



**Municipality of Middlesex Centre
By-Law 2023-xx**

Being a by-law to amend the Middlesex Centre comprehensive zoning by-law number 2005-005 with respect to the entire Municipality of Middlesex Centre

WHEREAS the Council of the Municipality of Middlesex Centre deems it advisable to amend the Middlesex Centre Comprehensive Zoning By-law 2005-005;

AND WHEREAS this By-law is in conformity with the Middlesex Centre Official Plan;

THEREFORE the Council of the Municipality of Middlesex Centre enacts as follows:

- 1) That Zoning Map Schedule ‘A’ to the Middlesex Centre Comprehensive Zoning By-law 2005-005 is hereby amended by replacing those schedules attached hereto.**
- 2) That Section 1.0 “Administration” be amended by modifying the following sub-sections:**

“1.1 TITLE OF BY-LAW

This By-Law of the Corporation of the ~~Township~~ Municipality of Middlesex Centre may be cited as the Zoning By-Law.

1.2 SCOPE OF BY-LAW

(a) LANDS SUBJECT TO BY-LAW

The provisions of this By-Law shall apply to all those lands lying within the Corporate Limits of the ~~Township~~ Municipality of Middlesex Centre.

1.3 APPLICATION

The provisions of this By-law shall apply to all lands within the boundaries of the ~~Township~~ Municipality of Middlesex Centre as now or hereafter legally constituted:

(ii) COMPLIANCE WITH OTHER RESTRICTIONS

This By-Law shall not be construed so as to reduce or mitigate any other restrictions or regulations lawfully imposed by the ~~Corporation~~ Municipality or by any governmental authority having jurisdiction to make such restrictions or regulations.

1.4 INTERPRETATION OF BY-LAW

(c) ~~GENDER,~~ NUMBER, USE AND OCCUPY

In this By-Law, unless the contrary intention is indicated, words used in the singular shall include the plural ~~and words used in the male gender shall include the female gender~~ and vice versa. Also, in this By-Law, unless the context requires otherwise, the verb “USE” shall include design to be used, arrange to be used, intend to be used, and permit to be used; and the verb “OCCUPY” shall include design to be occupied, arrange to be occupied, intend to be occupied, and permit to be occupied.

1.8 ADMINISTRATION

This By-Law shall be administered by a person (or persons) designated from time to time by Council who shall be considered to be the Chief Building Official of the Municipality of Middlesex Centre or by such employee of the Municipality of Middlesex Centre as designated by the Chief Building Officer., ~~the Manager of Community Development/Senior Planner or his/her delegate.~~

1.9 LICENSES AND PERMITS

- (b) No excavation for any building or structure shall be commenced until a Building Permit has been issued by the Chief Building Official or an authorized employee of the ~~Township~~ Municipality of Middlesex Centre.

1.10 ISSUANCE OF BUILDING PERMITS

No building shall be moved within the jurisdiction of the ~~Township~~ Municipality of Middlesex Centre or shall be moved into the jurisdiction of the Municipality ~~Township~~ of Middlesex Centre from outside its jurisdiction without a permit from the Chief Building Official.

1.13 INSPECTION

- (a) Subject to Clause (b) of this Subsection, the By-law Enforcement Officer, or any other officer or employee of the ~~Corporation~~ Municipality, acting under the direction of Council, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out ~~their~~ his duties and obligations under this By-Law, if there are reasonable grounds to believe that the provisions of this By-law are not being complied with, in whole or part.
- (b) Notwithstanding anything to the contrary in Clause (a) of this Subsection, no officer or employee of the ~~Corporation~~ Municipality shall enter any room or place actually being used as a dwelling unit or part thereof without the consent of the occupier or occupant, except under the authority of a search warrant issued under the Provincial Offences Act, R.S.O. 1990, c.P. 33.

1.16 APPLICATIONS OF OTHER BY-LAWS

Nothing in this By-Law shall operate to relieve any person from any obligation to comply with the requirements of the Building Code Act, 1992, S.O. 1992, c.23, or any by-law of the ~~Corporation~~ Municipality in force from time to time or any other applicable law or the obligations to obtain any license, permit, authority or approval required under this or any other by-law of the ~~Corporation~~ Municipality or any other public authority or body.

1.17 OTHER BY-LAWS

If the provisions of this By-Law are inconsistent with the provisions of any other by-law of the ~~Corporation~~ Municipality, then the provisions establishing the higher or more demanding, or more onerous, or more strict standard shall prevail and if there is a conflict of provisions, then the provisions of this By-Law shall prevail.

1.18 REMEDIES

- (a) Where a building or structure is erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is used, or any lot is used, in contravention of any requirements or other provisions of this By-Law, such contravention may be restrained by action at the insistence of any ratepayer of the ~~Corporation~~ Municipality pursuant to the relevant provisions of the the Planning Act, R.S.O. 1990, c.P.13, the Municipal Act, 2001, S.O. 2001, c.25, or the Courts of Justice Act, R.S.O. 1990, c. C.43 in that behalf.
- (b) Where a person guilty of a violation against this By-Law has been directed to remedy such violation and is in default of doing any work thus required, then such work may be done at ~~their~~ his expense by the ~~Corporation~~ Municipality, at its sole discretion, and the ~~Corporation~~ Municipality shall have the unlimited right to recover any expenses thus incurred by action or in like manner as municipal taxes, and such expenses shall be in addition to and not in derogation of any remedy by way of mandamus, injunction or otherwise.

1.21 EFFECTIVE DATE

This By-Law shall become effective from the date of its passing by Council and comes into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c.P.13, or upon approval of the Ontario ~~Municipal Board~~ Land Tribunal.”

- 3) That Section 2.0 “Definitions” be amended by adding, removing or modifying the following sub-sections:

2.10 **AGRICULTURAL USE, VALUE-ADDED** means any activity or process that is completed by the farm operator, which alters the original agricultural product or commodity grown on site and may be supplemented by off-farm inputs, and may include bagging, packaging, grain drying and milling, bio-product production, bundling, pre-cutting, cooking and baking and marketing activities.

2.11 **AGRI-TOURISM USE** means farm-related tourism uses that promote the enjoyment, education or activities related to the principal farm operation on a lot such as farm machinery and equipment exhibitions (on a temporary basis), farm tours, petting zoos, hay rides and sleigh rides, processing demonstrations, pick-your-own produce operations, small-scale farm theme playgrounds and small-scale educational establishments that focus on farming instruction, and may include accessory small-scale vendors associated with the agri-tourism use.

2.14 **ANIMAL CLINIC** means a building or part thereof, designed, used or intended for use by a veterinarian and ~~his~~ their assistants for the purpose of providing for the care and treatment of pets raised or housed for recreational or hobby purposes and without limiting the generality of the foregoing includes dogs, cats, and birds but does not include livestock.

2.15 **ANIMAL HOSPITAL** means a building designed, used or intended for use by a veterinarian and ~~his~~ their assistants for the purpose of providing for the care and treatment of livestock, and may include an animal clinic.

2.16 **AREA OF OPERATION** means, in relation to an on-farm diversified use, all associated buildings, landscaped area, berms, well and septic systems, parking areas and dedicated laneways, and shall exclude existing laneways and parking areas shared with the principal agricultural use on the same lot.

- 2.26 ~~**BUILDING INSPECTOR** means an officer or employee of the Corporation Municipality charged with the duty of enforcing the provisions of the Building By-law under the Building Code Act, 1992, S.O. 1992, c.23.~~
- 2.32 **BY-LAW ENFORCEMENT OFFICER** means an officer or employee of the ~~Corporation~~ Municipality charged with the duties of enforcing this By-law.
- 2.33 **CAMPGROUND** means the use of land, buildings, or structures, and comprising land used for seasonal recreational activity as grounds for camping including the parking of tents, motor homes, travel trailers, or truck campers, and the erection of park model trailers and mobile homes and may include administrative offices, a ~~laundromat~~ laundromat and a private park which is licenced under the provisions of the Municipal Act, 2001, S.O. 2001, c. 25. For the purposes of the definition of CAMPGROUND, seasonal shall mean not year round.
- 2.34 ~~**CANNABIS PRODUCTION FACILITY** means a premises for production of secondary products, processing, testing, destroying, packaging and/or shipping of cannabis which is authorized by a license issued by and/or registration/registered by the Federal Minister of Health, pursuant to the Cannabis Act (Canada) and its Regulations, as amended, or any successors thereto.~~
- 2.41 **CHIEF BUILDING OFFICIAL** means the officer or employee of the ~~Corporation~~ Municipality appointed by Council as the Chief Building Official charged with the duty of enforcing the provisions of the Building Code Act, 1992, S.O. 1992, c.23.
- 2.48 ~~**CORPORATION** means The Corporation of the Township Municipality of Middlesex Centre.~~
- 2.49 **COUNCIL** means the Municipal Council of The Corporation of the ~~Township~~ Municipality of Middlesex Centre.
- 2.52 ~~**DECK** means an attached or freestanding platform or area not covered by a roof or structure, which is made of wood, concrete, or other similar material, and which is accessed directly from grade, and which may also be accessed from the associated building, made of wood, concrete or other similar material projecting from a building or freestanding, open to the sky, and intended for the purpose of outdoor dining, lounging, and other similar accessory residential uses.~~
- 2.58 **DWELLING** means a building, containing one or more dwelling units, used or intended to be used for human habitation but does not include a travel trailer, camping trailer, truck camper, bus camper, motor home, or tent.
- (a) ~~**ADDITIONAL RESIDENTIAL UNIT** means a dwelling unit that is self-contained, subordinate to and located within the same building or on the same lot of a primary dwelling unit.~~
- (f) ~~**LIVE-WORK DWELLING** means a dwelling unit used and operated by one or more persons of a single household containing a subsidiary business and personal services occupancy that does not include food preparation requiring exhaust hood ventilation or producing grease-laden vapour.~~
- (g h) ~~**SEMI-DETACHED DWELLING** means one of two building that containing two dwelling units attached vertically by an above and below grade common wall, each of which has an independent entrance directly from the outside or through a common vestibule.~~

- (i) ~~**SEMI-DETACHED DWELLING UNIT** means a dwelling unit within a semi-detached dwelling~~
 - (j) ~~**STREET TOWNHOUSE DWELLING** means a townhouse with each dwelling unit having frontage on a public street.~~
 - (j k) **TOWNHOUSE DWELLING** means a dwelling divided vertically by a common vertical wall into three or more dwelling units ~~with a maximum of eight units~~, each of which has independent entrances to the front and rear yards or front and side yards.
 - (l) ~~**TOWNHOUSE DWELLING, BACK-TO-BACK** means the use of a building divided vertically into three or more dwelling units by common walls, including a common rear wall, which prevents internal access between dwelling units.~~
 - (m) ~~**TOWNHOUSE DWELLING, CLUSTER** means a townhouse dwelling situated on a lot in such a way that at least 1 dwelling unit does not have frontage on a public street.~~
 - (n) ~~**TOWNHOUSE DWELLING, STACKED** means a building consisting of at least six dwelling units, where individual dwelling units are separated both vertically and horizontally from other attached dwelling units.~~
 - (o) ~~**TOWNHOUSE DWELLING, STREET** means a townhouse dwelling with each dwelling unit having frontage on a public street.~~
- 2.59 **DWELLING UNIT** means a suite of ~~two~~ one or more habitable rooms used or intended to be used by one or more persons living together as one household, in which food preparation and sanitary facilities are provided for the exclusive use of the household, and to which an independent entrance is provided from outside the building or from a common hallway, vestibule or stairway.
- 2.66 ~~**FARM MICRO-BREWERY, CIDERY OR WINERY** means premises used on a farm for the making of beers, spirits, ciders and wines from grains, hops, crops, and/or fruit grown primarily as part of the principal agricultural use and may include an accessory tasting and hospitality area and commercial patio, and retail sales of the products produced on-site.~~
- 2.67 ~~**FARM PRODUCE OUTLET** means a use accessory to an agricultural use which consists of the retail sale of agricultural products, raised, grown, or processed by the property owner or an agricultural operation conducted on the farm.~~
- 2.68 **FARM WEDDING VENUE** ~~shall~~ means an existing lot, building or structure, or part thereof in an agricultural area ~~used~~ used for weddings, bridal showers, or other parties/celebrations associated with weddings, or civil unions.
- 2.69 **FENCE** means a wall (other than the wall of a building), gate or other barrier constructed of wood, masonry, metal, or combination thereof, ~~which is continuous throughout its entire length where required, save and except where access areas and lines of sight are required for safety purposes.~~
- 2.63 ~~**FILL LINE** means a line delineating that area of a watershed, which is subject to the fill, construction and alteration to waterways regulations of the appropriate Conservation Authority.~~
- 2.68 ~~**FLOOD, REGULATORY** means the approved standard used to define the limit of the flood plain for the regulatory purposes.~~

- 2.70 ~~**FLOOD, 100-YEAR** means that flood based on analysis of precipitation, snow melt or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in a given year.~~
- 2.81 **GARDEN SUITE** means a one-unit detached dwelling, containing bathroom and kitchen facilities that is ancillary to a principal dwelling and that is designed to be portable and temporary.
- 2.86 **GROUND-MOUNTED SOLAR FACILITY** means premises which provides for the collection, storage, and distribution of solar energy for space heating or cooling, electrical generation, or water heating, where the facility is mounted on the ground, and not roof-mounted.
- 2.91 **HOME INDUSTRY** means an ancillary use that is operated for gain or profit that may include uses such as a carpentry shop, machine shop, welding shop, repair shop for appliances and vehicles, electrical, plumbing and building contractor shops, but shall not include heavy equipment rental, sales, and service.
- 2.94 **HOUSEHOLD SALES/GARAGE SALES** means the sale by the occupant of a dwelling, on ~~his or her~~ their own premises, of household goods belonging to ~~him or her~~ the occupant.
- 2.100 **LIVESTOCK** means farm animals kept as pets or for use for propagation or intended for profit, and includes, but is not limited to the following: dairy and beef cattle, horses, swine, sheep, laying hens, chicken and turkey broilers, turkeys, geese, goats, ducks, mink, deer, elk and rabbits.
- 2.131 **MICRO-BREWERY** means a building or part thereof used for the small-scale production of beverages including beer, wine, cider, and spirits.
- 2.143 **MUNICIPALITY** means the Corporation of the ~~Township~~ Municipality of Middlesex Centre.
- 2.144 **MUSEUM** means a premises for the preservation of a collection of any combination of paintings, other works of art, objects of natural history, mechanical, scientific or philosophical inventions, instruments, models, or designs.
- 2.151 **NUTRIENT MANAGEMENT BY-LAW** means a nutrient management by-law adopted by the ~~Corporation~~ Municipality in accordance with the Municipal Act, 2001, S.O. 2001, c.25.
- 2.157.1 **ON-FARM DIVERSIFIED USE** means a type of use that is secondary to a principal agricultural use on the same lot and is limited in area.
- 2.157.2 **ON-FARM SHOP OR CAFÉ** means a small-scale café or shop that is an on-farm diversified use and may include the sale of antiques and a tack shop, that is accessory to the permitted agricultural uses on the lot and shall primarily include the sale of value-added products produced by the farm.
- 2.158.1 **PARKING SPACE, DESIGNED ELECTRIC VEHICLE** means a parking space designed and constructed to be electric vehicle ready, allowing for the future installation of electronic vehicle supply equipment that conforms to Section 86 of the Electrical Safety Code, as amended.
- 2.158.2 **PARKING SPACE, VISITOR** means a parking space designated and intended for the exclusive use of visitors to a dwelling.
- 2.175 **PUBLIC AUTHORITY** means:
- (a) the ~~Corporation~~ Municipality or the County;

- (b) any Department or Ministry of the Government of Canada or the Province of Ontario;
- (c) any agency, board, commission, committee or other body established or exercising any power or authority under any general or special statute of Ontario with respect to any of the affairs or purposes of the Municipality or a portion thereof, and includes any committee or local authority established by By-law of the Council of the ~~Corporation~~ Municipality.

2.181 RECYCLING FACILITY means a facility, operating by valid license from the ~~Corporation~~ Municipality and a Certificate of Approval by the appropriate Provincial or other public approval agency, where the use of scrap material, generally being metal cans, glass bottles, plastic containers, fabrics and domestic yard waste are separated into recoverable resources for reuse.

~~2.175 REGULATORY FLOOD means the standard used by the conservation authority having jurisdiction in a particular watershed to define the limit of the flood plain for regulatory purposes.~~

2.185 **RESTAURANT, DRIVE-THRU** means a building, or part thereof, designed, used or intended for the sale of food or refreshments to the general public and from which such food or refreshment is made available to the customer while in ~~their~~ his motor vehicle or from within the building, and where provision is made for consumption of such food or refreshment by the customer while in ~~their~~ his motor vehicle, within the building or elsewhere on the site.

2.186 **RESTAURANT, TAKE-OUT** means a building, or part thereof, designed, used or intended for the sale of food or refreshments to the general public and from which such food or refreshment is made available to the customer from within the building, where no provision is made for consumption of such food or refreshment by the customer while in ~~his~~ their motor vehicle, within the building or elsewhere on the site.

~~2.192 STORE, DEPARTMENT means a building or part thereof, consisting of a minimum of gross floor area of 1,500 m² (16,146 ft²) used for the retail sale of a wide variety of goods, wares, merchandise and services displayed which may be offered on a departmentalized basis, but shall not include a building supply establishment or a bulk storage and sales establishment as defined.~~

2.199 **STREET** means a common and public street, road, lane, or highway vested in the ~~Corporation~~ Municipality, the County, the Province of Ontario, or any other public road authority having jurisdiction over the same and shall include any bridge or structure forming part of a street or over or across which a street passes, and shall include not only the travelled portion of the street, but also ditches, driveways, sidewalks, and grassed areas forming part of the road allowance which is vested in the road authority for street purposes:

- (a) **PROVINCIAL HIGHWAY** means a street under the jurisdiction of the Province of Ontario;
- (b) **COUNTY ROAD** means a street under the jurisdiction of the County;
- (c) **TOWNSHIP MUNICIPAL ROAD** means a street under the jurisdiction of the ~~Corporation~~ Municipality.

2.206 TOURIST INFORMATION CENTRE means premises used for the dispensing of promotional information, including virtual information kiosks, or the providing of information to the travelling public."

4) That Section 3.0 “Zones and Zoning Map” be amended by modifying the following sub-sections:

“3.1 ESTABLISHMENT OF ZONES

For the purposes of this By-law, the maps attached hereto as Schedule A, Maps U-1 to U-12 inclusive which represent the Urban Areas; and, Schedule A, Maps 1 to 102 inclusive which represent the Rural Areas; shall be referred to as the Zoning Maps for the ~~Township~~ Municipality of Middlesex Centre, which shall be divided into one or more of the following zones:

ZONE CATEGORY	SYMBOL
<u>AGRICULTURAL</u>	
General Agricultural	A1
Restricted Agricultural	A2
<u>Agricultural – No Residences</u>	A3 <u>A2</u>
<u>RESIDENTIAL</u>	
Urban Residential First Density	UR1
Urban Residential Second Density	UR2
Urban Residential Third Density	UR3
Community Residential First Density	CR1
Community Residential Second Density	CR2
Hamlet Residential First Density	HR1
<u>Surplus Residence</u>	<u>SR</u>
<u>COMMERCIAL</u>	
Village Commercial Centre	C1
Highway Commercial	C2
Office Park Commercial	C3
<u>Hamlet Commercial</u>	<u>C4</u>

3.7 HOLDING SYMBOL (h)

(b) SPECIFIC PROVISIONS

(i) (h-1)

The precondition for the removal of the “(h-1)” holding symbol shall be that a subdivision agreement, including but not necessarily limited to the requirement for the development to be connected to a public water supply system and a public sanitary sewer system, has been entered into with the ~~Corporation~~ Municipality for the affected lands.

(ii) (h-2)

The precondition for the removal of the “(h-2)” holding symbol shall be that a site plan agreement, including but not necessarily limited to the requirement for the development to be connected to a public water supply system and a public sanitary sewer system, has been entered into with the ~~Corporation~~ Municipality for the affected lands.

(iii) (h-3)

The precondition for the removal of the ‘(h-3)’ holding symbol shall be that a Noise Impact Analysis be prepared by a qualified professional in association with the site plan approval process for any proposed development on the lands to which the holding symbol applies and that any recommendations for noise

mitigation arising from the Noise Impact Analysis have been incorporated into the site plan such that the proposed development will meet ~~the Ministry of Environment (MOE) Provincial~~ noise criteria.”

5) That Section 4.0 “General Provisions” be amended by adding, removing or modifying the following sub-sections:

“4.1 PERMITTED USES

(a) ALL PERMITTED USES

- (iv) shall be erected closer than the lesser of 0.6 metres (2.0 ft) ~~1.5 metres (4.9 ft)~~ or the minimum interior side yard setback required for the main use on the lot, to an interior side lot line in any Residential or Agricultural Zone, except that a common semi-detached private garage may be centered on a mutual interior side lot line;
- (v) shall be erected closer than 1.2 metres (3.9 ft) ~~1.5 metres (4.9 ft)~~ to a rear lot line in any Residential or Agricultural Zone;

(b) LOT COVERAGE AND GROSS FLOOR AREA

- (i) shall exceed the lesser of 50 120.0 m² (538 1292 ft²) of gross floor area or ~~three~~ ten percent (10% ~~3%~~) lot coverage but not exceeding 80% of the gross floor area of the principal dwelling on the lot in any Urban Residential, Hamlet Residential, or Community Residential Zone;
- ~~(ii)~~ shall exceed the lesser of ~~60.0 m² (645 ft²)~~ of gross floor area or ~~three percent (3%)~~ lot coverage in any Hamlet Residential Zone;
- ~~(iii ii)~~ shall exceed the lesser of ~~3%~~ 10% of the lot coverage or 165.0 m² (1,776 ft²) in any Surplus Residence (SR) Zone.
- ~~(iv iii)~~ shall exceed the lesser of three percent (3%) lot coverage in any Agricultural or Restricted Agricultural Zone or the following:
 - o ~~55.0 m² (592 ft²)~~ of gross floor area for accessory buildings located on a lot with an area less than 2,000 m² (0.50 ac);
 - o 110.0 m² (1,184 ft²) of gross floor area for accessory buildings located on a lot with an area less than 5,000 m² (1.25 ac) ~~but greater than 2,000 m² (0.50 ac)~~;
 - o 165.0 m² (1,776 ft²) of gross floor area for accessory buildings located on a lot with an area greater than 5,000 m² (1.25 ac).

(c) HEIGHT

- (i) shall exceed 5.5 metres (18 ft) in height in any Urban Residential or Community Residential Zone;
- (ii) shall exceed 7.0 6.0 metres (19.6 23 ft) in height in any Hamlet Residential or Surplus Residential Zone;

- (iii) in all other zones, shall exceed the maximum height permitted in the applicable zone. 6.5 metres (21.3 ft) in height in any Agricultural, Restricted Agricultural or Surplus Residence Zone.

4.2 ADDITIONAL RESIDENTIAL UNITS

Where permitted by this By-law, additional residential units shall be in accordance with the following provisions:

- a) In any zone that permits a single detached dwelling, semi-detached dwelling, or street townhouse dwelling, a maximum of two additional residential units shall be permitted per lot.
 - (i) A maximum of two additional residential units shall be permitted within a principal dwelling provided that an additional residential unit in a detached accessory building is not provided on the same lot.
 - (ii) A maximum of one additional residential unit shall be permitted in a detached accessory building.
- (b) An additional residential unit permitted in a detached accessory building shall comply with the following provisions:
 - (i) The accessory building containing the additional residential unit shall comply with the requirements for accessory buildings and structures in accordance with Section 4.1.
 - (ii) The accessory building shall not be permitted to be located within a front yard or exterior side yard.
 - (iii) A 1.2 m wide unobstructed pedestrian access shall be provided to the entrance of the additional residential unit unless access is provided directly from a street or lane.
 - (iv) The maximum height of the accessory building shall be in accordance with Section 4.1(c) of this By-law.
 - (v) Notwithstanding any other provisions of this By-law, no additional residential unit shall be permitted within a building that is used to keep livestock.
 - (vi) A detached additional residential unit shall not be permitted where a garden suite is existing on a lot.
 - (vii) A detached additional residential unit shall be located within 40.0 metres of the closest portion of the principal dwelling on the lot.
- (c) In addition to the requirements of subsection (b), any Hamlet Residential, Agricultural or Surplus Residence zone, an additional residential unit permitted in a

detached accessory building shall comply with the following provisions:

- (i) The gross floor area of the additional residential unit shall not exceed 50% of the gross floor area of the principal dwelling, or 85.0 m², whichever is less.
- (ii) Water and wastewater services required for the additional residential unit shall be shared with the principal dwelling on the lot.
- (d) An additional residential unit within the same building as the principal dwelling shall not be permitted in conjunction with a bed and breakfast establishment in the same principal dwelling.
- (e) Each additional residential unit shall have one additional parking space provided in addition to the minimum number of parking spaces for the principal dwelling on the lot established in Section 4.27 of this By-law. The required parking space is permitted to be configured as a tandem parking space.
- (f) An additional residential unit or part thereof shall not be permitted within hazard lands.

4.8 FRONTAGE ON A PUBLIC ROAD

- (b) Provided access to the improved public road from the said lot has been granted by the authority having jurisdiction and provided the public road has been assumed by the ~~Corporation~~ Municipality, the County, the Province of Ontario, or some other road authority.

Notwithstanding the foregoing, a building or structure may be erected upon a lot within a Registered Plan of Subdivision in accordance with the provisions of a Subdivision Agreement in respect of such Plan of Subdivision notwithstanding that the roads within such Plan of Subdivision have not been assumed and are not being maintained by the ~~Corporation~~ Municipality, the County, the Province of Ontario, or some other road authority.

4.9 GARDEN SUITES

A garden suite may only be permitted as an accessory use in conjunction with a single detached dwelling by way of a temporary use by-law pursuant to Section 39 of the Planning Act, and in accordance with the following provisions:

- (a) A garden suite may only be established for a maximum duration of 20 years, calculated from the date of issuance of a building permit.
- (b) A maximum of one garden suite, established in accordance with the provisions of Section 4.1, may be permitted on a lot.
- (c) A garden suite shall be located on the same lot as a principal single detached dwelling.

- (d) A garden suite shall not be permitted where a detached additional residential unit is existing on a lot.
- (e) A garden suite shall only be permitted on a lot which has frontage on an improved public street.
- (f) Services shall be shared with the principal dwelling on the lot.
- (g) Parking shall be provided in accordance with the provisions of this By-law.

4.18 MINIMUM SETBACKS FROM PROVINCIAL HIGHWAYS, COUNTY ROADS AND MUNICIPAL CONCESSION ROADS

Notwithstanding any other provision of this By-law, where a building or structure is erected or altered adjacent to a Provincial Highway, County Road, or Township Municipal Concession Road, minimum setbacks from such roads shall be provided as follows:

- (a) buildings and structures for agricultural, commercial, industrial or institutional uses:
 - (iii) ~~Township~~ Municipal Concession Road: 15.0 metres (49 ft) from the streetline;
- (b) buildings and structures for residential uses:
 - (iii) ~~Township~~ Municipal Concession Road: 15.0 metres (49 ft) from the streetline;

Notwithstanding the provisions above, lands located within the Urban Areas represented as Schedules U-1 to U-12 of this By-law ~~A-1 to A-11 of the Official Plan~~ shall be exempt from the above County Road setbacks.

4.26 ON-FARM DIVERSIFIED USES

Where permitted by this By-law, an on-farm diversified use shall be in accordance with the following provisions:

- (a) The on-farm diversified use is located on the same lot accessory to an agricultural use.
- (b) The area of operation for an on-farm diversified use shall not exceed a combined total of 1.0 ha (10,000 m²) or 2% of the lot area on which the use is proposed, whichever is less.
 - (i) The maximum gross floor area of all buildings and structures shall be 20% of the area of operation provided no single building or structure shall have a gross floor area greater than 500.0 m².
 - (ii) In calculating the area of operation, where an on-farm diversified use uses an existing access laneway, or parking area, the area of the laneway or parking area shall not be included.
 - (iii) The total enclosed floor area of a building or structure devoted to retail sales shall not exceed

50% of the floor area of all buildings and structures used in conjunction with the on-farm diversified use. This provision shall not apply to a farm produce outlet.

(c) Lands used for agriculture and simultaneously used as part of the agri-tourism use shall not be included in the calculation of the area of operation in accordance with Section 4.26(b).

(d) An on-farm diversified use shall be subject to the Minimum Distance Separation (MDS) I Formulae where an on-farm diversified use includes an agri-tourism uses, on-farm shop or café, food service use or provides overnight accommodations.

4.27 PARKING PROVISIONS

(b) MINIMUM PARKING SPACE REQUIREMENTS

The following regulations shall apply to all land uses within the Municipality with respect to the minimum parking space requirements: Note: All area measurements are of gross floor area, unless otherwise noted.

TYPE OF USE	MINIMUM PARKING SPACE REQUIREMENT
RESIDENTIAL	
single detached dwelling semi-detached dwelling	2 spaces per unit
<u>duplex dwelling</u> <u>link dwelling</u> <u>street townhouse dwelling</u>	<u>1.5 spaces per unit</u>
duplex dwelling link dwelling apartment dwelling multiple unit dwelling <u>stacked townhouse dwelling</u> <u>back-to-back townhouse dwelling</u> <u>cluster townhouse dwelling</u> street townhouse dwelling townhouse dwelling	1.5 spaces per unit, <u>plus 0.15 spaces per unit designated as visitor parking</u>
<u>Live-work dwelling</u>	<u>1.5 spaces per dwelling unit, plus 1.0 spaces per 40 m² gross floor area for the non-residential component</u>
<u>garden suite</u>	<u>1 space per unit</u>
<u>additional residential unit</u>	<u>1 space per additional residential unit, in addition to the parking required for the principal dwelling</u>
any residential use permitted by this By-law but not specifically mentioned elsewhere in this Clause	1 space per unit

COMMERCIAL

animal clinic	1 space per 30 m ²
bed and breakfast establishment	1 space per guest room in addition to the required residential spaces
boarding house, rooming house or tourist house	1 space for every 3 rooms offered for rent
building supply establishment	1 space per 30 m ² of retail space and 1 space per 200 m ² of warehouse space
car wash	<u>2 spaces per car wash, plus, stacking spaces as may be required for this use in accordance with Section 4.27(n) of this By-law.</u> 1 space per 10 m²
club, private	1 space per 7 seats or 1 space per 35 m ² , whichever is greater
day nursery	1 space per 40 m ²
financial institution	1 space per 30 m ²
flea market	1 space per 20 m ²
garage, public	6 spaces per bay
garden centre	1 space per 30 m ²
gas bar	1 space per 10 m ²
hotel or motel	1.25 spaces per guest room
market garden	1 space per 20 m ²
motor vehicle sales establishment	1 space per 30 m ²
motor vehicle service establishment	6 spaces per bay
nursery	1 space per 30 m ²
office, general or professional	1 space per 40 m ²
personal service establishment	1 space per 20 m ²
place of entertainment or recreation	1 space per 7 seats or 1 space per 35 m ² , whichever is greater
restaurant	1 space per 10 m ²
restaurant, drive-thru or take-out	1 space per 10 m ²
service shop	1 space per 30 m ²
store, convenience	1 space per 25 m ²
store, retail	1 space per 25 m ²
tavern	1 space per 10 m ²
any commercial use permitted by this By-law but not specifically mentioned elsewhere in this Clause	1 space per 30 m ²

<u>AGRICULTURAL</u>	
<u>Agri-Tourism</u>	<u>1 space per 40 m² of gross floor area dedicated to any building or structure accessory to the agri-tourism use</u>
<u>Farm Market Farm Produce Outlet</u>	<u>1 space per 30 m²</u>

<u>On Farm Shop or Café</u>	<u>1 space per 9 m²</u>
<u>Other On-farm Diversified Uses</u>	<u>1 space per 40 m²</u>
<u>Value-Added Agricultural Uses</u>	<u>1 space per 40 m² of gross floor area dedicated to any building or structure accessory to the value added agricultural use</u>

(d) **CALCULATION OF BARRIER-FREE PARKING REQUIREMENTS**

- (i) A barrier-free parking space shall be included in the calculation of the total parking space requirements of Clause (b).
- (ii) Despite Clause (d) (i), barrier-free parking spaces shall not be required in the UR1 or UR2 zones and shall not be required for additional residential units.
- (iii) Where more than one use listed in Clause (b) is proposed on a lot, the number and type of barrier-free parking spaces shall be calculated based on the number of parking spaces required for each use.
- (iv) The minimum dimensions of a barrier-free parking space shall be provided in accordance with the following:

<u>Minimum Dimension</u>	<u>Type A Space</u>	<u>Type B Space</u>
<u>Minimum Width (m)</u>	<u>3.4</u>	<u>2.4</u>
<u>Minimum Length (m)</u>	<u>5.5</u>	<u>5.5</u>
<u>Minimum Access Aisle Width (m)</u>	<u>2.0</u>	<u>2.0</u>
<u>Minimum Access Aisle Length (m)</u>	<u>5.5</u>	<u>5.5</u>

- (v) The minimum number of barrier-free parking spaces shall be in accordance with the following:

<u>Total Required Spaces</u>	<u>Number of Required Barrier-Free Spaces</u>
<u>-</u>	<u>-</u>
<u>12 or less</u>	<u>1</u>
<u>13 – 100</u>	<u>4% of total required parking spaces</u>
<u>101 – 200</u>	<u>3% of total required parking spaces</u>
<u>201 – 1,000</u>	<u>2% of total required parking spaces</u>
<u>Over 1,000</u>	<u>1, plus 1% of total required parking spaces</u>

- (vi) Where an even number of barrier-free parking spaces are required, an equal number of Type A and Type B barrier-free parking spaces shall be provided.
- (vii) Where an odd number of barrier-free parking spaces are required, the number of barrier-free parking spaces must be divided equally between Type A and Type B barrier-free parking spaces, with the remainder provided as a Type B barrier-free parking space.
- (i) ~~where parking is required for uses set out in Clause (b) of this Subsection, the total parking requirement for non-residential uses shall include the following number of barrier-free parking spaces:~~

Total Required	Number of Required
---------------------------	-------------------------------

Spaces	Barrier-Free Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-250	7
251-300	8
Every additional 1 to 50 spaces required beyond the first 300 spaces	1

(e) DIMENSIONS OF PARKING SPACES

- (i) a parking space required hereby shall have minimum rectangular dimensions of 2.7 metres (8.9 ft) by 5.5 metres (18 ft).
- ~~(ii) a barrier-free parking space required hereby shall have minimum rectangular dimensions of 3.7 metres (12.1 ft) by 5.5 5.7 metres (18.7 ft).~~

(l) CASH-IN-LIEU OF PARKING

- (ii) That if Council has entered into an agreement in accordance with the ~~Township~~ Municipality of Middlesex Centre Cash-in-lieu of Parking By-law, as amended; and

(n) DRIVE-THRU FACILITIES

- (i) the number of required queuing spaces shall be as follows:

Use	Number of Required Queuing Spaces
automated car wash	6
financial institution or ATM machine	4 before or at each window/machine
restaurant (no order board)	4 before or at first window
restaurant (with order board)	5 before or at order board and 4 between the order board and the first window
all other drive-thru uses	4 before or at each window

~~(o) ELECTRIC VEHICLE PARKING~~

- ~~(i) For new residential uses in the C1 or UR3 zones, a minimum of 20% of the total required parking spaces shall be designed electric vehicle parking spaces.~~
- ~~(ii) For any non-residential use in the C1 or UR3 zones, a minimum of 10% of required parking spaces shall be provided as designed electric vehicle parking spaces.~~
- ~~(iii) If the calculation of required designed electric vehicle parking spaces results in a fraction, the applicable requirement shall be rounded down to the next whole number.~~
- ~~(iv) All required designed electric vehicle parking spaces shall be clearly defined and demarcated.~~

~~(v) The requirements of subsections i) through iv) shall only be required for buildings or portions of buildings that were not existing on the date of passing of this By-law.~~

~~(vi) A minimum of one required barrier-free parking space shall also be included and counted as a designed electric vehicle parking space.~~

4.28 PROHIBITED USES

~~(c) the use of any land, building or structure for the purpose of a department store;~~

~~(d) the use of any land, building or structure for the purpose of war games;~~

4.30 VISIBILITY SIGHT TRIANGLES

(a) Notwithstanding any other provision of this By-law and with the exception of the Village ~~Commercial Centre~~ (C1) ~~or Hamlet Commercial (C4)~~ Zones, no building, structure, fence or sign shall be erected and no shrubs or foliage shall be planted in such a manner as to impede vision between a height of 0.6 metres (2.0 ft) and 3.0 metres (9.8 ft) above the centreline grade of intersecting streets in the triangular area bounded by the street lines of the corner lot and a line from the points along the said street lines in accordance with the following:

STREET LINE MEASUREMENT	ROAD CLASSIFICATION
15.0 metres (49.2 ft)	Provincial or County
10.0 metres (32.8 ft)	Township <u>Municipal</u>

4.31 SWIMMING POOLS

(f) water circulating or treatment equipment, including but not necessarily limited to pumps or filters related to a swimming pool, must be located a minimum of ~~1.5~~ 0.6 metres (~~4.9~~ 2 ft) from an interior side or rear lot line and no closer than 2.0 metres (6.6 ft) from a main building.

4.33 YARD ENCROACHMENTS AND OBSTRUCTIONS

(a) PROJECTION INTO REQUIRED YARDS

No part of any required yard shall be obstructed by any building or structure or portion thereof except one or more of the following:

(vi) stoops, sun decks, balconies, ~~open-roofed unenclosed~~ porches and verandas, balconies on top of porches or verandas, uncovered terraces and exterior steps providing access between finished grade and either the basement or the first storey of a building, where such structures project not more than 1.5 metres (4.9 ft) into any required front yard, exterior side yard, or rear yard, and which do not project into any required sight visibility triangle;

(vii) central air conditioning or heat pump units, provided that such unit is located within 3.0 metres (9.8 ft) of the main building in a front yard or an exterior side yard, or a minimum of ~~0.6~~ 1.2 metres (~~2.0~~ 3.9 ft) from an interior side or rear lot line.

- (viii) In the case of units separated by a common wall, or where the outside side wall of a dwelling is located less than 1.2 metres (3.94 feet) from a side lot line, the deck may extend up to either said wall, subject to the provision of a 1.5 metres (4.92 feet) high privacy fence rising from the surface of the deck and extending along the entire side of the deck from either said wall.”

6) That Section 5.0 “AGRICULTURAL A-1 ZONE” be amended by adding or modifying the following sub-sections:

“5.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Agricultural (A1) Zone except for the following purposes:

- accessory use
- additional residential unit
- agricultural use
- ~~bed and breakfast establishment~~
- conservation use
- converted dwelling
- dog kennel
- forestry use
- grain handling facility, existing legally on the date of the passing of this By-law
- home occupation
- riding school
- single detached dwelling
- on-farm diversified uses, including agri-tourism uses; bed and breakfast establishments; farm micro-brewery, cidery, or winery; farm produce outlet; home industry; ground-mounted solar facility; on-farm shop or café; studio; or value-added agricultural uses.
- portable asphalt plant
- wayside pit

5.1.11 MAXIMUM NUMBER OF DWELLINGS PER LOT

- (a) one single detached dwelling or one converted dwelling, or one bed and breakfast establishment.

- (b) two additional residential units

5.2.2 ~~SINGLE UNIT DWELLING~~—MINIMUM DISTANCE SEPARATION I

Notwithstanding any other provision of this By-law to the contrary, the construction of a ~~single unit~~ dwelling shall not be permitted except in accordance with Minimum Distance Separation (MDS I); however, MDS I shall not apply to the alteration of an existing dwelling or the replacement of an existing dwelling with a new dwelling provided the new dwelling is situated no closer to a livestock barn or manure pit than the dwelling being replaced.”

5.3.31 (b) PERMITTED USES

~~Second dwelling~~ Additional residential unit within an accessory building (garage). The accessory building may be located closer to the exterior side yard or front yard than the main building, but no closer to the exterior side yard than 15 metres of the lot line or 38 metres from the centerline of the County Road (front yard).

5.3.33 (b) PERMITTED USES

~~Second-dwelling~~ Additional residential unit within an accessory building (garage). The accessory building may be located closer to the front yard or front yard than the main building, but no closer to the front lot line or 38 metres from the centerline of the County Road.

5.3.37 (b) PERMITTED USES

~~Second-dwelling~~ Additional residential unit within an accessory building (garage)

(c) ACCESSORY STRUCTURES

Notwithstanding ~~Sections 4.1 B0 iv) and 4.1 c) iii)~~ Section 4.2 the following standards shall apply:

5.3.39 (c) ACCESSORY STRUCTURES

Notwithstanding ~~Section 4.1 c) iii)~~ Section 4.2 the following standards shall apply to the existing accessory building containing the Additional Residential Unit:

7) That in Section 6.0 “RESTRICTED AGRICULTURAL (A2) ZONE”, Sections 6.1, 6.2, and 6.4 be deleted.

8) That Section 6.3 “RESTRICTED AGRICULTURAL (A2) ZONE” be amended by modifying the following sub-sections:

~~6.3.1~~ 5.3.40 (a) Defined Area (lot 17, concession 7 – LONDON twp.)

~~A2-1~~ A1-42 as shown on Schedule A, Map 62

~~6.3.2~~ 5.3.41 (a) DEFINED AREA

~~A2-2~~ A1-43 as shown on Schedule ‘A’, Key Map 35

~~6.3.3~~ 5.3.42 (a) DEFINED AREA

~~A2-3~~ A1-44 as shown on Schedule ‘A’, Key Map 36

~~6.3.4~~ 5.3.43 (a) DEFINED AREA

~~A2-4~~ A1-45 as shown on Schedule ‘A’, Key Map 81, to this by-law

(b) PERMITTED USES

self storage establishment within an existing building on the land
all other permitted uses of the ~~A2~~ A1 zone

~~6.3.5~~ 5.3.44 (a) DEFINED AREA

~~A2-5~~ A1-46 as shown on Schedule ‘A’, Key Map 81, to this by-law

~~6.4~~ ~~TEMPORARY USES~~

~~6.4.1~~ ~~EXPIRED ON JANUARY 23, 2016~~

9) That Section 7.0 “AGRICULTURAL – NO RESIDENCES (A3) ZONE” be amended by adding or modifying the following sub-sections and re-numbering as Section 6.0:

The provisions of the Agricultural – No Residences (~~A3~~ A2) Zone shall generally apply to agricultural holdings that are retained following the severance of surplus farm residences.

6.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Agricultural – No Residences (~~A3~~ A2) Zone except for the following purposes:

- accessory use, excluding any residential uses
- agricultural use, excluding any residential uses
- conservation use
- dog kennel
- forestry use
- grain handling facility, existing legally on the date of the passing of this By-law
- riding school
- on-farm diversified uses, including agri-tourism uses; farm micro-brewery, cidery, or winery; farm produce outlet; ground-mounted solar facility; on-farm shop or café; studio; or value-added agricultural uses
- portable asphalt plant
- wayside pit

6.1.4 MINIMUM FRONT YARD SETBACK

In accordance with Section 4.1~~86~~ of this By-law

6.1.5 MINIMUM SIDE YARD SETBACK

- (a) Interior Yard: Equal to one-half building height but not less than 4.5 m (15 ft)
- (b) Exterior Yard: In accordance with Section 4.1~~86~~ of this By-law.”

6.1.8 LIVESTOCK BARNS

In addition to the previous provisions of Section 7.0 of this By-law, livestock barns in the Agricultural – No Residences (~~A3~~ A2) Zone shall comply with the Minimum Distance Separation (MDS) II formula.

6.1.9 MANURE PITS

In addition to the previous provisions of Section 7.0 of this By-law, manure pits in the Agricultural – No Residences (~~A3~~ A2) Zone shall:

6.1.10 DOG KENNELS & DOG RUNS

In addition to previous provisions of Section 7.0 of this By-law, the following provisions shall apply to dog kennels and dog runs in the Agricultural – No Residences (~~A3~~ A2) Zone:

6.3 EXCEPTIONS

6.3.1 (a) DEFINED AREA

~~A3~~ A2-1 as shown on Schedule A, Key Map 34, to this By-law

6.3.2 (a) DEFINED AREA

~~A3~~ A2-2 as shown on Schedule A, Key Map 58, to this By-law

7.3.3 (a) DEFINED AREA

~~A3~~ A2-3 as shown on Schedule A, Key Map 90, to this By-law

10) That Section 8.0 “URBAN RESIDENTIAL FIRST DENSITY (UR1) Zone” be amended by adding, removing or modifying the following sub-sections and re-numbering as Section 7.0:

“7.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Urban Residential First Density (UR1) Zone except for the following purposes:

- accessory use
- additional residential units
- home occupation
- semi-detached dwelling
- single detached dwelling

7.1.2 MINIMUM LOT AREA

(a) single detached dwelling 450.0 m² (4,844 ft²)

(b) semi-detached dwelling unit 225.0 m² (2,422 ft²)

7.1.3 MINIMUM LOT FRONTAGE

(a) single detached dwelling 450.0 m² (4,844 ft²)

(b) semi-detached dwelling unit 225.0 m² (2,422 ft²)

7.1.5 MINIMUM SIDE YARD SETBACK

- (c) Rear yard is adjacent to a rear yard 4.0 m (13 ft) on the of an abutting lot side abutting the street and 1.5 m (5ft) on the other side provided that no side yard shall be required between the common wall dividing individual semi-detached dwelling units

7.1.8 MINIMUM FLOOR AREA

(a) Single detached dwelling 90.0 m² (969 ft²)

(b) Semi-detached dwelling 65.0 m² (700 ft²)

7.1.9 MAXIMUM HEIGHT

(a) ~~Single detached dwelling~~ All dwellings 12.0 m (39.4 ft)

~~8.1.10 MAXIMUM NUMBER OF DWELLINGS PER LOT~~

(a) ~~one single detached dwelling”~~

11) That Section 9.0 “URBAN RESIDENTIAL SECOND DENSITY (UR2) Zone” be amended by adding, removing, or modifying the following sub-sections and re-numbering as Section 8.0:

“8.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Urban Residential Second Density (UR2) Zone except for the following purposes:

- accessory use
- additional residential units
- duplex dwelling
- home occupation
- link dwelling

- multiple unit dwelling, with a maximum of 4 dwelling units
- semi-detached dwelling
- single detached dwelling

8.1.2 MINIMUM LOT AREA

- | | |
|---------------------------------|---|
| (a) single detached dwelling | 450 m ² (4,844 ft ²) |
| semi-detached dwelling | |
| duplex dwelling | |
| link dwelling | |
| <u>multiple unit dwelling</u> | |
| (b) semi-detached dwelling unit | 225 m ² (2,422 ft ²) |
| link dwelling unit | |

8.1.3 MINIMUM LOT FRONTAGE

- | | |
|---------------------------------|---|
| (a) single detached dwelling | 450 m ² (4,844 ft ²) |
| semi-detached dwelling | |
| duplex dwelling | |
| link dwelling | |
| <u>multiple unit dwelling</u> | |
| (b) semi-detached dwelling unit | 225 m ² (2,422 ft ²) |
| link dwelling unit | |

8.1.5 MINIMUM SIDE YARD SETBACK

- (a) single detached dwelling semi-detached, link dwelling, multiple unit dwelling 1.5 m (5 ft) on an interior lot, and 6.0 m (20 ft) on the side abutting a street and 1.5 m (5 ft) on the other side on a corner lot;
- provided that no side yard shall be required between the common wall dividing individual semi-detached dwelling units and 1.5 m (5 ft) dividing link dwelling units.

8.1.9 MINIMUM FLOOR AREA PER DWELLING UNIT

- (b) multiple unit dwelling: in accordance with Section 9.1.8
- (~~c~~) single detached dwelling: 90.0 m² (969 ft²)."

12) That Section 10.0 "URBAN RESIDENTIAL THIRD DENSITY (UR3) Zone" be amended by adding or modifying the following sub-sections and re-numbering as Section 9.0:

" 9.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Urban Residential Third Density (UR3) Zone except for the following purposes:

- accessory use
- additional residential units
- apartment dwelling
- live-work dwelling
- multiple unit dwelling
- back-to-back townhouse dwelling
- cluster townhouse dwelling
- stacked townhouse dwelling
- street townhouse dwelling
- ~~townhouse dwelling~~

9.1.2 MINIMUM LOT AREA

- (a) street townhouse, ~~townhouse or multiple unit dwelling~~: 250.0 m² (2,691 ft²) ~~multiple unit dwelling~~ per dwelling unit
- (b) apartment dwelling, multiple unit dwelling: 250.0 m² (2,691 ft²) for each of the first four (4) dwelling units and 100.0 m² (1,076 ft²) for each additional dwelling thereafter;

9.1.3 MINIMUM LOT FRONTAGE

- (a) cluster townhouse, back-to-back townhouse, apartment or multiple unit dwelling: 30.0 m (98 ft)
- (b) street townhouse dwelling: 6.0 m (20 ft) for each dwelling unit on a separate lot

9.1.6 MINIMUM SIDE YARD SETBACK

- (a) street townhouse or cluster townhouse dwelling: 3.0 m (10 ft) on an interior lot, and 6.0 m (20 ft) on the side abutting a street and 3.0 m (10 ft) on the other side on a corner lot;

provided that no side yard shall be required between the common wall dividing individual dwelling units.

- (b) back-to-back townhouse, stacked townhouse, apartment or multiple unit dwelling: 10.0 m (33 ft)

provided that no side yard shall be required between the common wall dividing individual dwelling units.

9.1.8 MINIMUM FLOOR AREA

- (a) street townhouse dwelling, townhouse dwelling, cluster townhouse dwelling, back-to-back townhouse, stacked townhouse dwelling unit: 65.0 m² (700 ft²) per dwelling unit

9.1.9 MAXIMUM HEIGHT ~~20M (66 FT)~~ 22M (72 FT)

9.2.2 STREET TOWNHOUSE DWELLINGS

The maximum number of townhouse dwelling units in a street townhouse dwelling shall be 8.

- 13) That Section 11.0 “COMMUNITY RESIDENTIAL FIRST DENSITY (CR1) Zone” be amended by adding or modifying the following sub-sections and re-numbering as Section 10:

“10.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Community Residential First Density (CR1) Zone except for the following purposes:

- accessory use
- additional residential units
- home occupation
- single detached dwelling”

10.1.10 MAXIMUM NUMBER OF DWELLING UNITS

- (a) one single detached dwelling

(b) two additional residential units

- 14) That Section 12.0 “COMMUNITY RESIDENTIAL SECOND DENSITY (CR2) Zone” be amended by adding or modifying the following sub-sections and re-numbering as Section 11.0:

“11.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Community Residential Second Density (CR2) Zone except for the following purposes:

- accessory use
- additional residential units
- duplex dwelling
- home occupation
- link dwelling
- semi-detached dwelling
- single detached dwelling

11.1.9 MINIMUM FLOOR AREA PER DWELLING UNIT,
excluding additional residential units 65.0 m² (700 ft²)”

- 15) That Section 13.0 “HAMLET RESIDENTIAL FIRST DENSITY (HR1) Zone” be amended by adding or modifying the following sub-sections and re-numbering as Section 12.0:

“12.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Hamlet Residential First Density (HR1) Zone except for the following purposes:

- accessory use
- additional residential unit
- bed and breakfast establishment
- converted dwelling
- home occupation
- single detached dwelling

12.1.10 MAXIMUM NUMBER OF DWELLINGS PER LOT

- (a) one single detached dwelling or one converted dwelling, or one bed and breakfast establishment

(b) two additional residential units”

- 16) That Section 14.0 “SURPLUS RESIDENCE (SR) Zone” be amended by adding or modifying the following sub-sections and re-numbering as Section 13.0:

“13.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Surplus Residential (SR) Zone except for the following purposes:

- accessory use
- additional residential unit
- bed and breakfast establishment
- converted dwelling
- dog kennel
- home occupation

- single detached dwelling

13.1.5 MINIMUM FRONT YARD SETBACK

In accordance with Section ~~4.16~~ 4.18 of this By-law

13.1.10 MAXIMUM number of dwellings per lot

One single detached dwelling or one converted dwelling, or one bed and breakfast establishment, and two additional residential units

- 17) That Section 15.0 “~~VILLAGE COMMERCIAL CENTRE~~ (C1) Zone” be amended by adding removing or modifying the following sub-sections and re-numbering as Section 14.0:

The provisions of the Village ~~Commercial Centre~~ (C1) Zone shall apply to commercial and mixed-use development located in the core areas of the Municipality’s villages ~~and hamlets~~.

“14.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Village ~~Commercial Centre~~ (C1) Zone except for the following purposes:

- accessory use
- animal clinic
- bed and breakfast establishment
- boarding house, rooming house, or tourist home
- ~~car wash~~
- clinic
- club, private
- day nursery
- apartment dwelling units connected to and forming an integral part of a main building and located above the first storey to a maximum of ~~two~~ four storeys and/or located below the first storey in a basement
- financial institution
- garage, public
- ~~gas bar~~
- hotel, motel or tavern
- ~~motor vehicle sales establishment~~
- ~~motor vehicle service establishment~~
- office, general or professional
- parking lot
- personal service establishment
- pharmacy
- place of entertainment
- restaurant
- restaurant, ~~drive-thru or~~ take-out
- service shop, subject to Section 14.2.4
- store, convenience, subject to Section 14.2.4
- store, retail, subject to Section 14.2.4
- studio
- tourist information centre

14.1.9 MAXIMUM HEIGHT ~~12.0 m (39 ft)~~ 16.5 m (54 ft)

~~15.2.1 CAR WASH~~

~~NOTWITHSTANDING ANY PREVIOUS PROVISIONS OF SECTION 15.0 OF THIS BY-LAW, CAR WASH MAY BE ERECTED, USED OR ALTERED WITHIN THE VILLAGE COMMERCIAL (C1) ZONE~~

~~PROVIDED SUCH CAR WASH IS SERVICED BY A PUBLIC WATER SUPPLY SYSTEM.~~

~~15.2.2~~ 14.2.1 DWELLING UNITS

The following provisions apply where a part of a building used or intended for purposes of a commercial use in the Village Commercial Centre (C1) Zone is designed, used, or intended for use as a dwelling unit:

(b) Access:

Pedestrian access to each dwelling unit, other than an accessory dwelling unit, ~~shall be provided from an adjacent street and~~ shall be for the sole use of the occupants of the said dwelling unit and any other dwelling units located in the same building.

~~15.2.3~~ 14.2.2 GARAGE, PUBLIC

In addition to previous provisions of Section 15.0 of this By-law, the following provisions shall apply to a public garage in the Village Commercial Centre (C1) Zone:

(a) maximum area for the open storage of motor vehicles: 100.0 m² (1,076ft²)

~~15.2.4~~ ~~GAS BARS~~

~~NOTWITHSTANDING ANY PREVIOUS PROVISIONS OF SECTION 15.0 OF THIS BY-LAW, A CANOPY, KIOSK OR PUMP ISLAND ACCESSORY TO A GAS BAR OR A MOTOR VEHICLE SERVICE ESTABLISHMENT MAY BE ERECTED, USED OR ALTERED WITHIN THE VILLAGE COMMERCIAL (C1) ZONE PROVIDED SUCH CANOPY, KIOSK OR PUMP ISLAND IS LOCATED NOT CLOSER THAN 4.5 METRES (15 FT) FROM A LOT LINE OR 7.5 METRES (25 FT) TO A DWELLING LOCATED ON A SEPARATE LOT.~~

~~15.2.5~~ ~~MOTOR VEHICLE SERVICE ESTABLISHMENT~~

~~NOTWITHSTANDING ANY PREVIOUS PROVISIONS OF SECTION 15.0 OF THIS BY-LAW, THE FOLLOWING PROVISIONS SHALL APPLY TO A MOTOR VEHICLE SERVICE ESTABLISHMENT IN THE VILLAGE COMMERCIAL (C1) ZONE:~~

~~(A) MINIMUM LOT AREA 2,200.0 M² (0.5 AC)~~

~~(B) MINIMUM LOT FRONTAGE~~

~~(I) INTERIOR LOT 45.0 M (148 FT)~~

~~(II) CORNER LOT 55.0 M (180 FT)~~

~~(C) MINIMUM LOT DEPTH 45.0 M (148 FT)~~

~~(D) MINIMUM SIDE YARD SETBACK~~

~~(I) WHERE THE YARD ABUTS ANY RESIDENTIAL ZONE 6.0 M (20 FT)~~

~~(II) INTERIOR LOT 4.5 M (15 FT)~~

~~(III) CORNER LOT 18.0 M (59 FT) ON THE SIDE ABUTTING THE ROAD AND 4.5 M (15 FT) ON THE OTHER SIDE~~

~~(E) MINIMUM REAR YARD SETBACK 1.5 M (5 FT)~~

~~(F) MAXIMUM LOT COVERAGE 20%~~

~~15.2.5~~ 14.2.3 OPEN STORAGE AS AN ACCESSORY USE

Notwithstanding any previous provisions of Section ~~15.0~~ 14.0 of this By-law, open storage as an accessory use in the ~~Commercial Centre~~ (C1) Zone shall:

14.2.4 MAXIMUM GROSS FLOOR AREA

The maximum gross floor area for all uses subject to this provision shall be 500.0 m² (5381 ft²) per lot.

~~15.3.13~~ **[MOVED TO SECTION 17.3]**

~~(a) DEFINED AREA~~

~~C1-13 as shown on Schedule 'A', Key Map U-6, to this By-law~~

~~(b) PERMITTED USES~~

~~dwelling units on the ground floor (maximum of two)
all permitted uses of the C1 zone~~

~~(c) MINIMUM LOT AREA 809.37 m² (0.2 ac)~~

18) That Section 16.0 "HIGHWAY COMMERCIAL (C2) Zone" be amended by modifying the following sub-sections and re-numbering as Section 15.0:

"15.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Highway Commercial (C2) Zone except for the following purposes:

- accessory use
- animal clinic
- building supply establishment
- car wash
- day nursery
- financial institution
- flea market
- garage, public
- garden centre
- gas bar
- hotel, motel or tavern
- market garden
- micro-brewery
- motor vehicle sales establishment
- motor vehicle service establishment
- place of entertainment
- place of recreation
- nursery
- office, general
- office, professional
- personal service establishment
- pharmacy
- restaurant
- restaurant, drive-thru or take-out
- service shop
- store, convenience
- store, retail
- studio
- tourist information centre"

19) That Section 17.0 “OFFICE PARK COMMERCIAL (C3) Zone” be amended by re-numbering as Section 16.0.

20) That a new Section 17.0 “HAMLET COMMERCIAL (C4) Zone” be added:

The provisions of the Hamlet Commercial (C4) Zone shall apply to commercial development located in the core areas of the Municipality’s hamlets.

“17.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Hamlet Commercial (C4) Zone except for the following purposes:

- accessory use
- animal clinic
- bed and breakfast establishment
- boarding house, rooming house, or tourist home
- car wash
- clinic
- club, private
- day nursery
- dwelling units connected to and forming an integral part of a main building and located above the first storey to a maximum of two storeys and/or located below the first storey in a basement
- financial institution
- garage, public
- gas bar
- hotel, motel or tavern
- motor vehicle sales establishment
- motor vehicle service establishment
- office, general or professional
- parking lot
- personal service establishment
- place of entertainment
- restaurant
- restaurant, drive-thru or take-out
- service shop
- store, convenience
- store, retail
- studio
- tourist information centre

17.1.2 MINIMUM LOT AREA

(a) where a public water supply and public sanitary sewage systems are not available: 3,000.0 m² (0.8 ac)

(b) where a public water supply or public sanitary sewage system is available: 2,000.0 m² (0.5 ac)

(c) where a public water supply and public sanitary sewage system are available: 1,500.0 m² (0.4 ac)

17.1.3 MINIMUM LOT FRONTAGE 20.0 m (66 ft)

17.1.4 MINIMUM front yard SETBACK

(a) in accordance with Section 4.18 of this By-law

(b) all other roads 0 m (0 ft)

17.1.5 MINIMUM SIDE YARD SETBACK

(i) where the yard abuts any Residential Zone 6.0 m (20 ft)

(ii) corner lot abutting the road and 0 m (0 ft) on the other side 6.0 m (20 ft) on the side

17.1.6 MINIMUM REAR YARD SETBACK 10.0 m (33 ft)

17.1.7 MAXIMUM LOT COVERAGE 40%

17.1.8 MINIMUM SEPARATION DISTANCE FROM A BUILDING OR PUMP ISLAND TO A DWELLING 7.5 m (25 ft)

17.1.9 MAXIMUM HEIGHT 12.0 m (39 ft)

17.2 SPECIAL USE REGULATIONS

17.2.1 CAR WASH

Notwithstanding any previous provisions of Section **Error! Reference source not found.** of this By-law, car wash may be erected, used or altered within the Hamlet Commercial (C4) Zone provided such car wash is serviced by a public water supply system.

17.2.2 DWELLING UNITS

The following provisions apply where a part of a building used or intended for purposes of a commercial use in the Hamlet Commercial (C4) Zone is designed, used, or intended for use as a dwelling unit:

(a) Minimum Floor Area of a Dwelling Unit:

<u>(i) bachelor unit</u>	<u>40.0 m² (431 ft²)</u>
<u>(ii) one bedroom unit</u>	<u>55.0 m² (592 ft²)</u>
<u>(iii) two bedroom unit</u>	<u>65.0 m² (700 ft²)</u>
<u>(iv) three bedroom unit</u>	<u>85.0 m² (915 ft²)</u>

(b) Access:

Pedestrian access to each dwelling unit, other than an accessory dwelling unit, shall be provided from an adjacent street and shall be for the sole use of the occupants of the said dwelling unit and any other dwelling units located in the same building.

(c) Exception:

No building wherein gasoline, petroleum products or any other highly flammable, toxic, or explosive products are handled for commercial purposes shall have contiguous dwelling units. Where such dwelling units exist and a use changes to a use involving the aforementioned products, the said dwelling units shall cease to be occupied as dwelling units.

17.2.3 GARAGE PUBLIC

In addition to previous provisions of Section **Error! Reference source not found.** of this By-law, the following provisions shall apply to a public garage in the Hamlet Commercial (C4) Zone:

(a) maximum area for the open storage of motor vehicles:
100.0m² (1,076ft²)

17.2.4 BAS BARS

Notwithstanding any previous provisions of Section **Error! Reference source not found.** of this By-law, a canopy, kiosk or pump island accessory to a gas bar or a motor vehicle service establishment may be erected, used or altered within the Hamlet Commercial (C4) Zone provided such canopy, kiosk or pump island is located not closer than 4.5 metres (15 ft) from a lot line or 7.5 metres (25 ft) to a dwelling located on a separate lot.

17.2.5 MOTOR VEHICLE SERVICE ESTABLISHMENT

Notwithstanding any previous provisions of Section **Error! Reference source not found.** of this By-law, the following provisions shall apply to a motor vehicle service establishment in the Hamlet Commercial (C4) Zone:

- (a) MINIMUM LOT AREA 2,200.0 m² (0.5 ac)
- (b) MINIMUM LOT FRONTAGE
 - (i) interior lot 45.0 m (148 ft)
 - (ii) corner lot 55.0 m (180 ft)
- (c) MINIMUM LOT DEPTH 45.0 m (148 ft)
- (d) MINIMUM SIDE YARD SETBACK
 - (i) where the yard abuts any Residential Zone 6.0 m (20 ft)
 - (ii) interior lot 4.5 m (15 ft)
 - (iii) corner lot 18.0 m (59 ft) on the side abutting the road and 4.5 m (15 ft) on the other side
- (e) MINIMUM REAR YARD SETBACK 1.5 m (5 ft)
- (f) MAXIMUM LOT COVERAGE 20%

17.2.6 OPEN STORAGE AS AN ACCESSORY USE

Notwithstanding any previous provisions of Section **Error! Reference source not found.** of this By-law, open storage as an accessory use in the Hamlet Commercial (C4) Zone shall:

- (a) be accessory to a motor vehicle sales establishment and located on the same lot therewith;
- (b) not be permitted, in the case of a corner lot, within any required exterior side yard;
- (c) not be permitted within any required side yard or required rear yard where such yard abuts any Residential or Institutional Zone;
- (d) not exceed twenty-five (25) percent of the total lot area of the lot on which it is located.

17.3 EXCEPTIONS

15.3.13 17.3.1 (a) DEFINED AREA

~~C1-13~~ C4-1 as shown on Schedule 'A', Key Map U-6, to this By-law

(b) PERMITTED USES

dwelling units on the ground floor (maximum of two)
all permitted uses of the ~~C4~~ C4 zone

(c) MINIMUM LOT AREA 809.37 m² (0.2 ac)”

21) That Section 18.0 “LIGHT INDUSTRIAL (M1) Zone” be amended by adding or modifying the following sub-sections:

“18.2.3 RETAIL STORE AS AN ACCESSORY USE

In addition to previous provisions of Section 18.0 of this By-law, a retail store as an accessory use in the Light Industrial (M1) Zone shall:

- (a) be located in or erected within 2.0 metres (7 ft) of the main building;
- (b) not exceed ten percent (10%) of the total floor area of the main building, to maximum of 2000.0 m² (21,527 ft²).

18.3.3

(b) PERMITTED USES

The following uses in addition to the list of permitted uses in subsection ~~18.1.1~~ 16.1.1.”

22) That Section 19.0 “GENERAL INDUSTRIAL (M2) Zone” be amended by adding or modifying the following sub-sections:

“19.2.3 RETAIL STORE AS AN ACCESSORY USE

In addition to the previous provisions of Section 19.0 of this By-law, a retail store as an accessory use in the General Industrial (M2) Zone shall:

- (a) be located in the main building;
- (b) not exceed twenty-five percent (25%) of the total floor area of the main building, to maximum of 2000.0 m² (21,527 ft²).”

23) That Section 20.0 “FARM INDUSTRIAL (M3) Zone” be amended by modifying the following sub-sections:

“20.0 The provisions of the Farm Industrial (M3) Zone shall generally apply to farm related industrial and commercial development located in the rural areas of the Municipality.”

24) That Section 21.0 “EXTRACTIVE INDUSTRIAL (M4) Zone” be amended by modifying the following sub-sections:

“21.1.1 (A) DEFINED AREA

(d) HOLDING SYMBOL

To ensure orderly development of the land, the “(h-10)” holding symbol shall not be removed from the zoning of the subject lands until the applicant/owner has entered into a site plan agreement with the ~~Corporation~~ Municipality, registered against the title of the subject lands that address matters governed by Section 41 of the Planning act as amended.”

25) That Section 23.0 “PARKS AND RECREATION (PR) Zone” be amended by modifying the following sub-sections:

“23.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Parks and Recreation (PR) Zone except for the following purposes:

- accessory use
- club, private
- conservation use
- forestry use
- golf course
- park, public or private
- place of recreation
- tourist information centre
- museum

~~21.2~~ 23.2 SPECIAL USE REGULATIONS

~~21.2.1~~ 23.2.1 LIFESTYLE COMMUNITY

Where in the Parks and Recreation (PR) Zone a Lifestyle Community is a permitted use, in addition to the previous provisions of Section 23.0 of this By-law, the following provisions shall apply to such a lifestyle community use:"

- 26) That this by-law does not come into force and take effect until after Amendment No. 59 to the Middlesex Centre Official Plan has been approved by the County of Middlesex in accordance with the provisions of Section 24(2) of the Planning Act, R.S.O 1990, c. P.13.**

Passed this [xx^{xx}] day of [Month], 2023.

Aina DeViet, Mayor

James Hutson, Clerk