

THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER

BY-LAW 5000-XX

A By-law to amend By-law 5000 as amended, with respect to lands located in the Midhurst Secondary Plan Area in the Township of Springwater - ZB-2013-XX

WHEREAS By-law 5000, as amended, is the main Comprehensive Zoning By-Law of the Township of Springwater; and

WHEREAS the Council of The Corporation of the Township of Springwater has received a request to amend By-law 5000 as amended, and is in general agreement with this request; and

WHEREAS authority is granted under Section 34 of the *Planning Act*, R.S.O. 1990, c. P .13 as amended, to enact such amendments; and

WHEREAS the proposed amendment is in conformity with and implements the Midhurst Secondary Plan;

NOW THEREFORE be it enacted as a By-law of The Corporation of the Township of Springwater the following:

1. THAT Section 3.2 (b) is amended by inserting the following zones under the list of zones between "Residential (R3)" and "Residential Estate":
"Urban Residential One UR1"
"Urban Residential Two UR2"
"Urban Residential Three UR3"

2. THAT Section 3.2 (b) is amended by inserting the following zones under the list of zones between "General Commercial" and "Highway Commercial":
"Local Commercial CL"
"Mixed Use MU"

3. THAT a new Section 7 as outlined below be added and the remaining sections be renumbered:

"Urban Residential One (UR1)

7.1 Within an Urban Residential One (UR1) Zone, no person shall use any land; erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

7.2 PERMITTED USES

7.2.1 Residential Uses:

- i) Single detached dwelling

7.2.2

7.3 ZONE PROVISIONS

7.3.1 All permitted uses within the Urban Residential One (UR1) Zone shall be serviced by full water and wastewater services.

7.3.2 No person shall within the Urban Residential One (UR1) Zone use any lot, erect or use any building or structure for any purpose except in accordance with Schedule “B” –Midhurst Residential Zoning Performance Table, as applicable.”

4. THAT a new Section 8 as outlined below be added and the remaining sections be renumbered:

“Urban Residential Two (UR2)

8.1 Within an Urban Residential One (UR2) Zone, no person shall use any land; erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

8.2 PERMITTED USES

8.2.1 Residential Uses:

- i) Single detached dwelling
- i) Semi-detached dwelling
- ii) Street, block, bungalow, stacked and laneway townhouse dwellings
- iii) Duplex, triplex, fourplex, sixplex dwellings

8.2.2 Non-Residential Uses:

- i) Community centre
- ii) School
- iii) Place of worship

8.3 ZONE PROVISIONS

8.3.1 All permitted uses within the Urban Residential Two (UR2) Zone shall be serviced by full water and wastewater services.

8.3.2 No person shall within the Urban Residential Two (UR2) Zone use any lot, erect or use any building or structure for any purpose except in accordance with Schedule “B” –Midhurst Residential Zoning Performance Table, as applicable.”

5. THAT a new Section 9 as outlined below be added and the remaining sections be renumbered:

“Urban Residential Three (UR3)

9.1 Within an Urban Residential One (UR3) Zone, no person shall use any land; erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

9.2 PERMITTED USES

9.2.1 Residential Uses:

- i) Apartment building dwelling
- ii) Street, block, bungalow, stacked and laneway townhouse dwellings
- iii) Duplex, triplex, fourplex, sixplex dwellings
- iv) Live-work unit
- v) Senior citizen home
- vi) Home for the aged
- vii) Nursing home

9.2.2 Non-Residential Uses:

- i) Community centre
- ii) School
- iii) Place of worship

9.3 ZONE PROVISIONS

9.3.1 All permitted uses within the Urban Residential Three (UR3) Zone shall be serviced by full water and wastewater services.

9.3.2 No person shall within the Urban Residential Three (UR3) Zone use any lot, erect or use any building or structure for any purpose except in accordance with Schedule “B” –Midhurst Zoning Performance Table, as applicable.”

6. THAT a new Section 12 as outlined below be added and the remaining sections be renumbered:

“Local Commercial (CL)

12.1 Within a Local Commercial (CL) Zone, no person shall use any land; erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

12.2 PERMITTED USES

12.2.1 Non-Residential Uses:

- i) Commercial uses:
 - a) Personal service shop
 - b) Commercial educational establishment
 - c) Service repair shop

- d) Restaurant including a banquet hall, tavern, drive-in or take-out restaurant, bake shop or refreshment vehicle subject to Section 11.3.15
- e) Photography or artist studio
- f) Convenience store
- g) Day nursery/Nursery school
- h) Drug store

12.3 ZONE PROVISIONS

12.3.1 All permitted uses within the Local Commercial (CL) Zone shall be serviced by full water and wastewater services.

12.3.2 No person shall within the Local Commercial (CL) Zone use any lot, erect or use any building or structure for any purpose except in accordance with Schedule “B” – Midhurst Commercial Zoning Performance Table, as applicable.”

7. THAT a new Section 13 as outlined below be added and the remaining sections be renumbered:

“Mixed Use (MU)

13.1 Within a Mixed Use (MU) Zone, no person shall use any land; erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

13.2 PERMITTED USES

13.2.1 Residential Uses:

- i) Apartment building dwelling
- ii) Street, block, bungalow, stacked and laneway townhouse dwellings
- iii) Duplex, triplex, fourplex, sixplex dwellings
- iv) Live-work unit
- v) Mixed use building

13.2.2 Non-Residential Uses:

- i) The following commercial uses, including all uses listed below and in Section 11.2.2 (General Commercial non-residential permitted uses) in accordance with the provisions of Section 11.3, save and except section 11.3.10 and 11.3.11, are permitted either on the same lot or in the same building as those uses provided in Section 13.2.1 of this By-law:
 - a) Retail store or commercial use
 - b) Personal service shop
 - c) Government, business or professional office
 - d) Commercial educational establishment
 - e) Service repair shop
 - f) Clinic
 - g) Restaurant including a banquet hall, tavern, drive-in or take-out restaurant, bakeshop or refreshment vehicle subject to Section 11.3.15

- h) Undertaking establishment
- i) Photography or artist studio
- j) Printing shop or publishing house
- k) Commercial recreational establishment, theatre, cinema, auditorium, or other place of entertainment
- l) Private or commercial club
- m) Custom workshop
- n) Service Station, excluding motor vehicle sales and repair
- o) Convenience store
- p) Day nursery/Nursery school
- q) Parking lot or structure
- ii) Community centre
- iii) Place of Worship

13.3 ZONE PROVISIONS

13.3.1 All permitted uses within the Mixed Use (MU) Zone shall be serviced by full water and wastewater services.

13.3.2 No person shall within the Mixed Use (MU) Zone use any lot, erect or use any building or structure for any purpose except in accordance with Schedules “A” Midhurst Residential Zoning Performance Table and “B” – Midhurst Commercial Zoning Performance Table, as applicable.”

8. THAT Section 24 – Open Space (OS) Zone, subsection 4 Zone Exceptions, of By-law 5000 as amended, is hereby further amended by adding the following:

“24.4.X OS-X

24.4.X Notwithstanding Section 24.2 of this By-law, on those lands zoned Open Space (OS-X) no development or site alteration shall be permitted until such time as:

- i) Clearance has been obtained from the Ministry of Tourism, Culture and Sport with respect to the archaeological assessment.”

9. THAT Section 25 – Environmental Protection (EP) Zone, subsection 4 Zone Exceptions, of By-law 5000 as amended, is hereby further amended by adding the following:

“25.4.X EP-X

25.4.X Notwithstanding Section 25.2 of this By-law, on those lands zoned Environmental Protection (EP-X) no development or site alteration shall be permitted until such time as:

- i) Clearance has been obtained from the Ministry of Tourism, Culture and Sport with respect to the archaeological assessment.”

10. THAT Section 28 of By-law 5000 as amended, is hereby further amended by adding the following new definitions:

“DWELLING, SIXPLEX shall mean a building which is divided horizontally and vertically so as to create six (6) dwelling units each of which has an independent entrance.”

“DWELLING, TRIPLEX shall mean a building which is divided horizontally and/or vertically so as to create three (3) dwelling units each of which has an independent entrance.”

“LIVE-WORK UNIT shall mean a dwelling unit having a residence and business in the same location which consists of a ground floor commercial unit and an upper level residential unit.”

11. THAT Section 28 of By-law 5000 as amended, is hereby further amended by replacing the “Public Use” definition with the following:

“PUBLIC USE shall mean a building, structure, lot or block, or part thereof, used for public services by a public agency, corporation or body; road allowance; natural gas, transportation, railway, hydro electric transmission or distribution , telecommunication, water or wastewater servicing, and stormwater management infrastructure; public walkways, parks, parkettes, playgrounds, squares, plazas, statues or monuments.”

12. THAT this By-law shall take effect and come into force pursuant to the provisions of and regulations made under the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
_____ XX, 2014.**

Linda Collins, Mayor

John Daly, Clerk

MIDHURST RESIDENTIAL ZONING PERFORMANCE TABLE

ZONE	PERMITTED USES	LOT REQUIREMENTS				MINIMUM YARDS (m) ^R										Max. Coverage (% of Lot Area)	Max. Height (m)	Min. Dwelling Floor Area (m ²)	Max. Gross Floor Area (m ²)	Min. Lot Parking Spaces Req. (Incl. Garage)	Max. Garage Width % of Lot Frontage ^M
		Minimum Frontage (m)	Min. Lot Area (m ²)	Landscaped Open Space		Front			Side (Interior) ^A		Side (Exterior) ^B		Rear								
				% Area	% Lot Frontage	Garage	Building	Porch	Garage	Building	Building	Porch	Garage ^C	Building							
UR1 L,M,N,O,P,Q	Single-Detached Dwelling	15.00	435	-	40%	6.0	4.5	2.5	1.2	1.2	2.4	1.0	0.6	6.5	N/A	11.5	-	-	2.0	50%	
UR2 F,L,M,N,O,P,Q	Single-Detached Dwelling	9.75	283	-	40%	6.0	4.5	2.5	1.2	1.2	2.4	1.0	0.6	6.5	N/A	11.5	-	-	2.0	50%	
	Semi-Detached Dwelling	15.20	441	-	40%	6.0	4.5	2.5	1.2	1.2	2.4	1.0	0.6	6.5	N/A	11.5	-	-	2.0	50%	
	Street Townhouse Dwelling	5.90	171	-	-	6.0	4.5	2.5	1.2	1.2	2.4	1.0	-	6.5	N/A	11.5	-	-	2.0	-	
	Laneway Townhouse Dwelling	4.50	131	-	-	-	3.0	1.0	0.6	1.2	2.4	1.0	0.6 ^D	6.5	N/A	11.5	-	-	2.0	-	
	Block / Bungalow Townhouse Dwelling	12.20	354	-	-	-	3.0	1.0	1.2	1.2	3.0	1.0	N/A	6.5	N/A	11.5	-	-	1.5 / unit	-	
	Duplex / Triplex / Fourplex / Sixplex Dwelling ^K	23.00	667	-	-	-	6.0	2.5	-	3.0	4.5	1.0	0.6 ^D	6.5	N/A	13.0	-	-	1.5 / unit	Refer to Section 3.40	
UR3/MU J,F,L,M,N,O,P,Q	Street Townhouse Dwelling	5.90	171	-	-	6.0	4.5	2.5	1.2	1.2	2.4	1.0	-	6.5	N/A	11.5	-	-	2.0	-	
	Laneway Townhouse Dwelling	4.50	131	-	-	-	3.0	1.0	0.6	1.2	2.4	1.0	0.6 ^D	6.5	N/A	11.5	-	-	2.0	-	
	Block / Bungalow Townhouse Dwelling	12.20	354	-	-	-	3.0	1.0	1.2	1.2	2.4	1.0	N/A	6.5	N/A	11.5	-	-	1.5 / unit	-	
	Duplex / Triplex / Fourplex / Sixplex Dwelling ^K	23.00	667	-	-	-	6.0	2.5	-	3.0	4.5	1.0	0.6 ^D	6.5	N/A	13.0	-	-	1.5 / unit	Refer to Section 3.40	
	Apartment	27.00	850 ^E	10 ^G	-	-	6.0	-	-	10.5 ^H	6.0	-	-	6.0	N/A	18.0	42 (bachelor or one bedroom) ^I	-	1.5 / unit	Refer to Section 3.40	

NOTES:

- A) For single detached units, the minimum interior side yard may be reduced to 0.6 m for the garage.
- B) Where face of garage door faces flankage (exterior side yard) the face of the garage is to be 6m from street line.
- C) Where an accessory garage is located in a rear yard, no dwelling unit on the same lot shall be located within 6 m of the accessory garage.
- D) From laneway or local road.
- E) For first 5 dwelling units, plus 100 m² for each additional unit.
- F) Maximum number of accessory buildings is 2 per lot with a combined maximum GFA of 86m² for fourplex dwellings and 125m² for sixplex dwellings. An accessory building shall not include a detached garage.
- G) May include a play area or other compatible recreational use.
- H) The minimum interior side yard shall be 2 m if the abutting end wall contains no habitable room windows and provided the interior lot line does not abut an R1-X or R2-X zone.
- I) Plus 13 m² for each additional bedroom.
- J) Additional policies regarding Courts, Privacy Yards, Accessory Buildings and Play / Recreational Areas from Residential (R3) Zone apply.

- K) The front yard for multiplex dwellings is the yard that abuts a public street, but does not include a laneway.
- L) In addition to the primary dwelling, a secondary suite is permitted, except in multiplex and apartment dwellings.
- M) The minimum parking space dimensions shall be 3m in width and 6m in length. Encroachments for grading and building layout of up to 1m are permitted.
- N) Porches / verandas may project into any required front or side yard to a maximum distance of 2.0 m, but no closer than 1.0 m from the property line, and shall have no maximum area requirement.
- O) Steps and accessibility ramps to an entrance may project into any required yard, but no closer than 1.0 m from the property line.
- P) On a corner lot, sight triangles shall have a minimum permitted size of 3m x 3m.
- Q) Garage width to be measured from two opposite edges of the garage door.
- R) All Yards shall be measured from the extension of the lot lines in the case of a daylighting triangle on a corner lot

MIDHURST COMMERCIAL ZONING PERFORMANCE TABLE

ZONE	LOT REQUIREMENTS				MINIMUM YARDS				Max. Coverage (% of Lot Area)	Max. Height (m)	Max. Unit Size (m ²) ^A	Min. Lot Parking Spaces Req.
	Minimum Frontage (m)	Min. Lot Area (m ²)	Max. Lot Area (m ²)	Landscaped Open Space	Front	Side (Interior)	Side (Exterior)	Rear				
				% Area								
CL	30.00	800.0	5000.0	10%	6.0	6.0	4.5	10.0	N/A	11.5	-	Refer to Section 3.40
MU	30.00	1000.0	-	10%	6.0	6.0	4.5	10.0	N/A	18.0	300	Refer to Section 3.40

NOTES:

A) In the Mixed Use Zone, the maximum unit size shall not apply to pharmacy, restaurant, bank and professional office uses.