

The Corporation of the Municipality of South Huron

By-Law #72-2021

Being a By-Law to amend By-Law # 69-2018 of the Municipality of South Huron for lands described as Part Lots 2-4, Lake Road East Concession, Stephen Ward, Municipality of South Huron.

Whereas the Council of The Corporation of the Municipality of South Huron considers it advisable to amend Zoning By-Law # 69-2018, as amended, of the Municipality of South Huron;

Now therefore be it resolved that the Council of The Corporation of the Municipality of South Huron enacts as follows:

1. That this By-Law shall apply to Part Lots 2-4, Lake Road East Concession, Stephen Ward, Municipality of South Huron and includes Schedules A, B, & C attached hereto.
2. That By-Law # 69-2018 is hereby amended by changing the zone symbols identified on the attached Schedule C as follows:
 - a) from RC3 (Recreational Commercial) to U (Utility);
 - b) from RC3 (Recreational Commercial) to OS1 (Parks & Open Space);
 - c) from RC3 (Recreational Commercial) to R1-17-H (Residential Low Density – Special Zone with a holding symbol);
 - d) from RC3 (Recreational Commercial) to R3-14-H (Residential High Density – Special Zone with a holding symbol);
 - e) from RC3 (Recreational Commercial) to R3-15-H (Residential High Density – Special Zone with a holding symbol);
 - f) from RC3-1 (Recreational Commercial – Special Zone) to OS1 (Parks & Open Space);
 - g) from RC3-1 (Recreational Commercial – Special Zone) to R1-17-H (Residential Low Density – Special Zone with a holding symbol);
 - h) from RC3-1 (Recreational Commercial – Special Zone) to R3-14-H (Residential High Density – Special Zone with a holding symbol); and
 - i) from RC3-1 (Recreational Commercial – Special Zone) to R3-15-H (Residential High Density – Special Zone with a holding symbol).
3. That By-Law # 69-2018 is hereby amended by the addition of the following:

19.8.17 R1-17-H

Notwithstanding the provisions to the contrary, on the lands zoned R1-17 the following provisions apply to a single detached dwelling on full services (public water & public sewer):

- Zone area (minimum) interior property: 410 square metres

- Frontage (minimum) interior property: 13.7 metres
- Property depth (minimum) for Lots 5, 6, 45, 84, and 85: 0 metres
- Front yard (minimum): 4.5 metres for the main building and 6 metres for an attached garage
- Interior side yard (minimum): 1.5 metres on both sides when there is a private garage attached to the main building
- Exterior side yard (minimum): 4.5 metres
- Unenclosed porch or deck encroachment into the required rear yard (maximum): 3.5 metres
- Minimum setback from a residential property line to an existing wind turbine of 450 metres

The -H holding zone symbol may be removed when the conditions of draft plan of subdivision approval for the R1-17-H lands have been met.

4. That By-Law # 69-2018 is hereby amended by the addition of the following:

21.9.14 R3-14-H

Notwithstanding the provisions to the contrary, on the lands zoned R3-14 the only permitted use is a multiple attached dwelling containing up to 7 dwelling units and the following provisions apply:

- Property frontage for an end dwelling unit that is not a corner unit (minimum): 10.5 metres
- Zone area (minimum) interior dwelling unit: 285 square metres
- Zone area (minimum), end dwelling unit not abutting a side street: 315 square metres
- Property depth (minimum): 30 metres
- Zone coverage (maximum): 50%
- Front yard (minimum): 4.5 metres for the main building and 6 metres for an attached garage
- Rear yard (minimum): 7.5 metres
- Interior side yard (minimum), unattached side of end dwelling unit: 1.5 metres
- Exterior side yard (minimum): 4.5 metres
- Unenclosed porch or deck encroachment into the required rear yard (maximum): 3.5 metres
- Attached private garage recess from front of the unit (minimum): 0m
- Attached private garage width as percentage of unit width (maximum): 60%

The -H holding zone symbol may be removed when the conditions of draft plan of subdivision approval for the R3-14-H lands have been met.

5. That By-Law # 69-2018 is hereby amended by the addition of the following:

21.9.15 R3-15-H

Notwithstanding the provisions of By-law 69-2018 to the contrary, on the lands zoned R3-15, the following special zone provisions shall apply:

21.9.15.1. Permitted Uses

No person shall, within the R3-15 zone use any property or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- Multiple Attached Dwelling
- Stacked Townhouse Dwelling

A Stacked Townhouse Dwelling is defined as: a residential building divided vertically and horizontally into three or more dwelling units by common walls which prevent internal access between dwelling units and is not considered to be a multiple attached unit for the purposes of the By-law.

21.9.15.2. General Zone Provisions

- a) Building Height (maximum): 14 metres
- b) Density (maximum): 40 units per hectare
- c) Dwelling units per building (maximum): 10
- d) Front Yard from a private street (minimum): 4.5 metres
- e) Front Yard from a public street (minimum): 7 metres
- f) Garage width (maximum): 60% of front façade width
- g) Landscaped Open Space (minimum): 30%
- h) Off-street parking spaces per dwelling unit (minimum): 1.5 spaces
- i) Property Depth (minimum): 30 metres
- j) Setback between end units (minimum): 3 metres
- k) Zone Coverage (maximum): 40%
- l) Common outdoor amenity area, (minimum): 10 square metres per dwelling unit
- m) Private outdoor amenity area, private (minimum):
 - i) Ground floor unit: 20 square metres per dwelling
 - ii) Upper unit: 10 square metres per dwelling, including patios and terraces
- n) No part of a private outdoor amenity area shall be located within 10.5 metres of a wall in another building containing windows of habitable rooms which face the private outdoor amenity area.
- o) The distance between the front, exterior side and rear face of one building and the front, exterior side and rear face of another building, each of which contains windows to habitable rooms shall in no case be less than 15 metres.

21.9.15.3. Holding Zone Symbol Removal

The -H holding zone symbol may be removed when the conditions of draft plan of subdivision approval for the R3-15-H lands have been met.

6. All other provisions of By-law # 69-2018 shall apply.

7. That this By-Law shall come into effect upon final passing, pursuant to Section 34(21) of the *Planning Act, 1990*.

Read a first time and second time this 4th day of October, 2021.



George Finch, Mayor



Rebekah Msuya-Collison, Clerk

Read a third time and passed this 6th day of December, 2021.

George Finch, Mayor

Rebekah Msuya-Collison, Clerk

Schedule “A” to By-Law #72-2021 – to amend By-Law 69-2018

By-Law #72-2021 has the following purpose and effect:

This By-law affects the property legally described as Part Lots 2-4, Lake Road East Concession, Stephen Ward, Municipality of South Huron and is municipally known as 70786 Bluewater Highway.

The applicant proposes to redevelop the property for residential purposes with a combination of single detached dwellings, multiple attached dwellings and stacked townhouses.

This Zoning By-law Amendment application proposes a zone change from the existing R3 (Recreational Commercial) and R3-1 (Recreational Commercial – Special Zone) zoning to R1-17-H (Low Density Residential – Special Zone with a holding symbol), R3-14-H (High Density Residential – Special Zone with a holding symbol), R3-15-H (High Density Residential – Special Zone with a holding symbol), OS1 (Parks & Open Space), and U (Utility) zones.

The R1-17-H zone is for the proposed single detached dwellings with provisions that:

- a) reduce the minimum zone area and property frontage for interior lots,
- b) remove the property depth requirement for five proposed lots due to their irregular shape,
- c) reduce the minimum side yard setbacks where there is an attached garage,
- d) reduce the minimum front yard setbacks for the dwelling and attached garage,
- e) reduce the minimum exterior side yard setback,
- f) increase the encroachment for an unenclosed porch or deck into the required rear yard; and
- g) set the minimum setback for a residential property line to an existing wind turbine.

The R3-14-H zone is for the street townhouse dwellings on proposed Blocks 1 to 4 with provisions that:

- a) only permit multiple attached dwellings with a maximum of 7 units,
- b) reduce the minimum frontage for end units,
- c) reduce the minimum zone area for interior and exterior lots,
- d) reduce the minimum front yard setbacks for the dwelling and attached garage,
- e) reduce the side yard setbacks for end units on interior and exterior lots,
- f) reduce the rear yard requirement,
- g) increase the maximum zone coverage, and
- h) increase the encroachment for an unenclosed porch or deck into the required rear yard.

The R3-15-H zone is for the stacked townhouses proposed for Block 5 and limits the uses to multiple attached dwellings and stacked townhouse dwellings along with a definition and zoning regulations for stacked townhouse dwellings.

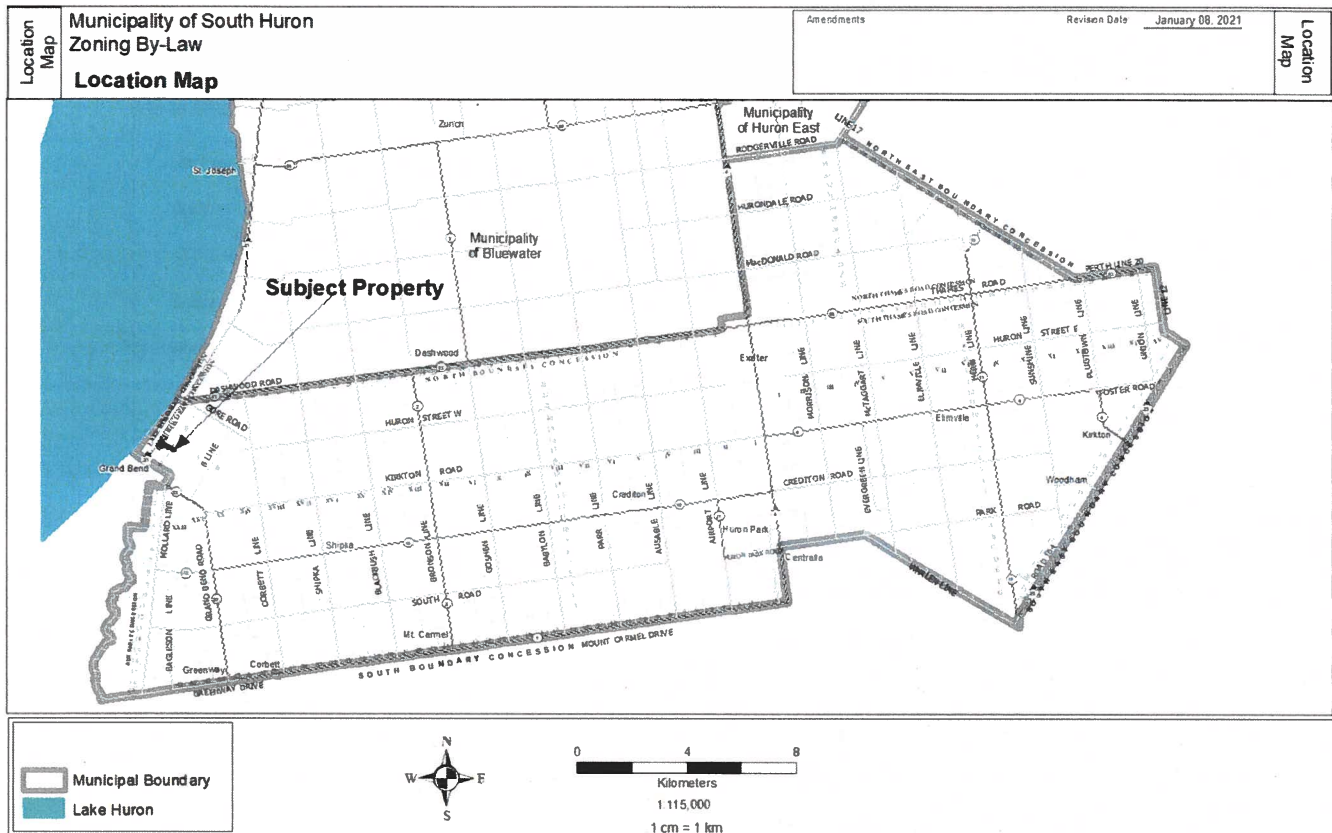
The Zoning By-law Amendment will not come into force until the concurrent Official Plan Amendment (OPA 19) to facilitate the proposed zoning amendments is approved by the County of Huron, in accordance with Section 43(21) of the Planning Act.

The -H holding zone symbol attached to the residential zones may be removed when the conditions of draft plan of subdivision approval for those lands have been met.

This By-law amends Zoning By-law # 69-2018 of the Municipality of South Huron. Maps showing the general location of the lands to which this proposed zoning by-law amendment applies are shown on the following pages.

Schedule “B” to By-Law #72-2021 – to Amend By-Law 69-2018

Showing the Area Subject to the Amendment



Schedule “C” to By-Law #72-2021 – to Amend By-Law 69-2018

Showing the Area Subject to the Amendment

