

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2021-38**

BEING A TOWNSHIP-INITIATED BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO EFFECT A NUMBER OF CHANGES TO CORRECT MAPPING AND TEXT ERRORS THAT HAVE BEEN IDENTIFIED, TO REFLECT THE TOWNSHIP'S PUBLIC ROAD WINTER MAINTENANCE PROGRAM AND TO ENSURE CURRENT PROVINCIAL POLICY AND GUIDANCE ON MINIMUM DISTANCE SEPARATION FOR LIVESTOCK FACILITIES AS WELL AS ON GROUP HOMES ARE APPROPRIATELY REFLECTED.

WHEREAS pursuant to the provisions of Section 34 of the *Planning Act*, RSO 1990 as amended, the Council of a Municipality may enact by-laws regulating the use of land and the erection, location and use of buildings and structures thereon;

AND WHEREAS Zoning By-law No. 2003-75 regulates the use of land and the erection, location and use of buildings and structures within the Township of South Frontenac;

AND WHEREAS the Council of the Corporation of the Township of South Frontenac deems it expedient to amend By-law No. 2003-75 as amended, to undertake general amendments to reflect the Township's public road winter maintenance program, correct site-specific zone mapping errors, clarify provisions on minimum distance separation for livestock facilities and sensitive uses, and update provisions relating to group homes;

AND WHEREAS the Council of the Corporation of the Township of South Frontenac considered all written and oral submissions received, the effect of which helped Council make an informed decision;

AND that there be no further notice pursuant to Section 34 (17) of the *Planning Act*;

NOW THEREFORE, the Council of the Corporation of the Township of South Frontenac, hereby enacts as follows:

1. THAT Schedule "A", to Zoning By-law Number 2003-75 as amended, is hereby amended by changing the zoning in Part Lot 1, Concession 1, Portland District, specifically on 3329 Murton Road, from Rural (RU) to Community Facility (CF) as shown on Schedule "1";
2. THAT Schedule "A" and Schedule "E", to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning on Part Lots 1 to 4 and Block A on Plan 57, in Part Lot 6, Concession 5, Portland District, specifically on 3981 Harrowsmith Road, from Urban Commercial (UC) to Urban Residential First Density (UR1) as shown on Schedule "2";
3. THAT Schedule "A" to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning in Part Lots 1, 2 and 3, Concession XIII, Portland District, specifically on 1039 Buffy Lake Lane, from Environmental Protection – Special Provision (EP-1) to Limited Service Residential (RLS), and specifically on 1056 Buffy Lake Lane, from Open Space – Private (OSP) to Limited Service Residential – Waterfront (RLSW), as shown on Schedule "3";
4. THAT Schedule "A" to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning in Part Lots 17 and 18, Concession XIII, Portland District, from Open Space – Public (OS) to Rural (RU) as shown on Schedule "4";
5. THAT Schedule "A" and Schedule "E", to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning on Lot 8, Lot C and Block C on Plan 74, in Part Lot 6, Concession 5, Portland District, specifically 4361 William Street, from Community Facility (CF) to Urban Residential First Density (UR1) as shown on Schedule "5";

6. THAT Schedule "A" and Schedule "E", to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning in Parts of Lots 7 and 8, Concession 4, Portland District, specifically 4035 and 4097 Colebrook Road, from Community Facility (CF) to Urban Residential First Density (UR1), and specifically 4041 Colebrook Road Urban Residential First Density (UR1) to Community Facility (CF), as shown on Schedule "6";
7. THAT Schedule "A" and Schedule "E", to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning in Part Lot 19, Concession 11, Portland District, specifically 6022 Main Street, Bellrock, from Community Facility (CF) to Urban Residential First Density (UR1) as shown on Schedule "7";
8. THAT Schedule "A" and Schedule "E", to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning in Part Lot 7, Concession 7, Portland District, specifically 5573 Road 38, from Community Facility (CF) to Urban Residential First Density (UR1) as shown on Schedule "8";
9. THAT Schedule "B", to Zoning By-law Number 2003-75 as amended, is hereby amended by changing the zoning in Lot 19, Concession VI, Loughborough District, specifically 4918 North Shore Crescent, from Urban Commercial – Special Provision (UC-10) to Rural (RU) as shown on Schedule "9", to reflect that the associated application was withdrawn by the applicant and Council did not pass a by-law for this zone;
10. THAT Zoning By-law Number 2003-75 as amended, is hereby amended by deleting section UC-10 (Lot 19, Concession VI, Loughborough District – Rogers) and specifying that UC-10 was deleted by By-law 2021-38;
11. THAT Schedule "C", to Zoning By-law Number 2003-75 as amended, is hereby amended by changing the zoning in Part Lot 5, Concession 8; Storrington District, from Rural (RU) to Community Facility (CF) as shown on Schedule "10";
12. THAT Schedule "D", to Zoning By-law Number 2003-75 as amended, is hereby amended by expanding the area subject to the Recreational Resort Commercial – Special Provision (RRC-50) zone to reflect the area shown on Schedule "A" of By-law 1997-16 as shown on Schedule "11";
13. THAT Schedule "B", to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning on properties with frontage on Lake Road and Jones Lane in Part Lot 25, Concession 5 and Part Lot 25, Concession 6; Loughborough District, from Limited Service Residential – Special Provision (RLS-2) to Waterfront Residential (RW) or Limited Service Residential – Waterfront (RLSW) as shown on Schedule "12";
14. THAT Schedule "D", to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning on a property with frontage on Steele Road in Part Lot 23, Concession 2; Bedford District, from Limited Service Residential – Special Provision (RLS-2) to Rural (RU) as shown on Schedule "13";
15. THAT Schedule "D", to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning on properties with frontage on Timmerman Road in Part Lot 4, Concession 4 and Part Lot 5, Concession 4; Bedford District, from Limited Service Residential – Special Provision (RLS-2) to Waterfront Residential (RW) or Limited Service Residential – Waterfront (RLSW) or Rural (RU) as shown on Schedule "14";
16. THAT Schedule "D", to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning on properties with frontage on James Wilson Road in Part Lot 3, Concession 4, and Part Lots 2 to 6, Concession 5; Bedford District, from Limited Service Residential – Special Provision (RLS-2) to

Waterfront Residential (RW) or Limited Service Residential – Waterfront (RLSW) or Rural (RU) as shown on Schedule “15”;

17. THAT Schedule “D”, to Zoning By-law Number 2003-75 as amended, is hereby further amended by changing the zoning on properties with frontage on Hanna Road in Part Lots 23 and 24, Concession 11, and Part Lots 23 and 24, Concession 12; Bedford District, from Limited Service Residential – Special Provision (RLS-2) or Limited Service Residential (RLS) to Waterfront Residential (RW) or Limited Service Residential – Waterfront (RLSW) or Rural (RU) as shown on Schedule “16”;
18. THAT Section 5 – General Provisions, Subsection 5.35 Agriculture – Minimum Distance Separation, is hereby amended by deleting bullets a. and b., and replacing them with the following text:
 - a. Notwithstanding any other yard or setback provisions of this By-Law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot, outside of the boundaries of a “Settlement Area” and permitted in the Zone in which the lot is situated, shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I) calculated using the Ministry of Agriculture, Food and Rural Affairs, Publication 853 “The Minimum Distance Separation (MDS) Document”, as amended. Despite the aforementioned, existing vacant lots which cannot be developed as a result of MDS I may be developed subject to the approval of the Committee of Adjustment. Within “Settlement Area” boundaries, MDS I will not be applied to proposed new development.
 - b. Notwithstanding any other yard or setback provisions of this By-Law to the contrary, no livestock facility, shall be erected or expanded except in compliance with the Minimum Distance Separation (MDS II) calculated using the Ministry of Agriculture, Food and Rural Affairs, “MDS Implementation Formulae and Guidelines”, as amended (Appendix 1) Minimum Distance Separation (MDS II) calculated using the Ministry of Agriculture, Food and Rural Affairs Publication 853 “The Minimum Distance Separation (MDS) Document”, as amended. Despite the aforementioned, MDS II setback will not be reduced except in limited site specific circumstances that meet the intent of The MDS Document (e.g. circumstances that mitigate environmental or public health or safety impacts, or avoid natural or human made hazards), subject to the approval of the Committee of Adjustment.
19. THAT Section 5 – General Provisions, Subsection 5.35 Agriculture – Minimum Distance Separation, is hereby further amended by deleting the Note and adding the following text as bullet f.:
 - f. For the purpose of calculating MDS II setbacks, the cemeteries listed in Appendix 4 of this By-law are Type A land uses, as described in Publication 853 “The Minimum Distance Separation (MDS) Document”, as amended.
20. THAT Section 3 – Definitions is hereby amended by deleting the definition for the term “Group Home”, and adding the following definition:

“Group Home” shall mean a premises used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for up to ten persons, exclusive of staff, living together in a single housekeeping unit because they require a supervised group living arrangement.
21. THAT Section 5.30.1 Minimum Parking Space Requirements is hereby amended by adding the following text:

5.30.1.25 Group Home – Two (2) spaces per dwelling unit plus one (1) space per four residents;

22. THAT Section 5.32 Group Homes is hereby deleted, and specifying that it was deleted by By-law 2021-38;
23. THAT "Group Home" is hereby added to the list of Permitted Uses in the following zones:
 - Section 6 – A – Agricultural Zone
 - Section 7 – RU – Rural Zone
 - Section 8 – RW – Waterfront Residential Zone
 - Section 12 – R – Residential Zone
 - Section 14 – UR1 – Urban Residential – First Density Zone
 - Section 15 – UR2 – Urban Residential – Second Density Zone
 - Section 16 – UMR – Urban Multiple Residential Zone
24. THAT "Group Home" is hereby deleted from the list of Permitted Uses in Section 29 – CF – Community Facility Zone;
25. THAT Section RU-28 (Lot 13, Concession III, Portland District – Selle) is hereby amended by replacing Lot 13 with Lot 1 to provide the correct reference to the property to which RU-28 applies;
26. THAT Section RW-37 (Part Lot 15, Concession IX, Storrington District, B. Campbell) is hereby amended by adding a reference to By-law 2016-08 in order to differentiate between it and a separate RW-37 zone that applies to a different property;
27. THAT Section RW-37 (Part Lot 16, Concession IX, Storrington District, Ormsbee) is hereby amended by adding a reference to By-law 2015-63 in order to differentiate between it and a separate RW-37 zone that applies to a different property;
28. THAT Section RLSW-96 (Part Lot 23, Concession III, Storrington District – 1324789 Ontario Inc.) is hereby amended by deleting the incorrect reference to RLSW-96 and replacing it with the correct reference to RLSW-94, and by adding a reference to By-law 2014-49 in order to differentiate between it and a separate RLSW-94 zone that applies to a different property;
29. THAT Section R-28 (Part Lot 19, Concession II, Storrington District – Willowbrook Estates) is hereby amended by deleting the incorrect reference to R-28 and replacing it with the correct reference to R-27, and by adding a reference to By-law 2014-66 to differentiate between it and separate R-27 zones that apply to different properties;
30. THAT Section UR1-12 is hereby amended by replacing the minimum 64 metres of lot frontage with a minimum of 62 metres of lot frontage, and by replacing the minimum 0.57 hectare lot area with a minimum 0.34 hectare lot area, as per Reference Plan 13R20485 (Leslie M. Higginson Surveying Ltd., August 30, 2012) that was prepared to clear a condition of approval of a 2012 consent application, and an Area Certificate (Leslie M. Higginson Surveying Ltd., November 3, 2020);
31. THAT Section RRC-53 is hereby amended by replacing the incorrect reference to the Special Rural (RU-46) Zone with Special Recreational Resort Commercial (RRC-53) Zone;
32. THAT Section 21 – UI – Urban Industrial Zone, Section 21.3.3, is hereby amended by deleting the incorrect reference to subsection 20.3 and replacing it with the correct reference to subsection 21.3; and
33. THIS BY-LAW shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said section 34.

Dated at the Township of South Frontenac this 13th day of July, 2021.

Read a first and second time this 13th day of July, 2021.

Read a third time and finally passed this 13th day of July, 2021.

THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC

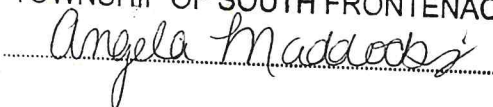


Ron Vandewal, Mayor



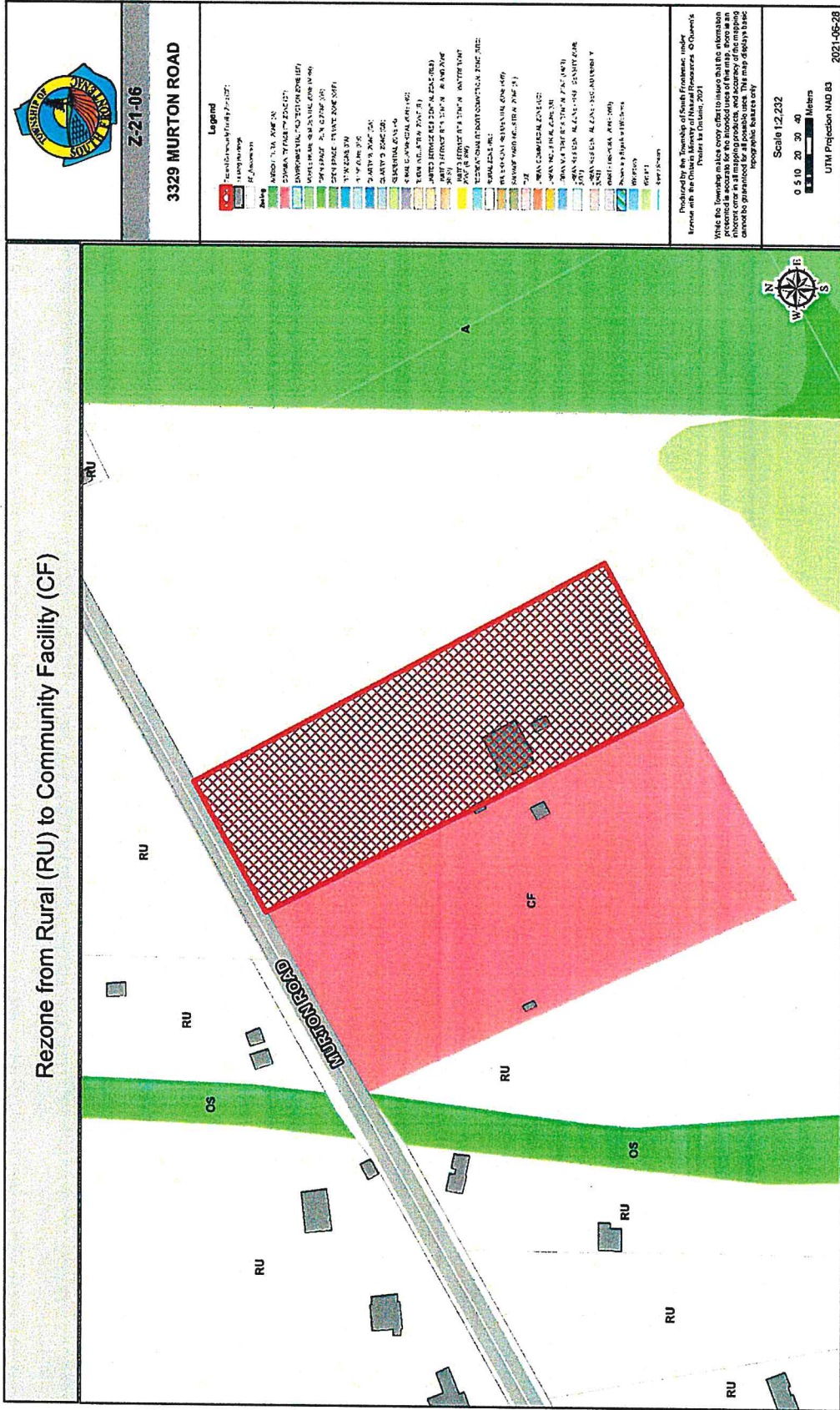
Angela Maddocks, Clerk

I, ANGELA MADDOCKS..... certify that
this is a true copy that has not been altered
in any way.
Dated this 15 day of JULY, 2021.....

TOWNSHIP OF SOUTH FRONTENAC

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Schedule 1

This is Schedule "1" to By-law No. 2021-38.



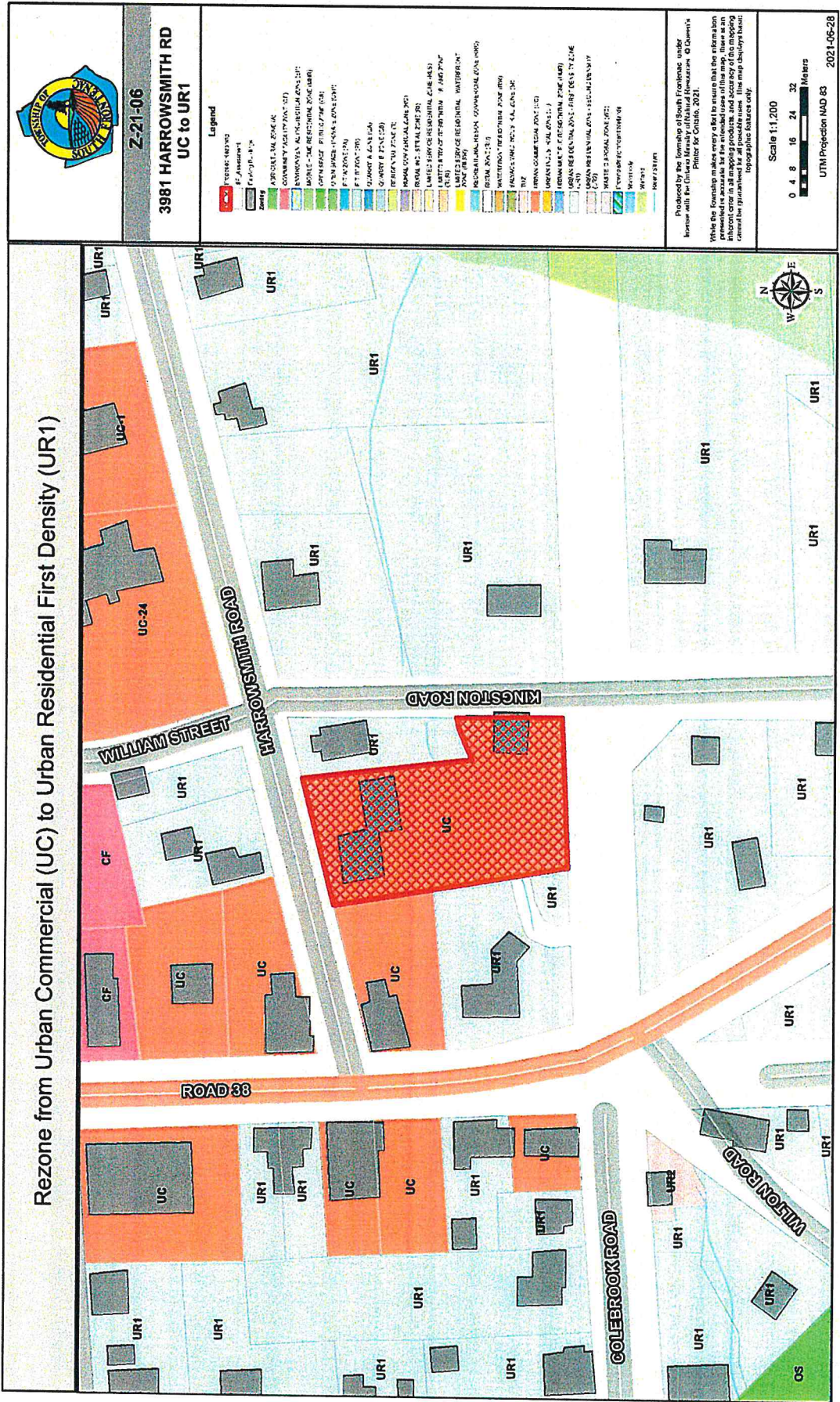
Passed this 13th day of July, 2021

Ron Vandewal
 Ron Vandewal, Mayor

Angela Maddocks
 Angela Maddocks, Clerk

Schedule 2

This is Schedule "2" to By-law No. 2021-38.



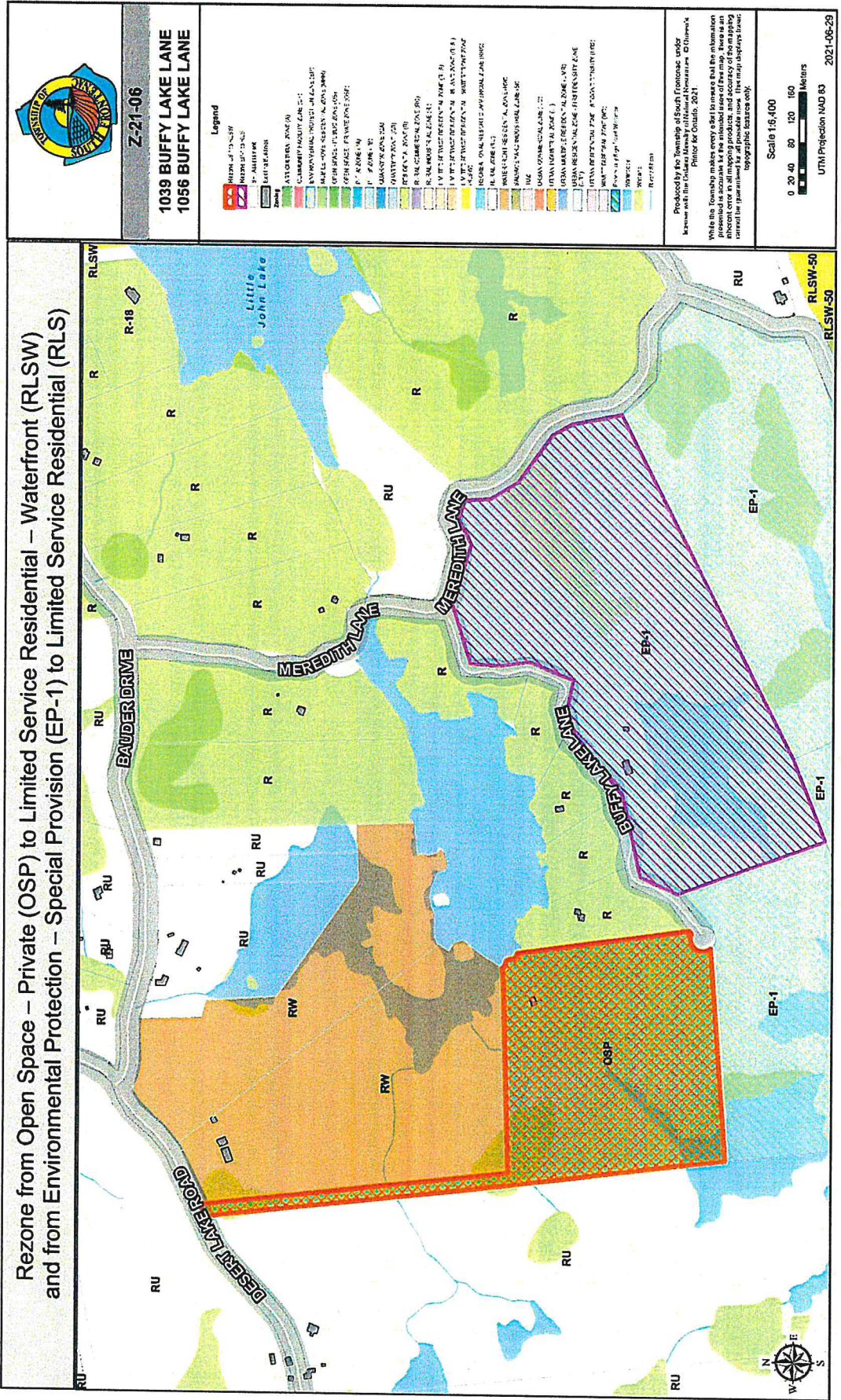
Passed this 13th day of July, 2021

Ron Vandewal
Ron Vandewal, Mayor

Angela Maddocks
Angela Maddocks, Clerk

Schedule 3

This is Schedule "3" to By-law No. 2021-38.



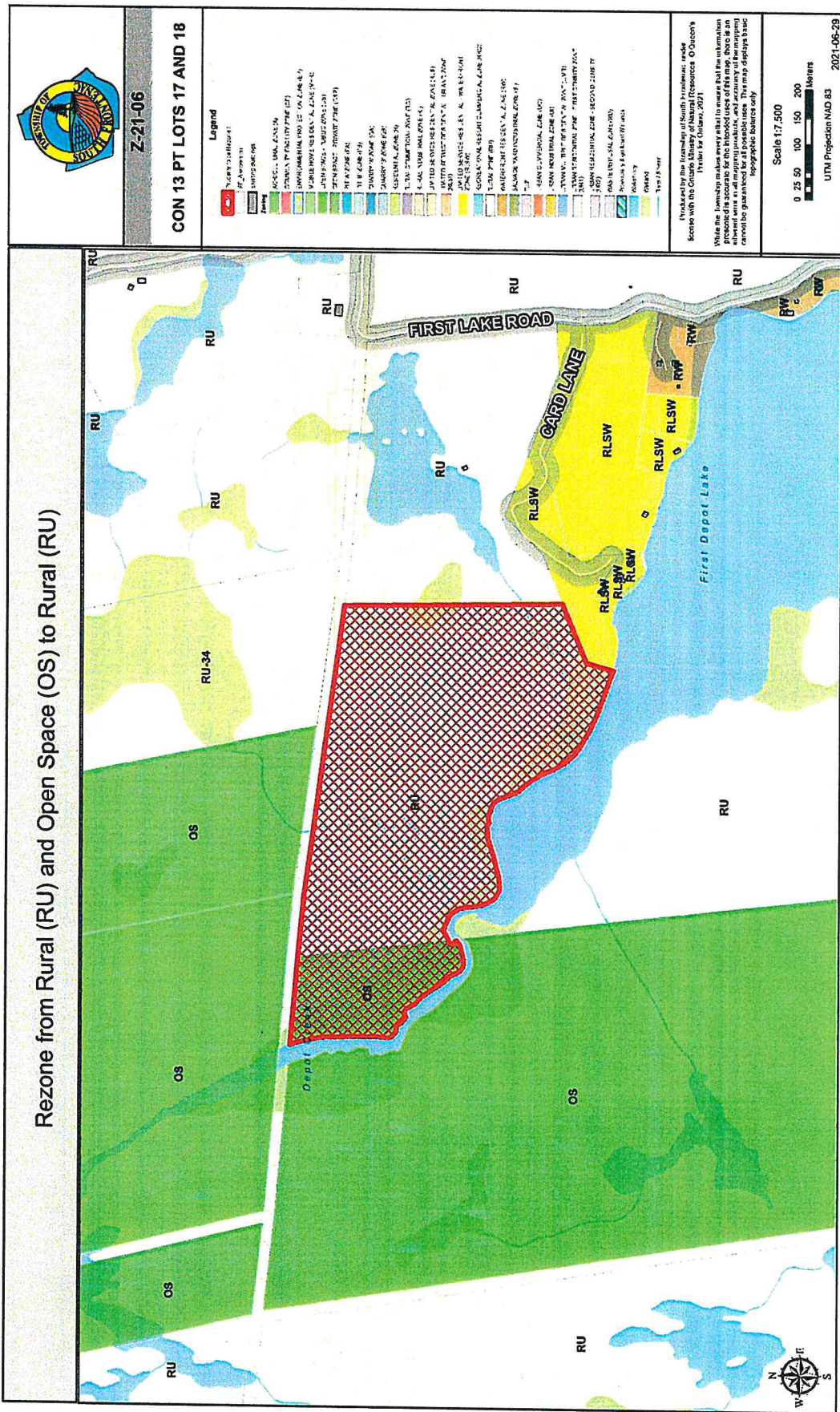
Passed this 13th day of July, 2021

Ron Vandewal
Ron Vandewal, Mayor

Angela Maddocks
Angela Maddocks, Clerk

Schedule 4

This is Schedule "4" to By-law No. 2021-38.



Passed this 13th day of July, 2021

Ron Vandewal
 Ron Vandewal, Mayor

Angela Maddocks
 Angela Maddocks, Clerk

This is Schedule "5" to By-law No. 2021-38.



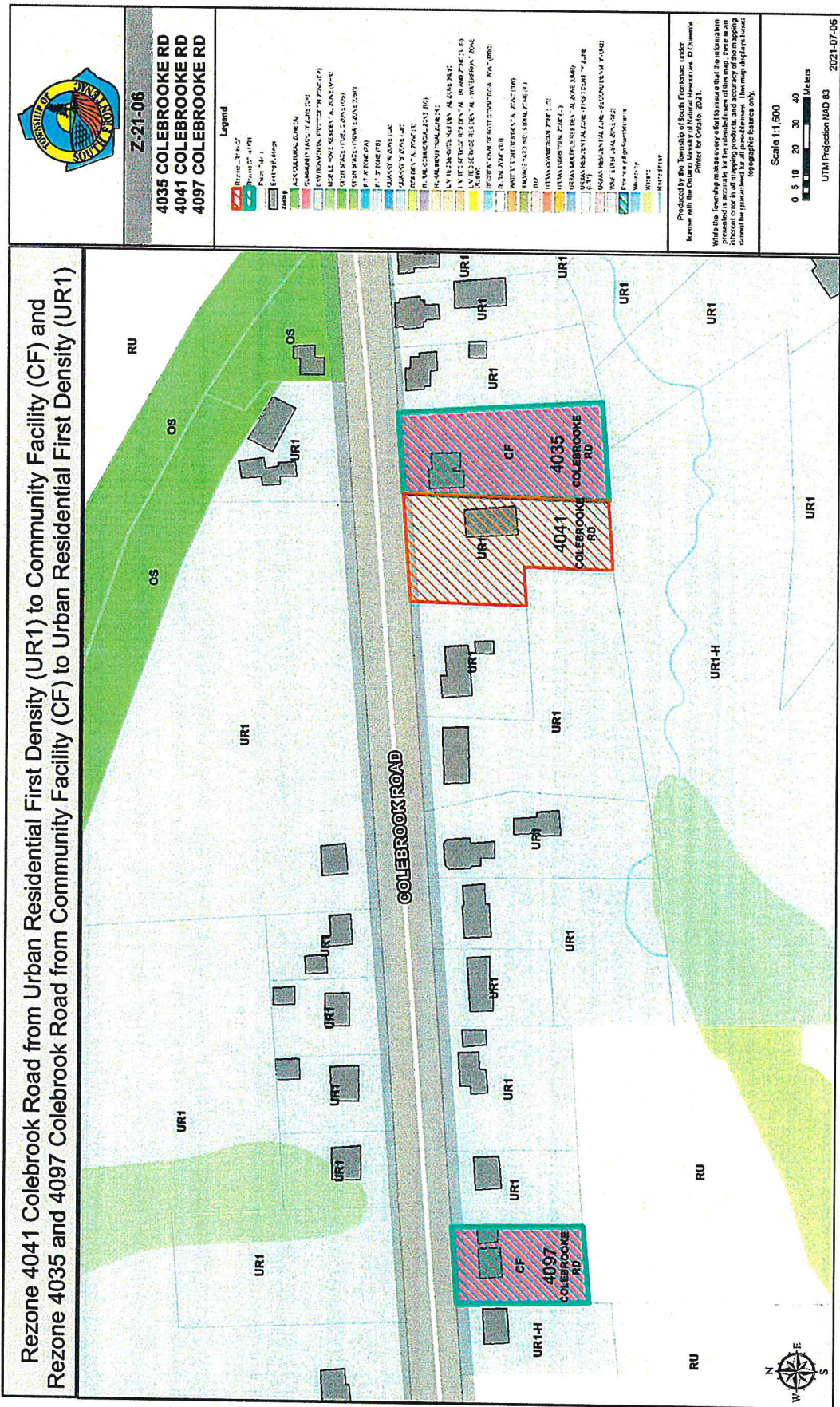
Passed this 13th day of July, 2021

Ron Vandewal
Ron Vandewal, Mayor

Angela Maddocks
Angela Maddocks, Clerk

Schedule 6

This is Schedule "6" to By-law No. 2021-38.



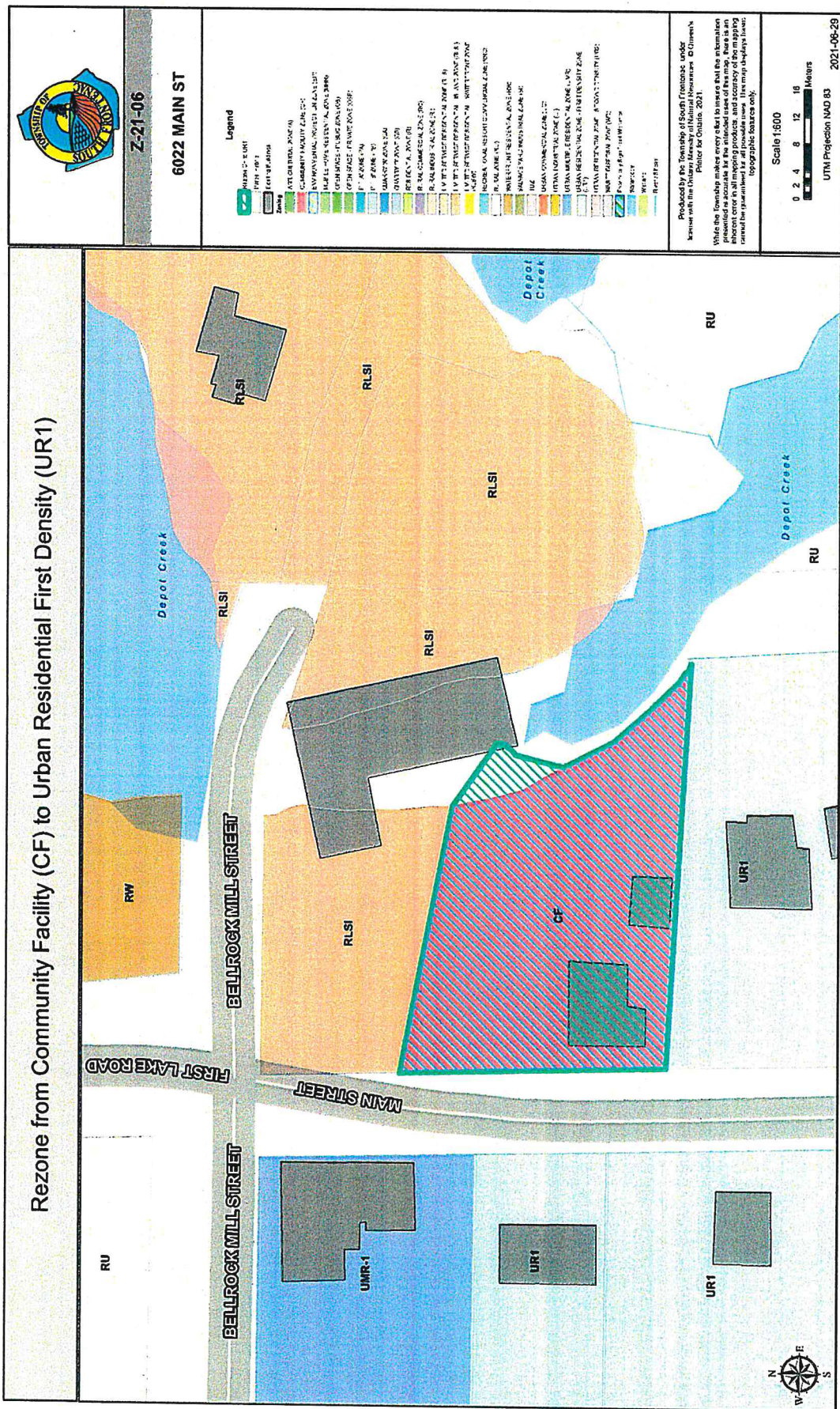
Passed this 13th day of July, 2021

Ron Vandewal
 Ron Vandewal, Mayor

Angela Maddocks
 Angela Maddocks, Clerk

Schedule 7

This is Schedule "7" to By-law No. 2021-38.



Passed this 13th day of July, 2021

Ron Vandewal
Ron Vandewal, Mayor
Angela Maddocks
Angela Maddocks, Clerk

Schedule 8

This is Schedule "8" to By-law No. 2021-38.



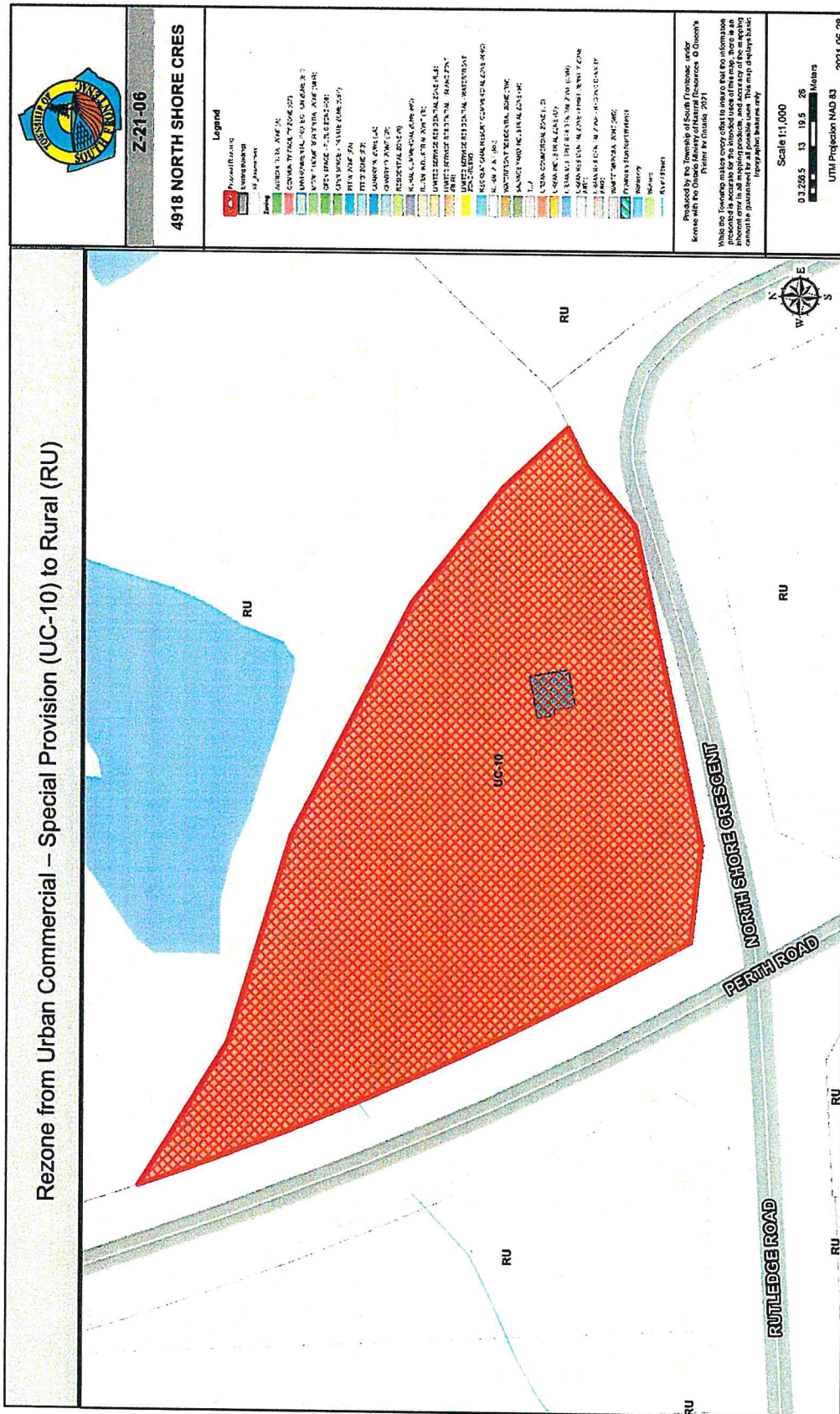
Passed this 13th day of July, 2021

Ron Vandewal
 Ron Vandewal, Mayor

Angela Maddocks
 Angela Maddocks, Clerk

Schedule 9

This is Schedule "9" to By-law No. 2021-38.



Rezone from Urban Commercial – Special Provision (UC-10) to Rural (RU)

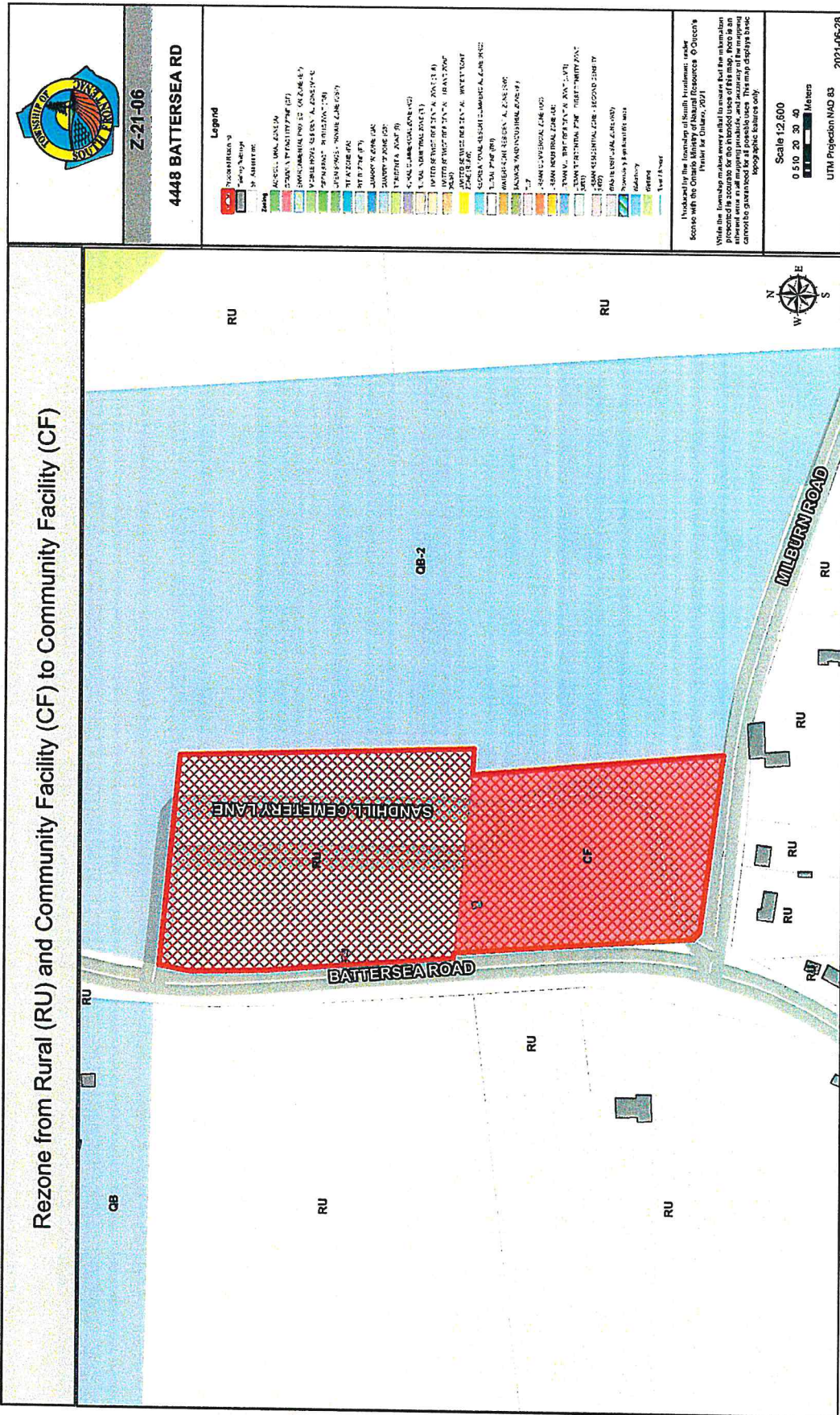
Passed this 13th day of July, 2021

Ron Vandewal
 Ron Vandewal, Mayor

Angela Maddocks
 Angela Maddocks, Clerk

Schedule 10

This is Schedule "10" to By-law No. 2021-38.



Rezoned from Rural (RU) and Community Facility (CF) to Community Facility (CF)

Passed this 13th day of July, 2021

Ron Vandewal

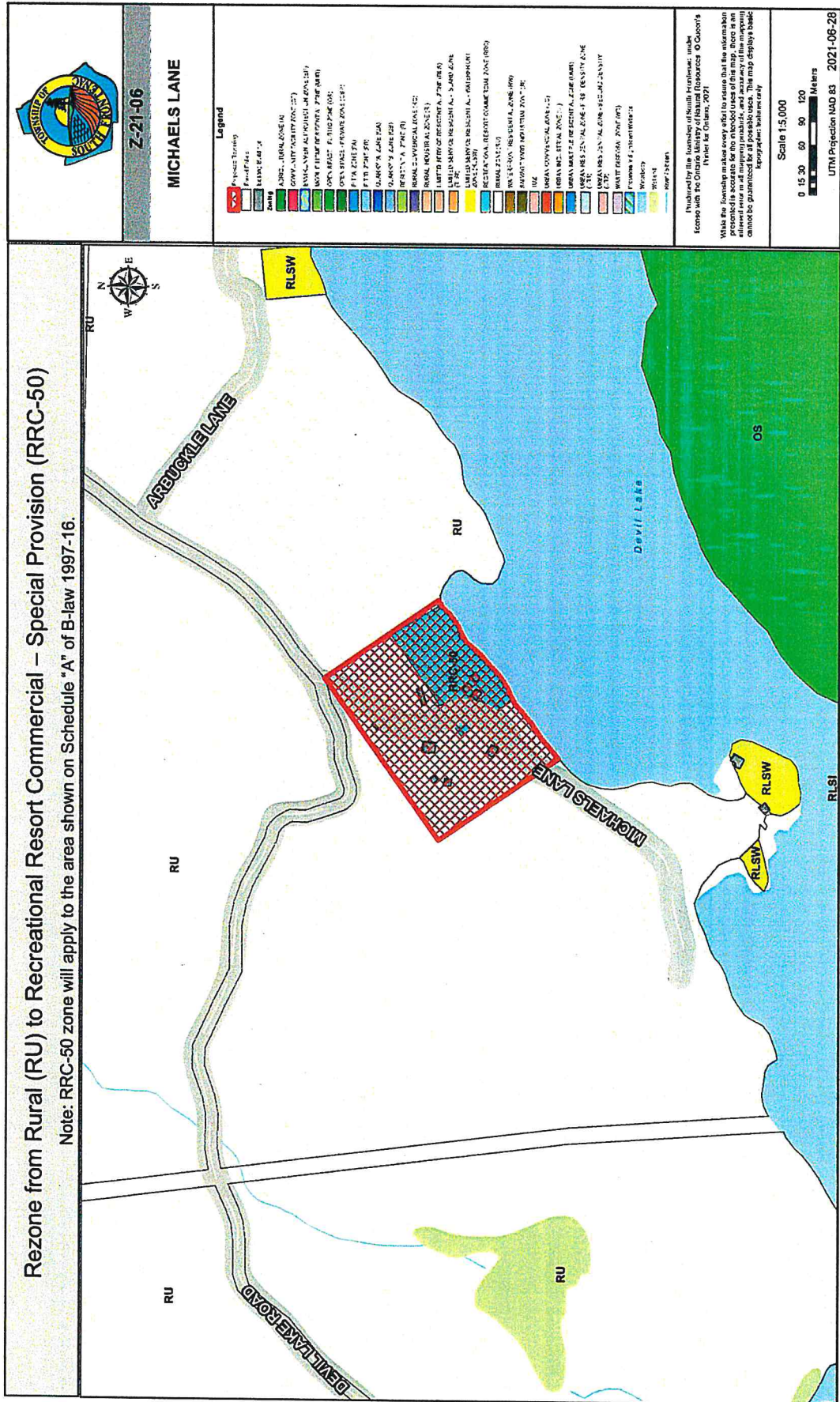
Ron Vandewal, Mayor

Angela Maddocks

Angela Maddocks, Clerk

Schedule 11

This is Schedule "11" to By-law No. 2021-38.



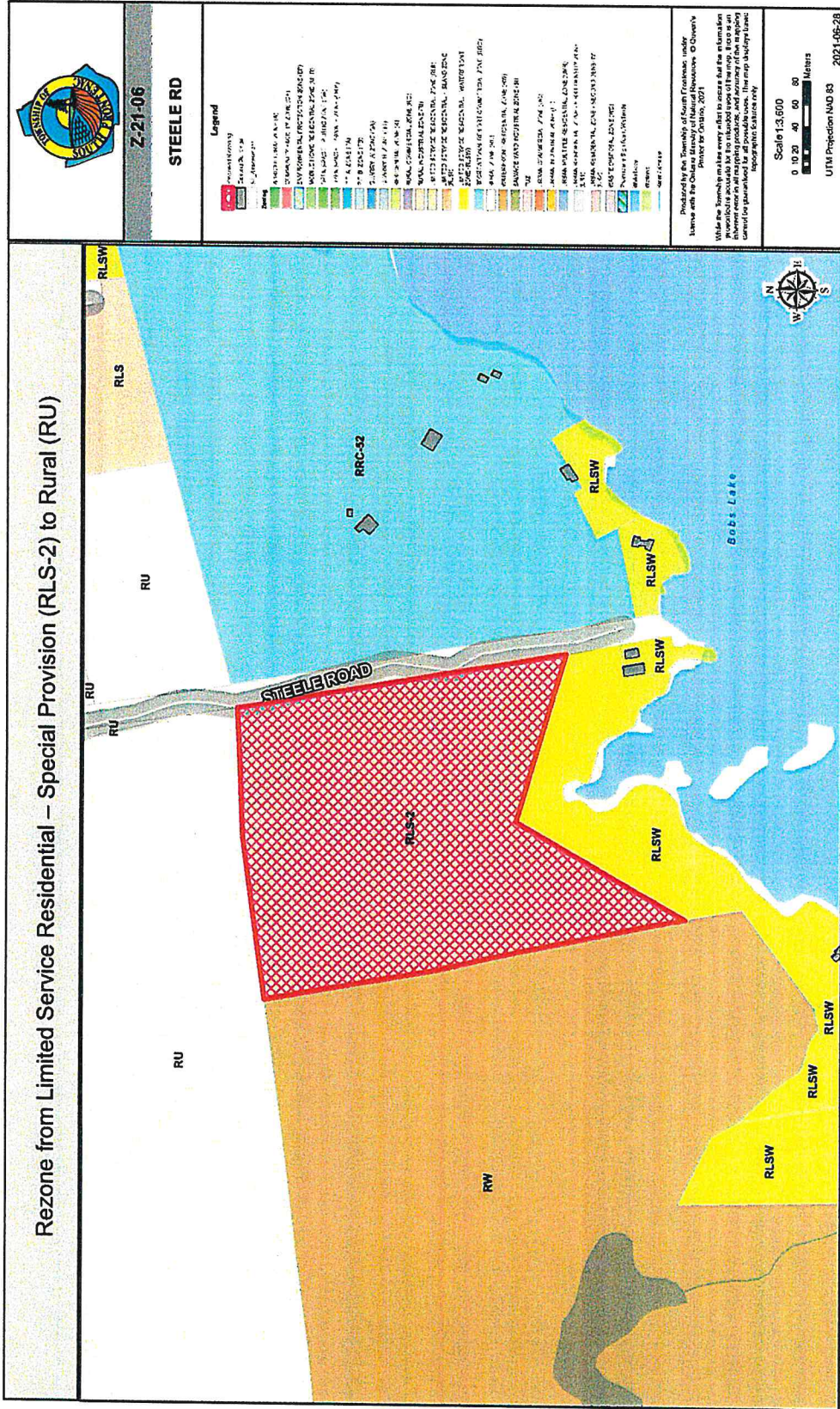
Passed this 13th day of July, 2021

Ron Vandewal
 Ron Vandewal, Mayor

Angela Maddocks
 Angela Maddocks, Clerk

Schedule 13

This is Schedule "13" to By-law No. 2021-38.



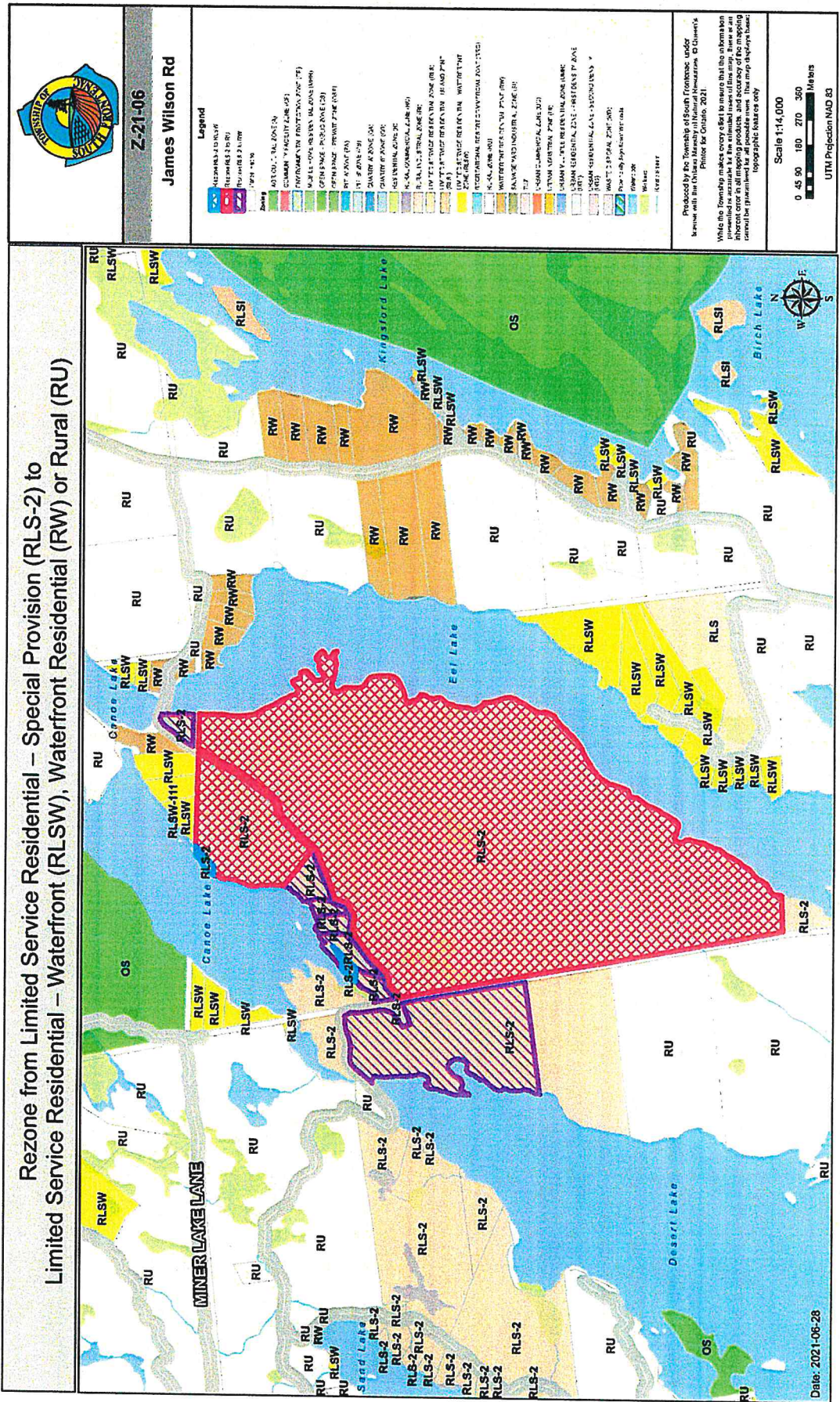
Passed this 13th day of July, 2021

Ron Vandewal
 Ron Vandewal, Mayor

Angela Maddocks
 Angela Maddocks, Clerk

Schedule 15

This is Schedule "15" to By-law No. 2021-38.



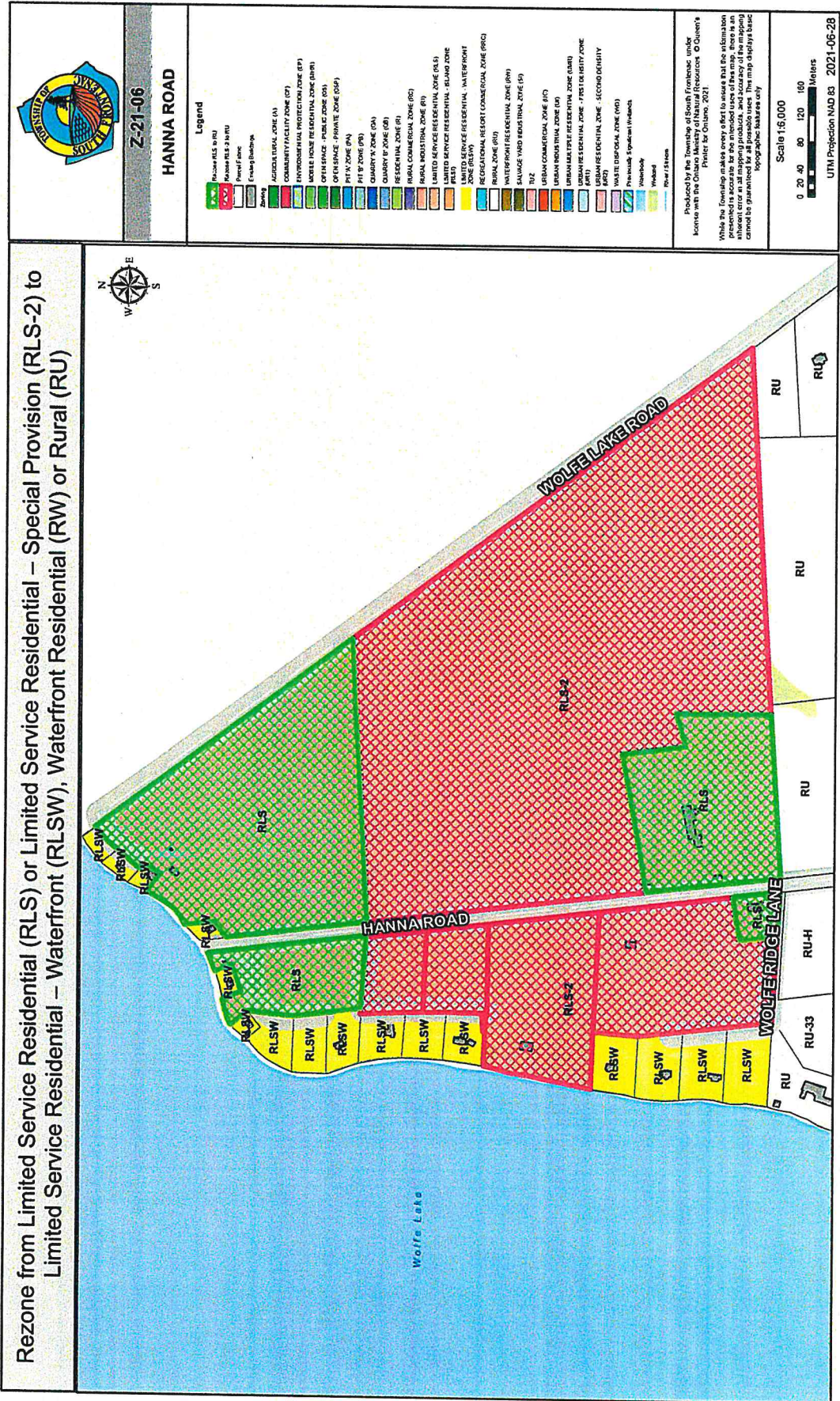
Passed this 13th day of July, 2021

Ron Vandewal
 Ron Vandewal, Mayor

Angela Maddocks
 Angela Maddocks, Clerk

Schedule 16

This is Schedule "16" to By-law No. 2021-38.



Passed this 13th day of July, 2021

Ron Vandewal
 Ron Vandewal, Mayor

Angela Maddocks
 Angela Maddocks, Clerk