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Cc: 'Paul Spriet' <pspriet@sprietinvestments.com>; 'Andy Spriet' <andy@spriet.on.ca>

Subject: Comments on South Huron Comprehensive Zoning By-law - Grand Bend Motorplex
Property

To: Sarah Smith, Planner

Huron County Planning and Development Department

Copy: Dan Best, Chief Administrative Officer
Municipality of South Huron

Copy: Andy Spriet, Spriet Associates
Copy: Paul Spriet, Spriet Investments

This submission is provided in response to a request for comments on the proposed Comprehensive Zoning By-law for South Huron. These comments apply to the Grand Bend Motorplex property, located at 70292 Grand Bend Line, and are submitted on behalf of the property owners.

Part of the Grand Bend Motorplex property is currently zoned Village Industrial VM1-5 (see attached Key Map 47 and text for the VM1 Zone). This area is also designated as "Rural Industrial" in the South Huron Official Plan.

The new Zone Map does not specifically show a zone symbol for the Motorplex industrial area (see attached Zone Map 1). However, the Zoning text for the Light Industrial Zone M1-8 references the original Zoning By-law (13-1997), as indicated in the attached M1 Zone text. It is therefore assumed that the subject area is intended to be zoned M1-8.

While the proposed M1-8 zone does permit a considerable range of Light Industrial uses, the requirement for a Rear Yard Depth (minimum) of 30 metres is not suitable for the Motorplex property (and not consistent with the current VM1-5 zoning). The M1 Zone minimum rear yard depth of 5 metres would be appropriate.

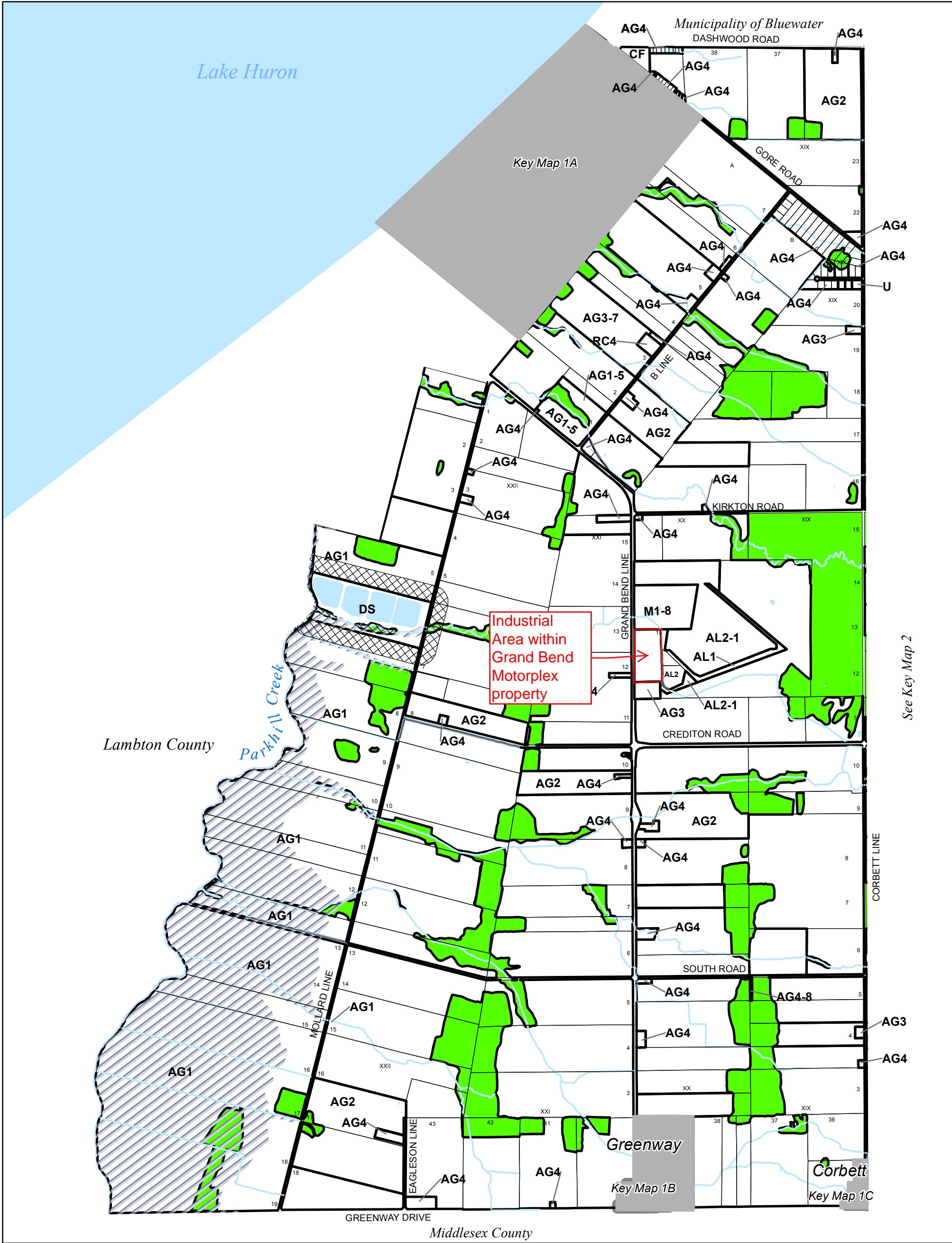
In summary, it is requested that:

1. Zone Map 1 be revised to specifically indicate that the Light Industrial Zone M1-8 applies to the industrial area within the Grand Bend Motorplex property
2. The M1 Zone minimum Rear Yard Depth of 5 metres should apply within the Motorplex industrial area.
3. The larger minimum rear yard depth of 30 metres should be retained for the adjacent M1-8 area to the north (former VM1-3 Zone), since it provides some spatial separation with the adjacent Motorplex public areas.

It would be appreciated if you could provide revised copies of Zone Map 1 and the Zone M1-8 text for review.

Thank you.

David Mihlik
Project Planner - Spriet Associates



DS Zone Buffer

Property Boundary

Watercourses

Waterbody

Top of Bank

Floodplain

AG1 (Unless otherwise noted)

NE2

Settlement Boundary

N
W E
S

05001,0002,000

Meters

1 cm = 320 meters



SCHEDULE "A"
KEY MAP 47

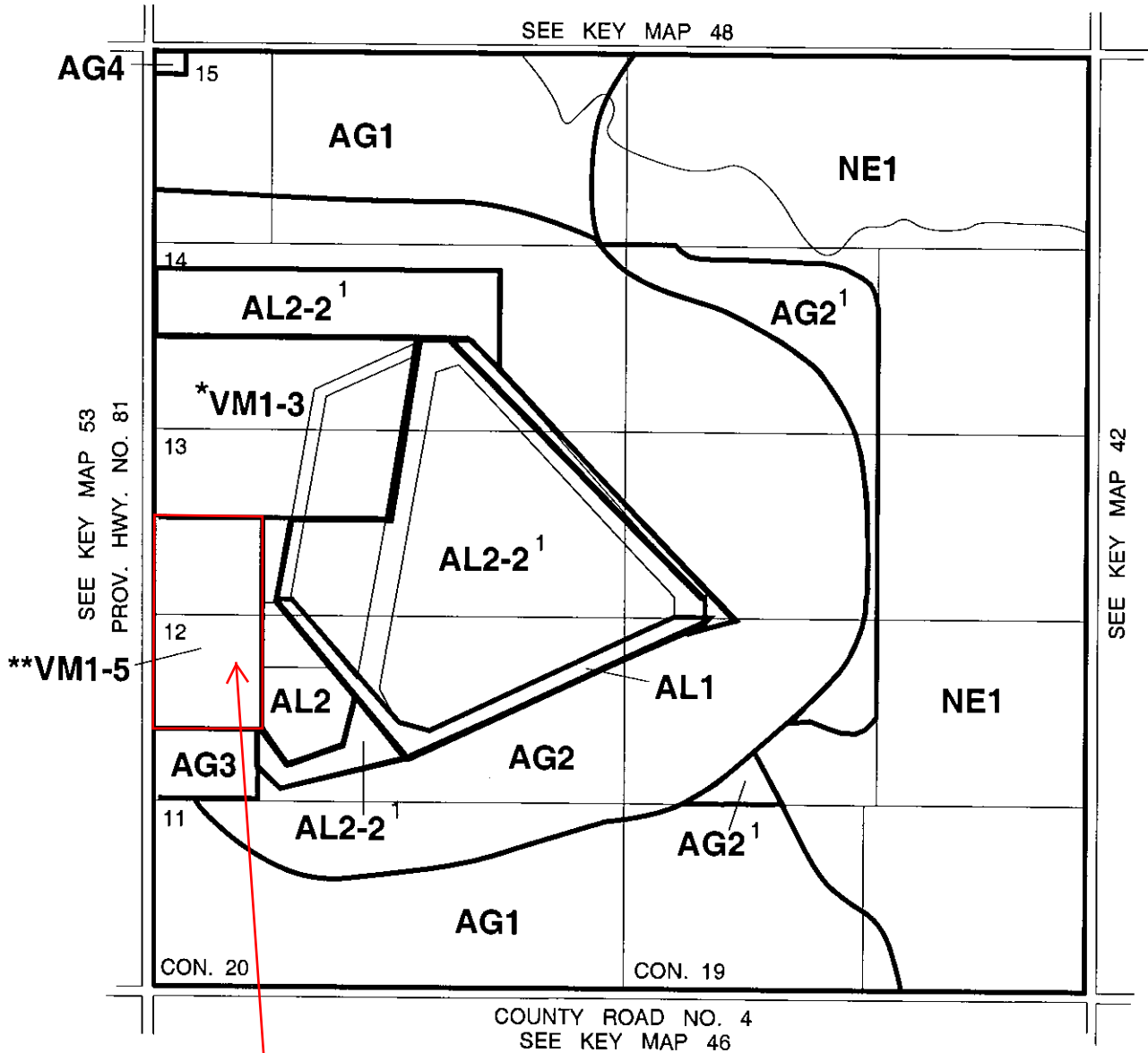
TOWNSHIP OF STEPHEN

0 100 200 500 METRES

0 500 1000 2000 FEET

ALSO: SEE KEY MAP 47A

SEE KEY MAP 48



* AMENDED BY BY-LAW 11-1987

** AMENDED BY BY-LAW 13-1997

1 AMENDED BY BY-LAW 36-1998

29. Light Industrial (M1)

Within the following Zones, no person shall establish any use of land or building, or erect or alter any building or structure for any purpose except in accordance with the following provisions:

29.1. Permitted Uses

- accessory storage containers in accordance with General Provisions
- accessory use subordinate to and located on the same property as a permitted main use including an office, showroom, retail outlet, cafeteria, or a wholesale outlet
- agricultural equipment sales and supply establishment
- agricultural industrial establishment
- agricultural processing establishment, but not dead stock removal
- agricultural service establishment
- assembly, manufacturing, fabricating, packaging, printing, publishing plant or warehouse conducted and wholly contained within an enclosed building
- auto body shop
- bottle return depot
- catering service or light equipment rentals
- commercial storage warehouse (rental units)
- communications facility
- contractor or tradesperson's yard and/or shop, Type "A"
- dry cleaning establishment
- furniture refinishing, woodworking or upholstery shop
- indoor sports and recreational facility
- industrial mall
- licensed medical marihuana facility
- machine shop
- motor vehicle service and/or repair shop
- mushroom growing facility
- nursery stock and/or landscaping business
- office including professional (excluding a clinic), scientific, information and technical services, real estate, insurance, and financial services, training centres
- parking lot
- printing plant
- public or private garage
- recycling centre
- research facility
- service industrial use
- sewage and solid waste management, but not a transfer facility or landfill site

- textile plant
- the following uses legally existing on the day of the passing of this By-law:
 - a single detached dwelling, and the re-establishment of same in the event of accidental destruction
- transport truck terminal and/or yard, including cartage and/or express business
- warehouse or storage industry wholly enclosed within a building
- wholesale outlet
- window and plate glass establishment

29.2. Permitted Structures

- Buildings and structures for the permitted uses;
- Buildings and structures accessory to the permitted uses.

29.3. Zone Provisions

Lot area (minimum)	1,400 square metres
Lot frontage (minimum)	25 metres
Lot depth (minimum)	40 metres
Front yard setback (minimum)	7 metres
Side yard (minimum)	5 metres
Rear yard (minimum)	5 metres
Building height (maximum)	20 metres (grain elevators – 30 metres)
Lot coverage in M1 zone (maximum)	50 %
Lot coverage in M2 zone (maximum)	70 %
Landscaped open space (minimum)	10 %
Corner lots	Side yard requirements may be substituted for rear yard requirements. The exterior side yards for corner lots shall be 6 metres.

29.4. General Industrial Provisions

29.4.1. Main Buildings and Uses

More than 1 main building and more than 1 main use are permitted in Industrial (M1, M2) zones.

29.4.2. Planting Strips

Planting Strips shall be provided in the side and rear yards of lands zoned or used for any industrial purpose where they abut lands zoned or used for residential, recreational, institutional or park purposes, in accordance with the Planting Strip General Provisions of this By-law.

29.4.3. Front Yard Planting Area

- a) a planting area of not less than 7 metres in depth abutting the front lot line and running the entire width of the lot shall be required. The ground surface shall be planted with any combination of shrubs and/or

evergreens, flower beds or grass. Such planting area shall be maintained at all times, consistent with the season.

- b) where interrupted by walkways or driveways, a planting area shall be located, planted and maintained in such a way as not to form an obstruction to traffic. Or closer than 1 metre to a walkway or driveway
- c) where required on a corner lot or street corner, a planting strip shall be located in such a way as not to form a visual obstruction for traffic

29.4.4. Uses Permitted in Yards

- a) a railway spur line is permitted in any required yard.
- b) a parking area accessory to the industrial use of the lot is permitted in any yard except a required front yard.

29.4.5. Outside Storage

The outdoor storage of goods or materials shall be permitted provided that:

- a) the outdoor storage is accessory to the use of the main building on the property, and
- b) the outdoor storage does not cover more than 75% of the zone area
- c) in addition, no outdoor storage is permitted in the side yard or rear yard abutting or across the street from a non-industrial zone unless the outdoor storage is enclosed, to a minimum height of 1.8 metres, by a fence, planting strip or decorative masonry wall or has a site plan for the outdoor storage approved under the Planning Act

29.4.6. Property Abutting a Railway

For proposed development within 100 metres of a railway right-of-way, the proponent may be required to undertake noise studies to the satisfaction of the Municipality and the Ministry of the Environment in consultation with the appropriate railway, and may be required to undertake appropriate measures to mitigate any adverse effects from noise.

For proposed developments within 50 metres of a railway right-of-way, the proponent may be required to undertake vibration studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.

Notwithstanding any other provisions of this By-law to the contrary, where any property line or portion thereof abuts a railway, the interior side yard or rear yard along that portion of the property line which abuts the railway shall be: 0 metres

29.4.7. Maximum Commercial Floor Area

The maximum amount of commercial floor area accessory to a main industrial use shall be not more than 25% of the gross floor area of the main use.

29.4.8. Existing Use Provisions

The property area, property frontage, all yards, gross floor area of the main building, property coverage and building height, shall apply as they lawfully exist on the day of the passing of this By-law.

29.4.9. Property Subject to Utility Easement

Where any industrial property is subject to a utility easement, the building setbacks shall also be in accordance with the applicable utility's requirements.

29.4.10. Servicing Limitations

All industrial uses locating in the Light Industrial (M1) zone shall be dry industries.

29.5. Special Zones

29.5.1. M1-1 (As per By-law 36-1989 and By-law 34-1991)

In addition to the permitted uses set out in in the M1 zone, the following uses shall be permitted in the M1-1 zone:

- a business or professional office, except medical or dental offices;
- an automotive supply retail outlet;
- a building supply outlet;
- an equipment sales, rental and servicing establishment, excluding sale and rental of home entertainment equipment;
- a catering service;
- a motorcycle, snowmobile or small implement sales and service establishment;
- a veterinary clinic
- a plant for the manufacture, fabrication, processing and assembly of racquetball, squash and similar courts;
- a recreation club for racquet sports and related recreation facilities.

29.5.2. M1-2 (As per By-law 2-1990)

Notwithstanding the uses permitted in the M1 zone, the following additional uses are permitted:

- an automobile service station;
- a gas bar;
- a car wash establishment;
- a retail store in excess of 1000 square metres, specializing in sporting goods, home and hardware goods, automotive supplies and services and similar goods and services but does not include a shopping centre or any other use defined herein.

Notwithstanding the zone provisions of Section XX and the M1 zone, the zone provisions of the Grouped Commercial (C6) zone apply to the M1-2 zone.

29.5.3. M1-3 (As per by-law 37-1997)

Notwithstanding the permitted uses in the M1 zone, the M1-3 zone is limited to the following uses:

Cottage industries which term shall mean the erection and/or the use of a building and/or structure for 1 or more of the following trades and uses:

- carpentry or woodworking;
- an electrical/electrician's shop;
- window framing;
- plumbing service;
- ceramics manufacture;
- furniture repair and upholstery;
- accessory retail;
- light manufacturing and assembly and/or light fabrication.
- A detached dwelling containing a single dwelling unit as an accessory use.

Notwithstanding the Industrial zone provisions of Section 11, the following special provisions apply to an industrial building in the M1-3 zone:

Permitted industrial buildings/structures shall not exceed 200 sq. m. in ground floor area;

Minimum Setback: 20 metres;

Interior Side Yard: 5 metres;

A pylon sign and a wall-mounted sign are permitted, provided a maximum sign height of 3 metres and maximum total sign area of 4 square metres. The Sign must be located to the rear of an accessory dwelling.

Notwithstanding the Industrial zone provisions of Section 11, the following special provisions apply to an accessory detached dwelling in the M1-3 zone:

The accessory residential dwelling shall be to the front of the industrial building or structure;

Minimum Front Yard Setback: 7 metres;

Minimum Side Yard Setback: 2 metres.

In all other ways, the industrial zone provisions of Section 11 apply.

29.5.4. M1-4 (As per By-laws 35-1999 and 13-2000)

Notwithstanding the uses permitted in the M1 zone, the uses in the M1-4 zone are restricted to:

- A cottage industry, which shall mean the erection and/or use of a building and/or structure and/or land for 1 or more of the following:
- a cartage, express or truck transport terminal;
- a craft manufacturing business

- a truck maintenance storage facility and/or yard;
- carpentry or woodworking shop;
- an electrician's shop;
- window framing;
- plumbing service;
- ceramics manufacture;
- furniture repair and upholstering;
- small engine repair and service;
- retail accessory to a cottage industry use;
- light manufacturing and assembly and/or light fabrication;
- a detached dwelling containing a single dwelling unit as an accessory use.

Notwithstanding the Industrial zone provisions of Section 11, the following special provisions apply to an industrial building in the M1-4 zone:

- permitted industrial buildings/structures shall not exceed 250 square metres. in ground floor area;
- minimum Setback from a residential zone – 20 metres;
- minimum Interior Side Yard – 5 metres.

In all other ways, the provisions of the M1 zone apply.

29.5.5. M1-5 (As per By-law 68-2013)

Notwithstanding the permitted uses of the Light Industrial (M1) zone, and in addition to any other provisions a radio broadcasting station and ancillary outdoor equipment and storage is permitted in the M1-5 zone. All other provisions of this by-law shall apply.

29.5.6. M1-6 (As per By-law 76-2013)

Notwithstanding the uses permitted in Section 29, Light Industrial (M1), the following uses only are permitted in the M1-6 zone:

- a warehouse for the storage of goods and materials within a wholly enclosed building or structure;
- a wholesale outlet;
- a tradesman's shop;
- a parking lot;
- a retail outlet, business office or an eating establishment accessory to a permitted use (provided the primary use is a Class I facility as per Ministry of Environment guidelines);
- a contractor's yard, Type "A";
- a lumber yard;
- a roofing contractor yard; and
- buildings and structures accessory to the foregoing uses.

All other provisions of this by-law shall apply.

29.5.7. M1-7 (As per By-law 76-2013)

Notwithstanding the uses permitted in Section 29, Light Industrial (M1), the following uses only are permitted in the M1-7 zone:

- a seasonal work camp; and
- buildings and structures accessory to the foregoing uses.

For the purposes of the M1-7 zone, a seasonal work camp means a building, group of buildings, trailer and/or a group of trailers providing seasonal accommodation for workers in the food production/processing industries.

Seasonal accommodation shall exclude winter occupancy.

The total floor area for building(s) and/or trailer(s) used for seasonal accommodation shall not exceed 400 square metres.

The maximum height of any building or trailer shall be 5 metres.

The number of occupants in any building or trailer shall not exceed 1 resident per 7.45 square metres (80 square feet).

All other provisions of this by-law shall apply.

29.5.8. M1-8 (As per by-law 11-1987 and 13-1997)

All uses permitted in the M1 zone are permitted in the M1-8 zone.

Notwithstanding the permitted uses in the M1 zone, the following additional uses are permitted in the M1-8 zone:

- service industry including, but not limited to, establishments for the service and repair of all types of motor vehicles, aircraft, boats, recreational vehicles and other marine crafts, as well as related equipment and accessories.

Notwithstanding the provisions of the M1 zone to the contrary, the following special provision shall apply to the area zoned VM1-8:

Rear Yard Depth (minimum): 30 metres.

All other provisions of this by-law shall apply.

29.5.9. M1-9 (As per By-laws 33-1992 and 34-1993)

Notwithstanding the permitted uses of the Light Industrial (M1) zone, the area zoned M1-9 allows only the following permitted uses:

- an automotive body shop;
- a contractor or tradesman's shop, Type "A";
- a garage, public;
- a retail outlet, a wholesale outlet or office accessory to a permitted use;
- a storage industry or warehouse;
- a transport terminal or yard;
- uses accessory to the permitted uses;
- a service station including small engine repair, boat sales and servicing (as per By-law 34-1993)

M1	Municipality of South Huron Zoning By-law Section 29 Light Industrial	M1
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- Notwithstanding the General Provisions for planting strips a planting strip shall not be required. A 5 foot fence shall be provided along the north property boundary.

All other provisions of this by-law shall apply.

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SECTION 20. VILLAGE INDUSTRIAL (VM1)

20.1. PERMITTED USES

- 20.1.1. all permitted uses shall be dry industries as defined in Section 2.50.
- 20.1.2. an agricultural industrial establishment;
- 20.1.3. an agricultural processing establishment not including dead stock removal;
- 20.1.4. an automotive body shop;
- 20.1.5. a contractor or tradesman's shop or yard;
- 20.1.6. a garage, public;
- 20.1.7. a retail outlet, a wholesale outlet or office accessory to a permitted use;
- 20.1.8. a storage industry or warehouse;
- 20.1.9. a transport terminal or yard;
- 20.1.10. uses accessory to the permitted uses.

20.2 PERMITTED STRUCTURES

- 20.2.1. buildings and structures for the permitted uses;
- 20.2.2. buildings and structures accessory to the permitted uses.

20.3. ZONE REGULATIONS FOR AUTOMOTIVE WRECKING ESTABLISHMENTS

The provisions of Section 25, **SALVAGE YARD (C4)**, apply for automotive wrecking establishments.

20.4. ZONE REGULATIONS FOR ALL OTHER PERMITTED USES

- 20.4.1. Lot Area (minimum) 1850 sq. m.;
- 20.4.2. Lot Frontage (minimum) 30 metres;
- 20.4.3. Front Yard Depth (minimum):
 - 20.4.3.1. adjacent to Provincial or County Road 19 metres;
 - 20.4.3.2. adjacent to Township Road 5 metres;
- 20.4.4. Side Yard Depth (minimum) 4.5 metres;
(except where abutting a Residential, Institutional or Recreational Zone or Park Use, in which case - 7.5 metres).
- 20.4.5. Exterior Side Yard Depth (minimum):
 - 20.4.5.1. adjacent to a Provincial or County Road 20 metres;
 - 20.4.5.2. adjacent to a Township Road 20 metres.
- 20.4.6. Rear Yard Depth (minimum) 7.5 metres;
- 20.4.7. Lot Coverage (maximum) 40%;
- 20.4.8. Landscaped Open Space (min.) 10%.

20.5 BUILDING REGULATIONS

Building Height (maximum) 12 metres

20.6. SPECIAL PROVISIONS

20.6.1. Planting Strips

Where an Industrial Zone abuts any Residential, Institutional or Commercial Zone, a planting strip with a minimum width of one and one-half (1.5) metres and in accordance with the

provisions of Section 3.28, shall be provided along the abutting side and/or rear yards of the Industrial Zone.

20.6.2. Open Storage

- 20.6.2.1. Any part of any lot used for a permitted open storage purpose shall be suitably screened by a solid fence not less than two (2) metres in height;
- 20.6.2.2. No storage will be permitted outside of the building or buildings on the lot in the front, side or rear yard opposite to or abutting a Residential, Institutional or Recreational Zone.

20.6.3. Property Abutting A Railway

Notwithstanding any other provisions of Section 20.4.4. and 20.4.6., along that portion of any lot line which abuts a railway right-of-way, no interior side yard or rear yard shall be required.

20.6.4. Existing Buildings, Structures & Lots

The lot area, lot frontage, all yards, gross floor area of the main building, lot coverage, and building height of existing permitted buildings, structures and lots, where lower than the foregoing minimum or higher than the foregoing maximum requirements, shall apply as they lawfully exist on the day of the passing of this By-law.

20.7 SPECIAL PROVISIONS

20.7.1. VM1-1

In the area zoned VM1-1 the requirements of the VM1 Zone shall apply in addition to the following special provisions:

- 20.7.1.1. Separation distances between buildings and structures for the permitted uses - Minimum 9 metres.
- 20.7.1.2. Notwithstanding the provisions of Section 20.1. to the contrary, an industrial use as defined in Section 2.82. shall be a permitted use in the VM1-1 Zone.

20.7.2. VM1-2

Notwithstanding the provisions of Section 20.1. to the contrary, the area zoned VM1-2 may be used for a swimming pool and associated recreational facilities.

20.7.3. VM1-3

Notwithstanding the zone regulations of Section 20 of By-law 12-1984 to the contrary, the area zoned VM1-3 shall include the following additional permitted uses: a facility for the manufacture, fabrication, processing, finishing or assembly of any metal, plastic, paper, textile or agricultural product.

Notwithstanding the provisions of Section 20.4.6. to the contrary, the following special provision shall apply to the area zoned VM1-3:

Rear Yard Depth (minimum) 30 metres.

20.7.4. **VM1-4** (Amended by By-law 33-1992 and 34-1993)
Notwithstanding the provisions of Section 20.1 to the contrary the area zoned VM1-4 allows the following permitted uses:

- 20.7.4.1. all permitted uses shall be dry industries as defined in Section 2.50;
- 20.7.4.2. an automotive body shop;
- 20.7.4.3. a contractor or tradesman's shop;
- 20.7.4.4. a garage, public;
- 20.7.4.5. a retail outlet, a wholesale outlet or office accessory to a permitted use;
- 20.7.4.6. a storage industry or warehouse;
- 20.7.4.7. a transport terminal or yard;
- 20.7.4.8. uses accessory to the permitted uses;
- 20.7.4.9. a service station including small engine repair, boat sales and servicing. (Amended by 34-1993)
- 20.7.4.10. Section 3.4 (non-complying uses) shall be deemed to apply as on the date of passing of this by-law.
- 20.7.4.11. Notwithstanding the provisions of Section 3.28.1 a planting strip shall not be required. Pursuant to Site Plan Control By-law No. 34-1992 a five (5) foot fence shall be provided along the north property boundary.

20.7.5. **VM1-5** (Amended by By-law 13-1997)

Notwithstanding the provisions of Section 20.1 to the contrary, the area zoned VM1-5 shall include the following additional permitted uses:

- 20.7.5.1 industrial uses shall be serviced dry industries, as defined in Section 2.50.1.;
- 20.7.5.2. an agricultural service establishment;
- 20.7.5.3. an agricultural supply establishment;
- 20.7.5.4. a service or repair shop;
- 20.7.5.5. a public or private garage;
- 20.7.5.6. a service industry including, but not limited to, establishments for the service and repair of all types of motor vehicles, aircraft, boats, recreational vehicles and other marine crafts, as well as related equipment and accessories;
- 20.7.5.7. all uses permitted in the VM1 zone shall also be a permitted in the VM1-5 zone;
- 20.7.5.8. a planting strip and berm with a minimum width of one and one-half (1.5) metres, and in accordance with the provisions of Section 3.28 shall be required where the VM1-5 zone abuts a provincial highway, with the planting strip to be constructed along the length of the abutting yard;
- 20.7.5.9. the Zone Regulations stated in 20.4 shall apply, except that the minimum Exterior Side Yard Depth adjacent to a township road shall be 7.5 metres.

20.7.6. **VM1-6** (Amended by By-law 32-2015)

In the area zoned VM1-6 the requirements of the VM1 and AL2 Zones shall apply in addition to the following special provisions;

- 20.7.6.1 the Special Provisions stated in 20.7.1 shall apply;
- 20.7.6.2 the Special Provisions stated in 32.6.5 shall apply;
- 20.7.6.3 storage must be covered and/or contained in buildings and/or structures;

20.7.6.4 the existing number of parking spaces being 69 (including two (2) limited mobility spaces and two (2) accessible parking spaces) shall be maintained, and no additional spaces are required. Where an industrial use is proposed other than the uses existing on the date of passing of this by-law, the related parking and loading space requirements set out in the Township of Stephen Zoning By-law 12-1984 shall apply.