

Municipality of Lakeshore

By-law 15-2025

Being a By-law to Amend the Comprehensive Zoning By-law 2-2012 with respect to the entire Municipality of Lakeshore

Whereas pursuant to section 34(1) of the *Planning Act*, R.S.O. 1990, c.P.13 (the "*Planning Act*") municipalities are authorized to pass by-laws related to Zoning;

And whereas the Municipality of Lakeshore deems it advisable to amend the Lakeshore Comprehensive Zoning By-law 2-2012 to better clarify terms, meaning and intent, and to remove inconsistencies in an effort to improve interpretation;

And whereas this By-law is in conformity with the Lakeshore Official Plan;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. By-law 2-2012 shall be amended as follows:

a) Section 4.0 "Definitions" is amended to remove paragraph 34 and replace with the following:

34. BUILDING – shall include any *structure*, whether temporary or permanent, used or intended for sheltering any use or occupancy but shall not include a *fence, mobile home, trailer, or tent*.

b) Section 4.0 "Definitions" is amended by adding the following as a new paragraph 66 and renumbering subsequent paragraphs accordingly:

66. DORMER – shall mean a window projection which is situated on either the side, front, or rear roof elevations of a *building*, whereby the length of which does not exceed one-third (1/3) of the permitted length of the *building*.

c) Section 4.0 "Definitions" is amended to remove paragraph 90 and replace with the following:

90. FLOOR AREA, GROSS – shall mean the *total floor area* in a *building* or *structure* measured between the exterior faces of the exterior walls of the *building* or *structure* at the level of each *storey* below, at and above *grade*, including the area used for enclosed off-street unloading, *parking*, mechanical equipment, mezzanines, stairways or shafts.

- d) Section 4.0 “Definitions” is amended to remove paragraph 154 and replace with the following:

154. OPEN SPACE, LANDSCAPED – shall mean open unobstructed space on the site which is suitable for *landscaping*, including any part of the site occupied by recreational *accessory buildings*, any surfaced walk, any sports or recreation area, any ornamental or *private outdoor swimming pool*, and the roof or other part of a *building* or *structure* open to the air and suitable for *landscaping* and *used* as a recreational area.

- e) Section 4.0 “Definitions” is amended to remove paragraph 251 and replace with the following:

251. WASTE AREA ENCLOSURE – shall mean a fully enclosed *accessory structure* used to contain and screen garbage, recycling, compost and refuse, or an in-ground refuse container such as a Molok container or similar, or a solid opaque wall or fence and gate that is used to screen garbage containment.

- f) Section 6.0 “General Provisions” is amended to remove paragraph 6.5(e) and replace with the following:

(e) When accessory to an *additional residential unit*, outdoor free-standing heat pumps, air conditioning units and generators shall be permitted in the *front yard* but may not encroach into the required *front yard* setback nor visible from the street.

- g) Section 6.7 “Additional Residential Units” is amended by replacing paragraph (f) with the following:

(f) An *additional residential unit* in an *accessory building* shall be located no more than 50 metres from the associated main *dwelling* and no less than 4.0 metres from the main *dwelling* or any other *building* or *structure*;

- h) Section 6.7 “Additional Residential Units” is amended by adding the following as a new paragraph (n):

(n) Notwithstanding any other provision of this By-law, where an *additional residential unit* is permitted on a *lot*, up to 45 percent of the *lot coverage* is permitted.

- i) Section 6.0 “General Provisions” is amended to remove paragraphs 6.12 (b) and (h) and replace with the following:

(b) The minimum exterior *lot frontage* shall be 55.0 m.

(h) The minimum interior angle of any ramp to the street line shall be greater than 60 degrees and less than or equal to 90 degrees.

- j) Section 6.0 “General Provisions” is amended to remove paragraph 6.29 and replace with the following:

6.29 Landscaped Open Space

Landscaped open space shall be provided in accordance with the *zone* provisions set out herein for each *zone* and the following general provisions:

- a) *Landscaped open space* shall exclude any part of a *lot* which is occupied by a *building, structure, parking area, loading space, driveway, roof-top terrace, balcony, deck, patio, private outdoor swimming pool, artificial turf, excavation, agricultural use* or *outdoor storage area*;
- b) Where *landscaped open space* of any kind, including a *buffer strip*, is required adjacent to any *lot line* or elsewhere on a *lot*, nothing in this By-law shall apply to prevent such *landscaped open space* from being traversed by pedestrian walkways;
- c) A landscaped area located above an underground *parking area* shall be considered part of the *landscaped open space* on a *lot*.

- k) Section 6.0 “General Provisions” is amended to remove paragraph 6.36.1 and replace with the following:

6.36.1 Permission and Enlargements of Legal Non-Complying Buildings and Structures

Where a lawfully *existing building or structure* was legally existing on the date of the passing of this By-law is located on a *lot* having less than the minimum frontage or area required by this By-law, or having less than the minimum *setback, front yard, side yard, rear yard* or *floor area* required by this By-law, the said *building or structure*, may be enlarged, reconstructed, repaired, renovated, and/or replaced provided that the enlargement, reconstruction, repair, renovation, or replacement, or any part thereof, maintains the established non-compliance or complies with

the By-law requirement and complies with all other *setback* and *yard* requirements of the applicable *zone*. For example, where a 1.0 m *side yard* exists and a two metre *side yard* is required by the By-law, the *existing building* can be enlarged maintaining a 1.0 m *side yard* but must satisfy the *rear*, *front*, and opposite *side yard* requirements. Notwithstanding the preceding, such enlargement, reconstruction, repair, renovation, and/or replacement shall not be allowed if the same results in the continuation of an existing or the establishment of a new encroachment onto abutting property.

- l) Section 6.0 “General Provisions” is amended to remove paragraph 6.46 and replace with the following:

6.46 Recreational Vehicle and Utility Trailer Storage

In any Residential *zone*, the owner or occupant of any *lot* may store outdoors, in any *rear or side yard* behind or beside the *dwelling*, a maximum of two (2) *recreational vehicles* or two (2) *utility trailers* or a combination of one (1) *recreational vehicle* and one (1) *utility trailer*, provided that they are the owner of such *recreational vehicles* or *utility trailers*. For clarity, the outdoor storage of recreational vehicles and utility trailers is prohibited in any *front yard* of any Residential *zone*.

For the purposes of this section, the temporary keeping of *recreational vehicles* and *utility trailers* for loading and unloading in a driveway for up to fourteen (14) days in the given calendar year shall not be considered outdoor storage.

Notwithstanding the above, the outdoor storage of any *recreational vehicle* and *utility trailer* may be permitted within the *front yard* on a *lot* abutting a *canal*, Lake St. Clair, Puce River, Ruscom River and Belle River, provided it is not located within the *front yard setback*.

Notwithstanding the above, where an existing *lot* abutting the water is bisected by a street, the outdoor storage of any *recreational vehicle* may be permitted on the *lot* abutting the water.

- m) Section 6.0 “General Provisions” is amended to add a new paragraph 6.61 (c) with the following and renumber subsequent paragraphs accordingly:

(c) a *right-of-way* or *easement* or the granting of a *right-of-way* or *easement* by way of a consent application;

- n) Section 6.0 “General Provisions” is amended to remove paragraph 6.62 (b) and replace with the following:

(b) The refining, storage or use in manufacturing of coal oil, rock oil, fuel oil, natural gas, propane, burning fluids, naphtha, benzol, benzene, gasoline, ethanol, dynamite, dualin, nitroglycerine, gun powder, petroleum or any other combustible, inflammable, volatile or otherwise dangerous liquids, gases or solid materials except where specifically permitted hereby or in conjunction with a permitted use and unless such substances are protected by adequate firefighting and fire prevention equipment and by such safety devices as are generally employed in the handling of such substances and provided that such substances are kept removed from adjacent uses to a distance which is compatible with the potential danger involved, except that this provision shall not apply to prevent the above ground storage of such substances by a farmer, where such storage is incidental and accessory to an agricultural use or agricultural service and supply establishment, or the use of natural gas, propane or fuel oil for domestic purposes, such as heating and cooking, in conjunction with a residential use;

- o) Section 8.0 “Zone Regulations” is amended to remove Table 8.6 and replace with the following:

8.6 Mixed Use Zone Regulations

The following regulations shall apply to the Central Area (CA) and Mixed Use (MU) zones. Refer to Section 9.0 for a list of zone exceptions.

Zone Regulations	Central Area Commercial (CA)	Mixed Use (MU)
Permitted Uses	As indicated in Table	7.1
Minimum Lot Area	N/A	N/A
Minimum Lot Frontage	N/A	15%
Maximum Lot Coverage (including accessory buildings)	80%	50%
Maximum Landscaped Open Space	N/A	20%
Minimum Setbacks (main buildings):		
Front Yard	N/A (subject to any required County setbacks)	Where the lot fronts on County Road 22: Shall be in accordance with the County’s minimum building setback requirements Where the lot fronts on any other road: 4.5 m

<p><i>Rear Yard</i></p>	<p>4.5 m</p>	<p>N/A (where a <i>yard</i> abuts a commercial <i>zone</i> or employment <i>zone</i> and access is available to the <i>rear yard</i> by a <i>public lane</i> or <i>private road</i>); or</p> <p>7.5 m (where the <i>yard</i> abuts a commercial or employment <i>zone</i> and no access is available to the rear of the said <i>building</i> except by means of a <i>yard</i>); or</p> <p>10.5 m (where the <i>building</i> contains residential <i>dwelling units</i> of one or more <i>storeys</i> in <i>height</i>); or</p> <p>10.5 m (where the <i>yard</i> abuts a residential, institutional or parks and open space <i>zone</i>)</p>
<p><i>Interior Side Yard</i></p>	<p>N/A (where a <i>yard</i> abuts a commercial <i>zone</i> and access is available to the <i>rear yard</i> by a <i>public lane</i> or <i>private road</i>); or</p> <p>4.5 m on one side (where the <i>yard</i> abuts a commercial <i>zone</i> and no access is available to the <i>rear yard</i> except through the <i>side yard</i>); or</p> <p>4.5 m (where the <i>yard</i> abuts a residential, institutional or parks and open space <i>zone</i>)</p>	<p>N/A (where a <i>yard</i> abuts a commercial <i>zone</i> and access is available to the <i>rear yard</i> by a <i>public lane</i> or <i>private road</i>); or</p> <p>4.5 m on one side (where the <i>yard</i> abuts a commercial <i>zone</i> and no access is available to the <i>rear yard</i> except through the <i>side yard</i>); or</p> <p>7.5 m (where the <i>yard</i> abuts a residential, institutional or parks and open space <i>zone</i>)</p>

<i>Exterior Side Yard</i>	4.5 m	4.5 m
Maximum Setbacks (main buildings):		
<i>Front Yard</i>	3.0 m (subject to any required County setbacks)	Shall be in accordance with Schedule B and the County Road 22 Street Frontage requirements of Section 6.17
<i>Exterior Side Yard</i>	3.0 m (subject to any required County setbacks)	
Maximum Height of Buildings and Structures	10.5 m (Exception: <i>Minimum height</i> of 10.5 m [3 storeys] on the south side of Notre Dame Street in Belle River and maximum <i>height</i> of 7.5 m [2 storeys] on north side of Notre Dame Street)	10.5 m
Other Provisions	<i>Buffer Strip:</i> 3.0 m shall be provided in a yard abutting an R1 Zone.	Maximum <i>Gross Floor Area:</i> 3,000 m ² ; and <i>Buffer Strip:</i> 4.5 m shall be provided in a yard abutting a residential, institutional or the parks and open space zone. Zone regulations for <i>townhouse dwellings</i> will be in accordance with the R2 Zone.

2. This By-law comes into force and effect upon passage.

Read and passed in open session on February 4, 2025.

**Mayor
Tracey Bailey**

**Clerk
Brianna Coughlin**