



A People Place, A Change of Pace
SHELBURNE
ONTARIO, CANADA

Meeting Date: Monday, May 31, 2021

To: Mayor Mills and Members of Council

From: **Steve Wever, Town Planner**

Report: P2021-18

Subject: **Zoning By-law Amendment Z17/02 –
600 Main Street East
Centreville (Shelburne) Inc.**

Recommendation

Be it Resolved that Council receive Report P2021-18 as information.

Be it resolved that By-law 30-2021, being a by-law to amend Zoning By-law 38-2007, as amended, by rezoning the lands known municipally as 600 Main Street East and described legally as Concession 2, Part Lot 1, Parts 1 to 9 on Registered Plan 7R-2670 and Parts 1-11 on Plan 7R-5087, in the Town of Shelburne, County of Dufferin, from "Residential Type Five (R5)", "Residential Type Five – Floodplain (R5-F)", "Employment (M1)", "Employment – Floodplain (M1-F)"; and "Natural Environmental (NE)" to "Residential Type Five (R5)", "Residential Type Five Exception Nine (R5-9)", "Residential Type Five Exception Ten (R5-10)", "Open Space Recreation – Exception (OSR-2)", "Open Space Recreational Exception Three (OSR-3)" and "Natural Environment (NE) a shown on Schedule "A1" to the By-law, be read a first, second, and third time and finally passed.

Background

An application for a Zoning By-law Amendment was originally submitted by a Innovative Planning Solutions (the "applicant") on behalf of the previous owner, Muskoka D&M Corporation in conjunction with a Draft Plan of Subdivision and Draft Plan of Condominium (Common Elements) for a proposed residential townhouse development located at 600 Main Street East.

A formal public meeting was held on Monday, July 10, 2017. The Draft Plan of Subdivision (DPS17/01) and Common Elements Condominium (DPC17/01) received draft plan approval subject to conditions on March 12, 2018. A condition of draft plan approval requires the approval of a finalized Zoning By-law Amendment prior to final subdivision approval and registration. In May 2020, the applicant submitted and received approval for a site-specific Zoning By-law to permit a temporary sales centre on the subject property. The applicant is requesting to finalize the Zoning By-law for the proposed development on behalf of the current owner, Centreville (Shelburne) Inc. (Centreville Homes).

The purpose of the following report is to present the final details of the Zoning By-law Amendment for the Centreville Homes proposed development. By-law 30-2021 is ready for Council consideration. Further information and analysis on the zoning application and related draft plan of subdivision and draft plan of condominium is summarized in previous Planning Reports dated July 4, 2017, February 8, 2018, March 7, 2018, P2020-05 dated May 25, 2020 and Planning Report P2021-06 dated March 8, 2021.

Analysis

The subject property is municipally known as 600 Main Street East and is legally described as Concession 2, Part Lot 1, Parts 1 to 9 on Registered Plan 7R-2670 and Parts 1-11 on Plan 7R-5087, in the Town of Shelburne, County of Dufferin. The property is owned by Centreville (Shelburne) Inc. and is currently vacant.

The property is located on the north side of Main Street East (Highway 89), along the east bank of the Besley Drain and is approximately 11,523 square metres (2.85 acres) in area. The property is designated 'Residential' and 'Natural Environment' in the Town of Shelburne Official Plan and is located within the built boundary. The property is currently zoned 'Residential Type Five (R5)', 'Residential Type Five – Floodplain (R5-F)', 'Employment (M1)', 'Employment - Floodplain (M1-F)', and 'Natural Environment (NE)'. The applicant is seeking to rezone the property to 'Residential Type Five (R5)', 'Residential Type Five Exception Nine (R5-9)', Residential Type Five Exception Ten (R5-10), 'Open Space Recreation Exception Two (OSR-2)', Open Space Recreation Exception Three (OSR-3) and 'Natural Environment (NE).'

Proposed Development

The Draft Plan of Subdivision (DPS 17/01) was approved with conditions on March 12, 2018 for the creation of lots/blocks for residential (58 townhouse units), natural environment lands, a stormwater management facility, a parkette, open space and parkland.

The Draft Plan of Condominium (DPC 17/01) was approved with conditions on March 12, 2018 to create functional elements of the development including the internal roadways, visitor parking, parkette, open space, stormwater management pond and water and sanitary services that will form part of the condominium.

An extension was granted by Council in March 2021 to extend the Draft Plan approvals for one year. The owner is in the process of clearing the conditions of Draft Plan approval to obtain final approval so the development may proceed. Approval of the final zoning for the development is required as one of the conditions of approval.

Proposed Zoning

The proposed site-specific zoning for the development is outlined in the following table:

R5 Zone Regulations	Townhouse Dwellings or Street Townhouses	Proposed Site Specific Provisions
Min. Lot Area	185m ²	154 m ² – 180 m ² (28 Lots)
Min. Lot Frontage		
<i>Interior</i>	6.0m	All Lots Comply
<i>Corner</i>	8.0m	7.2 – 7.7 m (3 Lots)
Min. Front Yard	6.0m	3.2 m – 6.0m (28 Lots)
Min. Exterior Side Yard	4.5m	1.2 m – 2.0m (5 Lots)
Min. Interior Side Yard	1.2m	All Lots Comply
Min. Rear Yard	7.5m	4.0m – 7.0m (35 Lots)
Max. Lot Coverage	45%	46% to 58% (36 Lots)
Max. Building Height	12.0	All Lots Comply
Min. Landscape Open Space	25%	All Lots Comply
Max. Number of Connected Townhouse Dwellings	6 Units	All Lots Comply
Min. Distance Between Two (2) Groups of Townhouses Dwellings	2.0m	All Lots Comply

 Site-Specific Provisions

The proposed zoning of the property includes the following zones:

Residential Type Five Exception Nine (R5-9) Zone

A new R5-9 exception zone is proposed for Block 1 on the Draft Plan with the following special provisions:

- **Semi-detached dwellings**
The rezoning will permit a semi-detached dwelling to be developed on Block 1 on the Draft Plan as there is insufficient area to construct a townhouse block in this location along the Main Street East frontage. To maintain consistency in the zoning and regulations, the R5 Zone regulations for townhouse dwellings and street townhouse dwellings are proposed to be applied to the semi-detached dwelling in the R5-9 Zone, with the exceptions as noted below.
- **Minimum Exterior Side Yard**
The reduced exterior side yard of 2.0 m is required for Block 1 whereas 4.5 m is required under the R5 Zone. The majority of the exterior side yard is provided at 3.0 m, but as the condominium road curves toward Main Street, the exterior side yard is reduced to 2.0 m.
- **Minimum Rear Yard**
The applicant is requesting a reduced rear yard setback from the required 7.5 m to 5.0 m. Block 1 is located close to the parkette, as well as trails planned within the development for additional outdoor amenity space.
- **Lot Frontage Definition**
Block 1 on the Draft Plan has frontage on both Main Street East and the future private condominium road. For clarification, a provision has been added which defines the future private condominium road as the Lot Frontage. The design of the semi-detached units will be required to address both street frontages with appropriate façade treatments and design.

Residential Type Five Exception Ten (R5-10) Zone

- **Minimum Lot Area**
A reduced minimum lot area of 154 m² is proposed from the required 185 m². A total of 28 lots require a reduction in the lot areas ranging from 154 m² to 180 m² but only two (2) lots are proposed at the low end of this range with a lot area of 154 m².
- **Minimum Lot Frontage (corner)**

The reduced minimum lot frontage applies to three (3) corner lots in the development. The reduced lot frontage for the corner lots range from 7.2 m to 7.7 m, which in our opinion, is a minor deviation from the requirements of the Zoning By-law.

- **Minimum Front Yard**

The reduced front yard (4.5 m for dwelling, 6m for garage) is consistent with other recent development and encourages a consistent streetscape and pedestrian friendly neighbourhood while maintaining sufficient garage setbacks to accommodate parking in the front yard driveways. Due to the lot configuration, there is one (1) lot that will require a further reduction of the front yard (dwelling) at 3.2 metres at the corner of the unit due to an angled front lot line.

- **Minimum Exterior Side Yard**

The reduced minimum exterior side yards of 1.2 m (2 lots) and 1.6 m (2 lots) will apply to four (4) lots. The reduced exterior side yard provides adequate space to facilitate access to the rear yard.

- **Minimum Rear Yard**

The Minimum Rear Yard of 5.0 metres will apply to 35 lots within the development. Many of the lots back onto open space/natural environment area. As noted above, there is ample public open space/parks for future residents to use for outdoor amenity space. There is one (1) lot that requires a reduced rear yard of 4.0 metres due to the lot configuration and shape of this lot with an angled rear lot line.

- **Maximum Lot Coverage**

There are 36 lots that require an increased lot coverage from the maximum lot coverage of 45%. The proposed maximum lot coverage ranges from 46% to 58%. The maximum lot coverage of 60% has been applied, however, each lot will still need to conform to all other regulations in the Zoning By-law.

- **Permitted Encroachments**

Some clarification of the permitted yard encroachments for bay windows, porches, steps, eaves and gutters is proposed which is consistent with other recent developments in Shelburne.

- **Parking Requirements**

When the related draft plan of subdivision and condominium were approved, Council added the requirement for visitor parking spaces to be included in the development. The proposed R5-10 includes the requirement to provide and maintain the 11 common/visitor parking spaces identified on the Site Plan.

Open Space Recreation Exception Three (OSR-3) Zone

- The site-specific provisions in the OSR-3 Zone clarifies the permitted uses in the zone that includes conservation use, open space, public park, park uses and pathways/trails for the common amenity areas and land to be dedicated to the Town that is not within the floodplain. These permitted uses are appropriate given the areas to be zoned.

Planning Comments

Planning comments on this application and the associated draft plans were previously provided in four (4) reports to Council received in 2017 and 2018. The requested Zoning By-law for the proposed development is consistent with the Provincial Policy Statement and conforms with the Growth Plan for the Greater Golden Horseshoe, the County of Dufferin Official Plan and the Town's Official Plan.

Provincial Policy Statement (PPS) 2020

The proposal is consistent with the PPS and is supported by the following policies:

- Healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential types to meet long-term needs (s.1.1.1 b);
- Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land (1.1.3.2 a);
- Planning authorities shall identify appropriate locations and promote opportunities for accommodating a significant supply and range of housing options through intensification and redevelopment (s.1.1.3.3);
- Planning authorities shall ensure the necessary infrastructure is or will be available to meet current and project needs (s.1.1.1.g).

Growth Plan for the Greater Golden Horseshoe (2020)

The application conforms and does not conflict with the Growth Plan. It directs development to the existing built-up area within the urban area and supports residential intensification within the built up area.

County of Dufferin Official Plan

The application conforms to the County of Dufferin Official Plan and is supported by the following policies:

- County encourages intensification within the existing built boundary/built up area wherever feasible and appropriate (s.3.4.2 a);

- Urban settlement areas will accommodate a broad range of uses (s.3.3.2 b); and
- Local municipalities are encouraged to promote intensification, infill and redevelopment of vacant/underutilized sites (s.3.3.2 e).

The application is in keeping with the Urban Settlement Area designation and policies set out in the County of Dufferin's Official Plan.

Town of Shelburne Official Plan

According to Schedule A, the property is designated 'Residential' and 'Natural Environment' in the Town of Shelburne Official Plan. The Site is also identified as 'High Density' Residential on Schedule B2 and is within the built boundary. The portion of the Site is designated as Natural Environmental and is shown as Valleylands and Erosion Hazard Limits associated with Besley Drain on Schedule E.

The Residential designation permits all forms of housing, except mobile homes. Secondary uses that are complementary to and serve the residential uses are permitted. According to Section 4.2.3.3, when considering a proposal for secondary uses, Council shall require demonstration of the following:

- The use will have a positive impact upon the residential community;
- Adequate access, off-street parking, storage requirements and screening will be provided;
- Adequacy of municipal services to service the development;
- Road system can accommodate increased traffic volume;
- Promotion of active transportation;
- Land use compatibility with adjacent development;
- No negative impacts on natural heritage;
- Uses will be appropriately zoned and regulated; and
- Requirements of Section 7 (Development Policies) will be met.

In support of the application, the applicant has submitted a site plan that illustrates the building location and setbacks to all lot lines. Final draft plan approval and additional information such as a grading and drainage and a site servicing plan will be required before a municipal approval can be issued by the Town.

In our opinion, the proposed use is in keeping with the intent of the policies in the Official Plan.

Financial Impact

None.

Policies & Implications (if any) Affecting Proposal

Town of Shelburne Official Plan
Town of Shelburne Zoning By-law 38-2007

Consultation and Communications

The application was circulated to the required agencies and the public meeting was previously advertised and held in accordance with the Planning Act. Members of the public who previously expressed an interest in this application by making written submissions and/or signing in at the previous public meeting and/or open house have been notified.

A permit is required from the NVCA prior to any development or site alteration on the property.

Council Strategic Priorities

Council's Strategic Priorities has three Goals - Sustainable, Engaged and Livable. There are a total of 12 targets with the three Goals.

This report aligns with the Sustainable Goals within the Target:

- T4 Promote balanced growth

Supporting Documentation

Site Plan
By-law 30-2021

Respectfully Submitted:

Valerie Schmidt, Planner

Steve Wever, Town Planner

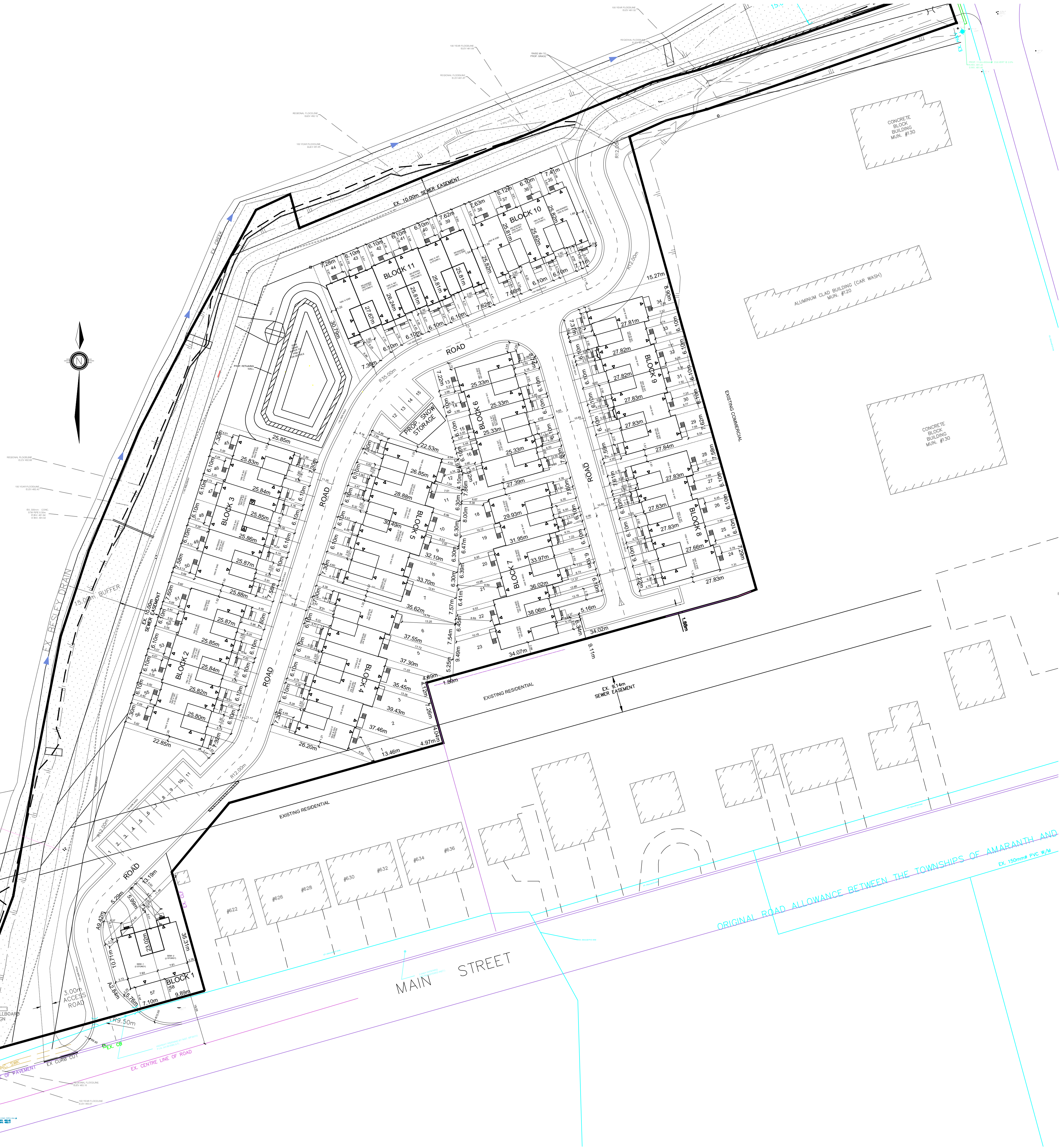
Reviewed by:

Denyse Morrissey, CAO

Block 4 Individual Lots										
LOT #	LOT AREA (m ²)	NET AREA (m ²)	SOFT LANDSCAPE (m ²)	TOTAL LANDSCAPE (m ²)	ANNECY AREA (m ²)	LOT FRONTAGE (m)	LOT AREA (m ²)	BUILD AREA (m ²)	TOTAL (m ²)	NOTES
UNIT 1	203.3	20.2	124.8	0.04	105.4	7.3	203.3	86.8	0.37	1. Hard surface includes walkways & driveway area
UNIT 2	246.8	13.1	139.4	0.00	129.3	6.1	246.8	86.8	0.30	2. Soft landscape + grassed areas
UNIT 3	208.3	21	208.3	0.06	82.9	6.1	208.3	101	0.40	3. Amenity area includes near/late yard and decks where applicable.
UNIT 4	211.8	12.2	88.9	0.42	76.5	6.1	211.8	101	0.48	
UNIT 5	237	20.3	124	0.00	111.7	6.1	237	86.8	0.37	
UNIT 6	201.1	20.1	110.1	0.07	108.8	7.3	201.1	86.8	0.36	4. BLDG AREA includes porches

ZONE REGULATIONS:

LOT STATISTICS:	ZONE: R5 STD'S
LOT AREA:	185.0 m ² (MINIMUM)
MIN. LOT FRONTAGE	6.0 m
MIN. FRONT YARD (MAIN WALL)	8.0 m
MIN. FRONT YARD (GARAGE WALL)	6.0 m
MIN. EXTERIOR SIDE YARD	4.5 m
MIN. INTERIOR SIDE YARD	1.2 m
MIN. REAR YARD	7.5 m
MAX. SETBACK FROM CL. STREET	16.00 m
MAX. LOT COVERAGE	45.0%
MAX. BUILDING HEIGHT	12.0 m
MAX. LANDSCAPE OPEN SPACE	25.0 %
MX. NUMBER CONNECTED TOWNS	6 UNITS
MAX. DISTANCE BETWEEN CONNECTED TOWNHOUSES	2.0 m



GENERAL NOTES:

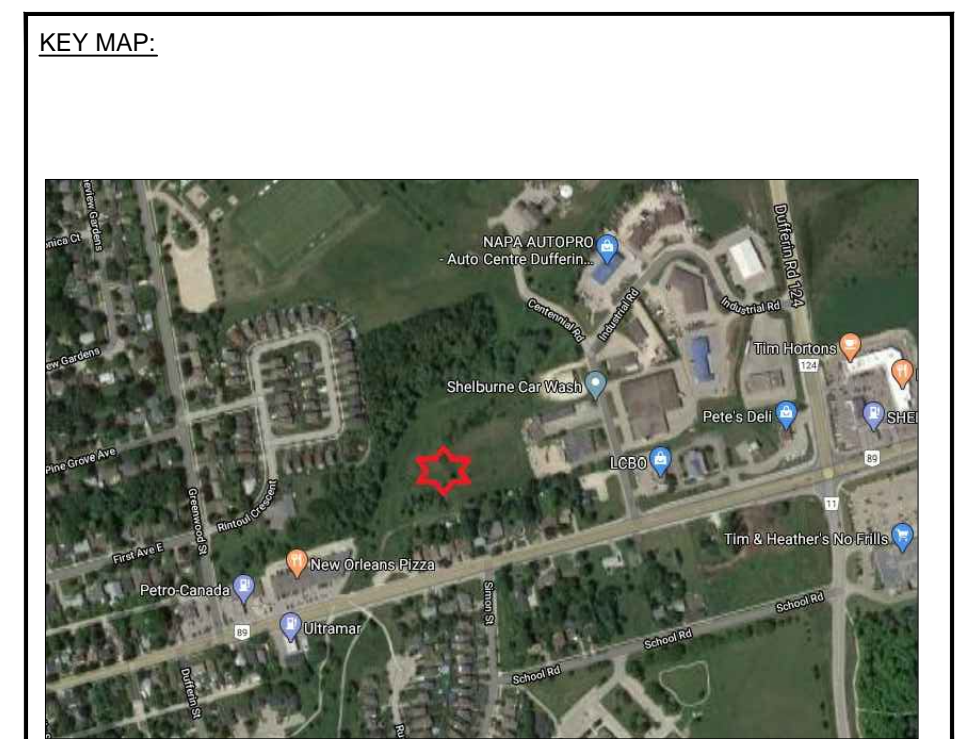
- BUILDER / CONTRACTOR TO VERIFY ALL STREET FURNITURE, HYDRO, GAS, TELEPHONE & ANY OTHER UTILITIES LOCATIONS & DIMENSIONS PRIOR TO CONSTRUCTION.
- IT IS THE BUILDERS' / CONTRACTORS RESPONSIBILITY TO CONFIRM ALL STORM / SEWER LOCATES & ELEVATIONS PRIOR TO CONSTRUCTION TO DETERMINE IF SEWER INJECTION PUMPS ARE REQUIRED. UNLESS NOTED HEREIN, NO PREPARATIONS HAVE BEEN MADE FOR THE USE OF SUMP PUMPS AND / OR SEWER INJECTION PUMPS. IF REQUIRED BY SITE CONDITIONS, BUILDER TO CONTACT DESIGNER FOR LOCATION OF PUMPS.
- EXISTING GRADES ARE TO REMAIN UNCHANGED.
- ALL DISTURBED AREAS WITHIN THE MUNICIPAL BOUNDARY ARE TO BE RETURNED TO THEIR ORIGINAL STATE TO THE SATISFACTION OF THE LOCAL MUNICIPALITY. ALL DAMAGED & DISTURBED AREAS ON SITE ARE TO BE REINSTATED WITH TOPSOIL & SOD.
- MAINTAIN GRADES IN AREAS AROUND TREES THAT ARE TO BE PRESERVED.
- ALL ROOF DOWNSPOUTS FROM EAVE TRAYS ARE TO DISCHARGE TO SURFACE GRADE & DRAIN AWAY FROM BUILDING.
- ALL DOWNSPOUTS SHALL BE MET WITH A SPLASH PAD & DIRECTED AWAY FROM SIDEWALKS, DRIVEWAYS & PATIO AREAS.
- FINAL GRADING TO MATCH EXISTING GRADES AT PROPERTY LINES.
- NO SODDING IS PERMITTED ON LOT UNTIL PRELIMINARY INSPECTION IS COMPLETED BY THE ENGINEER AND/OR MUNICIPAL INSPECTOR & APPROVED.
- BUILDER / CONTRACTOR TO VERIFY UNDER SIDE FOOTINGS & TOP OF FOUNDATION WALL ELEVATIONS WITH SITE CONDITIONS PRIOR TO FORMING.
- OUTSIDE FINISHED GRADE TO BE A MINIMUM OF 6" BELOW BRICK / STONE VENEER & 8" FOR SIDING / STUCCO FINISH.
- DRIVEWAY GRADES SHOULD NOT BE LESS THAN 2% AND NOT GREATER THAN 7%.
- LAWN & SWALES SHALL HAVE A MINIMUM SLOPE OF 2% & A MAXIMUM SLOPE OF 5%. SLOPES IN EXCESS OF 5%, A 3:1 EMBANKMENT SHALL BE USED. VERTICAL GRADE ELEVATION DIFFERENCES GREATER THAN 1.0m SHALL BE DIVIDED BY A RETAINING WALL W/ RAILING.
- A MINIMUM DEPTH OF 150mm OF CRUSHED STONE SHALL BE PROVIDED ON THE ENTIRE LENGTH OF THE DRIVEWAY & A MINIMUM OF 75mm (COMPACTED DEPTH) OF ASPHALT FOR THE DRIVEWAYS ENTIRE LENGTH.
- ALL UNDER GROUND SERVICES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE LOCAL MUNICIPALITY / REGION STANDARDS & SPECIFICATIONS.

LEGEND:

- CATCH BASIN
- CORNER PROPERTY MARKER
- TRANSFORMER
- SERVICE CONNECTION DBL.
- SERVICE CONNECTION
- WATER CONNECTION
- STREET LIGHT
- BELL BOX
- CABLE BOX
- TREE
- SHRUBS
- MAIL BOX
- AIR CONDITIONER
- WINDOW (S) ON WALL
- DOWN SPOUT TO SPLASH PAD

CERTIFICATION:

DN DOWN
 UP UP
 RFR FINISHED FLOOR ELEVATION
 FTW TOP OF FOUNDATION WALL
 TBS TOP OF BASEMENT SLAB
 USE UNDER SIDE FOOTING
 USFG UNDERSIDE FOOTING GARAGE
 USFP UNDERSIDE FOOTING PORCH
 USFR UNDERSIDE FOOTING REAR
 EWEH EGRESS WINDOW ELEVATION
 WUB WALK UP BASEMENT
 CLF CHAIN LINK FENCE
 WF WOOD FENCE
 EXW EXISTING WALLS
 240.35 PROPOSED GRADE ELEV.



DESIGNER BCIN DECLARATION

I, DANIEL BERRY DECLARE THAT I HAVE REVIEWED & TAKE DESIGN RESPONSIBILITY FOR THE DESIGN WORK UNDER DIVISION C, PART 3 SECTION 12 OF THE ONTARIO BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CATEGORY.

FIRM BCIN: 36501
 DESIGNER BCIN: 21107

SIGNATURE: _____ DATE: FEB 22/12

DESIGN FIRM: **VULCAN DESIGN INC.** SCALE: 2:1

39 Victoria Street E. Unit 1
 Alliston, ON L9R-1T3
 PH: 416-868-5000
 FAX: 905-266-0613
 EMAIL: dberry@vulcandesigninc.com

CLIENT: **CENTVILLE HOMES (SHELBURNE)**

PROJECT: **SHELBURNE ONTARIO**

NO.	REVISION	DATE	DWN	CHK
1.	ISSUED FOR REVIEW	MAR 25 2020	DCB	DCB
2.	ISSUED FOR REVIEW	APR 07 2020	DCB	DCB
3.	REV. PORCHES	APR 30 2020	DCB	DCB
4.	ISSUED FOR REVIEW	MAR 17 21	DCB	DCB
5.	REV. ROAD ENTRANCE & BLK 1	APR 15 21	DCB	DCB

THE CORPORATION OF THE TOWN OF SHELBURNE

BY-LAW NO. 30-2021

BEING A BY-LAW TO AMEND BY-LAW 38-2007, AS AMENDED

WHEREAS an Official Plan has been approved for the Town of Shelburne.

AND WHEREAS authority is granted under Section 34 of the Planning Act, R.S.O. 1990, C.P.13 and amendments thereto, to enact this By-law.

NOW THEREFORE the Council of the Town of Shelburne hereby enacts as follows:

1. That Schedule 'A' to By-law No. 38-2007, as amended, be further amended by rezoning those lands described as Part of Lot 1, Concession 2, Parts 1-9 of Plan 7R-2670 and Parts 1-11 of Plan 7R-5087 in the Town of Shelburne, from 'Residential Type Five (R5)'; 'Residential Type Five – Floodplain (R5-F)'; 'Employment (M1)'; 'Employment - Floodplain (M1-F)'; and 'Natural Environment (NE)' to 'Residential Type Five (R5)', 'Residential Type Five Exception Nine (R5-9)'; Residential Type Five Exception Ten (R5-10), 'Open Space Recreation - Exception (OSR-2)'; Open Space Recreation Exception Three (OSR-3) and 'Natural Environment (NE)' as shown on Schedules "A1" and "A2" to this By-law.
2. That subsection 4.5.1 of By-law 38-2007, as amended, be further amended by inserting the following exception zone after subsection 4.5.3.8:

“4.5.3.9 Residential Type Five Exception Nine (R5-9) Zone

4.5.3.9.1 Notwithstanding the requirements of Section 4.5.1 to the contrary, on lands zoned R5-9 on Schedule "A" hereto, the permitted uses shall include a semi-detached dwelling in addition to the other uses permitted in subsection 4.5.1.

4.5.3.9.2 On lands zoned R5-9 no person shall use any land or erect, alter or use any building or structure for any purpose except in accordance with the provisions of subsection 4.5.2 (the regulations for *Townhouse Dwellings* and *Street Townhouse Dwellings* shall apply to a semi-detached dwelling in the R5-9 Zone), with the following exceptions:

- | | | |
|------|--|--------------|
| i. | Minimum Exterior Side Yard | 2.0 m |
| ii. | Minimum Rear Yard | 5.0 m |
| iii. | Maximum Setback from Street Centreline | Not Required |

4.5.3.9.3 On lands zoned R5-9, lot frontage shall be deemed along a private (condominium) road.

4.5.3.10 Residential Type Five Exception Ten (R5-10) Zone

4.5.3.10.1 On lands zoned R5-10 no person shall use any land or erect, alter or use any building or structure for any purpose except in accordance with the provision of subsection 4.5.2, with the following exceptions for *Townhouse Dwellings* and *Street Townhouses*:

- | | | |
|------|--|---|
| i. | Minimum Lot Area (per dwelling): | 154 m ² |
| ii. | Minimum Lot Frontage (corner) | 7.2 m |
| iii. | Minimum Front Yard: | |
| | a. Dwelling | 4.5 m with the exception that one (1) lot be permitted to have a Front Yard of 3.2 metres. |
| | b. Private Garage | 6.0 m |
| iv. | Minimum Exterior Side Yard: | 1.6 m with the exception that two (2) lots shall be permitted to have a minimum Exterior Side Yard of 1.2 m |
| v. | Minimum Rear Yard: | 5.0 m with the exception that one (1) lot shall be permitted to have a minimum Rear Yard of 4.0 metres. |
| vi. | Maximum Lot Coverage: | 60 % |
| vii. | Maximum Setback from Street Centreline | Not Required |

- viii. Notwithstanding the regulations in subsections 3.2.4 of this By-law to the contrary, the following special provisions apply:
- a. Open Roofed Porches may encroach into the required front and rear yards, not including eaves and steps, and be no closer than 1.5 m to the front lot line. Porches on corner lots shall have a minimum setback of 1 m from the exterior side lot line.
 - b. Steps may encroach into the front, rear and exterior side yard but shall be no closer than 1.5 m to the front lot line and no closer than 0.6 m to an exterior side lot line.
- ix. In addition to the parking requirements of subsection 3.15 of this By-law, a minimum of 11 common parking spaces shall be provided and maintained for visitor parking for the street townhouse dwellings located in the R5-10 Zone and on the adjoining land in the R5 Zone as well as the semi-detached dwellings located in the R5-9 Zone.
3. That subsection 4.14 of By-law 38-2007, as amended, be further amended by inserting the following exceptions zones after subsection 4.14.3.2:
- “4.14.3 Open Space Recreation Exception Three (OSR-3) Zone
- 4.14.3.3 Notwithstanding the requirements of Section 4.14.1 to the contrary, on lands zoned OSR-3 on Schedule “A1” hereto, the permitted uses shall be limited to Conservation Use, Open Space, Public Park, Public Use, and Pathway/Trails.”
4. That except as amended by this By-law, the subject lands as shown on Schedule “A1” and “A2” on this By-law shall be subject to all other applicable regulations of By-law 38-2007, as amended.
5. That Schedule “A1” and “A2”, attached, does and shall form part of this By-law.
6. This By-law shall take effect from its date of passage by Council and shall come into force either upon approval by the Local Planning Appeal Tribunal or upon compliance with Section 34 of the Planning Act, R.S.O. 190, C.P. 13.

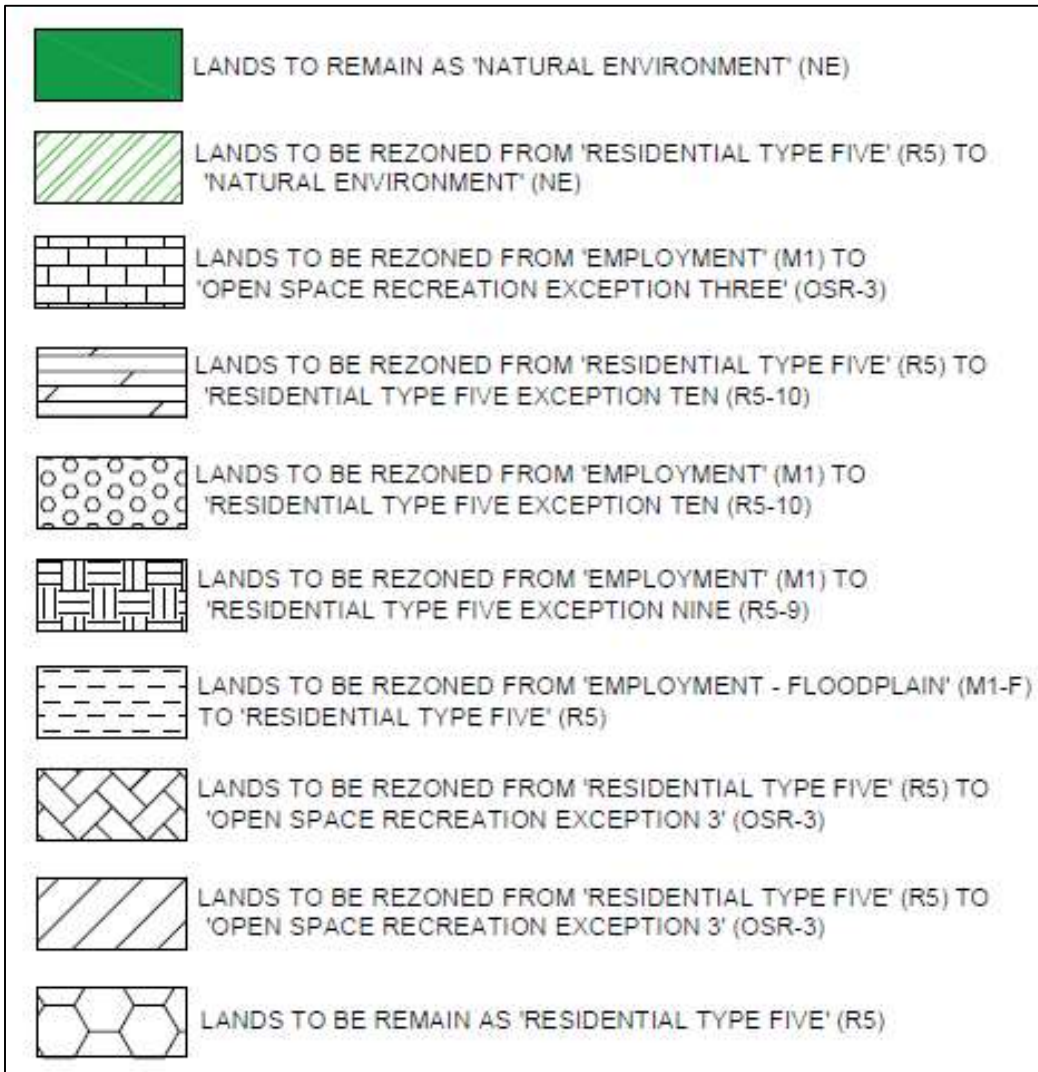
BY-LAW READ A FIRST AND SECOND TIME THIS 31ST DAY OF MAY 2021.

BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 31ST DAY OF MAY 2021.

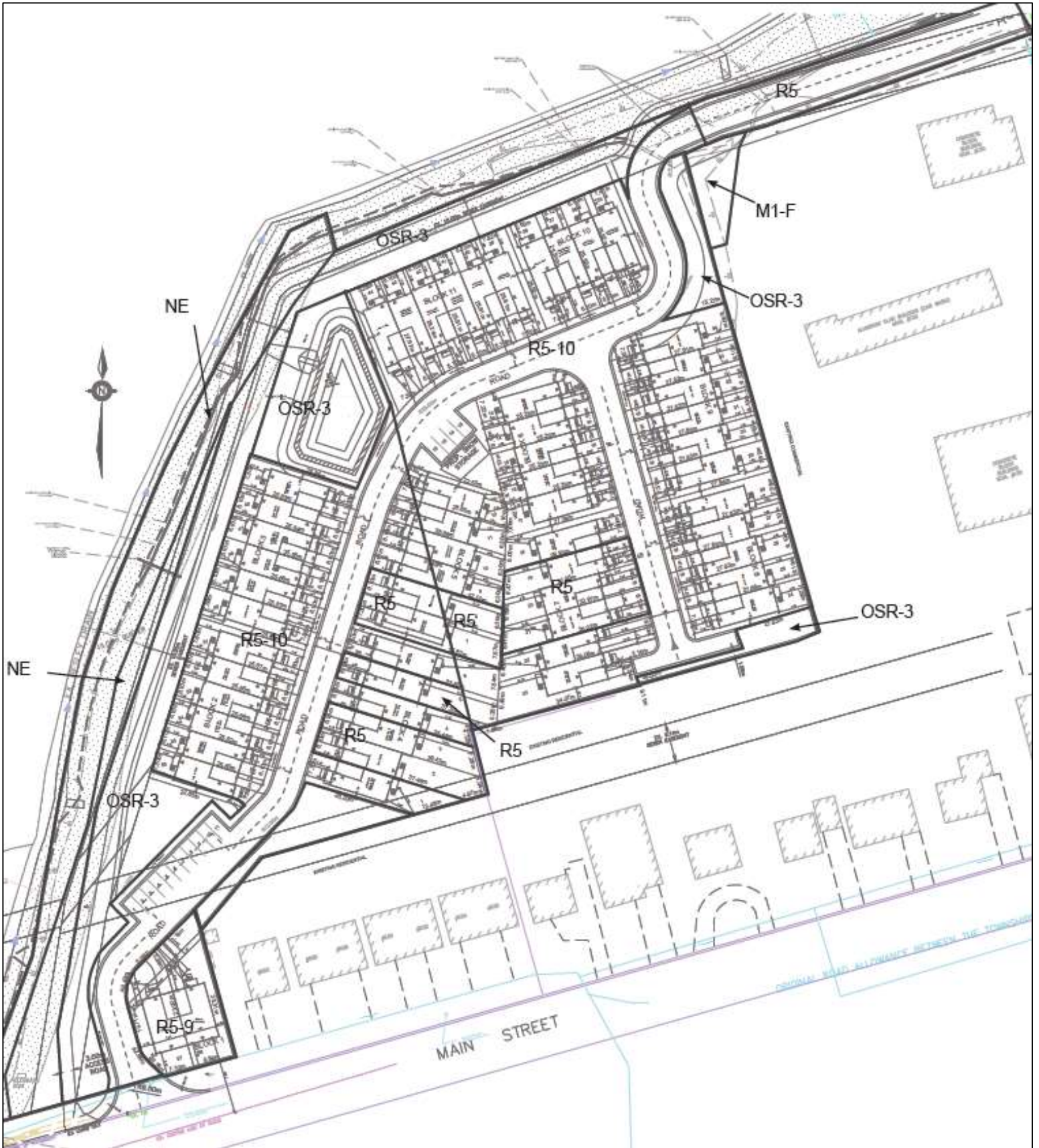
Mayor

Clerk

SCHEDULE A1 TO BY-LAW NO. 30-2021



SCHEDULE A2 TO BY-LAW NO. 30-2021



EXPLANATORY NOTE

The purpose and effect of this amendment to Zoning By-law 38-2007 is to change the zoning of the property described legally as Concession 2, Part Lot 1, Parts 1 to 9 on Reference Plan 7R-2670 and Parts 1-11 on Plan 7R-5087, in the Town of Shelburne, from Residential Type Five (R5), Residential Type Five – Floodplain (R5-F), Employment (M1), Employment – Floodplain (M1-F), and Natural Environmental (NE) to Residential Type Five (R5), Residential Type Five Exception Nine (R5-9), “Residential Type Five Exception Ten (R5-10), Open Space Recreation – Exception (OSR-2), Open Space Recreational Exception Three (OSR-3) and Natural Environment (NE) for a plan of subdivision and plan of condominium comprised of 10 blocks for townhouses and 1 block for a semi-detached dwelling for a total of 58 units. Approval of an amendment to the Zoning By-law to establish zoning with appropriate permitted uses and standards for the proposed development is a condition of approval of a related draft plan of subdivision, file number DPS 17/01 and draft plan of condominium, file number DPC 17/01. The proposed blocks shall be developed in accordance with an approved subdivision agreement and the requirements of Zoning By-law 38-2007 as amended by this By-law.