

## THE CORPORATION OF THE TOWN OF MIDLAND

### BY-LAW 2019-XX

A By-law to amend Zoning By-law 2004-090, as amended to establish site specific development permissions for the establishment of Townhouse dwelling units.

**WHEREAS** the Council of the Corporation of the Town of Midland passed By-law 2004-90, known as the Midland Zoning By-law, on the 22<sup>nd</sup> day of November, 2004, to regulate the development and use of lands within the Town of Midland; and,

**WHEREAS** the Council of The Corporation of the Town of Midland now deems it expedient to amend Zoning By-law 2004-90, pursuant to the authority given to it under Section 34 of the *Planning Act*, R.S.O. 1990;

### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MIDLAND HEREBY ENACTS AS FOLLOWS:**

1. That the lands described as Part Lots 110 and 111, Concession I & II (formerly Township of Tay) now Town of Midland as shown on Schedule "A" attached hereto shall be the subject of this By-law.
2. That the lands as described above and on Maps 11, 19 and 20 of Schedule "A" to By-law 2004-90 and as shown on Schedule "A" attached hereto and forming part of this By-law, shall be rezoned from Residential Townhouse (RT-H), Residential Apartment (RA-H) and Open Space (OS-5) to Residential Townhouse Exception (RT-23) Zone, Residential – R4 Exception (R4-2), Residential - R4 Exception (R4-3), Residential Townhouse Exception (RT-25), Residential Apartment Exception (RA-12-D121.BH40) and Open Space (OS).
3. That, notwithstanding Sections 3.13.1 and 5.6.3 of By-law 2004-90, as it pertains to those lands zoned Residential Townhouse Exception (RT-23) Zone the following shall apply:
  - (a) Minimum Lot Area 171 m<sup>2</sup>/DU;
  - (b) Minimum Lot Frontage 5.4 m
  - (c) Maximum Lot Coverage 50%
  - (d) Minimum Exterior Side Yard 2.5 m
  - (e) Porches may project no more than a distance of 1.5 m into any minimum front or rear yard.
  - (f) Steps or stairs to a landing or Porch may encroach a maximum of 2.1 m into any minimum front or rear yard or further encroach from the edge of the conforming Porch in the Front Yard, Rear Yard, Side Yard or Exterior Side Yard to a maximum of 0.6 metres.

4. That, notwithstanding Sections 3.13.1 and 5.6.3 of By-law 2004-90, as it pertains to those lands zoned Residential Townhouse Exception (RT-24) Zone, the following shall apply:

- (a) Minimum Lot Area 171 m<sup>2</sup>/DU;
- (b) Minimum Lot Frontage 5.4 m
- (c) Maximum Lot Coverage 50%
- (d) Minimum Exterior Side Yard 2.5 m
- (e) Minimum Front Yard 3.7 m
- (f) Minimum Rear Yard 6.5 m
- (g) Porches may project no more than a distance of 1.5 m into any minimum front or rear yard.
- (h) Steps or stairs to a landing or Porch may encroach a maximum of 2.1 m into any minimum front or rear yard or further encroach from the edge of the conforming Porch in the Front Yard, Rear Yard, Side Yard or Exterior Side Yard to a maximum of 0.6 metres.

5. That, notwithstanding Sections 3.13.1, 5.4.2 and 5.4.3 of By-law 2004-90, as it pertains to those lands zoned Residential - R4 Exception (R4-2) Zone, permitted uses shall include Accessory Building, Detached Dwelling Unit, Home Occupation, Public Use, Secondary Suite, and Street Townhouse Dwelling Unit. The following zone requirements shall apply:

	<u>Street Townhouse</u>	<u>Single</u>
(a) Minimum Lot Area	171 m <sup>2</sup>	330 m <sup>2</sup>
(b) Minimum Lot Frontage	5.4 m	11.0 m
(c) Maximum Lot Coverage	50%	50%
(d) Minimum Yard Setbacks		
- Front	4.5 m	4.5 m
- Rear	7.5 m	7.5 m
- Interior Side	1.22 m	1.22 m
o Common Wall	0.0 m	N/A
- Exterior Side	2.5 m	4.0 m
(e) Minimum Setback to Attached Garage	5.8 m	6.0 m
(f) Maximum Building Height	11.0 m	11.0 m
(g) Porches may project no more than a distance of 1.5 m into any minimum front or rear yard.		
(h) Steps or stairs to a landing or Porch may encroach a maximum of 2.1 m into any minimum front or rear yard or further encroach from the edge of the conforming Porch in the Front Yard, Rear Yard, Side Yard or Exterior Side Yard to a maximum of 0.6 metres.		

6. That, notwithstanding Sections 3.13.1, 5.4.2 and 5.4.3 of By-law 2004-90, as it pertains to those lands zoned Residential - R4 Exception (R4-3) Zone, permitted uses shall include Accessory Building, Detached Dwelling Unit, Home Occupation, Public Use, Secondary Suite, and Street Townhouse Dwelling Unit. The following zone requirements shall apply:

	<u>Street Townhouse</u>	<u>Single</u>
(a) Minimum Lot Area	171 m <sup>2</sup>	330 m <sup>2</sup>
(b) Minimum Lot Frontage	5.4 m	11.0 m
(c) Maximum Lot Coverage	50%	50%
(d) Minimum Yard Setbacks		
- Front	4.5 m	4.5 m
- Rear	7.5 m	7.5 m
- Interior Side	1.22 m	1.22 m
o Common Wall	0.0 m	N/A
- Exterior Side	2.5 m	4.0 m
(e) Minimum Setback to Attached Garage	5.8 m	6.0 m
(f) Maximum Building Height	13.0 m	13.0 m
(g) Porches may project no more than a distance of 1.5 m into any minimum front or rear yard.		
(h) Steps or stairs to a landing or Porch may encroach a maximum of 2.1 m into any minimum front or rear yard or further encroach from the edge of the conforming Porch in the Front Yard, Rear Yard, Side Yard or Exterior Side Yard to a maximum of 0.6 metres.		

7. That, notwithstanding Sections 3.13.1 and 5.6.3 of By-law 2004-90, as it pertains to those lands zoned Residential Townhouse Exception (RT-25) Zone, the following shall apply:

(a) Minimum Lot Area	110 m <sup>2</sup> /DU;
(b) Minimum Lot Frontage	4.5 m
(c) Maximum Lot Coverage	75%
(d) Minimum Yard Setbacks	
(i) Front	3.0 m
(ii) Rear	3.0 m
(iii) Interior Side	1.5 m
- Common Wall	0.0 m
(e) Porches may project no more than a distance of 1.5 m into any minimum front or rear yard.	
(f) Staircases for access to a rooftop terrace may extend an additional 1.5 metres beyond the maximum permitted building height.	

8. That, notwithstanding Sections 5.7.3.4(b), 5.7.3.4(c) and 5.7.3.5 of By-law 2004-90, as it pertains to those lands zoned Residential Apartment Exception (RA-12-D121.BH40) Zone, the following shall apply:

- |  |        |
|--|--------|
| (a) Minimum Rear Yard Setback          | 10.0 m |
| (b) Minimum Interior Side Yard Setback | 10.0 m |
| (c) Maximum Building Height            | 40.0 m |

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

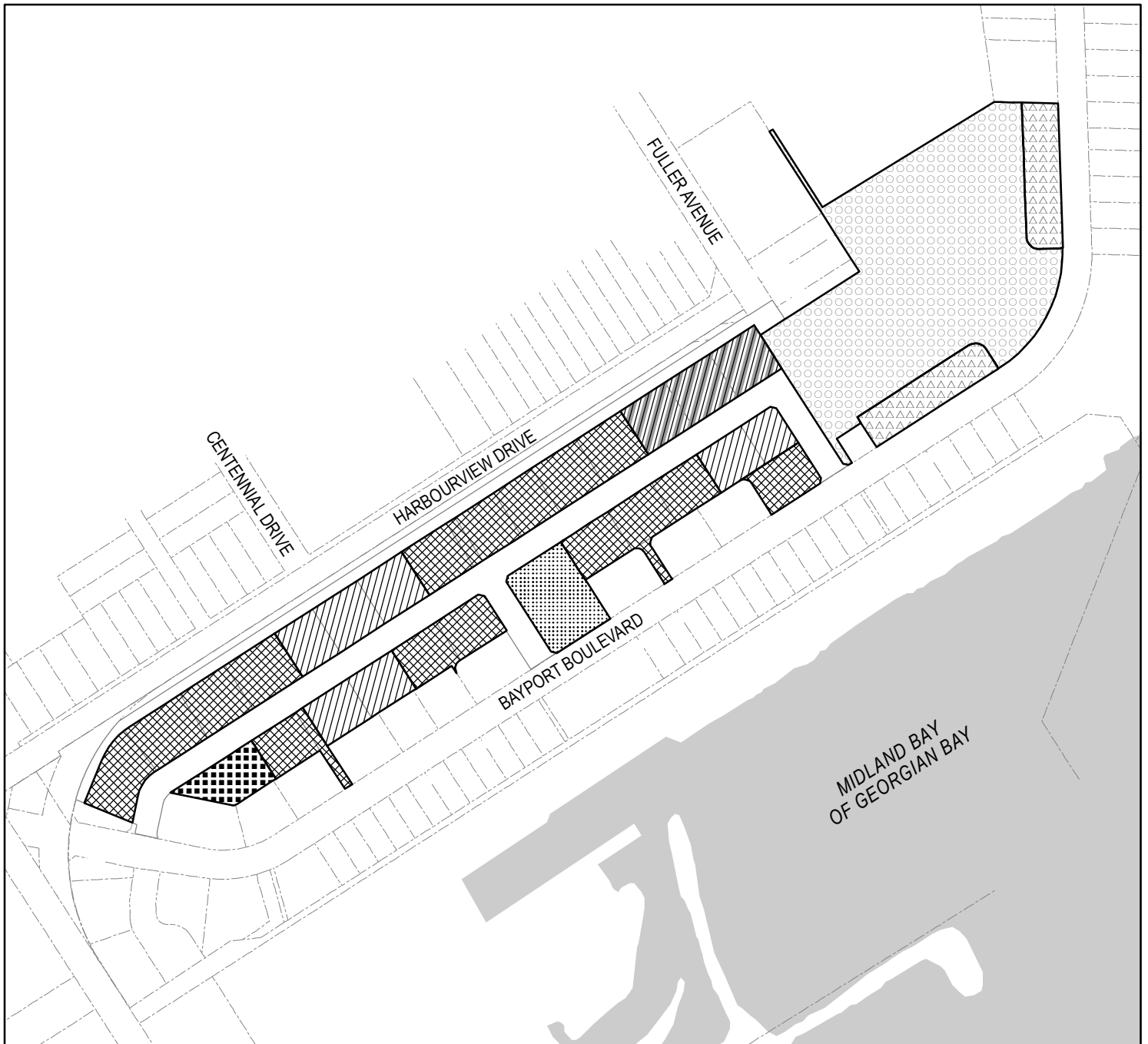
**THE CORPORATION OF THE TOWN OF MIDLAND**








\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CLERK**

# Schedule 'A'

Bayport Village Townhomes  
Town of Midland  
County of Simcoe



-  Lands to be rezoned to Residential R4 Exception (R4-2) Zone
-  Lands to be rezoned to Residential R4 Exception (R4-3) Zone
-  Lands to be rezoned to Residential Townhouse Exception (RT-23) Zone
-  Lands to be rezoned to Residential Townhouse Exception (RT-24) Zone
-  Lands to be rezoned to Residential Townhouse Exception (RT-25) Zone
-  Lands to be rezoned to Residential Apartment Exception (RA-12-D121.BH40)
-  Lands to be rezoned to Open Space (OS) Zone

This is Schedule 'A' to Zoning By-law 2004-90  
Passed this \_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk