



THE CORPORATION OF THE TOWN OF ERIN

By-Law #XX - XX

Being a By-law to amend By-law 07-67, as amended,
being the Zoning By-law for the Corporation of
the Town of Erin for lands known as 185 Main Street

Whereas the Council of the Corporation of the Town of Erin deems it desirable to amend By-law 07-67 as amended, pursuant to Section 34 of the Planning Act, R.S.O. 1990 as amended;

Therefore be it resolved that the Council for the Corporation of the Town of Erin hereby Enacts as follows:

1. That Schedule 'C' of By-law 07-67, the Comprehensive Zoning By-law, is amended by rezoning the lands legally described as PLAN 102, LOT 21, Town of Erin from the current **site specific Mixed Use (MU-3) Zone** to an amended **site specific Mixed Use (MU-3 Zone)** with a **holding (H) provision** as shown on Schedule "A" of this By-law.
2. Except as otherwise provided herein, the provisions of Zoning By-law 07-67 shall continue to apply to the *lot*.
3. THAT Section 14, "SPECIAL PROVISIONS", be amended by repealing MU-3 and replacing it with the following:

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| <p>MU-3 (H) By-law 21-____ Kensington Square, former Erin Public School 185 Main Street, Erin Roll # 2316-000-0110- 22000000</p> | <p>1. <u>Permitted Uses</u></p> <p>i) Notwithstanding the uses permitted in Section 8.1.1 of the Mixed Use Zone the permitted uses shall be limited to the following:</p> <ol style="list-style-type: none"> a. <i>Triplex or fourplex dwelling</i> b. <i>Townhouse dwelling</i> c. <i>Stacked townhouse dwelling</i> d. <i>Live-Work Unit</i> e. <i>Uses accessory to a permitted use</i> <p>ii) For the purposes of this by-law, the following definitions shall apply:</p> <p><i>"Dwelling, Stacked Townhouse"</i> means: A building divided vertically and horizontally, not more than two dwelling units in height, each having a separate front entrance at grade. A stacked townhouse is not required to provide access to a <i>rear yard</i>.</p> <p><i>"Dwelling, Townhouse"</i> means: A dwelling unit within a building divided horizontally by a common vertical wall above grade of at least 3.0 metres in length and at least 2.0 metres in height adjoining dwelling units or private garages, into three or more dwelling units, each having a private access.</p> |
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| | <p><i>“Live-Work Unit”</i> means:</p> <p>A dwelling unit that contains an ancillary business, which is conducted only by an individual that lives in the dwelling, and which is restricted to the ground floor area of the live-work unit, and shall be limited to the following uses:</p> <ul style="list-style-type: none"> • <i>Business or professional office</i>, excluding the office of a <i>medical practitioner</i> or <i>veterinarian</i> • <i>Personal service shop</i>, excluding, health clinic, dry cleaners, <i>laundromat</i>, pet grooming • <i>Service or Repair Shop</i>, limited only to the servicing or repairing of small household appliances and home computers. <p><i>“Private Road”</i> means: a private right-of-way used by <i>Motor Vehicles</i>, which is not owned by a <i>Public Authority</i>.</p> <p>2. <u>Zone Provisions for Townhouse and Stacked Townhouse Dwellings:</u></p> <p>None of the provisions of Section 2 with respect to the definition of <i>driveway</i>, <i>townhouse</i> and <i>lot</i> and Sections 4.6, 4.8.1, 4.10, 4.25, 4.26.3, 4.27 (Table 1), 4.33, 6.4, and 8.1 of By-law 07-67, as amended, shall apply to prevent the erection or use on the <i>lot</i> provided that:</p> <p>i) For the purpose of this By-law, the subject lands shall be deemed to be one <i>lot</i> with a private road, regardless of the number of buildings or structures erected and regardless of any conveyances, consents, subdivisions, easements, condominiums or other permissions granted after the approval of this By-law;</p> <p>The following requirements shall apply to the subject lands:</p> <p>i) The total number of <i>dwelling</i> units shall not exceed 70.</p> <p>ii) The maximum number of <i>stacked townhouse</i> units shall not exceed 54.</p> <p>iii) Maximum number of <i>stacked townhouse or townhouse</i> units within one block shall not exceed 10.</p> <p>iv) No portion of a building or structure fronting on Main Street may be used for a <i>stacked townhouse dwelling</i>.</p> <p>v) No portion of a building or structure erected on the <i>lot</i> shall have a greater <i>height</i> in metres than 12.5 metres except that:</p> <p>a. The maximum <i>height</i> for roof top mechanical units, parapets and guard rails shall be 1.5 metres.</p> <p>vi) No portion of a building or structure erected or used above grade is located otherwise than wholly within the areas delineated by heavy lines on the attached Schedule “B”, except that:</p> <p>a. Awnings, lighting fixtures, ornamental elements, trellises, window sills, balustrades, stairs, stair enclosures, landings, wheelchair ramps, and landscape features including planters</p> |
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| | <p>and screening, may extend to a maximum of 1.0 m beyond the heavy lines as shown on Schedule “B”.</p> | | | | | | | | | | | | | | |
| | <p>vii) Notwithstanding Section 4.10 Frontage on a Public Road, Street or Highway, a <i>stacked townhouse</i> or <i>townhouse</i> is permitted to have access through a <i>private road</i> or <i>driveway</i> which has access to a public street.</p> | | | | | | | | | | | | | | |
| | <p>viii) Minimum width of the main habitable area within a:</p> <table> <tr> <td><i>stacked townhouse</i> unit</td><td>6.5 m</td></tr> <tr> <td><i>townhouse</i> unit</td><td>4.5 m</td></tr> </table> | <i>stacked townhouse</i> unit | 6.5 m | <i>townhouse</i> unit | 4.5 m | | | | | | | | | | |
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| | <p>ix) Minimum <i>daylight triangle</i> 6.0 m</p> | | | | | | | | | | | | | | |
| | <p>x) Minimum Required Amenity Area</p> <table> <tr> <td>Private Amenity Area, including balconies</td><td>7.5 m² per unit, but not less than 665 m² total area</td></tr> <tr> <td>Private common Outdoor Amenity Area</td><td>675.0 m²</td></tr> </table> | Private Amenity Area, including balconies | 7.5 m ² per unit, but not less than 665 m ² total area | Private common Outdoor Amenity Area | 675.0 m ² | | | | | | | | | | |
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| | <p>3. <u>Parking Regulations</u></p> | | | | | | | | | | | | | | |
| | <p>i) For the purpose of this by-law, tandem parking is permitted, which allows one vehicle within an attached private <i>garage</i> and one vehicle in the <i>driveway</i>.</p> | | | | | | | | | | | | | | |
| | <p>ii) Parking shall be provided as follows:</p> <table> <tr> <td>a. Minimum Parking stalls per unit:</td><td>2.0</td></tr> <tr> <td>b. Minimum Visitor Parking:</td><td>0.25 per unit, with a minimum total of 18 stalls</td></tr> <tr> <td>c. Minimum Parking Stall Dimensions:</td><td></td></tr> <tr> <td> Parallel Parking Stall</td><td>2.7 m x 7 m</td></tr> <tr> <td> Angled Parking Stall</td><td>2.8 m x 6 m</td></tr> <tr> <td>d. Minimum garage dimensions:</td><td>3 m x 5.8 m</td></tr> <tr> <td>e. Minimum Driveway Dimensions:</td><td>3 m x 5.8 m</td></tr> </table> | a. Minimum Parking stalls per unit: | 2.0 | b. Minimum Visitor Parking: | 0.25 per unit, with a minimum total of 18 stalls | c. Minimum Parking Stall Dimensions: | | Parallel Parking Stall | 2.7 m x 7 m | Angled Parking Stall | 2.8 m x 6 m | d. Minimum garage dimensions: | 3 m x 5.8 m | e. Minimum Driveway Dimensions: | 3 m x 5.8 m |
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| | <p>4. <u>General Regulations for Permitted Non-Residential Uses Contained in a Live-Work Unit</u></p> | | | | | | | | | | | | | | |
| | <p>i) Permitted Non-residential uses may only be permitted as part of a live-work unit; and, are restricted to <i>townhouse</i> blocks fronting onto Main Street</p> | | | | | | | | | | | | | | |
| | <p>ii) Non-residential uses shall only be permitted on the ground floor of a live-work unit</p> | | | | | | | | | | | | | | |
| | <p>5. <u>Holding (H) Provisions</u></p> | | | | | | | | | | | | | | |
| | <p>No person within the lands zoned MU-3 (H), shall use any lot or erect, alter or use any buildings or structures for any purpose except for</p> | | | | | | | | | | | | | | |

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| | <p>those uses which existed on the date of passing of this By-law unless an amendment to this By-Law or removal of the “(H)” prefix, as identified below, is approved by Council of the Town of Erin and comes into full force and effect.</p> <p>Prior to the removal of the Holding (H) provision the Owner will provide to the Town of Erin’s satisfaction, the following:</p> <ul style="list-style-type: none"> • Confirmation that water and wastewater servicing is available to the subject site; • Site Plan Approval and a site plan agreement registered on title; and • All necessary approvals required by other commenting agencies and authorities. |
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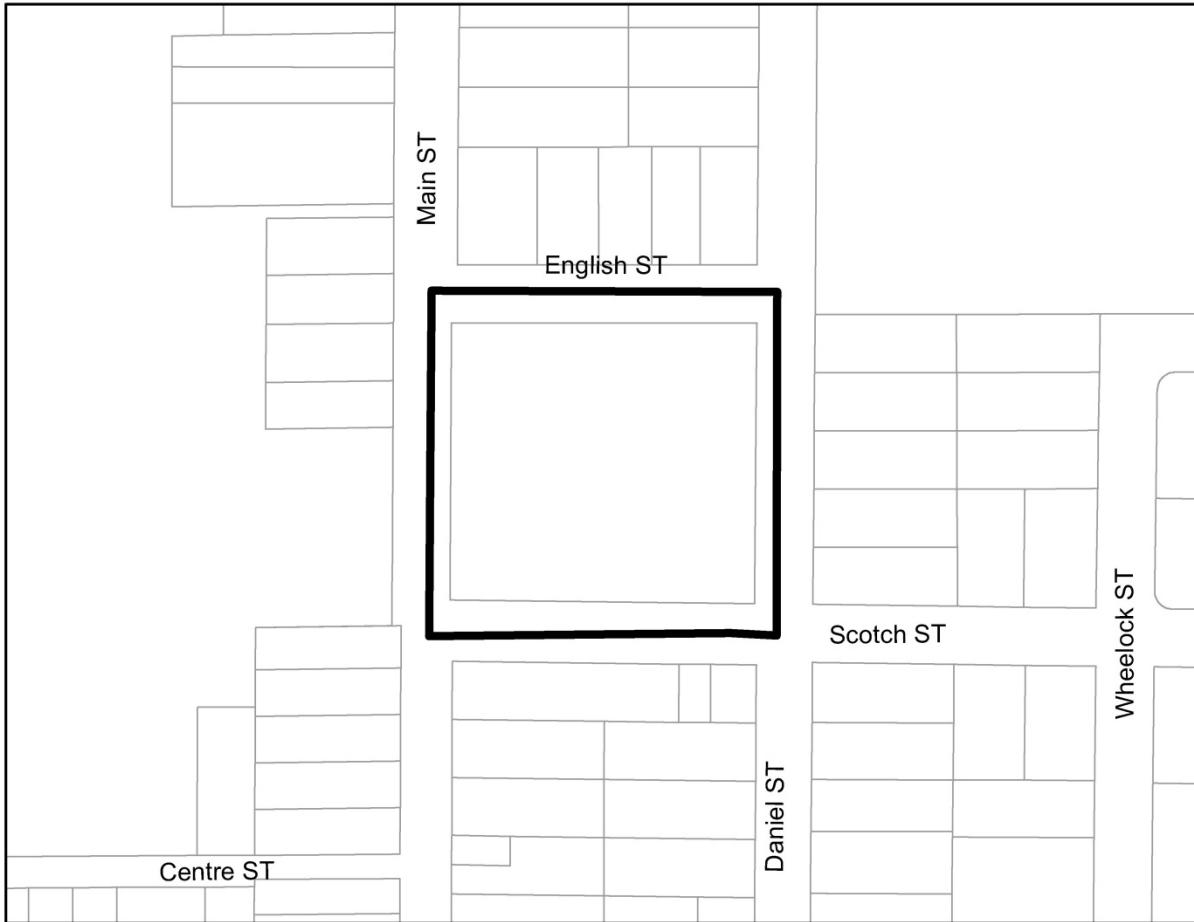
1. THAT the Subject Land as shown on Schedule “A” and Schedule “B” to this By-Law shall be subject to all other applicable regulations of Zoning By-Law 07-67, as amended.
2. THAT this By-law shall come into force on the date it is passed by the Council of the Corporation of the Town of Erin subject to the applicable provisions of the Planning Act, R.S.O. 1990, as amended.

Passed in open Council on the 16th day of February, 2021.

Mayor, Allan Alls

Clerk, Lisa Campion

SCHEDULE 1
TO ZONING BY-LAW No. 2021-__
THE CORPORATION OF THE TOWN OF ERIN



Note: Not to Scale



AREA AFFECTED BY THIS BY-LAW

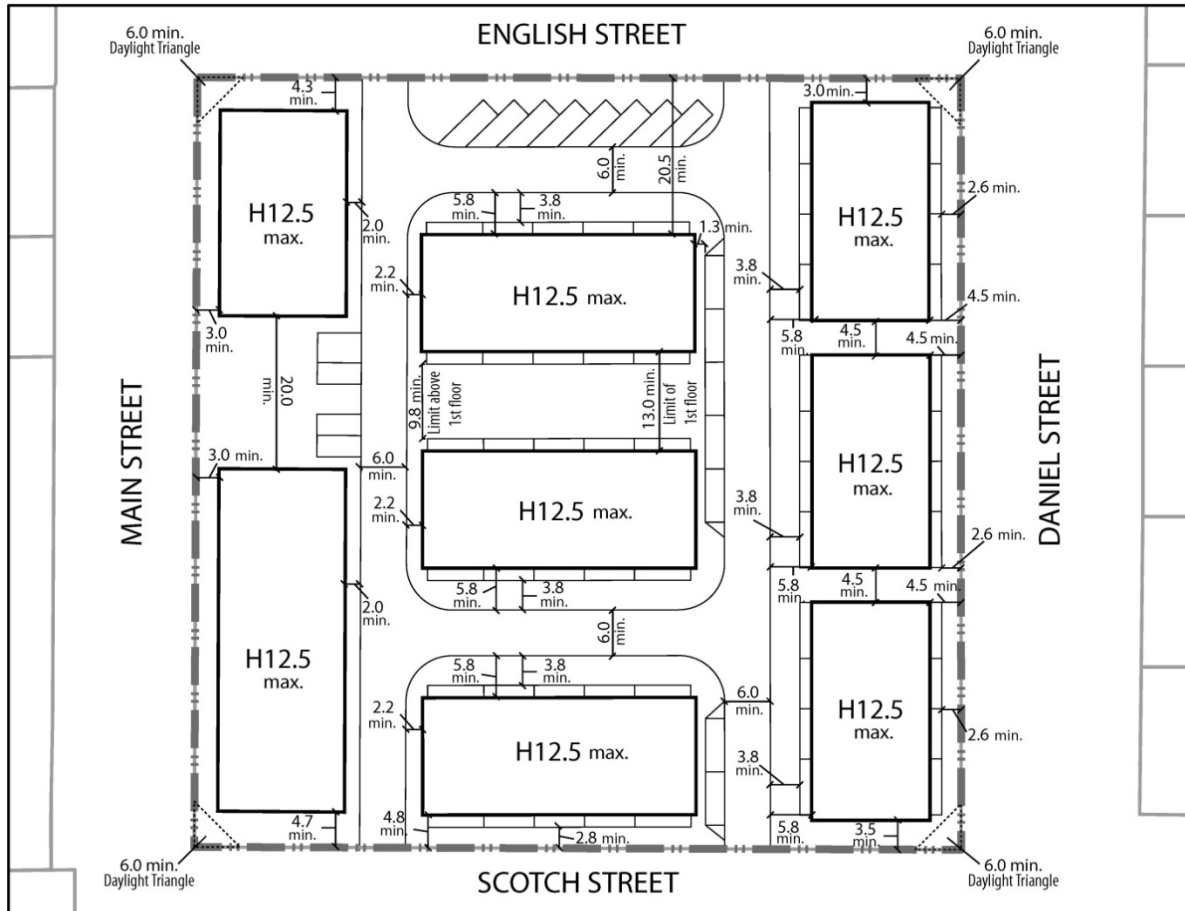


THIS SCHEDULE 1 TO BY-LAW No. 2021-__ PASSES ON THE __ DAY OF ____, 2021

MAYOR

CLERK

SCHEDULE 2
TO ZONING BY-LAW No. 2021-____
THE CORPORATION OF THE TOWN OF ERIN



Note: Not to Scale



THIS SCHEDULE 2 TO BY-LAW No. 2021-____ PASSES ON THE ____ DAY OF _____, 2021

MAYOR

CLERK

THE CORPORATION OF THE TOWN OF ERIN

EXPLANATION OF BY-LAW #XX - XX

By-law Number XX - XX amends the Town of Erin Zoning By-law 07-67, as amended, by rezoning lands legally described as Plan 102, Lot 21, and municipally known as 185 Main Street, within the Village of Erin from the current site specific Mixed-Use (MU-3) Zone to a site specific Mixed Use (MU-3) Zone with a Holding (H) provision.

The purpose of the proposed zoning by-law amendment is to rezone the property to permit the development of a maximum of seventy (70) *stacked townhouse* and *townhouse* dwelling units, of which a maximum of 54 units may be *stacked townhouse* units, contained within 8 development blocks on the above-noted lands. The site specific zoning exception establishes site specific zoning provisions related to setbacks, building height, parking, amenity areas, etc.

A Holding (H) provision has also been proposed on-site that will prohibit development until such time that i) confirmation that water and wastewater servicing is available to the subject site, ii) Site Plan Approval is obtained and a site plan agreement is registered on title; and, iii) all necessary approvals required by other commenting agencies and authorities are received.

The subject lands are designated as Residential Transition Area and subject to Special Policy Area 5 which allows residential and institutional uses. The subject zoning by-law amendment is deemed generally consistent with the Town Official Plan.