

SECTION 3. ZONES AND ZONING MAPS

3.1 ESTABLISHMENT OF ZONES

For the purposes of this By-law, the maps hereto annexed as Schedule 'A' Map No. 1 to Map No. 82 inclusive, Schedule 'B' Map No. 1 to Map No. 4 inclusive, Schedule 'C' Map No. 1 to Map No. 6 inclusive, Schedule "D", Schedule "E", Schedule "F" and Schedule "G" shall be referred to as the "Zone Maps" for the Municipality of West Elgin and the zone maps shall be divided into one or more of the following zones:

<u>ZONE</u>	<u>SYMBOL</u>
<u>Agricultural Zones</u>	
General Agricultural	A1
Agricultural	A2
Restricted Agricultural	A3
<u>Residential Zones</u>	
Residential First Density	R1
Residential Second Density	R2
Residential Third Density	R3
Rural Residential	RR
Hamlet Residential	HR
Lakeshore Residential	LR
Seasonal Residential	SR
Future Residential	FR
<u>Commercial Zones</u>	
Village Core	C1
Hamlet Commercial	C2
Highway Commercial	C3
Tourist Commercial	TC
<u>Industrial Zones</u>	
General Industrial	M1
Farm Industrial	M2
Rural Industrial	M3
Extractive Industrial	M4
<u>Other Zones</u>	
Institutional	I
Open Space	OS
Recreational Vehicle Park	RVP
Cemetery	C
Public Utility	U
Future Development	FD
Lakeshore Development	LD

3.2 USE OF ZONE SYMBOLS

The symbols listed in Section 3.1 shall be used to refer to lands, buildings, and structures and the uses thereof permitted by this By-law in the said zones, and wherever in this By-law the word "Zone" is used, preceded by any of the said symbols, such zones shall mean any area within the Municipality delineated on the zoning maps and designated thereon by the said symbol.

3.3 **HOLDING SYMBOLS**

Where a zone symbol listed in Section 3.1 is used in conjunction with the holding symbol "H" as shown on the zoning maps, no lands shall be used and no buildings or structures shall be erected or altered, save and except existing main buildings and structures and accessory buildings and structures permitted in the said zone and in accordance with the standards of the said zone, until the "H" symbol is removed in accordance with the Planning Act.

Where the holding symbol "H:" is accompanied by a numerical suffix (e.g. H-2, H-4) as shown on the zone maps, removal of the "H" symbol shall be contingent upon the following matters being satisfied.

a) H-1 Residential Zones

Applies to parcels of undeveloped lands zoned for residential purposes (e.g. R1, HR) in settlement areas as shown on Schedule "B" through Schedule "G" inclusive. Removal of the H-1 symbol contingent on the owner entering into a subdivider's or similar agreement with the Municipality to address the installation of services, the construction of roads and other developer obligations and responsibilities.

b) H-2 Future Residential (FR) and Future Development (FD) Zones

Applies to parcels of undeveloped lands zoned Future Residential (FR) and Future Development (FD) on various zone maps. Removal of the H-2 symbol to allow a single unit detached dwelling contingent upon the submission of a site plan which demonstrates the location of the dwelling, which would not compromise the orderly development of the parcel in the future.

c) H-3 Other Zones

Applies to parcels of undeveloped lands where a site plan agreement is considered necessary to ensure orderly and appropriate development. Removal of the H-3 symbol contingent upon the owner entering into a site plan agreement with the Municipality in accordance with the provisions of the Planning Act.

d) H-4 Lakeshore Residential (LR) Zone

Applies to existing lots of record where issues related to road access, servicing and/or natural heritage need to be addressed prior to any development taking place. Removal of the H-4 symbol contingent upon the owner or owners satisfying the Municipality with respect to the resolution of these issues.

e) H-5 Lakeshore Residential (LR) Zone

Applies to existing undeveloped lots in part of Lot 9 and part of Lot 10, Con XIV. Removal of the H-5 symbol contingent upon provisions respecting same as outlined in agreement dated 8 March 2012 between previous owners and the Municipality.

f) H-6 Hamlet Residential (HR) Zone

Applies to a potential building lot on the east side of Douglas Line in Port Glasgow as shown on Schedule "G". Removal of the Holding (H) symbol contingent upon completion of the following matters to the satisfaction of the Municipality:

- i) a geotechnical report identifying the measures required to ensure a safe and secure building site and vehicular access via Douglas Line,
- ii) an extension of Douglas Line to the extent feasible to increase the frontage of the enlarged parcel with all costs associated therewith being borne by the owner,
- iii) a certificate of approval or equivalent for the disposal of sanitary waste,
- v) a permit from the Lower Thames River Conservation Authority pursuant to O.R. 152/06.

g) H-7 Lakeshore Residential (LR) Zone

Applies to lands zoned LR-1 on Schedule “A”. Map No. 75 which was the subject of an OMB hearing (OMB file: PL130879) Removal of the Holding (H) symbol contingent upon the following matters being complied with to the satisfaction of the Municipality:

- a) that legal and physical access to the lands has been demonstrated to exist for persons and vehicles including emergency vehicles directly from Gray Line and that a corresponding entrance permit or equivalent approval from the Municipality has been obtained;
- b) that a Professional Engineer or Architect licensed under the laws of the Province of Ontario has certified that the seasonal dwelling complies with the requirements of the Ontario Building Code.

h) H-8 Lakeshore Residential (LR) Zone (VL SS Jane St.)

i) H-9 Residential First Density (R1-8) Hope Harbour

3.4 COMPOUND ZONES

Where two or more zone symbols divided by a “/” are shown on the zone maps as applying to a lot, the lot may be used exclusively for any use permitted in any one of the zones included in the compound zone symbol, or for any combination of uses thereto, subject to the following:

- a) the general use regulations and the special use regulations applicable to the permitted use in the zones included in the compound zone shall apply;
- b) where two or more zones in a compound zone permit the same use and the regulations in each of the two or more zones for that use are different, the least restrictive regulations for that use shall apply;
- c) the minimum parking requirements for each of the uses established on the lands, whether a single use or combination of uses, shall be provided.

3.5 MULTIPLE ZONES

Where a lot is subdivided into more than one zone, the regulations applicable to these zones shall apply to the respective areas so zoned, and the zone lines shall be deemed to be lot lines for the purposes of this By-law. Zone lines shall not be deemed to be lot lines where zones share a common boundary.

3.6 SITE- SPECIFIC ZONES

All zones may be subdivided into one or more defined areas within which greater or lesser restrictions shall apply. These site-specific zones shall be identified by reference to the symbol of the zone together with a number so as to differentiate site-specific zones areas within a zone from each other and from other areas within the zone. Within a site-specific zone all provisions of this By-law including the General Regulations (Section 4) and the General Use Regulations and the Special Use Regulations applicable to the zone within which the site-specific zone area is located shall apply to the defined area; provided that, unless a contrary intention otherwise appears the following shall apply:

- a) if the site-specific zone establishes regulations different from the General Provisions of this By-law, including the General Use Regulations and Special Use Regulations applicable to the zone within which the defined area is located, the regulations of the site-specific zone shall supersede and prevail over such corresponding regulations of this By-law;
- b) if the site-specific zone establishes one (1) or more specifically permitted uses for the defined area, such permitted use or uses shall be the only purpose or purposes for which land, building or structures within the defined area may be used; and
- c) if the site-specific zone specifically permits one (1) or more uses in addition to those otherwise permitted in the zone within which the defined area is located, any and all of the other regulations applicable to the defined area shall also apply to the additional permitted use or uses and not only to the uses not otherwise permitted in the zone.

- d) where a site-specific zone is followed by a reference to person, address, company or business name in italics in parentheses, the said reference is intended for information purposes only and does not constitute part of this By-law.

3.7 INTERPRETATION OF ZONE BOUNDARIES

Where any uncertainty exists as to the location of the boundary of any of the said zones as shown on a zoning map, the following shall apply:

- a) unless otherwise shown, the boundary of the zones as shown on the zoning maps are the centre lines of the road allowance or lot lines and the projection thereof;
- b) where zone boundaries are indicated as approximately parallel to the line of any street and the distance from such street is not indicated, such zone boundaries shall be construed as being parallel to such street and the distance therefrom shall be determined by the use of the scale shown on the zoning maps;
- c) unless otherwise indicated, a street, lane, railroad or railway right-of-way, or water course included on the zoning maps, is included within the zone of the adjoining property on either side thereof; and where such street, lane, right-of-way, or water course serves as a boundary between two or more different zones, a line midway in such street, lane, right-of-way, or water course and extending in the general direction of the long division thereof is considered the boundary between zones unless specifically indicated otherwise;
- d) in the event a dedicated street, lane, or right-of-way shown on the zoning maps is closed, the property formerly in said street, lane, or right-of-way shall be included within the zone of the adjoining property on either side of the said closed street, lane, or right-of-way, and the zone boundary shall be the former centre line of said closed street, lane, or right-of-way;
- e) where zone boundaries do not follow a lot line or appear to follow a lot line, they shall be deemed to follow a lot line for the purpose of the regulations of this By-law.