

**THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES**

**BY-LAW 04 OF 2024**

**BEING A BY-LAW TO AMEND BY-LAW 1 OF 2003  
FOR LANDS LOCATED ON CLYDE ST, FOREST (GOLD LEAF PROPERTIES INC)**

**WHEREAS** the Council of the Corporation of the Municipality of Lambton Shores passed a comprehensive Zoning By-law 1 of 2003 on the 4th day of February, 2003;

**AND WHEREAS** a public meeting was held on January 16, 2024 under Section 34(12) of the *Planning Act*, R.S.O., 1990;

**AND WHEREAS** section 34(17) of the *Planning Act*, R.S.O., 1990 permits Council to make changes to a proposed by-law after the holding of a public meeting;

**AND WHEREAS** section 36(1) of the *Planning Act*, R.S.O., 1990 permits Council to enact holding provisions;

**AND WHEREAS** Council deems it desirable to amend the said By-law;

**THEREFORE** the Council of the Corporation of the Municipality of Lambton Shores enacts as follows:

1. That Schedule "A" attached hereto (being a depiction of the lands affected by this By-law) is hereby declared to form part of this By-law.
2. Schedule 'A' to Zoning By-law 1 of 2003 is hereby amended by changing the zone symbol that applies to those portions of lands as indicated on Schedule 'A' to this By-law from:

**the "Exception 6 to the Residential-1 (R1-6) Zone" and the "Environmental Protection – Hazard (EP-H) Zone"**

to the

**"Exception 8 to the Residential-3 (R3-8) Zone" and the "Environmental Protection – Hazard (EP-H) Zone", with portions subject to "Holding Provision 20 (H20)".**

3. Section 7.3 f) *Exception 6 to the Residential – 1 (R1) Zone* is hereby deleted in its entirety.
4. Section 9.4 *Special Provisions* of Zoning By-law 1 of 2003 is hereby amended by adding the following subsection:

**h) Exception 8 to the Residential – 3 (R3-8) Zone**

Notwithstanding any other provision of this By-law to the contrary, on lands zoned Exception 8 to the Residential-3 (R3-8) Zone on Schedule "A" to this By-law, located at the southeast corner of the intersection of Clyde and Argyle Streets in Forest, the following provisions shall apply:

- i) The minimum required Rear Yard shall be 7.0 metres.
- ii) Those Lot Lines abutting Clyde Street shall be deemed Front Lot Lines, the most southerly Lot Line abutting the former railroad right of way shall be deemed the Rear Lot Line, the portion of the Lot Line abutting Argyle Street shall be deemed an Exterior Side Lot Line, and all other Lot Lines or portions thereof shall be deemed Interior Side Lot Lines.

5. Section 4.3.2 *Holding Provisions* of Zoning By-law 1 of 2003 is hereby amended by adding the following subsection:

**t) Holding Provision 20 (H20)**

Where a Holding Symbol 20 (H20) is added as a suffix to a Zone category in this By-law, the Holding Provision 20 (H20) symbol shall not be removed until a satisfactory Environmental Site Assessment and site remediation has been completed to allow the Uses Permitted by the applicable Zone designation. Until such time as the Holding Provision 20 (H20) symbol is removed, Permitted Uses of any portion of a Lot subject to the H20 symbol shall exclude any Building or Landscaped Open Space Use associated with the Main Use of the property.

6. This By-law shall come into force and effect pursuant to Section 34(21) or Section 34(30) of the *Planning Act*, R.S.O. 1990.

this
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**READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED** 16<sup>th</sup> day of January, 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

# Municipality of Lambton Shores

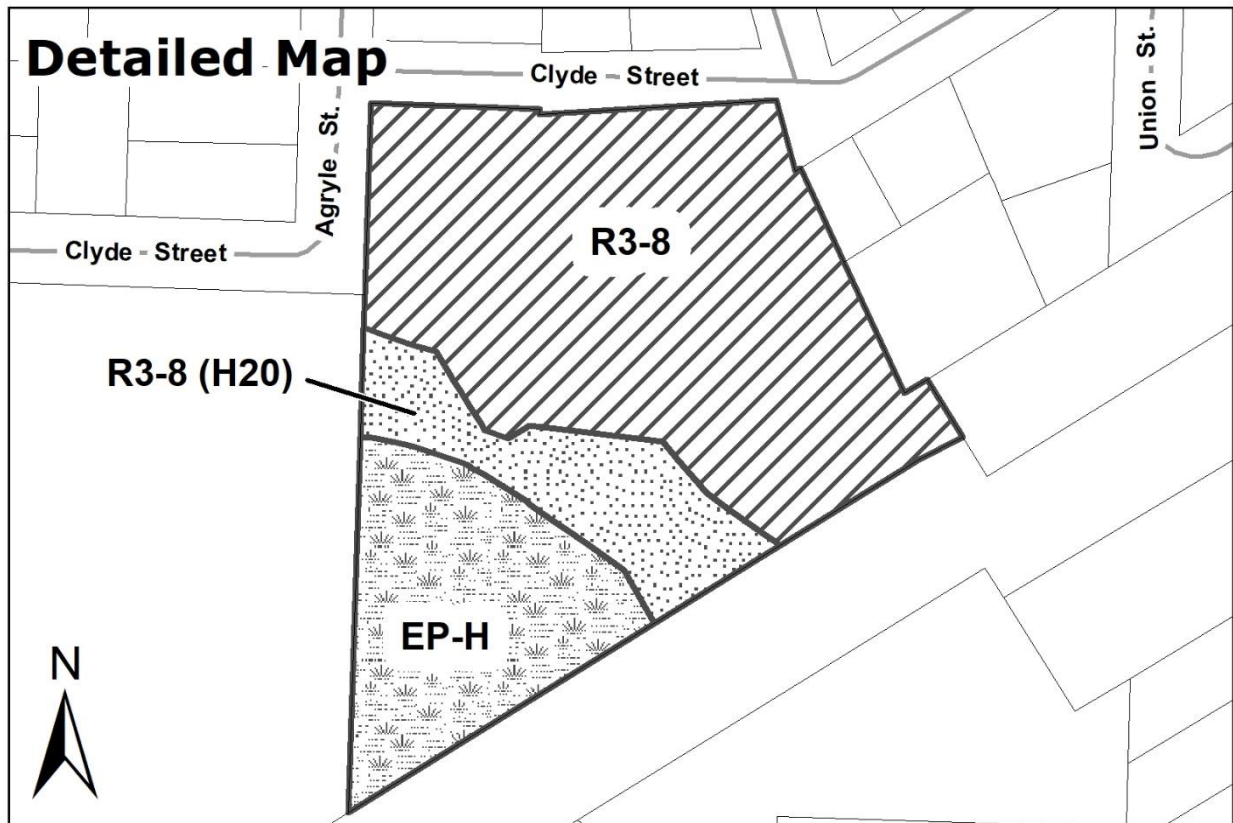
## SCHEDULE "A"


to By-Law No. 04-2024

Dated this 16<sup>th</sup> day of January, 2024

Signed: \_\_\_\_\_  
Doug Cook, Mayor

\_\_\_\_\_  
Stephanie Troyer-Boyd, Clerk



 Lands to be rezoned from a Residential-1 Exception 6 (R1-6) Zone to a Residential-3 Exception 8 (R3-8) Zone

 Lands to be rezoned from a Residential-1 Exception 6 (R1-6) Zone to a Residential-3 Exception 8 Holding 20 (R3-8 (H20)) Zone

APPLICANT: Gold Leaf Properties Inc. (Agent: Strik Baldinelli Moniz Ltd.)

LOCATION: CON 14 PT LOT 30 PLAN 14 S PT LOT 112 LOT 113 S PT LOT 115  
Clyde Street, Forest, Lambton Shores

FILE: ZO-07/2023

# THE CORPORATION OF THE MUNICIPALITY OF LAMBTON SHORES

## ZONING BY-LAW 04 OF 2024

### Explanatory Note

The purpose of this zoning by-law amendment is to amend Zoning By-law 1 of 2003 as it affects a parcel of land south of Clyde St in Forest. First, the amendment would change the lands from the current Exception 6 to the Residential-1 (R1-6) Zone to a new Exception 8 to the Residential-3 (R3-8) Zone, with portions subject to a Holding Provision 20 (H20). Second, the amendment would add a section to Section 9.4 of the Zoning By-law establishing provisions for this new zone. It would be the same as the standard R3 Zone except that it would permit a 7m (rather than 10m) rear yard and would clarify that Clyde St is to be considered the front yard. Third, the amendment would add a new Holding Provision 20 (H20) to Section 4.3.2 of the By-law that would require additional Environmental Site Assessment and remediation. Finally, it would delete Section 7.3 f), the R1-6 Zone provisions, from the zoning by-law as they would no longer be applicable to any property in the Municipality. In this respect, the amendments would allow the development of the site for townhouses with a 7m setback from the property line abutting the former railway allowance. The holding provision would apply to portions of the property the owner is not clearing for residential use pursuant to a Record of Site Conditions, which the owner proposes to use only for stormwater management and drainage works.

