



**NOTICE OF THE ADOPTION OF
OFFICIAL PLAN AMENDMENT No. 9 AND
PASSING OF ZONING BY-LAW AMENDMENT
2016-28 RESPECTING PERMITTING SECOND UNITS IN THE
TOWN OF MIDLAND**

TAKE NOTICE that the Council of The Corporation of the Town of Midland passed By-laws 2016-27 and 2016-28 respecting the re-designation and rezoning to permit Second Units in the Town of Midland on the 24th day of May, 2016, pursuant to Sections 17, 21, 24.2, and 34 of the *Planning Act*, R.S.O. 1990.

AND TAKE NOTICE that in respect of Second Units Sections 17 (36.1) and 34(19.1) of the *Planning Act* R.S.O 1990 states that “there is no appeal in respect of a by-law that gives effect to the policies described in subsection 16(3), including, for greater certainty, no appeal in respect of any requirement or standard in such a by-law”.

Only individuals, corporations and public bodies may appeal a Zoning By-law to the Ontario Municipal Board. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the Hearing of the Appeal unless, before the By-laws were passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party. An appeal form and additional information regarding how to file an appeal are available from the Ontario Municipal Board at www.omb.gov.on.ca.

AND TAKE NOTICE that in accordance with Section 17 of the *Planning Act*, the passing of By-law 2016-27 adopting Official Plan Amendment No. 9 is a request to the County of Simcoe to approve the Amendment. The adopted Amendment No. 9 to the Town of Midland Official Plan requires approval by the County of Simcoe prior to it coming into full force and effect.

Any person or public body is entitled to receive notice of the decision of the County of Simcoe, the approval authority, if a written request to be notified of the decision is made to the County of Simcoe. The request to be notified of the approval authority’s decision should be submitted to:

Attention: County Clerk
County of Simcoe Administration Centre
1110 Highway 26
Midhurst, ON
L0L 1X0

An explanation of the purpose and effect of the By-laws, describing the lands to which the By-laws apply, are provided below. The complete By-laws are available for inspection in the Planning and Building Services Department during regular office hours at 575 Dominion

Please see the opposite side of this Notice for more information

Avenue, Midland, or by calling (705) 526-4275, extension 2214.

Dated at the Town of Midland this 2nd day of June, 2016.

Andrea D. Fay
Clerk

EXPLANATORY NOTE TO BY-LAWS 2016-27 AND 2016-28

THE PURPOSE AND EFFECT of the Official Plan and Zoning By-law Amendments:

The amendment to the Official Plan adds a new section to the General Development Housing policies which applies to the **RESIDENTIAL DISTRICT** and **RESTRICTED RURAL** land use designations to permit **Second Units** within a single detached, semi-detached, linked semi-detached, townhouse and street townhouse dwelling or located within a detached accessory building on the same lot. The policies also authorize zoning provisions to be established in the implementing Zoning By-law based on the age of the dwelling, location of the dwelling, the size of the **Second Unit**, servicing requirements, and restricting alterations that may change the physical appearance of the dwelling.

The amendment to Zoning By-law 2004-90, as amended, permits a **Second Unit** in the R1, R2, R3, R4, R5, RT and RU Zones that permit a detached dwelling, semi-detached dwelling, street townhouse, and/or townhouse dwelling. A **Second Unit** may be permitted in an accessory building located on a corner lot, through lot, or a lot abutting a public lane provided it is located on the same lot as a detached, semi-detached, street townhouse, or townhouse dwelling.

The amendment to Zoning By-law 2004-90 also includes the following regulations and provisions associated with permitting a **Second Unit**:

- The entire semi-detached dwelling, street townhouse dwelling or townhouse dwelling must have been in existence for more than three (3) years prior to the **Second Unit** being developed.
- Maximum of one (1) **Second Unit** permitted per lot or condominium unit.
- No additional parking is required for a **Second Unit**.
- The interior floor area of a **Second Unit** must be less than the interior floor area of the principal dwelling unit and a new definition of Interior Floor Area is proposed.
- No changes to the exterior façade, including no new entrances to the **Second Unit**, are permitted along the front main wall of the main building facing a public street.
- A **Second Unit** may be on Municipal or private services.