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Sent: May-08-18 9:12 AM

To: Planning <planning@southhuron.ca>

Subject: Comments on New Zoning ByLaw as it relates to the Kingsmere Subdivision

To the Council of the Municipality of South Huron

I would like my comments here to be included in the information received by the council as it finalizes the zoning bylaw.

First, I would like to look at the permitted uses in the Bluewater lake shore residential zone. Section 17.1 permits a single detached dwelling. That is what I want contained in our zoning bylaw. There is absolutely no reason to discriminate between our properties in South Huron and the lake shore properties in Bluewater. The residents of Bluewater clearly have more input with their council and with the planning department, even though the planning department is the same as ours.

LR1**Municipality of Bluewater Zoning By-law
Section 17 Lakeshore Residential Zone (LR1)****Section 17 Lakeshore Residential Zone (LR1)**

Within this Zone, 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:

17.1. PERMITTED USES

- *conservation*
- *passive recreation*
- *public park*
- *single detached dwelling*

17.2. ACCESSORY USES

- *uses accessory to the permitted uses*

17.3. PERMITTED STRUCTURES

- *buildings and structures for the permitted uses*
- *buildings and structures accessory to the permitted uses*

17.4. ZONE PROVISIONS

Zone area, including all portions of the property zoned NE3 (min.)	1,850 m ²
Property frontage (min.)	23 metres
Front yard (min.)	7.5 metres
Interior side yard (min.)	3 metres
Exterior side yard (min.)	3 metres
Rear yard (min.)	7.5 metres
Zone coverage (max.)	25%
Building height (max.)	12 metres

DRIVEWAY SETBACKS

Driveways shall be a minimum of 1 metre from the side property line.

LAKEFRONT FRONT YARD

For properties fronting on Lake Huron and for properties abutting or including the top-of-bank of Lake Huron, the front yard shall be the lake or top-of-bank side of the property.

STORAGE SHEDS ON VACANT PROPERTIES

On vacant properties in the LR1 Zone, one accessory storage shed is permitted prior to the construction of the main single

17.5. SPECIAL ZON**17.5.1. LR1-1**

Notwithstanding any prov LR1-1 the following provi:

Front yard (min.)
Rear yard (min.) Lots 1 through 5, P Lots 8 through 15, with no structures or s systems permitted in t rear yard.
Zone coverage (max.)
Driveway width (max.)
A maximum of 30% or zoned area may be cl

17.5.2. LR1-2

Notwithstanding any prov LR1-2 the following provi:

- a) All buildings and struct metres from the west pro
- b) the area covered by al exceed 200 m², and
- c) the septic system shall building.

17.5.3. LR1-3

Notwithstanding any prov LR1-3 the following provi:

- a) Front yard (min)
- b) Building height

In addition to the limitation structures in the General combined maximum size including an attached pri exceed 60 m².

17.5.4. LR1-4

Notwithstanding any prov LR1-4 two main dwellings

I now look at the definitions in the Township of Stephen zoning bylaw 2.135 which describes a recreational residence as a single-family detached dwelling used for recreational purposes during all seasons including recreational purposes but which is not supplied with the full complement of municipal services. I can tell you that this definition was developed over a number of years as we worked to encourage the planners and township to stop treating us as second-class citizens. This rather strange result is pretty unclear and probably unenforceable because of its vagueness but was meant to satisfy the concerns of the planners that we would not ask for additional servicing should we use our properties for year round use. I might point out that recently one of the municipality's planners interpreted this to mean that year round occupancy was not permitted as a result of this definition. That would surprise the lawyers who negotiated the definition.

SECTION 11.

RECREATIONAL RESIDENTIAL (

11.1. PERMITTED USES

- 11.1.1. conservation;
- 11.1.2. forestry uses;
- 11.1.3. recreation, passive;
- 11.1.4. private park;
- 11.1.5. recreational residence;
- 11.1.6. uses accessory to the permitted uses, in guest cabin. (Amended by By-law 37-1984)

11.2. PERMITTED STRUCTURES

- 11.2.1. a recreational residential dwelling unit;
- 11.2.2. buildings and structures for the permitted u
- 11.2.3. buildings and structures accessory to the uses.

11.3. ZONE REGULATIONS

	With Public Water	Without Public Water
11.3.1. Lot Area (minimum)	796 sq. m	1400 sq. m
11.3.2. Lot Frontage (minimum)	23 metres	23 metres
11.3.3. Front Yard		

In May of 2014 the Official Plan for South Huron was amended as it dealt with the Port Blake area. Oakwood, Maple Grove and Kingsmere were all represented at that meeting and one of the important results was that sewers were taken off the table for this area for many years to come. As well, the contentious issue of restricting the use of our homes came up again and this was dealt with, I had hoped for all time.

5. Recognize existing Residential in the Port Blake Planning Area as the area and a secondary plan.

To achieve these goals the policies

7.10.3. Lakeshore Residential

Most of the Lakeshore Residential is as summer cottages. Many seasonal cottages to more intensive seasonal cottages to more intensive occurring. Recent development and accommodate year-round residential.

While much of the South Huron developed, this Plan allows limited Lakeshore Residential provided significant adequate buffers are maintained from surrounding uses, and density and

Modified on May 14, 2014

Section 7.10.3.1 finally accepted continuous year round occupancy subject to adequate water and sewage services. Septic tanks are acceptable services.

The new zoning must by law reflect the provisions of the official plan. Sadly the provisions of the old by law were simply copied and pasted into the new. Hence a recreational residence is defined as a single detached dwelling used for recreational purposes during any or all seasons and is the only sort of residence permitted in S 15.1 of the draft bylaw.

LRC1

Municipality of South Huron Zoning By-Bye
Section 15 Lakeshore Residential**15. Lakeshore Residential (LRC1)**

Within this Zone, no person shall establish any use of land or build any building or structure for any purpose except in accordance with the provisions:

15.1. Permitted Uses

- conservation
- forestry uses
- recreation, passive
- private park
- public park
- recreational residence

15.2. Accessory Uses

- a guest cabin accessory to a recreational residence (As permitted by the Zoning By-Bye)
- uses accessory to the permitted uses.

15.3. Permitted Structures

- a recreational residential dwelling unit;
- buildings and structures for the permitted uses;
- buildings and structures accessory to the permitted uses.

15.4. Zone Provisions

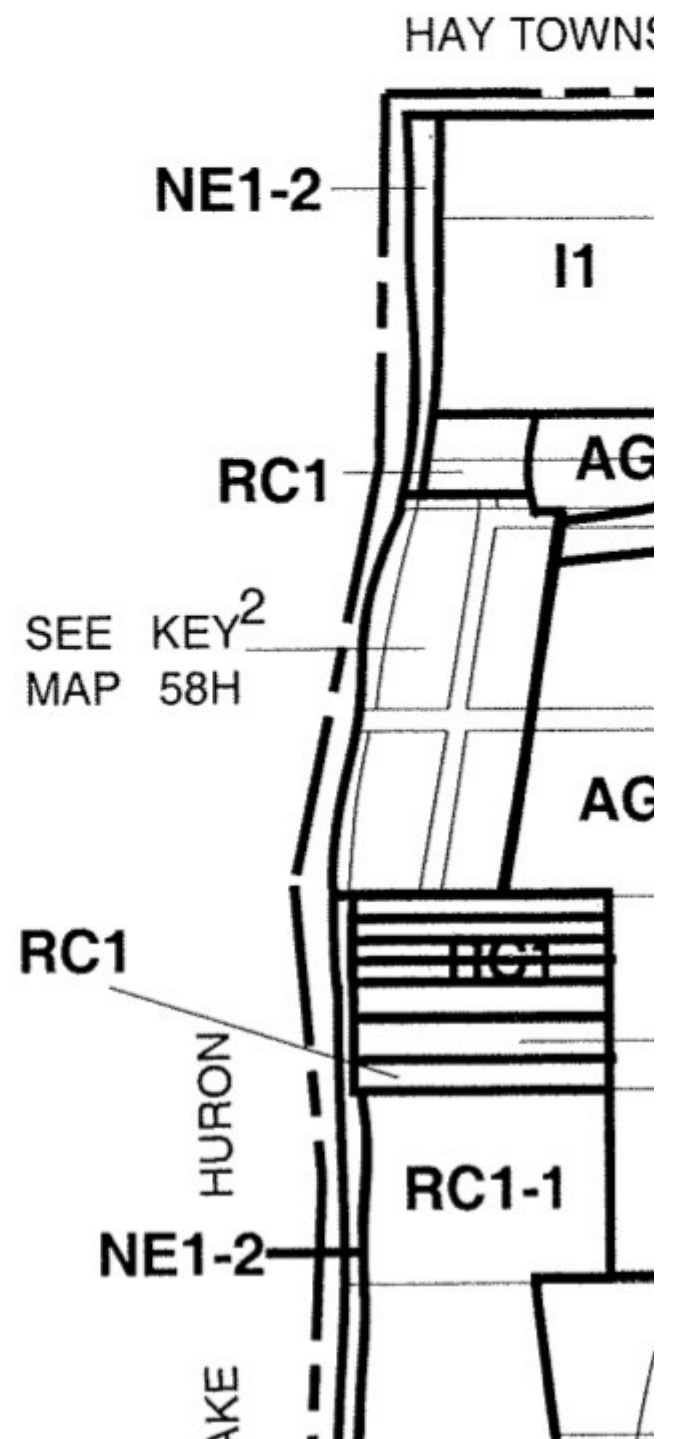
	With Public Water	Without Public Water
Zone area, including all portions of the property zoned NE2 (minimum)	796 square metres	1400 square metres
Property frontage (minimum)	23 metres	23 metres
Front yard (minimum)	7.5 metres	7.5 metres
Side yard (minimum)	3.0 metres	3.0 metres
Rear yard (minimum)	7.5 metres	7.5 metres
Zone coverage (maximum)	25 %	25 %
Building height (maximum)	9 metres	9 metres

15.5. Existing Undeveloped Property

Where a property having an area and/or frontage less than the minimum required for the Zone, the property shall be developed in accordance with the provisions of the Zoning By-Bye.

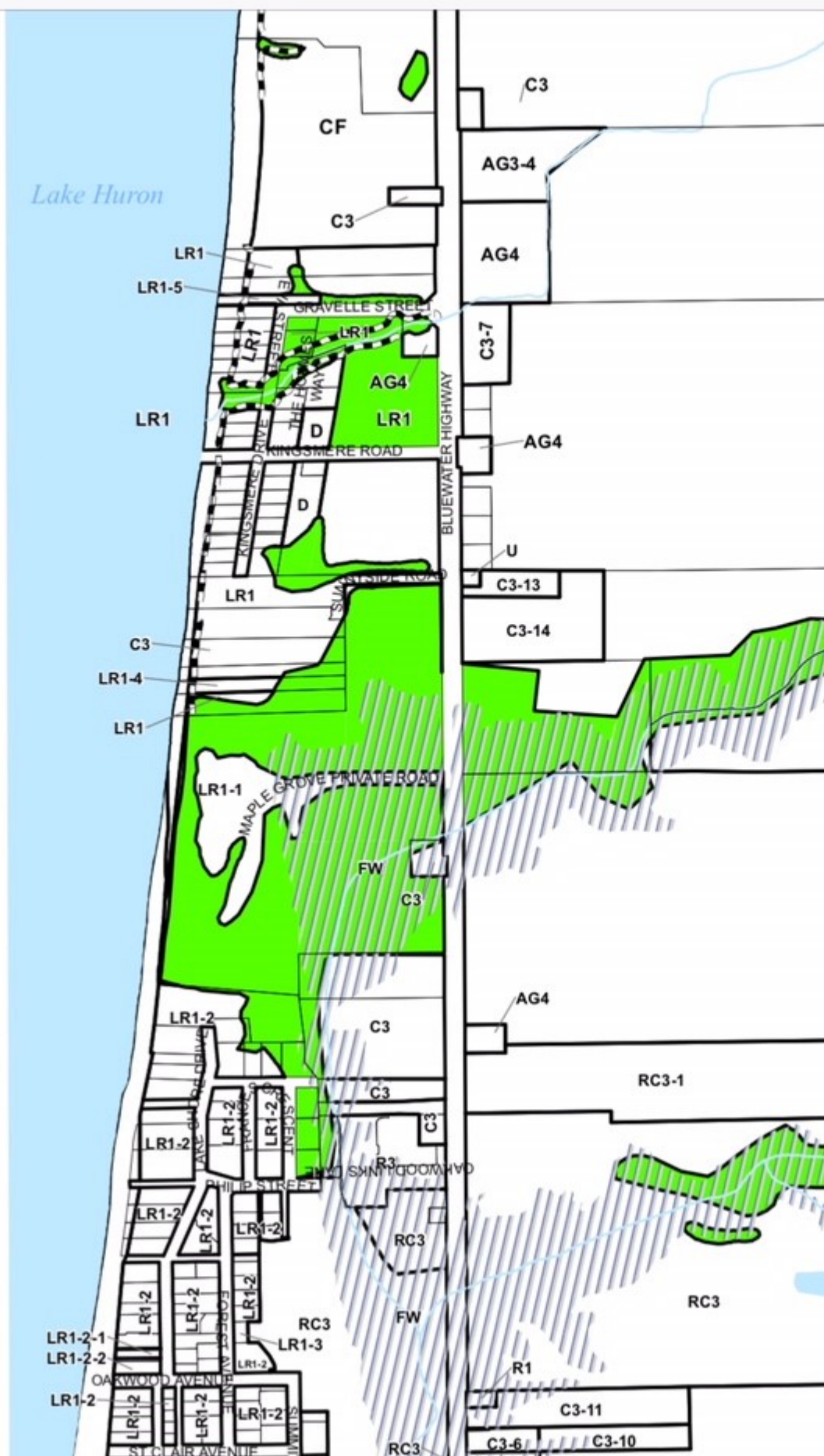
What I ask is that the new zoning bylaw conform with the official plan and acknowledge that continuous year round occupancy is a permitted use subject only to adequate water and sewage services. It must also be acknowledged that we have municipal water and our sewage systems are the same as every other citizen of this municipality not served by sewers.

Two more matters which pertain to Kingsmere only. The existing zoning map shows our fields (now forests) as AG2. That is appropriate.



The new map shows the north field as LR1 and NE2. That makes no sense and we want that field returned to AG with or without the NE2. We have no plans ever to develop that land and the LR1 must have been a mistake. It would probably affect in the wrong way the assessment of the lands and their use as managed forest.

Maps_SHu_Zoning_Bylaw_DRAFT_1May20



Lastly, we have asked over the years, evidently to little effect, that the lands zoned D for development be down zoned to AG1 to match the fields/forests. We have no intention of developing that land but rather to keep it in its present state.

I herewith submit these comments to Council and ask the members to deal with the items I have mentioned and to reply in due course.

John Buechler
7 Kingsmere Drive
South Huron