

**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
- ii) Detached accessory structure

### **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
- ii) Rear access single detached dwelling
- iii) Semi-detached dwelling
- iv) Street, block, bungalow, stacked and rear access townhouse dwellings
- v) Duplex, triplex, fourplex, sixplex dwellings
- vi) Detached accessory structure

##### **8.2.2 Non-Residential Uses:**

- i) School, in accordance with the provisions of Section 23.3

### **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 rear access townhouse dwellings
- iii) Duplex, triplex, fourplex, sixplex dwellings
- iv) Live-work unit
- v) Senior citizen home
- vi) Home for the aged
- vii) Nursing home
- viii) Detached accessory structure

### **9.2.2 Non-Residential Uses:**

- i) School, in accordance with the provisions of Section 23.3

## **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) Retail store or commercial use
  - b) Personal service shop
  - c) Government, business or professional office
  - d) Commercial educational establishment
  - e) Service repair shop

- f) Restaurant, including a drive-in or take-out restaurant or bakeshop
- g) Commercial recreational establishment, or other place of entertainment
- h) Photography or artist studio
- i) Day nursery/Nursery school

**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 rear access townhouse dwellings
- iii) Duplex, triplex, fourplex, sixplex dwellings
- iv) Live-work unit
- v) Mixed use building
- vi) Senior citizen home
- vii) Home for the aged
- viii) Nursing home
- ix) Detached accessory structure

**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 on the same lot 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 drive-in or take-out restaurant or bakeshop
- h) Photography or artist studio
- i) Small scale printing shop or publishing house
- j) Commercial recreational establishment, or other place of entertainment
- k) Private or commercial club
- l) Custom workshop
- m) Service Station, excluding motor vehicle sales and repair
- n) Day nursery/Nursery school
- ii) Community centre
- iii) Place of Worship
- iv) School, in accordance with the provisions of Section 23.3

### **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 “Lot Line, Front” and “Public Use” definitions with the following:

“LOT LINE, FRONT shall mean:

- a) the lot line that divides the lot from the street, but
- b) in the case of a corner lot the shorter street line shall be deemed to be the front lot line and the longer street line shall be deemed to be a side lot line, but
- c) in the case of a corner lot with two street lines of equal length, the lot line that abuts the wider street, or abuts a County Road or Highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction, or of the same width, the owner of such corner lot may designate either street line as the front lot line.
- d) in the case of a corner lot abutting a 0.3 metre reserve the line so abutting a 0.3 metre reserve shall be deemed to be an exterior side lot line.
- e) in the case of a residential unit accessed by a rear laneway or rear public road, the parallel lot line located opposite the rear laneway or rear public road shall be deemed to be the front lot line.”

“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 where a Holding (“H”) symbol appears on the zoning schedule, Council shall only consider removal of the “H” symbol upon the Township being satisfied that adequate water, wastewater, stormwater, transportation, community and emergency services and facilities are, or can be made available to service those lands, and that the following have been completed or addressed to the satisfaction of the Township:

- a. Completion of the Environmental Assessment process;
- b. Phasing plan;
- c. Architectural Control Guidelines;
- d. Execution of required agreements which may include but are not limited to subdivision and required financial agreements;
- e. Site Plan control is established that requires site plan approval to be obtained prior to development proceeding on Midhurst High Density Mixed Use and Townhouse Blocks in accordance with Architectural Controls prepared for the Midhurst Planning area and the Township;
- f. Update to the 2014 Springwater Township Development Charges to address the requirements of growth related to the Midhurst Secondary Plan;

- g. Required studies including a Long Range Financial Plan, updated Master Parks and Recreation Master Plan, Fire Master Plan, Library and Facilities Assessment, Architectural Guidelines (Residential & Commercial Development) and Urban Design Manual to deal with building location, special landscaping/building treatments, parking in accordance with Urban Design Guidelines of the Midhurst Secondary Plan.

13. 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**