

## SECTION 4 - ZONES AND ZONING MAPS

### 4.1 GENERAL

For the purpose of this by-law all the lands within the boundaries of the municipality are hereby divided into various zones to which the provisions and regulations herein shall respectively apply.

### 4.2 ESTABLISHMENT OF ZONES

For the purpose of this by-law the map hereto attached as Schedule "A" shall be referred to as the Zoning Map for the Village of St. Clair Beach and the Zoning Map shall be divided into the following zones and such zones are shown on the Zoning Map by symbols consisting of letters and numbers or letters only as the case may be, as listed below:

<b>Zone</b>	<b>Symbol</b>
Residential Type One Zone	R1
Residential Type Two Zone	R2
Residential Type Three Zone	R3
General Commercial Zone	C1
Recreational Zone	RE
Institutional Zone	I
Lake St. Clair Floodprone Area	
Floodprone Development Control Area	

### 4.3 USE OF ZONE SYMBOLS

The symbols listed in subsection 4.2 shall be used to refer to land, buildings, and structures and to the uses thereof 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 zones shall mean any area within the municipality delineated on the Zoning Map and designated thereon by the said symbol.

### 4.4 DEFINED AREAS

Certain areas within any of the various zones or within parts of more than one (1) zone may be more specifically regulated and such areas shall be known as "Defined Areas". All zones may be subdivided into one (1) or more defined areas which shall be designated by reference to the symbol of the zone within which each such defined area is located together with an additional symbol - either letter, number, or both so as to differentiate different defined areas within a zone from each other and from other areas within the zone.

#### 4.5 INCORPORATION OF ZONING MAPS

The location and boundaries of the zones and defined areas established by this by-law as shown on the Zoning Map hereto appended as Schedule "A" together with everything shown thereon and all succeeding amendments thereto, are hereby incorporated in and declared to form part of this by-law.

#### 4.6 APPLICATION OF REGULATIONS

No person shall within any zone or defined area use any land or erect, build, construct, reconstruct, relocate, excavate for, alter, add to, enlarge, extend or use any building or structure, except in conformity with this by-law for the zone or defined area in which such land, building, structure or use is located.

#### 4.7 INTERPRETATION OF ZONE AND DEFINED AREA BOUNDARIES

Where any uncertainty exists as to the location of the boundary of any of the said zones or defined areas as shown on the Zoning Map, the following shall apply:

- a) unless otherwise shown, the boundary of the zones or defined areas are the centrelines of the road allowance or lot lines and the projection thereof;

- b) where zone boundaries or defined area boundaries are indicated as approximately following lot lines shown on a registered plan of subdivision, such lot lines shall be deemed to be the said boundary;
- c) where zone boundaries or defined area boundaries are indicated as approximately parallel to the street line and the distance from such street line is not indicated, such zone boundaries or defined area boundaries shall be construed as being parallel to such street line and the distance therefrom shall be determined by the use of the scale shown on the Zoning Map;
- d) unless otherwise indicated, a street, private road, or electrical transmission line right-of-way, or watercourse included on the Zoning Map, is included within the zone or defined area of the adjoining property on either side thereof, and where such street, private road, right-of-way, or watercourse serves as a boundary between two (2) or more different zones, defined areas or both, a line midway in such street, private road, right-of-way, or watercourse and extending in the general direction of the long division thereof is considered the boundary between zones, defined areas, or both, unless specifically indicated otherwise;
- e) in the event a dedicated street, or right-of-way shown on the map is closed, the property formerly in said street, or right-of-way shall be included within the zone or defined area of the adjoining property on either side of the said closed street, or right-of-way, and the zone boundary or defined area boundary shall be the former centreline of the said closed street, or right-of-way;
- f) where a zone or defined area boundary is indicated as following the edge of a watercourse, the boundary shall follow the top of the bank of such watercourse and, in the event that the top of the bank of such watercourse changes, the boundary shall be taken as having moved with the top of the bank;

- g) where a zone or defined area boundary is indicated as following the shoreline of Lake St. Clair, the boundary shall follow the water's edge and, in the event that the water's edge changes, the boundary shall be taken as having moved with the said water's edge;
- h) where a defined area boundary appears to follow a zone boundary it shall be taken as following such zone boundary;
- i) whenever it occurs, the corporate limit of the municipality is the boundary of the zone or defined area adjacent to it;
- j) where any setback is related to a zone or defined area boundary which has moved under circumstances referred to in subparagraphs f) and g) the point or line of reference of such setback shall be taken as having equally moved;
- k) where any zone boundary or defined area boundary is left uncertain after application of the preceding provisions, then the boundary line shall be determined according to the scale on the Zoning Map in the office of the Chief Building Official.