

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 within the 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 maps and map parts hereto annexed as Schedule "A" and map parts shall be referred to as the Zoning Maps for the Town of Tecumseh and the Zoning Maps shall be divided into the following zones and such zones are shown on the Zoning Maps by symbols consisting of letters and numbers or letters only as the case may be, as listed below:

<u>SYMBOL</u>	<u>ZONE</u>
R1	Residential Zone 1
R2	Residential Zone 2
R3	Residential Zone 3
C1	Local Commercial Zone
C2	Highway Commercial Zone
C3	General Commercial Zone
C4	Neighbourhood Commercial Zone
M1	Restricted Industrial Zone
M2	General Industrial Zone
RE	Recreational Zone
CF	Community Facility Zone
(H)	Holding Zone

4.3 USE OF ZONE SYMBOLS

The symbols listed in Section 4.2 shall be used to refer to land, buildings, and structures and the use 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.

4.4 DEFINED AREAS

Certain areas within any of the various zones or within parts of more than one zone may be more specifically regulated and such areas shall be known as "Defined Areas". All zones may be subdivided into one 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 HOLDING ZONE (H) PROVISIONS

Where the zoning applying to any lot includes the symbol (H) prefixed to any zone symbol, the provisions of Section 17 shall apply to such lands until such time as the By-law is amended to remove the holding symbol (H). Application of the (H) symbol indicates that development of the lands is premature at the present time. However, it does indicate the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to this By-law. The Official Plan outlines the criteria to be satisfied in order to remove the holding symbol (H).

The passing of such an amendment only requires that notice be given of Council's intention to pass the by-law and the earliest date on which Council will meet to consider the matter. Upon adoption there is no further notice of passing required nor any appeal period as with regular zoning by-law amendments. Only the applicant has the right to refer the matter to the Ontario Municipal Board if Council refuses to pass the by-law.

4.6 INCORPORATION OF ZONING MAPS

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

4.7 APPLICATION OF REGULATIONS

No person shall with any zone or defined area use or alter any land, lot or any part thereof, nor erect, build, construct, reconstruct, relocate, excavate for, alter, add to, enlarge, extend or use any building or structure, or any part thereof, except in conformity with the regulations of this By-law for the zone or defined area in which such land, building, structure or use is located.

4.8 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 Maps, the following shall apply:

- 4.8.1 unless otherwise shown, the boundary of the zones or defined area boundaries as shown on the Zoning Maps are the centrelines of the street, or lot lines, and the projection thereof;
- 4.8.2 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;

- 4.8.3 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 Maps;
- 4.8.4 unless otherwise indicated, a street, alley, lane, railroad, railway or electrical transmission line right-of-way included on the Zoning Maps, is included within the zone or defined area of the adjoining property on either side thereof; and where such street, alley, lane or right-of-way serves as a boundary between two or more different zones, defined areas or both, a line midway in such street, alley, lane or right-of-way 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;
- 4.8.5 in the event a dedicated street, alley, lane, or right-of-way shown on the map is closed, the property formerly in said street, alley, lane, 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, alley, lane, or right-of-way, and the zone boundary or defined area boundary shall be the former centreline of said closed street, alley, lane, or right-of-way;
- 4.8.6 where a zone or defined area boundary is indicated as following a shoreline, the boundary shall follow the water's edge of such shoreline and, in the event that the water's edge of such shoreline changes, the boundary shall be taken as having moved with the water's edge of such shoreline;
- 4.8.7 where a defined area boundary appears to follow a zone boundary it shall be taken as following such zone boundary;
- 4.8.8 whenever it occurs, the corporate limit of the Municipality is the boundary of the zone or defined area adjacent to it;
- 4.8.9 where any setback is related to a zone or defined area boundary which has moved under circumstances referred to in subsection 4.8.6 the point or line of reference of such setback shall be taken as having equally moved;
- 4.8.10 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 Maps in the office of the By-law Enforcement Officer.