Town of Tecumseh

TECUMSEH Zoning By-law 1746

- Consolidated Copy -

This Office Consolidation includes all amendments up to and including By-law No. 2017-52 adopted by Council on July 11, 2017. Please note that amendments to the Zoning By-law are common. Accordingly, all information contained herein should be confirmed with Town staff.

January 2018

TOWN OF TECUMSEH

Tecumseh By-law No. 1746 (Office consolidation)

- 1. Date By-law Adopted by Council <u>December 15, 1987</u>
- 2. Date of Last Consolidation <u>October 2015</u>
- 3. This consolidation, finalized in <u>October 2015</u>, includes all amendments up to and including By-law No. <u>2015-59</u> which was adopted by Council on July 14, 2015.

LIST OF ALL AMENDMENTS INCLUDED IN THIS CONSOLIDATION

By-law No.	Date of Adoption	Changes Made To Section No. Map No.		Comments
2118	Aug 10/93		15	 (H)R2 to R2; (H)R2-13 to R2-13; (H)R2-14 to R2-14 west of Manning Rd., south of CN Rail
2138	Mar 8/94	adds 3.1a and 5.39		 adds definition and General Provision for "Adult Entertainment Parlours"
2146	May 24/94	adds 3.101a, 5.40 replaces 3.35		 adds definition and General Provision for "Private Home Day Care Use" revises "Day Nursery" definition
2148	May 24/94	adds 11.3.9	5	 R2 to C3-9 to permit parking lot n/s of Lanoue St., btwn St. Anne and Poisson
2154	June 28/94	replaces 7.3.8		• revises R2-8 to permit heating and cooling contracting establishment w/ no outside storage

Dr. Jorr No	Data of Adaption	Changes Made To		Comments
By-law No.	Date of Adoption	Section No.	Map No.	Comments
2165	Nov 8/94	adds 7.3.18	10	 (H)R2 to R2-18 (revised lot provisions) east of Lesperance Rd., south of Renaud St.
2176	Feb 14/95	adds 8.3.5	4	 M1 to (H)R3-5 to permit an apartment building s/s of McNorton across from St. Thomas
2197	July 11/95	adds 8.3.6 and 8.3.7	1	 (H)R3 to R3-6, R3-7 and RE to permit semi- detached and townhouse dwellings e/s and w/s of Southfield Dr., north of Banwell
2198	July 11/95	deletes 11.3.6	4	C3-6 to M1end of First Street
2223	Jan 9/96	adds 3.126a replaces 3.132		• adds definitions for "Trailer, Commercial" and "Vehicle, Commercial"
2240	May 28/96		1	 R3-6 to R3-7; R3-7 to R3-6 w/s of Southfield Dr., north of Banwell Rd.
2253	Sept 24/96		18	(H)R3 to R3Michael Drive
2254	Sept 24/96	adds 8.3.8	18	 R3 to R3-8; (H)R3 to RE (special setback and parkland) w/s of Michael Dr.
2257	Oct 8/96	adds 7.3.17 and 7.3.19	23	 (H)R2 to R2, R2-17, R2-19 and RE (revised zone provisions and parkland) east of Lanoue St., south of CN Railway
2258	Nov 12/96	replaces 8.3.6 e) and 8.3.7 e)		 revises Maximum Lot Coverage for R3 Zone to 55 percent
2274	Mar 11/97	adds R2-20, R3-9 and R3-10	23	 (H)R2 to R2-20, R3-9, R3-10 and RE (permitting multi-unit development) west of Manning Rd., between CN Railway and Cty Rd. No. 22

By-law No. Date of Adoption		Changes Made To		Comments	
		Section No.	Map No.		
2275	Mar 11/97		23	 (H)C2 to C3 w/s of Manning Rd, between CN Railway and Cty Rd. No. 22 	
2292	Aug 19/97	adds 7.3.21	18	 (H)R1 to R2-21 (revised zone provisions) Revland Drive 	
2346	Dec 9/98	adds 5.5.1(b) replaces 6.1.11		• revises established building line provision for lots on north side of Riverside Dr. and prohibits permitted encroachments in required rear yard	
1999-61	August 10, 1999	adds 3.34a, 5.30a, 5.41, 6.1.1d), 6.1.2c), 7.1.1d), 7.1.2c), 8.1.1e), 8.1.2h) replaces 3.98, 6.1.3a), 6.1.4a), 7.1.3a), 7.1.4a), 8.1.3a), 8.1.4a), 8.1.10, 11.1.1xix), 16.1.1d)		 Housekeeping Amendment adds definition for "Day Care Centre, Adult" and revises definition of "Parking Space" to include Barrier Free Parking introduces Barrier Free Parking provisions introduces regulations for Group Homes and adds them as permitted uses revises R3 zone provisions to permit zero lot line for freehold townhouse units 	
2000-34	March 14, 2000	Adds 7.3.22	5	 R1 to R2 and R1 to R2-22 Reaume (Poisson St.) Residential Development. 	
2000-48	April25, 2000	Adds 3.24a) 11.3.10, 11.3.11 Deletes 13.3.2	18	 M1-2 to (H)C3-10 and (H)C3-11 Reaume (Commercial) Definition for Commercial, Self-Storage Unit. 	

			Made To		
By-law No.	Date of Adoption	Section No.	Map No.	Comments	
2000-78	July 25, 2000	Adds 6.3.8, 6.3.9	22	 (H)R1 to R1, R1-8, and R1-9 R1 to R1-8 Azar (Greenvalley Dr.). 	
2000-109	December 12, 2000	Replaces 8.3.8a)		 Gerry Pillon (Shorehaven, Michael Drive) Allow accessory structures in rear yard. Revise R3-8 text. 	
2001-30	April 24, 2001	Adds 8.3.11	1	 Jim Ellis, North Side of Brouillette Road Extension Permits 6 two-unit dwellings (H)CF to R3-11, (H)CF to R2, R2 to R3-11 	
2002-81	September 24, 2002	Replaces 3.101 (a), 5.40		 Housekeeping Amendment Replacement of Private Home Day Care Use definition and general provision 	
2003-46	July 22, 2003	Adds 8.3.12	1	 D19 EL2 – Jim Ellis, Northwest corner of the Brouillette Court and Shawnee Road intersection Change from R2 to R3-12 	
2005-12	February 15, 2005	Adds 7.3.23	5	 D19 STA – St. Anne's Church Diveway Access to St. Anne Boulevard (1246 St. Annes) Change from R2 to R2-22 	
2005-52	May 23, 2006	Adds 6.3.10	5	 D19 GEL – Geloso, Northeast corner of the Poisson Street and Arbour Road intersection Change from R1 to R1-10 and R1 to R2-22 	
2006-33	May 23, 2006	Adds 8.3.13	1	 D19 EL3 – Jim Ellis, South side of the Brouillette Court and across from Brouillette Manor Change from R2 to R3-13 	

By-law No.	Date of Adoption	Changes Made To Section No. Map No.		Comments
2007-75	November 13, 2007	Replaced 5.25.1, 5.25.2 and 5.33		 D19 HO 03 – Housekeeping Amendment Introduced new regulations pertaining to accessory uses/structures and driveway regs.
2008-07	February 12, 2008		1	 D19 BM – Brouillette Manor Remnant corner parcel of land on south side of Brouillette Crescent Change from "R2" to "(H)CF"
2008-23	May 13, 2008		22	 D19 CHIT – Chittle Lands 13266 Tecumseh Road and CON 1 PT Lot 156 Change from "C4-1" to "(H)C4" Allow for restaurant uses
2008-24	May 13, 2008		22	 D19 TE – Tecumseh Business Plaza 13158 Tecumseh Road Change from "C4-1" to "(H)C4" Allow for restaurant uses
2009-02	January 13, 2009		22	 D19 TE – Tecumseh Business Plaza 13158 Tecumseh Road Removal of (H) Holding Symbol – (H)C4 to C4
2012-03	January 10, 2012		22	 D19 TMC – Tecumseh Medical Centre 13278 Tecumseh Road Removal of (H) Holding Symbol – (H)C4 to C4
2012-04	January 10, 2012		22	 D19 CHIT – Chittle Commercial Lands 13266 Tecumseh Road Removal of (H) Holding Symbol – (H)C4 to C4
2014-43	May 27, 2014	Adds 8.3.14	5	 D19 VALSTA – Valente Development Corp. Former St. Anne's High School (South Campus)
2014-77	October 14, 2014	Adds 11.3.12 Deletes 16.3.1	6	 D19 AQUA – Aquascape & Distinctive Landscaping 152 Lesperance Road (Former K of C Hall)

By-law No.	Date of Adoption	Changes Made To		Date of Adoption Con		Comments
		Section No.	Map No.			
2015-22	March 24, 2015	Adds 8.3.15	10	 D19 1310LE (Sapardanis/Masotti) 1310 Lesperance Road Re-zone to R3-15 to permit two 6-unit dwellings 		
2015-59	July 14, 2015	Adds 7.3.24	10	 D19 12346ARB (Mary-Beth Laing) 12346 Arbour Street Re-zone to R2-24 to permit a duplex dwelling 		
2016-76	May 9, 2017 (3 rd and final reading)	Adds 7.3.25	5	 D19 1415LES 1415 Lesperance Road Re-zone from R2-3 to R2-25 		
2017-32	May 23, 2017	Adds 3.71 a) Adds 11.3.13	1	 D19 BERNAT 11957 Tecumseh Road – Proposed Condos Re-zone from C3 to C3-13 		
2017-52	July 11, 2017	Adds 11.3.14	1	 D19 CAMPEAU 11941 Tecumseh Road – Proposed Condos Re-zone from C3 to C3-14 		

Town of Tecumseh

List of Temporary Use By-laws

By-law No.	Date of Adoption	Expiry Date	Comments
2014-82	November 25, 2014	November 25, 2017	- Allows one sea container to be used as an accessory storage building on 12237 Riverside Drive. FILE: D19 DANS

TOWN OF TECUMSEH

ZONING BY-LAW

TABLE OF CONTENTS

2

SECTION 1	- GENERAL	1
1.1	Title	
1.2	Application	1
1.3	Scope	2
1.4	Repeal of Existing By-laws	
1.5	Application	2
1.6	Greater Restrictions of Others to Govern	2
1.7	Validity	2
1.8	Effective Date	2
SECTION 2	- ADMINISTRATION AND ENFORCEMENT	3
2.1	Administrator	3
2.2	Consents, Licences and Permits	3
2.3	Buildings to be Moved	3
2.4	Certificate of Occupancy	3
2.5	Application for Certificate of Occupancy	3
2.6	Building Permits	4
2.7	Inspection of Premises	4
2.8	Injunction	4
2.9	Violations and Penalties	4
SECTION 3	- DEFINITIONS	5
SECTION 4	- ZONES AND ZONING MAPS	26
4.1	General	26
4.2	Establishment of Zones	26
4.3	Use of Zone Symbols	26
4.4	Defined Areas	26
4.5	Holding Zone (H) Provisions	27
4.6	Incorporation of Zoning Maps	27
4.7	Application of Regulations	27
4.8	Interpretation of Zone and Defined Area Boundaries	27

SECTION 5 - GENERAL PROVISIONS

5.1	Interpretation	29
5.2	Application	30
5.3	Street Frontage Required	30
5.4	Yard and Open Space Provisions for All Zones	30
5.5	Permitted Encroachments in Yards	30
5.6	Temporary Construction Uses	32
5.7	Occupancy of Partially Completed Buildings	32
5.8	Non-Compliance with Minimum Lot or Yard Requirements	32
5.9	Non-Conforming Uses	33
5.10	Existing Lots	34
5.11	Uses Permitted in All Zones	35
5.12	Permitted Public Uses	35
5.13	Mobile Homes	35
5.14	Truck, Bus and Coach Bodies or Trailers or Tents Used for Human	
	Habitation, Office and Storage Purposes	36
5.15	Prohibited Uses	36
5.16	Dangerous Uses and Dangerous Situations	36
5.17	Noxious Uses	37
5.18	Sight Visibility Triangles	37
5.19	Setbacks on County Roads	37
5.20	Setback on Provincial Highways	37
5.21	Separation of Dwellings from Railways	37
5.22	Landscaped Open Space	37
5.23	Buffer Strips	38
5.24	Height	39
5.25	Accessory Uses	39
5.26	Accessory Uses in Industrial Zones	41
5.27	Regulations for Home Occupations	42
5.28	Loading Spaces	43
5.29	Standards for Loading Spaces	43
5.30	Parking Area Requirements	44
5.30a	Barrier Free Parking	46
5.31	Standards for Parking Areas	47
5.32	Special Parking Provisions for Residential Zones	48
5.33	Driveway Regulations	48
5.34	Flood Protection Measures - Lake St. Clair	49
5.35	Lake St. Clair Shoreline Setback Regulations	49
5.36	Established Building Line in Built-up Area	49
5.37	Multiple Uses	50
5.38	Unlawful Uses	50
5.39	Adult Entertainment Parlours	50
5.40	Private Home Care Use	50
5.41	Regulations for Group Home Dwellings	50

29

i. F	SECTION 6 - RESIDENTIAL ZONE 1 (R1) REGULATIONS	51
	SECTION 7 - RESIDENTIAL ZONE (R2) REGULATIONS	56
	SECTION 8 - RESIDENTIAL ZONE (R3) REGULATIONS	65
	SECTION 9 - LOCAL COMMERCIAL ZONE (C1) REGULATIONS	76
	SECTION 10 - HIGHWAY COMMERCIAL ZONE (C2) REGULATIONS	80
	SECTION 11 - GENERAL COMMERCIAL ZONE (C3) REGULATIONS	86
	SECTION 12 - NEIGHBOURHOOD COMMERCIAL ZONE (C4) REGULATIONS	98
1 4	SECTION 13 - RESTRICTED INDUSTRIAL ZONE (M1) REGULATIONS	102
	SECTION 14 - GENERAL INDUSTRIAL ZONE (M2) REGULATIONS	108
	SECTION 15 - RECREATIONAL ZONE (RE) REGULATIONS	114
	SECTION 16 - COMMUNITY FACILITY ZONE (CF) REGULATIONS	116
	SECTION 17 - HOLDING ZONE (H) REGULATIONS	119
	SCHEDULE "A", MAP PARTS 1 TO 23	
	SCHEDULE "B", FLOOD PROTECTION AREAS - LAKE ST. CLAIR	
	METRIC CONVERSION TABLE AND FACTORS	