

## SCHEDULE 1

### CORPORATION OF THE MUNICIPALITY OF HURON EAST

#### SEAFORTH WARD

#### BY-LAW NO. 63 – 2015

**BEING** a by-law to amend the zoning on the lands described as Parts 4 & 6, 22R6187, Part of Lot 24 & 25, Concession 1, Geographic Township of McKillop, now within Seaforth Ward, Municipality of Huron East.

**WHEREAS** the Corporation of the Municipality of Huron East considers it advisable to amend Zoning By-law 52-2006, as amended.

**NOW THEREFORE**, the Council of the Corporation of the Municipality of Huron East enacts as follows:

1. This by-law shall apply to Parts 4 & 6, 22R6187, Part of Lot 24 & 25, Concession 1, Geographic Township of McKillop, now within Seaforth Ward, Municipality of Huron East.
2. By-law 52-2006 is hereby amended by changing 'Community Facility' and 'Future Development' to 'Residential Medium Density – Special Provisions' and 'Residential High Density – Special Provisions', and the zone symbol on the subject lands change from 'CF' and 'FD' to 'R2-16' and 'R3-2' on attached Schedule A.
3. Section 19.10 is hereby amended by the addition of the following:

#### *R2-16*

*Notwithstanding the provisions of Section 3.5, more than 1 multiple residential structure (each containing a maximum of 4 dwelling units) is permitted on the lot which contains the R2-16 zone. In combination with the lands zoned R3-2, two main uses being a retirement home and multiple attached dwellings may be permitted on the lot.*

*A stormwater management facility is permitted as an accessory use on lands zoned R2-16.*

*The provisions of Section 19.7 apply to a multiple attached dwelling constructed within a vacant land plan of condominium.*

*All other provisions of the Huron East Zoning By-law 52-2006 shall continue to apply.*

4. Section 20.8 is hereby amended by the addition of the following:

#### *R3-2*

*Notwithstanding any provision of this By-law to the contrary, the following provisions apply to a retirement home located on lands zoned R3-2:*

- *More than 1 main building is permitted on the lot comprising of lands zoned R3-2 and R2-16. In combination with the lands zoned R2-16, two main uses, being a retirement home and multiple attached dwellings may be permitted on the lot.*
- *A minimum of 0.55 parking spaces per residential unit within the retirement home shall be provided;*
- *The minimum floor area of a 1 bedroom unit shall be 47sq. m.;*
- *A private stormwater management facility is permitted as an accessory use;*
- *A maximum of 929 sq. m. of ground floor of the retirement home may be occupied by accessory uses such as: clinics for doctors and drugless practitioners, speech pathologists, social workers, laboratories, fitness area, research & educational facilities and business/professional offices, all related directly to meeting the needs of residents living in the retirement home and serving the aging population from the community at large.*
- *Parking for accessory uses permitted on the ground floor of the retirement home shall be calculated at a minimum of 1 space per 20 sq.m. of floor area.*

*All other provisions of the Huron East Zoning By-law 52-2006 shall continue to apply.*

5. The following existing Definitions listed in Section 2 of the Huron East Zoning By-law are hereby deleted and replaced by the definitions listed below:

*“BUILDING SETBACK”– shall mean the minimum horizontal distance between the Front Lot Line of a Lot and the nearest part of any main building or structure on the same Lot.*

*“DWELLING” – shall mean a building or part thereof, occupied or capable of being occupied as a home, residence, or sleeping place by one (1) or more persons, constructed on-site, or off-site in parts designed to be transported to a Lot and placed on a permanent foundation and may include a cellar or basement, but shall not include travel trailers, tourist trailers, camper and motor vehicles, hotels or boarding or rooming houses, motels, or institutions.*

*“DWELLING UNIT” – shall mean one (1) or more habitable rooms constituting self-contained living quarters for use of one or more individuals including the provision of kitchen and sanitary facilities and sleeping accommodation for the exclusive use of such individual or individuals, and having a private entrance from outside the building or from a common vestibule, hallway, or stairway.*

*“DWELLING, QUADRUPLEX” – means a separate building consisting of four (4) Dwelling Units with two (2) units at ground level and two (2) units at second floor level*

*“FLOOR AREA” – shall mean the area of a floor of a building measured from the outside of all exterior walls exclusive of any attic, basement, garage, veranda, enclosed porch or sunroom unless such enclosed porch or sunroom is an integral part of the building and habitable in all seasons, and excluding any floor area with a ceiling height of less than two (2) metres. For the purposes of this definition an exterior wall shall include a common party wall that separates one Dwelling Unit from another Dwelling Unit*

*“FLOOR AREA, GROUND” – shall mean the Floor Area of the lowest storey of a building approximately at or first above the average finished grade level, excluding any basement or cellar, which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but:*

- a) excludes car parking areas within the building; and*
- b) for the purpose of this paragraph the walls of an inner court are and shall be deemed to be exterior walls as is any common party wall that separates one Dwelling Unit from another Dwelling Unit.*

*“LOT” – In this by-law “Lot” shall mean a contiguous parcel of land which is owned by one or more persons and can be conveyed in compliance with Sections 50(3) and 50(5) of the Planning Act without resort to a bylaw passed pursuant to Section 50(7) of the Planning Act and without limitation shall include:*

- a) a unit in a registered condominium plan; and*
  - b) the whole of a Lot or block on a registered Plan of Subdivision; and*
  - c) a parcel which may otherwise be conveyed separately without contravening the subdivision control provisions of the Planning Act.*
- (See Lot Definition illustration in APPENDIX)*

*“LOT, CORNER” – shall mean a Lot situated at the intersection of, or abutting upon, two (2) or more Streets*

*“LOT, INTERIOR” – shall mean a Lot other than a Corner Lot or a Through Lot*

*“LOT COVERAGE” – shall mean the percentage of the area of a Lot covered by buildings and structures at ground level but shall not include any area of a Lot which is occupied by a building or structure or portion thereof to the extent that the same is completely below ground*

*“LOT DEPTH” – shall mean the horizontal distance between the Front Lot Line and the Rear Lot Line of a Lot if these lines are parallel. If these lines are not parallel, Lot Depth shall be the length of a straight line joining the mid-points of the Chord of the Front Lot Line to the mid point of the Chord of the Rear Lot Line. When there is no Rear Lot Line, “Lot Depth” means the length of a straight line joining the middle of the Front Lot Line with the apex of the triangle formed by the Side Lot Lines*

*“LOT FRONTAGE” – shall mean the horizontal distance between the Side Lot Lines, such distance being measured 7.5 metres back from the Front Lot line if the Front Lot Line is a straight line; or if the Front Lot Line is not a straight line, by a straight line set 7.5 metres back from and parallel to the chord of the Front Lot Line or a line parallel to the said chord and tangent to the arc*

*“LOT LINE” – shall mean any horizontal boundary of a Lot or a vertical projection thereof*

*“FRONT LOT LINE” – shall mean the Lot Line of a Lot that abuts a Street except that, in the case of a:*

- Front Lot Line, Corner Lot, the shorter Lot Line that abuts a Street shall be deemed the Front Lot Line and the longer Lot Line that abuts a street shall be deemed the Exterior Side Lot Line;*
- Front Lot Line, Through Lot, the longer Lot Line that abuts a Street shall be deemed to be the Front Lot Line and the opposite shorter Lot Line that abuts a Street shall be deemed to be the Rear Lot Line. If both of such Lot Lines should be of equal length, the Municipality may designate either of such Lot Lines as the Front Lot Line*

*“REAR LOT LINE” – shall mean the Lot Line opposite to the Front Lot Line*

*“SIDE LOT LINE” – shall mean a Lot Line other than a Front Lot Line or Rear Lot Line”*

- *“EXTERIOR SIDE LOT LINE – shall mean a Side Lot Line abutting a Street”*
- *“INTERIOR SIDE LOT LINE – shall mean the Side Lot Line of a Lot that is not the Exterior Side Lot Line of the Lot if the Lot has an Exterior Side Lot Line*

*“MULTIPLE ATTACHED DWELLING” – shall mean a building that is divided into three (3) or more Dwelling Units by vertical party walls, each dwelling unit having independent entrance directly from outside*

*“ROAD, STREET OR HIGHWAY (PUBLIC)” – shall mean a highway as defined in the Municipal Act which has been assumed for public use and is being maintained by the Ministry of Transportation, the County of Huron or the Municipality and includes a roadway that forms part of the common elements of a condominium plan if such roadway provides vehicular access to and from a highway as defined in the Municipal Act which has been assumed for public use and is being maintained by the Ministry of Transportation, the County of Huron or the Municipality*

*“SEPARATION DISTANCE” – shall mean the horizontal distance between buildings or structures measured from the closest point between the exterior walls of such buildings or structures*

*“YARD” – shall mean an open area of land, unoccupied and unobstructed except as otherwise provided for or required by this By-law, located on the same Lot, within a Lot that contains a main building or structure. See the APPENDIX for all yard related definition diagrams*

*“YARD, FRONT” – shall mean that area of a Yard extending across the full width of a Lot, or zone within the Lot, between the Front Lot Line of the Lot and the nearest part of the main building on the same Lot*

*“YARD, SIDE” – shall mean that area of a Yard between the Front Yard and the Rear Yard of the same Lot from the Side Lot Line to the nearest part of the main building on the Lot”*

- *“Side Yard Depth – shall mean the shortest horizontal distance between the Side Lot Line of a Lot and the nearest part of the main building on the same Lot”*
- *“Side Yard Exterior – shall mean a Side Yard that abuts an Exterior Side Lot Line”*
- *“Side Yard Interior – shall mean a Side Yard that abuts an Interior Side Lot Line”*

*“YARD, REAR” – shall mean that area of a Yard extending across the full width of a Lot between the Rear Lot Line of the Lot and the nearest part of the main building on the same Lot”*

- *“Rear Yard Depth – shall mean the shortest horizontal distance between the Rear Lot Line of a Lot and the nearest part of the main building on the same Lot*

6. Section 2 – Definitions is hereby amended by the addition of the following definitions:

*“CHORD OF THE FRONT LOT LINE” – shall mean a straight line joining the two points where the Side Lot Lines of a Lot intersect the Front Lot Line of the same Lot.*

*“CHORD OF THE REAR LOT LINE” – shall mean a straight line joining the two points where the Side Lot Lines of a Lot intersect the Rear Lot Line of the same Lot.*

7. Key Map 61, Schedule A, By-law 52-2006 is hereby replaced with amended Key Map 61 attached hereto, which is declared to be part of the by-law.

8. This by-law shall come into force upon final passing, pursuant to Section 34(21) of the Planning Act, RSO 1990, as amended.

READ A FIRST TIME ON THE 22nd DAY OF September 2015

READ A SECOND TIME ON THE 22nd DAY OF September 2015.

READ A THIRD TIME AND PASSED THIS 22nd DAY OF September 2015.

\_\_\_\_\_  
Bernie MacLellan, Mayor

\_\_\_\_\_  
Brad Knight, Clerk/CAO

## SCHEDULE 2

### CORPORATION OF THE MUNICIPALITY OF HURON EAST

#### SEAFORTH WARD

#### BY-LAW NO. 63 – 2015

1. By-law No. 63 – 2015 has the following purpose and effect:

This proposed Zoning By-law Amendment affects 4.257 hectares (approx. 10.52 acres) located at the end of Centennial Drive, and is bounded by a future extension to Centennial Drive and Duke Street. It extends to the west and backs onto the Seaforth Public School property. The subject lands include lands owned by the Municipality of Huron East and the Seaforth Community Hospital Trust which will be merged together to create one large developable parcel to be sold to a third party who proposes to construct a 3 storey, 80 unit retirement home and 40 multiple attached dwellings (townhouses).

The By-law proposes to change the zoning on the property from 'Community Facility' and 'Future Development' to 'High Density Residential - Special Zone (R3-2)' for the retirement home portion of the site and to 'Medium Density Residential – Special Zone (R2-16)' for the multiple attached dwellings. The property is Residential in the Huron East Official Plan.

Special zone provisions for the retirement home (R3-2) portion of the site include: permitting two main uses and more than one main building on the property; permitting a stormwater management facility as an accessory use; permitting 0.55 parking spaces per unit for the retirement home; establishing 47m<sup>2</sup> as the minimum floor area for a 1 bedroom unit; and permitting a maximum of 929 sq. m. of ground floor of the retirement home to be occupied by accessory uses such as clinics for doctors, speech pathologists, social workers, laboratories, fitness area, research & educational facilities and business/professional offices, all related directly to meeting the needs of residents living in the retirement home and serving the aging population from the community at large.

Special zone provisions for the portion of the property for the 40 (4 units x 10 buildings) multiple attached dwellings (R2-16) include: permitting two main uses and more than one main building on the property; and permitting a stormwater management facility as an accessory use.

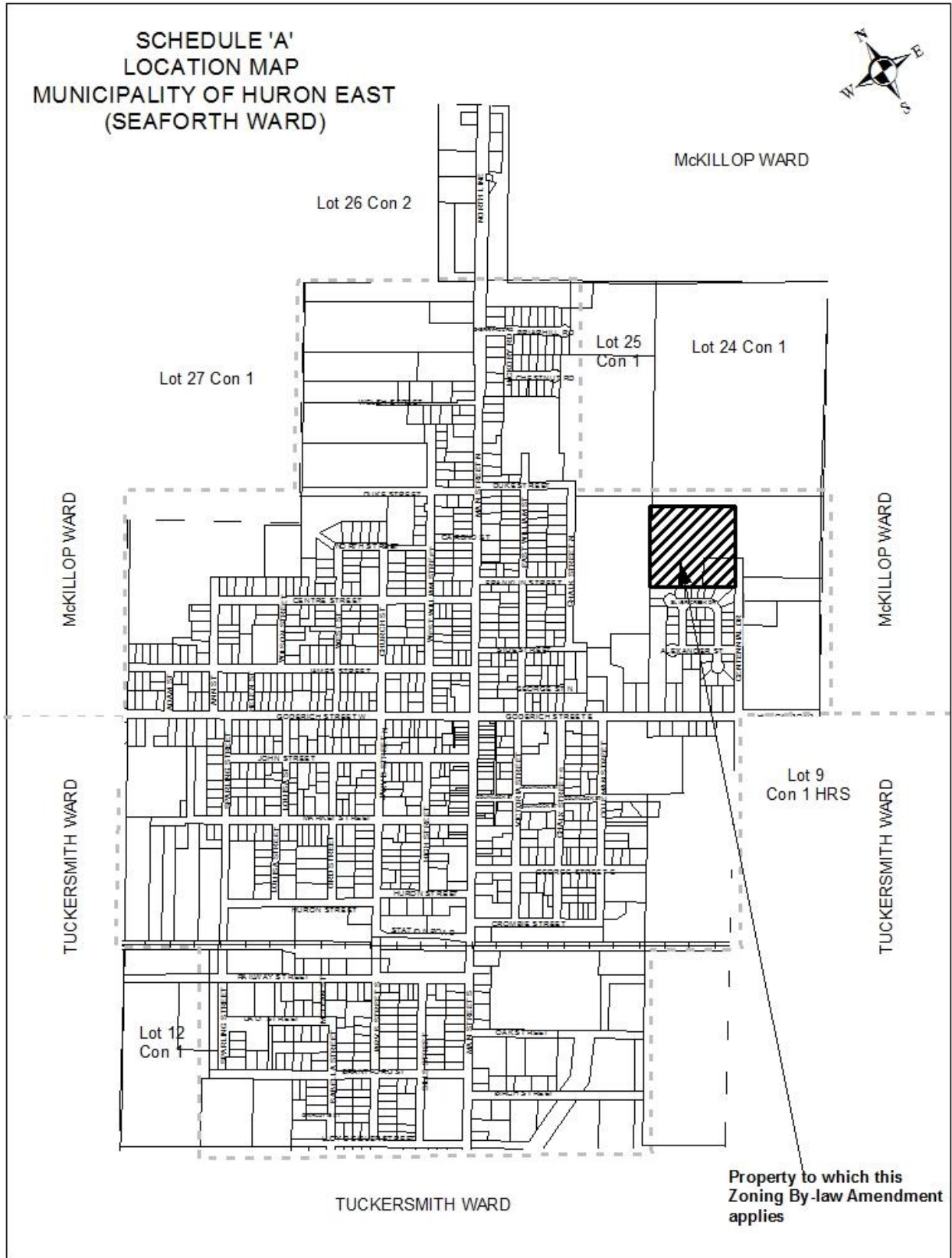
Access to the development will be from the extension of both Centennial Drive and Duke Street and it will be serviced by extending municipal water and sewer.

This zoning by-law amendment also proposes to update/replace a number of definitions in the Huron East By-law in order to allow the multiple attached dwellings within the R2-16 zone to be registered as a vacant land condominium.

This by-law amends Huron East Zoning By-law # 52-2006. All other zone provisions apply.

2. A Location Map and Key Map (entitled Schedule 'A') showing the location of the lands to which this by-law applies are shown on the following pages.

**CORPORATION OF THE MUNICIPALITY OF HURON EAST  
SEAFORTH WARD  
BY-LAW NO. 63 – 2015**

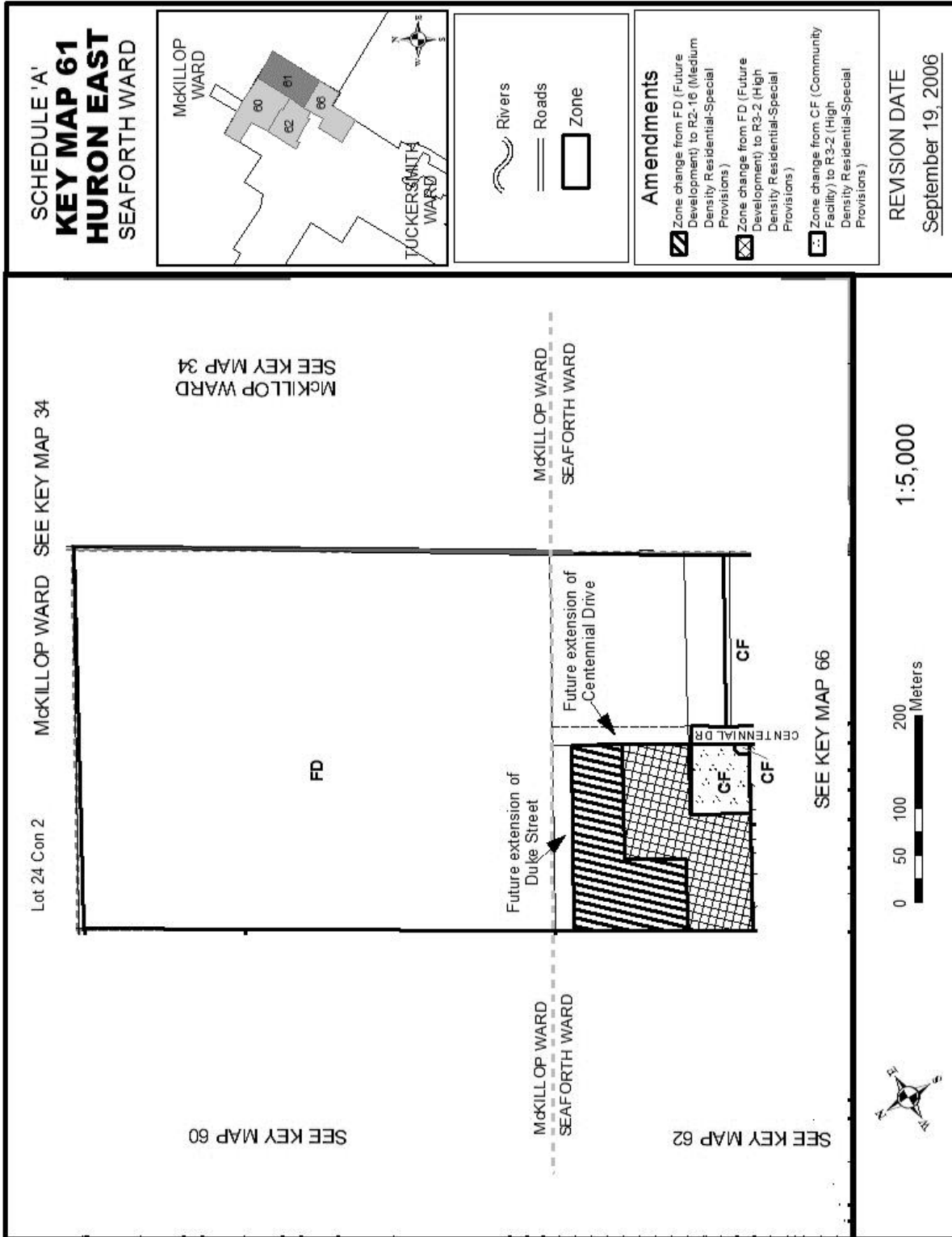


READ A FIRST TIME ON THE 22nd DAY OF September 2015.  
 READ A SECOND TIME ON THE 22nd DAY OF September 2015.  
 READ A THIRD TIME AND PASSED THIS 22nd DAY OF September 2015.

\_\_\_\_\_  
Bernie MacLellan, Mayor

\_\_\_\_\_  
Brad Knight, Clerk/CAO

**CORPORATION OF THE MUNICIPALITY OF HURON EAST  
SEAFORTH WARD  
BY-LAW NO. 63 – 2015**



READ A FIRST TIME ON THE 22nd DAY OF September 2015.  
 READ A SECOND TIME ON THE 22nd DAY OF September 2015.  
 READ A THIRD TIME AND PASSED THIS 22nd DAY OF September 2015.

\_\_\_\_\_  
Bernie MacLellan, Mayor

\_\_\_\_\_  
Brad Knight, Clerk/CAO