

The Corporation of the Municipality of South Huron

By-Law #34-2022

Being a By-Law to amend By-Law # 69-2018 of the Municipality of South Huron for lands described as Part Lot 1090, Plan 376, Exeter 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 Lot 1090, Plan 376, Exeter Ward, Municipality of South Huron and includes Schedules A, B, & C attached hereto.
2. That By-Law # 69-2018 is hereby amended by the addition of the following:

19.8.22 R1-22-H

Notwithstanding the provisions to the contrary, on the lands zoned R1-22, a side yard abutting a condominium shall be considered an interior side yard and the following provisions shall apply:

- Zone area (minimum) interior property: 350 square metres
- Zone area (minimum) corner property: 430 square metres
- Frontage (minimum) interior property: 11.8 metres
- Frontage (minimum) corner property: 14 metres
- Front yard (minimum): 4.5 metres for the main building and 6 metres for an attached garage
- Interior side yard (minimum): 1.2 metres on both sides when there is an attached garage
- Exterior side yard (minimum): 4.5 metres
- Zone coverage (maximum): 50% all structures, 48% main building

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

19.8.23 R1-23-H

Notwithstanding the provisions to the contrary, on the lands zoned R1-23, the following provisions shall apply:

- Zone area (minimum) interior property: 420 square metres
- Zone area (minimum) corner property: 535 square metres
- Frontage (minimum) interior property: 12 metres
- Frontage (minimum) corner property: 15 metres
- Front yard (minimum): 4.5 metres for the main building and 6 metres for an attached garage

- Interior side yard (minimum): 1.2 metres on both sides when there is an attached garage
- Exterior side yard (minimum): 4.5 metres
- Rear yard (minimum): 9.5 metres
- Zone coverage (maximum): 50% all structures, 48% main building

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

20.10.6 R2-6-H

In the area zoned R2-6-H, an apartment building, long-term care home, retirement home, and multiple attached dwelling exceeding 4 dwelling units are also permitted uses subject to the requirements of the R3 zone.

Notwithstanding the provisions to the contrary, on the lands zoned R2-6, the following provisions shall apply for permitted uses containing one or two dwelling units:

- a) Frontage (minimum) interior property: 12 metres
- b) Front yard (minimum): 4.5 metres for the main building and 6 metres for an attached garage
- c) Interior side yard (minimum): 1.2 metres on both sides when there is an attached garage

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

21.9.16 R3-16-H

Notwithstanding the provisions to the contrary, on the lands zoned R3-16, the following provisions shall apply:

- a) for multiple attached dwellings:
 - Zone area (minimum) interior property: 260 square metres per dwelling unit
 - Frontage (minimum) interior property: 6 metres
 - Frontage (minimum) corner property: 9 metres
 - Property depth (minimum): 26 metres
 - Minimum distance between front yards of adjoining units: 0 metres
 - Front yard (minimum): 4.5 metres for the main building and 6 metres for an attached garage
 - Rear yard (minimum): 7.5 metres
- b) for multiple attached dwellings and an apartment building, the minimum separation between an exterior wall with a habitable room and another main building shall be 7.5 metres.

6. That By-Law # 69-2018 is hereby amended by changing the lands identified on the attached Schedule C from D (Future Development) to:

R1-22-H (Residential Low Density – Special Zone),
R1-23-H (Residential Low Density – Special Zone),
R2-6-H (Residential Medium Density – Special Zone with a holding symbol),
R3-16-H (Residential High Density – Special Zone with a holding symbol),
NE2 (Natural Environment),

OS (Parks & Open Space), and
OS-1 (Parks & Open Space – Special Zone).

7. All other provisions of By-law # 69-2018 shall apply.
8. That this By-Law shall come into effect upon final passing, pursuant to Section 34(21) of the *Planning Act, 1990*, as amended.

Read a first time and second time this 16th day of May, 2022.

Read a third time and passed this 16th day of May, 2022.

George Finch, Mayor

Rebekah Msuya-Collison, Clerk

Schedule “A” to By-Law #34-2022– to amend By-Law 69-2018

By-Law #34-2022 has the following purpose and effect:

This Zoning By-law Amendment affects the lands described as Part Lot 1090, Plan 376, Exeter Ward, Municipality of South Huron (municipal address: 72 Wellington Street East).

The lands to be rezoned are currently zoned D (Future Development) and are proposed to be rezoned to facilitate a proposed residential subdivision containing one hundred and fifty-nine (159) single detached residential lots and two blocks for future higher density residential development of approximately eighty-four (84) dwelling units. The single detached lots are proposed to be rezoned to R1-22-H and R1-23-H to reflect the design of the proposed subdivision. The block for future residential development in the centre of the subdivision is to be zoned R3-16-H while the medium density residential block at the west end of the subdivision is to be zoned R2-6-H. In addition, the block for a stormwater management pond is to be zoned OS-1 (Parks & Open Space – Special Zone) to limit its use to this stormwater management infrastructure. Additional lands to the north of the development area of the subdivision are to be rezoned to NE2 (Natural Environment) to match the NE2 zoning of the rest of the naturalized lands along the Ausable River. A small block at the entrance to the subdivision from Pryde Boulevard is to be zoned OS (Parks & Open Space).

The proposed R1-22-H zone has the following special provisions:

- a) a side yard abutting a condominium is considered an interior side yard;
- b) reduce the minimum zone area for an interior property from 450 m² to 350 m² and for a corner property from 540 m² to 430 m²;
- c) reduce the minimum frontage for an interior property from 15 m to 11.8 m and for a corner property from 18 m to 14 m;
- d) reduce the minimum front yard setback from 7.5 m to 6 m to an attached garage and 4.5 m to the main building;
- e) for a property with an attached garage, reduce the minimum interior side yard setback from 1.8 m to 1.2 m on both sides;
- f) reduce the minimum exterior side yard setback from 6 m to 4.5 m; and
- g) increase the maximum zone coverage permitted from 40% to 50% with the maximum zone coverage for the main building set at 48%.

The proposed R1-23-H zone has the following special provisions:

- a) reduce the minimum zone area for an interior property from 450 m² to 420 m² and for a corner property from 540 m² to 535 m²;
- b) reduce the minimum frontage for an interior property from 15 m to 12 m and for a corner property from 18 m to 15 m;
- c) reduce the minimum front yard setback from 7.5 m to 6 m to an attached garage and 4.5 m to the main building;
- d) for a property with an attached garage, reduce the minimum interior side yard setback from 1.8 m to 1.2 m on both sides;
- e) reduce the minimum exterior side yard setback from 6 m to 4.5 m;
- f) increase the minimum rear yard setback from 7 m to 9.5 m; and
- g) increase the maximum zone coverage permitted from 40% to 50% with the maximum zone coverage for the main building set at 48%.

The proposed R2-6-H zone has the following special provisions:

- a) subject to the requirements of the R3 zone, add the following as permitted uses: an apartment building, long-term care home, retirement home, and multiple attached dwelling exceeding 4 dwelling units;
- b) for permitted uses containing one or two dwelling units:
 - i. reduce the minimum frontage for an interior property from 15 m to 12 m;
 - ii. reduce the minimum front yard setback from 7.5 m to 6 m to an attached garage and 4.5 m to the main building; and
 - iii. for a property with an attached garage, reduce the minimum interior side yard setback from 1.8 m to 1.2 m on both sides.

The proposed R3-16-H zone has the following proposed special provisions for multiple attached dwellings:

- a) reduce the minimum zone area per dwelling unit for an interior property from 450 m² to 260 m²;
- b) reduce the minimum frontage for an interior property from 8 m to 6 m and for a corner property from 11 m to 9 m;
- c) add a minimum property depth requirement of 26 m per unit;
- d) replace the requirement for a minimum front yard setback of 7 m and a minimum 1 m difference between front yards of adjoining units with a minimum front yard setback of 6 m to an attached garage and 4.5 m to the main building; and
- e) reduce the required rear yard from 10 m to 7.5 m.

In addition, the R3-16-H zone reduces the minimum separation between buildings, whether apartments or multiple attached dwellings, on a property from 18 m to 7.5 m when the exterior wall has a habitable room.

A holding zone symbol is attached to the lands being rezoned to prevent the lands from being developed until all the Municipal subdivision conditions have been met and the details of development for the residential blocks zoned R2-6-H and R3-16-H are known.

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

Schedule “B” to By-Law #34-2022 – to Amend By-Law 69-2018

Showing the Area Subject to the Amendment



