

Notwithstanding section 49.3 b)i), trees and vegetation may be removed to the extent necessary to install one access per lot and also to remove hazardous trees on lands zoned Environmental Protection - Natural Conservation - 6 (EP-NC(6)) on Schedule "A-4" to this By-law.

g) Exception 7 to the Environmental Protection – Natural Conservation Zone (EP-NC(7)) (B/L 54 of 2022)

Notwithstanding any other provisions of this By-law to the contrary, on the lands zoned Environmental Protection Natural Conservation Exception 7 (EP-NC(7)) on Schedule “A” to this By-law, abutting Ontario Street South opposite Lakeview Ave, trees and vegetation may be removed for and the lands may be used for a Street or access to adjacent lands, provided:

i) Appropriate easements are in place, where necessary;

ii) The need for access relates to the development of adjacent lands and alternate means of access are insufficient; and

iii) Impacts to natural heritage features and function and to species at risk and their habitat have been assessed and can be appropriately mitigated;

In all other respects the permitted uses and regulations applicable to the EP-NC Zone shall apply to the EP-NC(7) Zone Exception.

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.

(b) Exception 2 to the Environmental Protection – Port Franks Zone (EP-PF2) (B/L 22/2017)

Notwithstanding any provisions of this By-law to the contrary, on lands Zoned Environmental Protection – Port Franks – 2 (EP-PF2) Zone 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 Environmental Protection - Port Franks -2 (EP-PF2) Zone except for one or more of the following Uses:

a) Private Boat Docks associated with the stacked townhouse condominium dwellings on the adjacent lands zoned Residential 3.6 (R3.6).

SITE REGULATIONS

No private boat dock shall be leased to persons who are not owners of the condominium on the adjacent lands zoned Residential 3.6 (R3.6).

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 sq. m;

v) 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 for 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.

b) **Exception 1 to the Future Development Zone (B/L 43/2021)**

Notwithstanding any other provisions of this By-law and contrary to Section 53.1, on lands in the Future Development – 1 (FD-1) Zone on Schedule “A” to this By-law, on Ontario Street South in Grand Bend, no Buildings or Structures shall be Permitted. Permitted Uses shall be limited to a Street or Street Allowance, a private driveway providing Street Access, and private utilities and service connections.

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 I (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

Column 1 TYPE OF LIVESTOCK	Column 2 HOUSING CAPACITY	Column 3 NUMBER OF ANIMALS PER LIVESTOCK UNIT (From Table 1)	Column 4 NUMBER OF LIVESTOCK UNITS (Col. 2/Col.3)
	(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

ANIMAL GROUP 1	ANIMAL GROUP 2	ANIMAL GROUP 3	ANIMAL GROUP 4	ANIMAL GROUP 5
1 Livestock Unit equals	**1 Livestock Unit equals**	**1 Livestock Unit equals**	**1 Livestock Unit equals**	**1 Livestock Unit equals**
200..Chicken Broilers 1.....Horse[3]	4.....Adult Sheep[3] 1....Beef Cow[1Confinement] 10...Feeder Lambs 100..Ducks 5.....Emu 4.....Adult Goats[3] 10....Feeder Goats 3.....Ostrich 500..Pullets 50...Turkeys (>10kg) 75...Turkeys (5-10kg) 100..Turkeys (<5kg)	1....Beef Cow[1] Yard/Barn 2....Beef Feeder Yard/Barn 1....Dairy Cow[1,2] 2...Dairy HeiferYard/Barn 40...Adult Rabbits[4] 3....Red Veal <300kg 125..Chicken Breeder Layers 75...Turkey Breeder Layers	80.....Adult Mink[4] 40.....Adult Fox[4] 125....Caged Layers	4....Feeder Hogs 5....Sows/Boars 20..Weaners 4-30kg 6....White Veal

[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.

STEP 4. 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.

COLUMN 1	TYPE "A" LAND USE To permit: • Up to 3 rural residential lots, either by consent or by plan of subdivision • the severance of an existing dwelling • passive recreational • the building of a dwelling on an existing lot of record • agriculturally related commercial • industrial					TYPE "B" LAND USE To permit: • residential subdivision • active recreational • institutional • commercial • urban expansion • multiple residential • or result in a Rural Residential Cluster				
Greater of Livestock Units (A) or Potential Livestock Units (B)	Animal Group					Animal Group				
	(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
1-5	39	42	48	60	85	73	78	90	112	160
10	55	60	68	85	98	104	112	128	160	183
15	65	70	80	100	115	122	132	151	188	215
20	72	78	89	111	127	135	146	167	208	238
25	78	84	95	119	136	146	157	179	224	256
30	82	88	101	126	144	154	166	189	237	271
35	86	92	106	132	151	161	173	198	247	283
40	89	96	110	137	157	167	180	206	257	294
45	92	99	113	142	162	173	186	213	266	304
50	95	102	117	146	167	178	192	219	274	313
55	98	105	120	150	172	183	197	225	282	322
60	100	108	123	154	176	188	202	231	289	330
65	102	110	126	158	180	192	207	236	295	338
70	105	113	129	161	184	196	211	241	302	345
75	107	115	131	164	188	200	215	246	308	352
80	109	117	134	167	191	204	219	251	313	358
85	111	119	136	170	194	207	223	255	319	364
90	112	121	138	173	198	211	227	259	324	370
95	114	123	140	176	201	214	230	263	329	376
100	116	125	143	178	204	217	234	267	334	382
110	119	128	146	183	209	223	240	275	343	392
120	122	131	150	188	214	229	246	281	352	402
130	125	134	154	192	219	234	252	288	360	411
140	127	137	157	196	224	239	257	294	368	420
150	130	140	160	200	228	244	262	300	375	428
160	133	143	164	205	234	250	269	307	384	439
170	136	147	168	210	240	256	275	314	393	449
180	139	150	172	214	245	262	282	322	402	460
190	143	154	175	219	251	268	288	329	411	470
200	146	157	179	224	256	273	294	336	420	480
210	149	160	183	229	262	279	301	344	429	491
220	152	164	187	234	267	285	307	351	439	501
230	155	167	194	239	273	291	313	358	448	512
240	158	171	195	244	278	297	320	365	457	522
250	162	174	199	248	284	303	326	373	466	532
260	165	177	203	253	290	309	332	380	475	543
270	168	181	207	258	295	315	339	387	484	553
280	171	184	210	263	301	321	345	395	493	564
290	174	188	214	268	306	327	352	402	502	574
300	177	191	218	273	312	333	358	409	511	584

Continue to TABLE 3 (next page).

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.

MANURE STORAGE DISTANCE

Distance for Livestock Facility from Table 2 (Step 4). (m)	Column 1 Covered Storage Systems (m)		Column 2 Open Solid and Runoff Storage Systems (m)		Column 3 Open Liquid Tank and Runoff Storage Systems (m)		Column 4 Earthen Liquid and Runoff Storage Systems (m)	
	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use
40	40	—	55	—	119	—	324	—
45	45	—	60	—	123	—	326	—
50	50	—	65	—	127	—	328	—
55	55	—	70	—	132	—	331	—
60	60	—	74	—	136	—	333	—
65	65	—	79	—	140	—	335	—
70	70	70	84	103	144	241	337	686
75	75	75	89	107	149	246	339	689
80	80	80	94	112	153	250	342	691
85	85	85	99	117	157	254	344	693
90	90	90	103	122	161	258	346	695
95	95	95	108	127	165	263	348	698
100	100	100	113	132	170	267	351	700
110	110	110	123	141	178	275	355	704
120	120	120	133	151	187	284	359	709
130	130	130	142	161	195	292	364	713
140	140	140	152	171	203	301	368	717
150	150	150	162	180	212	309	373	722
160	160	160	172	190	220	318	377	726
170	170	170	181	200	229	326	382	731
180	180	180	191	209	237	335	386	735
190	190	190	201	219	246	343	390	740
200	200	200	210	229	254	351	395	744
210	210	210	220	239	263	360	399	749
220	220	220	230	248	271	368	404	753
230	230	230	239	258	280	377	408	757
240	240	240	249	268	288	385	413	762
260	260	260	268	287	305	402	421	771
280	280	280	288	307	322	419	430	780
300	300	300	307	326	339	436	439	788
320	320	320	327	346	356	453	448	797
340	340	340	346	365	372	470	457	806
360	360	360	366	385	389	487	466	815
380	380	380	385	404	406	504	475	825
400	400	400	404	423	423	521	483	833
450	450	450	453	472	465	563	506	855
500	500	500	501	520	508	605	528	877
550	550	550	550	569	550	648	550	899

2.0 MINIMUM DISTANCE SEPARATION II (MDS II) CALCULATION FORM

Farm Name/Owner

Type of Livestock/Poultry	Existing Barn Capacity	Livestock Units	Additional Barn Capacity	Livestock Units	Total Barn Capacity	Livestock Units
	Total 1		Total 2		Total 3	

Calculation of Percentage Increase: $\frac{\text{Total 2} \rightarrow [\quad]}{\text{Total 1} \rightarrow [\quad]} \times 100 = [\quad] \%$

Factor A: Livestock/poultry to be added. Table 1 ..... Factor A: [_____]
Factor B: Total number of livestock units. Table 2 ..... Factor B: [_____]
Factor C: Percentage increase. Table 3 ..... Factor C: [_____]
Factor D: Type of manure system (Solid=0.7, Liquid=0.8) ..... Factor D: [_____]

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:

BUILDING: Base Distance 'F' [ ] metres

MANURE STORAGE: Base Distance 'S' [ ] metres

Column 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
Neighbouring land use or boundary	Factor	Distance "F" x Col. 2 (m)	Actual Distance (m)	Distance "S" x Col. 2 (m)	Actual Distance (m)
Nearest Neighbour's Dwelling	1.0				
Areas zoned or designated Agriculturally Related Commercial Use Passive Recreational or Industrial	1.0				
Areas zoned or designated Residential, Institutional, Active Recreational, or Commercial. Urban Areas	2.0				
Nearest Side or Rear Lot Line	0.2				
Nearest Road Allowance (Side or Front Lot Line)	0.25				

TABLE 1: FACTOR 'A' (Barn Odour Potential) and Animals per Livestock Unit (based on housing capacity).

Animals per Livestock Unit			Factor A:
BEEF	1	Beef Cow[1] (barn confinement)	0.7
	1	" " (barn with yard)	0.8
	2	Beef Feeders (barn confinement)	0.7
	2	" " (barn with yard)	0.8
CHICKEN	125	Caged Layers (manure stored in barn)	1.0
	125	Caged Layers (daily manure removal)	0.8
	125	Chicken Breeder Layers	0.8
	200	Chicken Broilers/Roasters	0.65
	500	Pullets (replacement layers)	0.7
DAIRY	1	Milking Cow[1,2] (tie-stall)	0.65
	1	" " (free-stall)	0.7
	2	Dairy Heifers (barn confinement)	0.7
	2	" " (barn with yard)	0.8
DUCK	100	Ducks	0.7
EMU	5	Emu	0.7
FOX	40	Adult Fox[4]	1.1
GOAT	4	Adult Goats[3]	0.7
	10	Feeder Goats (>20 kg)	0.7
HORSE	1	Horse[3]	0.65
MINK	80	Adult Mink[4]	1.1
OSTRICH	3	Ostrich	0.7
RABBIT	40	Adult Rabbits[4]	0.8
SHEEP	4	Adult Sheep[3]	0.7
	10	Feeder Lambs (>20 kg)	0.7
SWINE	5	Sows/Boars	1.0
	20	Weaners (4-30 kg)[5]	1.0
	4	Feeder Hogs (30-120 kg)	1.0
TURKEY	50	Meat Turkeys (>10 kg)	0.7
	75	Meat Turkeys (5-10 kg)	0.7
	75	Turkey Breeder Layers	0.8
	100	Meat Turkeys (<5 kg)	0.7
	500	Pullets (replacement breeders)	0.7
VEAL	6	White Veal	1.0
	3	Red Veal (<300 kg)	0.8

Notes: For all other animals/poultry use 1 livestock unit per 450 kg housed at one time (A=0.8).

[1]Includes calf to 150 kg.
[2]A 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.
[3]Includes offspring until weaned.
[4]Includes offspring to market size.
[5]Multiply number of sows by 2.4 to determine the number of weaners.

TABLE 2: FACTOR 'B' (Final Livestock Units).

Livestock Units		Factor B	Livestock Units		Factor B	Livestock Units		Factor B	Livestock Units		Factor B
5	—	107	95	—	313	500	—	578	1600	—	821
6	—	119	100	—	318	520	—	585	1650	—	829
7	—	129	110	—	327	540	—	592	1700	—	836
8	—	138	120	—	335	560	—	598	1750	—	844
9	—	145	130	—	343	580	—	605	1800	—	851
10	—	152	140	—	350	600	—	611	1850	—	858
12	—	164	150	—	357	620	—	617	1900	—	865
14	—	175	160	—	366	640	—	623	1950	—	872
16	—	183	170	—	374	660	—	629	2000	—	879
18	—	191	180	—	383	680	—	635	2100	—	892
20	—	198	190	—	392	700	—	640	2200	—	905
22	—	205	200	—	400	720	—	646	2300	—	917
24	—	210	210	—	409	740	—	651	2400	—	929
26	—	216	220	—	418	760	—	656	2500	—	941
28	—	221	230	—	426	780	—	661	2600	—	952
30	—	225	240	—	435	800	—	666	2700	—	963
32	—	230	250	—	444	850	—	679	2800	—	974
34	—	234	260	—	452	900	—	690	2900	—	985
38	—	241	280	—	470	1000	—	713	3200	—	1015
40	—	245	290	—	478	1050	—	723	3400	—	1034
45	—	253	300	—	487	1100	—	733	3600	—	1053
50	—	261	320	—	501	1150	—	743	3800	—	1071
60	—	275	360	—	522	1250	—	762	4200	—	1105
65	—	281	380	—	531	1300	—	771	4400	—	1121
70	—	287	400	—	540	1350	—	780	4600	—	1136
75	—	293	420	—	548	1400	—	789	4800	—	1152
80	—	298	440	—	556	1450	—	797	5000	—	1166
85	—	304	460	—	564	1500	—	805	7500	—	1326
90	—	309	480	—	571	1550	—	813	10000	—	1455

TABLE 3: FACTOR 'C' (Percentage Increase).

Percentage Increase		Factor C	Percentage Increase		Factor C	Percentage Increase		Factor C
0-50	—	0.70	120	—	0.86	280	—	1.03
55	—	0.72	130	—	0.88	300	—	1.04
60	—	0.73	140	—	0.90	325	—	1.05
65	—	0.75	150	—	0.91	350	—	1.06
70	—	0.76	160	—	0.92	375	—	1.07
75	—	0.77	170	—	0.94	400	—	1.08
80	—	0.78	180	—	0.95	425	—	1.09
85	—	0.79	190	—	0.96	450	—	1.10
90	—	0.81	200	—	0.97	500	—	1.11
95	—	0.82	220	—	0.99	550	—	1.12
100	—	0.83	240	—	1.00	650	—	1.13
110	—	0.85	260	—	1.02	700	—	1.14

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 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.

	MANURE STORAGE BASIC DISTANCE 'S'			
	Column 1	Column 2	Column 3	Column 4
Minimum Base Distance 'F' for the Building (m)	Covered Storage Systems (m)	Open Solid and Runoff Storage Systems (m)	Open Liquid Tank and Runoff Storage Systems (m)	Earthen Liquid and Runoff Storage Systems (m)
40	40	55	119	324
45	45	60	123	326
50	50	65	128	328
55	55	70	132	331
60	60	74	136	333
65	65	79	140	335
70	70	84	144	337
75	75	89	149	340
80	80	94	153	342
85	85	99	157	344
90	90	104	161	346
95	95	108	166	348
100	100	113	170	351
105	105	118	174	353
110	110	123	178	355
115	115	128	182	357
120	120	133	187	360
125	125	138	191	362
130	130	142	195	364
135	135	147	199	366
140	140	152	204	368
145	145	157	208	371
150	150	162	212	373
160	160	172	220	377
170	170	181	229	382
180	180	191	237	386
190	190	201	246	391
200	200	210	254	395
210	210	220	263	399
220	220	230	271	404
230	230	239	280	408
240	240	249	288	413
260	260	269	305	422
280	280	288	322	430
300	300	307	339	439
320	320	327	356	448
360	360	366	389	466
380	380	385	406	475
400	400	404	423	484
420	420	424	440	492
440	440	443	457	501
480	480	482	491	519
500	500	502	508	528
550	550	550	550	550