

## Section 18 – Mixed Use (MU) Zone

**18.1.** Within Mixed Use (MU) Zone, no person shall use any land; erect alter, enlarge, use or maintain any building 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.

### **18.2. Permitted Uses**

#### 18.2.1. Residential Uses

- a) Apartment building dwelling
- b) Street, block bungalow, stacked and rear access townhouse dwellings
- c) Duplex, triplex, fourplex, sixplex dwelling
- d) Live-work unit
- e) Mixed use building
- f) Senior citizen home
- g) Home for the aged
- h) Nursing home
- i) Detached accessory structure

#### 18.2.2. Non-Residential Uses

- a) The following commercial uses, including all uses listed below and the General Commercial non-residential permitted uses in accordance with the provisions of subsection 3 of the General Commercial Section, save and except subsections 3.10 and 3.11, are permitted on the same lot as those uses provided in Section 18.2.1 of this By-law
  - i. Retail store or commercial use
  - ii. Personal service shop
  - iii. Government, business or professional office
  - iv. Commercial educational establishment
  - v. Service repair shop
  - vi. Clinic
  - vii. Restaurant, including a drive-in or take-out restaurant or bakeshop
  - viii. Photography or artist studio
  - ix. Small scale printing house or publishing house
  - x. Commercial recreational establishment, or other place of entertainment
  - xi. Private or commercial club
  - xii. Custom workshop
  - xiii. Service station, excluding motor vehicle sales and repair
  - xiv. Day nursery/Nursery school
- b) Community Centre

- c) Place of Worship

### 18.3. Zone Provisions

- 18.3.1. All permitted uses within the Mixed Use (MU) Zone shall be serviced by full water and wastewater services
- 18.3.2. 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 the Midhurst Residential Zoning Performance Table and the Midhurst Commercial Zoning Performance Table, as applicable.

#### Midhurst Commercial Zoning Performance Table for Mixed Use (MU) Zone

Provision	Required
Lot Frontage (minimum)	30 m
Lot Area (minimum)	1000 m <sup>2</sup>
Lot Area (maximum)	--
Landscaped Open Space % Area (minimum)	10%
Front Yard – Building (minimum) <sup>B</sup>	6.0 m
Interior Side Yard - Building (minimum) <sup>B</sup>	4.5 m
Exterior Side Yard (minimum) <sup>B</sup>	6.0 m
Rear Yard (minimum) <sup>B</sup>	10.0 m
Landscape Buffer abutting Residential Zones (minimum)	3.0 m
Lot Coverage % of Lot Area (maximum)	N/A
Height (maximum)	18 m
Commercial Unit Size (maximum) <sup>A</sup>	400 m <sup>2</sup>
Parking Spaces, including garage (minimum) <sup>Q</sup>	Refer to Section 3.4

#### Notes:

- a) In the Mixed Use Zone, the maximum unit size shall not apply to pharmacy, restaurant, bank and professional office uses where these are stand alone uses.
- b) Minimum setback from any Residential Zone (any yard) is 9.0 metres to any building, structure or outside building.

**MIDHURST RESIDENTIAL ZONING PERFORMANCE TABLE FOR MIXED USE (MU) ZONE**

<b>MU Provisions</b> <sup>F, J, M, R</sup>	<b>Street Townhouse Dwelling</b>	<b>Rear Access Townhouse Dwelling</b>	<b>Block / Bungalow Townhouse Dwelling</b>	<b>Stacked Townhouse Dwelling</b>	<b>Duplex, Triplex, Fourplex, Sixplex Dwelling<sup>K</sup></b>	<b>Apartment</b>
Lot Frontage (minimum)	5.9 m	4.5 m	12.2 m	6.0 m	15.20 m	27.0 m
Lot Area (minimum)	176 m <sup>2</sup>	134 m <sup>2</sup>	363 m <sup>2</sup>	179 m <sup>2</sup>	452 m <sup>2</sup>	850 m <sup>2</sup> <sup>E</sup>
Landscaped Open Space % Area (minimum)	--	--	--	--	35% <sup>G</sup>	35% <sup>G</sup>
Landscaped Open Space % Lot Frontage (min.)	40%	40%	40%	40%	40%	40%
Front Yard – Building (minimum) <sup>O</sup>	4.5 m	3.0 m	4.5 m	4.5 m	4.5 m	6.0 m
Front Yard – Garage (minimum) <sup>O</sup>	6.0 m	6.0 m	6.0 m	6.0 m	6.0 m	--
Interior Side Yard - Building (minimum) <sup>A,P</sup>	1.2 m	1.2 m	1.2 m	1.2 m	1.2 m	10.5 <sup>H</sup>
Interior Side Yard - Garage (minimum) <sup>A,P</sup>	1.2 m	1.2 m	1.2 m	1.2 m	1.2 m	--
Exterior Side Yard (minimum) <sup>B,O</sup>	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m
Rear Yard - Building (minimum) <sup>S</sup>	6.5 m	6.5 m <sup>D</sup>	6.5 m	6.5 m	6.5 m	9.0
Rear Yard – Garage (minimum) <sup>C</sup>	--	0.6 m <sup>D</sup>	N/A	--	0.6 m	--
Lot Coverage (maximum)	N/A	N/A	N/A	N/A	N/A	N/A
Height (maximum)	11.5 m	11.5 m	11.5 m	11.5 m	11.5 m	18.0 m
Dwelling Unit Floor Area (minimum)	--	--	--	--	--	42 m <sup>2</sup> (bachelor or one bedroom) <sup>I</sup>
Gross Floor Area (maximum)	--	--	--	--	--	

<b>MU Provisions</b> <sup>F, J, M, R</sup>	<b>Street Townhouse Dwelling</b>	<b>Rear Access Townhouse Dwelling</b>	<b>Block / Bungalow Townhouse Dwelling</b>	<b>Stacked Townhouse Dwelling</b>	<b>Duplex, Triplex, Fourplex, Sixplex Dwelling<sup>K</sup></b>	<b>Apartment</b>
Parking Spaces, including garage (minimum) <sup>Q</sup>	2	2	1.5 / unit	1.5 / unit	1.5 / unit	1.5 / unit
Garage Width % of Lot Frontage (maximum) <sup>L,N</sup>					Refer to Section 3.4	Refer to Section 3.4

## MIDHURST RESIDENTIAL ZONING PERFORMANCE TABLE FOR MIXED USE (MU) ZONE

### Notes:

- a) For single detached units, the minimum interior side yard may be reduced to 0.6 metres for the garage.
- b) Where face of garage door faces flankage (exterior side yard) the face of the garage is to be 6 metres 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 metres of the accessory garage. If the accessory garage is attached to the residence, the setback shall be 0 metres.
- d) From a laneway.
- e) For the first 5 dwelling units, plus 100 square metres for each additional unit,
- f) Maximum number of detached accessory structures is two (2) per lot with a combined GFA of 65 square metres for single detached, semi-detached, duplex and townhouse dwellings; 86 square metres for triplex and fourplex dwellings; and 125 square metres for sixplex dwellings. And accessory structure 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 metres if the abutting end wall contains no habitable room windows and provided the interior lot line does not abut a (UR1) or (UR2) Zone.
- i) Plus 13 m<sup>2</sup> for each additional bedroom.
- j) Additional policies regarding Courts, Privacy Yards, Accessory Buildings and Plan / Recreational Areas from Residential.
- k) The front yard for multiplex dwellings is the yard that abuts a public street, but does not include a laneway.
- l) The minimum parking space dimensions shall be 3 metres in width and 6 metres in length for a single car garage and 5.5 metres in width by 6 metres in length for a two car garage. Encroachments are permitted.
- m) On a corner lot, sight triangles shall have minimum size of 3 metres x 3 metres. Within these triangular spaces, no hedge, shrub, tree, fence, sign or other such structures shall be planted, maintained or erected. Where a site triangle exists, yards shall be measured from the point of the intersection from the extension of the lot lines.
- n) Garage width to be measured from two opposite edges of the garage door.
- o) A 0.75 metre encroachment for stairs is permitted into the front, rear and exterior side yard.
- p) Where two townhouse units (all types) share a common vertical wall then there shall be a 0 metre interior side yard setback.
- q) For the purpose of calculating the number of required parking spaces, the parking area shall be measured from the curb on lots with a single car garage and no sidewalk.
- r) In mixed use buildings, the ground level floor shall be devoted entirely to non-residential uses.

- s) In UR1 and UR2 Zones where the rear lot line abuts a hedgerow or park, the minimum rear yard setback for the building shall be 3.0 metres.