

MUNICIPALITY OF MIDDLESEX CENTRE

COMPREHENSIVE ZONING BY-LAW NO. 2005-005

CONSOLIDATED VERSION – August 2026

middlesex centre
in the centre of it all

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ABOUT THIS DOCUMENT

This document constitutes a consolidated version of Zoning By-law 2005-005, The Comprehensive Zoning By-law of the Municipality of Middlesex Centre adopted by Council May 4, 2005.

It incorporates all amendments to the Zoning By-law, all Temporary Use By-laws and all amendments to remove the holding (h) symbol in full force and effect.

In addition, it also incorporates all minor variances/permissions granted by the Committee of Adjustment in full force and effect.

This document is intended for administrative and convenience purposes. For legal purposes, reference should be made to the actual adopted version of the Zoning By-law, individual amendments and Temporary Use By-laws adopted by Council and decisions of the Committee of Adjustment.

ACCESSIBILITY

If you require this document in an alternative format, please contact Middlesex Centre at:

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1.0 ADMINISTRATION

1.1 TITLE OF BY-LAW

This By-Law of the Corporation of the 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 Municipality of Middlesex Centre.

(b) COMPLIANCE WITH ZONING BY-LAW

No person shall, within the lands to which this By-Law applies, use any land or erect or use any buildings or structures in whole or in part, except in conformity with the provisions of this By-Law.

1.3 APPLICATION

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

(a) EXISTING USE CONTINUED Nothing in this By-Law shall prevent:

(i) The use of any land, building or structure for any purpose prohibited by this By-Law if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-Law, so long as it continues to be used for that purpose.

(ii) The erection or use of any building or structure for a purpose prohibited by this By-Law, the plans of which have been, prior to the day of the passing of this By-Law, approved by the Chief Building Official, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the building permit has not been revoked under the Building Code Act, 1992, S.O. 1992, c.23.

(b) 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 Municipality or by any governmental authority having jurisdiction to make such restrictions or regulations.

1.4 INTERPRETATION OF BY-LAW

(a) DEFINITIONS

In this By-Law, unless the context requires otherwise, the definitions and interpretations set out in Section 2.0 hereof shall apply.

(b) TEXT

Unless specified otherwise, the following shall apply throughout the text of this By-law:

(i) The particular shall control the general;
(ii) The word “shall” is to be construed as mandatory and not discretionary;
(iii) Unless the contrary intention specifically appears otherwise, words imparting the singular number of the masculine gender only shall include more persons, parties, or things of the same kind than one, and of any gender, and the converse;
(iv) Words used in the present tense shall include the future tense;
(v) A building or structure shall include any part thereof; and
(vi) Any Act or Regulation referred to in this By-law shall include any amendments or revisions made thereto or any subsequent Act or Regulation enacted in place thereof.

(c) NUMBER, USE AND OCCUPY

In this By-Law, unless the contrary intention is indicated, words used in the singular shall include the plural 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.

1.5 MEASUREMENTS

All measurements of length or area used in this By-Law shall be subject to the normal rules of rounding numbers, within the degree of precision specified by the number of digits following the decimal point (if any), so that:

(a) For a WHOLE NUMBER, measurements of LESS THAN 0.5 shall be rounded DOWNWARD to the next whole unit;

(b) For a WHOLE NUMBER, measurements of 0.5 AND GREATER shall be rounded UPWARD to the next whole unit;

(c) For a number having ONE DECIMAL PLACE, measurements of LESS THAN 0.05 shall be rounded DOWNWARD to the next one-tenth unit; and

(d) For a number having ONE DECIMAL PLACE, measurements of 0.05 AND GREATER shall be rounded UPWARD to the next one-tenth unit.

Ratios and percentage figures shall not be subject to rounding.

1.6 MINIMUM REQUIREMENTS

In interpreting and applying the provisions of this By-law, they are held to be the minimum requirements for the promotion of health, safety, comfort, convenience, and general welfare of the inhabitants of the Municipality.

1.7 SCHEDULE FORMS PART OF BY-LAW

Schedule A, which includes Maps U-1 to U-12 and Maps 1 to 102 inclusive, and which is attached hereto, forms a part of this By-law as fully and to all intents and purposes as though recited in full herein.

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.

1.9 LICENCES AND PERMITS

(a) No municipal permit, certificate, or license shall be issued where the said permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in violation of any provisions of this By-law.

(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 Municipality of Middlesex Centre.

(c) No person shall occupy a new building or structure, in whole or in part, until such time as a final inspection has been given by the Chief Building Official.

(d) Where Ontario Fill, Construction and Alterations to Waterways Regulations are in effect, a permit from the Conservation Authority having jurisdiction or any other authority having jurisdiction is required prior to the construction of any building or structure or any grading/excavation taking place on the regulated lands. These lands are delineated by shading for reference purposes and are shown on Schedule A to this By-law.

1.10 ISSUANCE OF BUILDING PERMITS

Notwithstanding the provisions of the Building Code Act, 1992, S.O. 1992, c.23, or any by-law of the Municipality to the contrary, no building permit shall be issued where a proposed building, structure or alteration to an existing building or structure would contravene in any way, one or more of the provisions of this By- Law.

1.11 BUILDINGS TO BE MOVED

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

1.12 RISK, EXPENSE AND COMPLIANCE

The facilities, yards or other matters required by this By-Law shall be provided and maintained at the sole risk and expense of the owner of the lands in respect of which such matters are required hereby, and the said owner and/or user shall at all times bear full responsibility for ensuring compliance in all respects with this By-Law.

1.13 INSPECTION

(a) Subject to Clause (b) of this Subsection, the By-law Enforcement Officer, or any other officer or employee of the 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 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 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.

1.14 VIOLATIONS AND PENALTIES

Every person:

(a) who contravenes any of the provisions of this By-Law; or

(b) who is the owner of any land used or of any building or structure erected, altered, enlarged or used in contravention of this By-Law; or

(c) who causes or permits any land used or of any building or structure erected, altered, enlarged or used in contravention of this By-Law; or

(d) who is the occupant of any land used or of any building or structure erected, altered, enlarged or used in contravention of this By-Law;

is guilty of an offence and on conviction is liable,

(e) on a first conviction to a fine of not more than $50,000.00 and

(f) on a subsequent conviction to a fine of not more than $25,000.00 for each day or part thereof during which the contravention has continued after the day upon which there was a first conviction;

provided that if a corporation is convicted under this Section 1.15, the maximum penalty that may be imposed is,

(g) on the first conviction, a fine of not more than $100,000.00, and

(h) on a subsequent conviction, to a fine of not more than $50,000.00 for each day or part thereof during which the contravention has continued after the day upon which the corporation was first convicted.

Every such penalty shall be recoverable under the provisions of the Municipal Act, 2001, S.O. 2001, c. 25 and the Provincial Offences Act, R.S.O. 1990, c.P. 33.

1.15 ORDER OF PROHIBITION

When a conviction is entered under Section 1.14, in addition to any other remedy or any penalty provided by law, the Court in which the conviction has been entered and any Court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

1.16 APPLICATION 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 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 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 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 Municipality pursuant to the relevant provisions of 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 expense by the Municipality, at its sole discretion, and the 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.

1.19 VALIDITY

A decision of a Court that one or more of the provisions of this By-Law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-Law.

1.20 REPEAL OF EXISTING BY-LAWS

From the coming into force of this By-Law, the former Township of Delaware Zoning By-law No. 8-1984 as amended, the former Township of Lobo Zoning By-law No. 95-100 as amended, the former Township of London Zoning By-law No. 6550/96 as amended, and the former Town of Westminster Zoning By-law No. 2000 as amended, passed under Section 34 of the Planning Act, R.S.O. 1990, c.P.13 shall be repealed save and except to the extent that they affect any minor variances duly granted to these by-laws after January 1, 1998 under Section 45 of the Planning Act, R.S.O. 1990, c.P.13.

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 Land Tribunal or equivalent body.

2.0 DEFINITIONS

Whenever used in this By-law, all words and phrases shall have their customary meaning with the exception of the following words and phrases that shall have the following meanings:

2.1 **ABATTOIR** means a building or structure, or portion thereof, where animals are slaughtered for the purposes of processing meat into food for human consumption; and where meat products are produced, processed, handled, stored or sold.

2.2 **ACCESSORY**, when used to describe a use, building or structure means a use, building or a structure that is:

(a) incidental, subordinate and exclusively devoted to a main use, building or structure;

(b) located on the same lot as the main use, building or structure; and

(c) unless specified otherwise in this By-law, not used for human habitation.

2.3 **ADULT ENTERTAINMENT ESTABLISHMENT** means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

In this definition:

(a) **TO PROVIDE** includes to furnish, perform, solicit, or give such services and providing and provision have corresponding meanings;

(b) **SERVICES** include activities, facilities, performers, exhibitions, viewings and encounters;

(c) SERVICES DESIGNED TO APPEAL TO EROTIC OR SEXUAL APPETITES OR INCLINATIONS includes:

(i) services of which a principal feature or characteristic is the nudity or partial nudity of any person;

(ii) services in respect of which the word nude, naked, topless, bottomless, sexy, or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.

2.4 **AGGREGATE** means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, and rock other than metallic ores.

2.5 **AGGREGATE STORAGE** means an area in which aggregate may be stored in conjunction with a pit or quarry, for sale or use in the production of cement or asphalt.

2.6 **AGRICULTURAL PROCESSING ESTABLISHMENT** means a lot, building or structure used for the processing of products directly derived from agriculture and may include the processing, storage and transport of such products and an abattoir.

2.7 **AGRICULTURAL SALES ESTABLISHMENT** means a lot, buildings, or structures or portions thereof for the purpose of sales of goods, materials or services that are necessary to support agricultural uses as defined in this By-law and, without limiting the generality of the foregoing, may include the processing, sale and storage of feed, fertilizer and chemical products, agricultural products and farm fuel suppliers or depots.

2.8 **AGRICULTURAL USE** means the cultivation of land, the production of crops and the processing and selling of such products on a lot, and the breeding, raising and care of livestock and the selling of such livestock or the products of such livestock raised on a lot and without limiting the generality of the foregoing, may include animal husbandry, aquaculture, fur farming, pasturage, the raising and harvesting of field crops, horticulture, dairying, poultry keeping, fruit bush crops, fruit tree crops or vine crops, wholesale greenhouses, sod farming, agri-forestry such as Christmas tree plantations, a mushroom farm, apiary and beekeeping, with or without its main buildings, including one single detached dwelling, barns, sheds, pens and similar accessory buildings, but does not include any dwelling accessory to the farming operation, a mushroom composting facility.

2.9 **AGRICULTURAL USE, INTENSIVE LIVESTOCK** means an agricultural use of a lot which includes the keeping of one or more types of livestock in such numbers that either:

(a) the livestock units kept on such lot exceeds one hundred and fifty (150) livestock units; or

(b) the livestock units density determined for such lot is greater than five (5) livestock units per tillable hectare available for the farm operation on such lot for application of livestock manure for such lot;

and for the purpose of the definition of intensive livestock agricultural use, **LIVESTOCK UNITS** kept on a lot at any particular time shall be determined:

(i) by calculating the maximum number of each livestock type kept on such lot at that time,
(ii) by dividing such maximum number of each such livestock type by the Animals per Livestock Unit Factor prescribed in Table 1, Appendix A of Minimum Distance Separation II (MDS II) in order to determine the livestock units for each such animal or bird type kept on such lot at such time, and
(iii) by aggregating the livestock units for each animal or bird type kept on such lot at any such time.

For the purpose of the definition of intensive livestock agricultural use, **LIVESTOCK UNIT DENSITY** for a lot shall be determined by dividing the number of livestock units, kept on such lot as calculated using Table, 1, Appendix A of Minimum Distance Separation II (MDS II) by the tillable land base identified in a nutrient management plan, or by the tillable land base available on such lot.

For the purpose of the definition of intensive livestock agricultural use, **TILLABLE LAND BASE** for a lot means the total area of land in hectares, including pasture land that is capable of being cultivated.

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.

2.12 **ALTER**, when used in reference to a building or structure, or portion thereof, means to change any one or more of the internal or external dimensions of such building or structure or to change the type of construction of the exterior walls or roof thereof.

2.13 **ALTER**, when used in reference to a lot, means to decrease or increase the width, depth, or area thereof or to decrease or increase the frontage, depth or area of any required yard, setback, or parking area, or to change the location of any boundary of such lot with respect to a road, whether such alteration is made by conveyance or alienation of any portion of the said lot.

2.14 **AMENITY AREA** shall mean a space located indoors or outdoors for the passive enjoyment and active recreational needs of the residents where private yards may not be provided. Amenity Area includes, but is not limited to outdoor patios, open landscaped areas, communal indoor and/or outdoor fitness spaces, communal indoor social spaces, swimming pools, and outdoor rooftop decks and other areas that can reasonably be used by residents for active or passive recreation, but does not include lobbies, common laundry areas, storage areas, hallways, parking areas, landscape strips, and loading spaces.

2.15 **ANIMAL CLINIC** means a building or part thereof, designed, used or intended for use by a veterinarian and 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.

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

2.17 **AMBULATORY MOBILE ANIMAL HOSPITAL** means a building or part thereof, designed, used or intended for use by a veterinarian and their assistants for the purpose of supporting the care and treatment of livestock at off-site locations and does not permit treatment to occur on site. It may not include an Animal Clinic.

2.18 **APARTMENT BUILDING** means multiple dwelling units contained within a building, which have a common entrance from the outside, and may contain one or more permitted uses other than residential on the first floor.

2.19 **AREA OF OPERATION** means, in relation to an on-farm diversified use, all associated buildings, landscape 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.

2.20 **ATTACHED** when used in reference to a building, means a building otherwise complete in itself, which depends for structural support or for complete enclosure, upon a division wall or division walls shared in common with adjacent building or buildings.

2.21 **ATTIC** means the topmost usable storey of a building, situated wholly or partly within a roof, where at least 50.0 percent, but not more than 66.0 percent of such storey is greater than 2.0 metres (6.6 ft) in height.

2.22 **BASEMENT** means that portion of a building between two floor levels which is partly underground but which has less than one-half of its height from finished floor to finished ceiling below finished ground surface or grade.

2.23 **BED AND BREAKFAST ESTABLISHMENT** means a single detached dwelling in which not more than five rooms are made available by the person or persons occupying the said dwelling for the temporary accommodation of the travelling or vacationing public and within which light meals may be offered. A maximum of one non-luminous sign indicating the name and business of the occupant and having a maximum area of 1 m^2 shall be permitted.

2.24 **BEDROOM** means a habitable room located within a dwelling unit and used primarily for sleeping.

2.25 **BOARDING HOUSE, ROOMING HOUSE or TOURIST HOME** means a building or portion thereof, in which the proprietor resides and supplies, for hire or gain to other persons, lodging and/or meals, but shall not include a hotel, hospital, home for the young or the aged, or institution, or restaurant accommodating the general public.

2.26 **BODY-RUB ESTABLISHMENT or MASSAGE PARLOUR** means any premises or part thereof where a body-rub or a massage is performed, offered, or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs or massages performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario.

2.27 **BUILDING** means a structure, whether temporary or permanent, used or intended for sheltering any use or occupancy and consisting of a wall, roof, and floor or any one or more of them, or a structural system serving the functions thereof, including all the works, fixtures, and service systems appurtenant thereto, but shall not include a boundary wall, fence, travel trailer, camping trailer, truck camper, motor home, or tent, or as otherwise defined under the Building Code Act, 1992, S.O. 1992, c.23.

2.28 **BUILDING ENVELOPE** means that portion of a lot within which permitted buildings or other structures may be altered, erected, used, or maintained.

2.29 **BUILDING LINE** means a line within a lot drawn parallel to a lot line which establishes the minimum distance between the lot line and any building or structure which may be erected. Where the lot line is a curve, the same shall apply.

2.30 **BUILDING LINE, ESTABLISHED** means a building line established between existing buildings where at least five (5) main buildings have been erected on any one side of a continuous one hundred and fifty (150) metre strip of land fronting on a street or road. The established building line shall thus mean the average setback of the existing main buildings.

2.31 **BUILDING PERMIT** means a permit required by the Building By-law under the Building Code Act, 1992, S.O. 1992, c.23.

2.32 **BUILDING SUPPLY ESTABLISHMENT** means a building or structure in which building or construction and home improvement materials are offered or kept for retail sale.

2.33 **BULK SALES ESTABLISHMENT** means the use of land, structure or building, or the portions thereof, for the purpose of buying, selling, and storing fuel oil, lumber, wood, building materials, or similar bulk commodities, but excludes any manufacturing, assembling or processing of these commodities.

2.34 **BY-LAW ENFORCEMENT OFFICER** means an officer or employee of the Municipality charged with the duties of enforcing this By-law.

2.35 **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 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.

2.36 **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.

2.37 **CANOPY** means a permanent, unenclosed roof structure erected for the purpose of sheltering motor vehicle fuel pumps and dispenser islands from the weather.

2.38 **CARPORT** means a building or structure with not more than 60% of the wall area enclosed, used for the parking or storage of motor vehicles.

2.39 **CAR WASH** means the use of land, buildings, or structures, for the purpose of washing motor vehicles.

2.40 **CELLAR** means that portion of a building between two floor levels which is partly or wholly underground but which has more than one-half of its height from finished floor to ceiling below adjacent finished ground surface or grade.

2.41 **CEMETERY** means the use of land, buildings, or structures, for the interment of the dead, deceased or in which human bodies have been buried and may include a crematorium, mausoleum and columbium.

2.42 **CENTRELINE, STREET** means the centreline of the original road allowance, centreline of the street right-of-way or any widened road allowance.

2.43 **CHIEF BUILDING OFFICIAL** means the officer or employee of the 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.

2.44 **CLINIC** means a building, or part thereof, that is used by physicians, dentists or physical or mental health practitioners and their staff for the purpose of consultation, diagnosis and treatment of out patients and may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the facility.

2.45 **CLUB, PRIVATE** means a building, or portion thereof, designed, used, or intended for use as a meeting place for the members of an organization, association, fraternal order, or similar group, not operated for profit and wherein athletic facilities, dining rooms, and beverage rooms may be provided. A private club does not include a body rub parlour or adult entertainment parlour.

2.46 **COMMUNITY CENTRE** means a building, or portion thereof, used for community activities, the control of which is vested in the Municipality, a local board, or trustees.

2.47 **CONSERVATION AUTHORITY** means the Conservation Authority having jurisdiction or any successors thereto.

2.48 **CONSULTANT IN AGRICULTURE** means a professional agrologist or engineer with a current accreditation and/or specialization in the assessment of soils, manure and nutrient management or an individual who can provide documentary proof of recent satisfactory completion of the Ministry of Agriculture and Food program with respect to manure and nutrient management.

2.49 **CONTRACTOR'S YARD or SHOP** means the use of land, buildings, or structures, or portion thereof, for the purpose of storing equipment, vehicles, or material, or for performing shop work or assembly work by any building trade or other construction contractor.

2.50 **CONSERVATION** means the use of a lot, building or structure for the purpose of management of natural resources, fish and wildlife.

2.51 **COUNCIL** means the Municipal Council of The Municipality of Middlesex Centre.

2.52 **COUNTY** means The Corporation of the County of Middlesex.

2.53 **DAY NURSERY** means a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, as otherwise defined under the Day Nurseries Act, R.S.O. 1990, c. D.2.

2.54 **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.

2.55 **DENSITY** means the ratio of the number of dwelling units located or proposed to be located on a lot to one (1) hectare of lot area where the area to be measured shall include all lands within the lot proposed to be used for buildings, structures, streets, parking areas, landscaped open space or any other purpose.

2.56 **DOG KENNEL** means the use of land, buildings, structures or enclosed space, or portion thereof, but not a building used for human habitation, in which four (4) or more dogs of at least four (4) months of age are kept, groomed, bred, boarded, trained or sold.

2.57 **DOG RUN** means an area of land set aside as part of a dog kennel or for the purpose of exercising dogs.

2.58 **DRIVEWAY, PRIVATE** means a private passageway for a motor vehicle, having at least one end thereof connected to a road, and providing the principal means of vehicular access to a lot.

2.59 **DRIVEWAY, MUTUAL** means an ingress or egress that is common to two (2) or more owners of abutting lands as a right-of-way registered against the title of the lands.

2.60 **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.

2.61 **DWELLING UNIT** means a suite of 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.

(a) **ADDITIONAL RESIDENTIAL UNIT** means a self-contained dwelling unit that is subordinate in scale to the principal dwelling

(b) **APARTMENT DWELLING UNIT** shall mean dwelling units contained within an Apartment Building.

(c) **BACHELOR UNIT** shall mean a unit within an Apartment Building or Multiple Unit Dwelling, or any other building type, wherein the living area includes the area for sleeping arrangements and no separate bedroom is provided.

(d) **CONVERTED DWELLING** means a dwelling originally designed as a single unit dwelling which because of its size or design is or is capable of being converted by partition and the addition of sanitary facilities and kitchen facilities into no more than two dwelling units.

(e) **DUPLEX DWELLING** means one of two dwelling units contained within a building divided horizontally into two separate units, where each unit has an independent entrance directly from the outside or through a common vestibule.

(f) **GROUPED HOUSING** means two or more separate dwellings located on the same lot and is not considered to be a street townhouse dwelling, semi-detached dwelling, or another dwelling with an additional residential unit for the purpose of this by-law

(g) **LINK DWELLING** means one of two dwelling units attached vertically by a below grade common wall, each of which has an independent entrance directly from the outside.

(h) **MULTIPLE UNIT DWELLING** means a dwelling unit within a building divided into two or more dwelling units, where each unit has an independent entrance directly from the outside or through common vestibules, but excludes any other dwelling as may be defined herein. A single detached dwelling, semi-detached dwelling, or street townhouse dwelling with any number of additional residential units is not considered a multiple unit dwelling.

(i) **PRINCIPAL DWELLING** means a single detached dwelling, semi-detached dwelling or street townhouse dwelling that serves as the principal residential use on a lot in both scale and function

(j) **SEMI-DETACHED DWELLING** means two dwelling units attached by a common wall, each of which has an independent entrance directly from the outside.

(k) **SINGLE DETACHED DWELLING** means a separate dwelling containing one Principal Dwelling unit.

(l) **TOWNHOUSE DWELLING**, means a dwelling that is divided vertically into three or more dwelling units, each of which has a separate entrance at grade, and so located on a lot that the individual units are not required to have legal frontage on a public road.

(m) **TOWNHOUSE DWELLING, STREET** means a minimum of three dwelling units attached by a common wall and each of which shall have frontage on a public street and held in fee simple.

2.62 **EFFECTIVE DATE** means the date that this by-law shall be deemed to come into full force and effect in accordance with the relevant Section of the Planning Act, R.S.O. 1990, c. P.13.

2.63 **ERECT** means to build, construct, reconstruct, or relocate, and without limiting the foregoing, also includes:

(a) any preliminary operation such as excavation, filling or draining;

(b) the altering of any existing building or structure by an addition, enlargement, extension or other structural change;

(c) the moving of a building or structure from one location to another; and

(d) any work requiring a Building Permit under the Building By-law and the Building Code Act, 1992, S.O. 1992, c.23.

For the purposes of this By-law, ERECTED and ERECTION shall have corresponding meanings.

2.64 **EXISTING** means legally existing at the date of the passing of this By-law.

2.65 **FARM EQUIPMENT SALES AND SERVICE ESTABLISHMENT** means the use of land, buildings, or structures, or portions thereof, where farm vehicles and equipment are stored for purposes of sale, lease, or hire and where such vehicles and equipment are repaired or serviced for purposes of being maintained in an operable condition.

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** means a lot, building or structure, or part thereof in an agricultural area 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.

2.70 **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.

2.71 **FLOOD, REGULATORY** means the approved standard used to define the limit of the flood plain for the regulatory purposes.

2.72 **FLOOR, 100-YEAR** means the 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 exceed in a given year.

2.73 **FINANCIAL INSTITUTION** means a building where money is deposited, withdrawn, kept, loaned, invested, and/or exchanged and, without limiting the generality of the foregoing, includes a bank, trust company, credit union or an investment or brokerage firm.

2.74 **FINISHED GRADE**, when used in reference to a building or structure, means the average elevation of the finished surface of the ground immediately adjoining the base of the exterior walls or supports of such building or structure, exclusive of any artificial embankment.

2.75 **FLEA MARKET** means a lot, building or structure on or within which goods and/or services are offered to the public for sale by different vendors from individual stalls or stands.

2.76 **FLOOR AREA** means the sum of the area of all floors of a building measured from the outside of all exterior walls exclusive of any attic, basement, cellar, garage, veranda, porch or sunroom unless such enclosed porch or sunroom is an integral part of the building and habitable in all seasons, and excluding any floor area with a ceiling height of less than two (2.0) metres.

2.77 **FLOOR AREA, GROSS** means the total sum of the horizontal areas of a building or structure measured from the exterior faces of the exterior wall or from the centreline of any common or partition wall but shall not include the horizontal area of any cellar, attic, enclosed parking area, enclosed loading space, or any unenclosed porch, veranda, balcony or similar structure.

2.78 **FLOOR AREA, GROUND** means the sum of the area of the first floor of a building above grade, measured from the outside of all exterior walls exclusive of any enclosed parking area, carport porch, veranda or sunroom (unless such sunroom is habitable all seasons of the year).

2.79 **FORESTRY USE** means the general raising and harvesting of wood and, without limiting the generality of the foregoing, shall include the raising and cutting of fuel wood, pulp wood, lumber, Christmas trees, and other forest products.

2.80 **FUEL DEPOT** means a lot where bulk storage of fuel, including petroleum products and propane takes place, and where wholesaling and retailing of these products may be carried on.

2.81 **FUNERAL ESTABLISHMENT** is a business licensed under the Bereavement Authority of Ontario that offers planning for funeral services and supplies, but does not permit a licensed undertaker who prepares corpses for interment or cremation, a crematorium or a funeral home or visitation services typically associated with funeral services

2.82 **FUNERAL HOME** means a building or structure, or part thereof, wherein a licensed undertaker prepares corpses for interment or cremation and may include a chapel for funeral services as an accessory use but excludes a crematorium.

2.83 **GARAGE, PRIVATE** means a building or portion of a building or structure having a maximum door opening of 3.5 metres (11.5 feet) in height and designed for the storage of private motor vehicles and the storage of household equipment incidental to residential occupancy on-site, wherein no service for profit is rendered.

2.84 **GARAGE, PUBLIC** means a building or structure, other than a private garage, where motor vehicles are kept or stored for remuneration or repair, including the complete repair to motor vehicle bodies, frames or motors, and the painting, upholstering, washing, and cleaning of such vehicles, and may include a motor vehicle service establishment.

2.85 **GARDEN CENTRE** means the use of lands, buildings, or part thereof, for the purpose of buying, selling or growing plants, trees and shrubs, lawn and garden equipment, furnishings and supplies that are generally associated with domestic landscaping activities of homeowners.

2.86 **GARDEN SUITE** means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable and temporary.

2.87 **GAS BAR** means the use of land, buildings, or structures for the sale of gasoline, propane, oil and allied products for motor vehicles and the introduction of such liquids into motor vehicles and may include the sale of sundry items but does not include provisions for motor vehicle repairs, oil changes, lubrications, or similar mechanical services and does not include a motor vehicle service establishment or a public garage.

2.88 **GOLF COURSE** means the use of land for the purpose of playing golf and without limiting the generality of the foregoing includes a driving range, a miniature golf course or combination thereof.

2.89 **GRADE** means:

(a) when used with reference to a building or structure, the average finished ground elevation immediately adjoining the wall or walls in question;

(b) when used with reference to a road, the finished elevation of such road as established by the Municipality or other authority having jurisdiction.

2.90 **GRAIN HANDLING FACILITY** means the use of land, buildings, or structures, or portions thereof, for the drying, cleaning, handling, or storing of grain, corn and similar crops, or combination thereof.

2.91 **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.

2.92 **GROUP HOME** means a facility designed, used, or intended for the accommodation of persons including staff, living under supervision, who by reason of their emotional, mental, social, or physical condition require a group living arrangement for their well-being.

2.93 **ha** means hectares.

2.94 **HAZARD LANDS** means lands that, because of their physical characteristics in combination with their location, pose a risk for the loss of life, property damage, and/or social disruption, if developed.

2.95 **HEIGHT** means, when used in reference to a building or structure, means the vertical distance between the grade at the front of such building or structure to the highest point thereon.

2.96 **HEREAFTER** means after the date of the passing of this By-law.

2.97 **HOME INDUSTRY** means a use ancillary to a residential 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.

2.98 **HOME OCCUPATION** means an occupation secondary to a residential use, conducted for a profit or gain and located entirely within the dwelling unit, by a resident of the dwelling unit plus not more than one (1) assistant, at any given time, who may not be a resident of the said dwelling unit, but does not include or permit the following: a clinic, a retail store, a service shop, a restaurant, a bed and breakfast establishment, a funeral home, a dance school, a workshop, a storage yard, a parking area or site for any of the building or construction trades.

2.99 **HOTEL** means a building or structure providing accommodation for the travelling public, with or without accessory food, beverage or other services with each suite having access from the interior of the building which may also be accessible from the outside.

2.100 **HOUSEHOLD SALES/GARAGE SALES** means the sale by the occupant of a dwelling, their own premises, of household goods belonging to the occupant.

2.101 **INDUSTRY, DRY** means a general or light industrial use which does not include or require the direct consumption of water and where the only waste water discharges are from auxiliary facilities such as washrooms, the indirect cooling of machinery and/or pressure testing equipment.

2.102 **INDUSTRIAL USE, GENERAL** means the use of land, buildings or structures or portions thereof, designed, used or intended for the purpose of manufacturing, assembling, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, or storing or adapting for sale of any goods, substance article or thing, including the storage of construction equipment and materials.

2.103 **INDUSTRIAL USE, LIGHT** means the use of land, buildings, or structures, or portions thereof, designed, used or intended for the purpose of manufacturing, assembling, or processing of component parts to produce finished products suitable for retail, wholesale or service trade and including repairing; servicing; distributing; warehousing; storing or adapting for sale any goods, substance, article or thing but excluding any operation which creates a nuisance as a result of the emission of any noise or air pollution that can be heard, smelled or otherwise detected outside of the building or structure in which the operation is conducted.

2.104 **INSTITUTIONAL USE** means the use of land, buildings, structures or portions thereof, for public or social purposes, but not for commercial purposes, and, without limiting the generality of the foregoing, may include governmental, religious, educational, charitable, philanthropic, hospitals, public or private schools and nursery schools, and excludes a group home as defined.

2.105 **LABORATORY** means a building or part thereof, used for scientific, medical and/or dental testing, experimentation and/or research.

2.106 **LANDING STRIP** means the strip of ground used or capable of being used for the landing and take-off of aircraft.

2.107 **LANDSCAPED OPEN SPACE** means a lot, or part thereof, which is used for the growth and maintenance of grass, shrubs, flowers, trees and similar types of vegetation and may include surfaced walkways, patios, fences and similar appurtenances.

2.108 **LIFESTYLE COMMUNITY** shall mean the use of land, buildings or structures designed, used, or intended for residential purposes, including the locating, keeping or maintaining of any cabin, mobile home, modular home, and is suitable for year-round occupancy, and where common areas and facilities may be provided including a retail store, laundromat and recreation facilities for on-site residents, including an administration building.

2.109 **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.

2.110 **LIVESTOCK BARN** means a building used or capable of being used for the housing, feeding or keeping of livestock.

2.111 **LIVESTOCK MANURE** means livestock feces and urine and may include bedding material and water.

2.112 **LIVESTOCK MANURE, LIQUID** means livestock manure, which has dry matter content not exceeding 12 percent by weight.

2.113 **LIVESTOCK MANURE, SEMI SOLID** means livestock manure, which has dry matter content greater than 12 percent by weight but less than 30 percent by weight.

2.114 **LIVESTOCK MANURE, SOLID** means livestock manure, which has dry matter content ranging from 30 to 100 percent by weight.

2.115 **LOADING SPACE** means a lot, or part thereof, which is provided for the temporary parking of one vehicle for the loading or unloading of merchandise, materials or persons.

2.116 **LOT** means a parcel or tract of land which:

(a) Is the whole of a lot on a registered plan of subdivision, so long as such registered plan is not deemed, pursuant to the Planning Act, not to be a registered plan of subdivision; or

(b) Is all of the land held or owned under distinct and separate ownership from the ownership of the fee or equity of redemption in abutting land; or

(c) The description of which is the same as in a Deed or Transfer which has been given consent pursuant to the Planning Act; or

(d) Is the whole remnant remaining to an owner or owners after a conveyance made with consent pursuant to the Planning Act; or

(e) Is a vacant land condominium unit on a registered vacant land condominium plan; and

For the purposes of this definition, no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or had been conveyed to or acquired by the Municipality, His Majesty in Right of Ontario, or His Majesty in Right of Canada.

2.117 **LOT AREA** means the total horizontal area within the lot lines of a lot, except in the case of a corner lot having street lines rounding at the corner, where the lot area of such lot shall be calculated as if the lot lines were projected to the intersection.

2.118 **LOT, CORNER** means:

(a) a lot situated at the intersection of two or more streets or a lot abutting on one or more parts of the same street where such intersections have an angle of intersection of 175 degrees or less;

(b) a lot located on the curve of a street where the angle of intersection of the projected tangents of the street line does not exceed 175 degrees.

2.119 **LOT COVERAGE** means the percentage of the area of any lot upon which buildings or structures are erected or permitted to be erected, measured at grade level including all porches and verandas, steps, cornices, eaves, bay windows, and chimneys but shall not include decks.

2.120 **LOT DEPTH** means the horizontal distance between the front and rear lot lines. Where the front and rear lot lines are not parallel, the lot depth means the length of a straight line joining the mid-points of the front lot line and the rear lot lines. Where there is no rear lot line, lot depth means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

2.121 **LOT FRONTAGE** means the horizontal distance between the side lot lines or the extension thereof of a lot measured at right angles, but where such lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line joining the centre of the front and the centre of the rear lot lines at a point 6.0 metres (19.7 ft) back from the front lot line, and where such lot lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines at a point 6.0 metres (19.7 ft) back from the front lot line.

2.122 **LOT INTERIOR** means a lot other than a corner lot.

2.123 **LOT LINE** means any boundary of a lot.

2.124 **LOT LINE, FRONT** means the lot line that abuts the street, but:

(a) in the case of a corner lot or through lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that abuts a street shall be deemed the side lot line or the rear lot line, as the case may be; but

(b) in the case of a corner lot or through lot with two lot lines of equal length abutting streets the lot line that abuts the wider street shall be deemed to be the front lot line, but where the streets are of equal width, the lot line which abuts a County Road or Provincial Highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction and of the same width, the owner of such lot may designate which street line shall be the front lot line;

(c) where lot frontage on an arterial road is required by the By-Law, the lot line that abuts the arterial road shall be interpreted as being the front lot line regardless of whether it is the longer lot line.

2.125 **LOT LINE, REAR** means the lot line farthest from or opposite to the front lot line. In the case of a triangular lot, the rear lot line shall be deemed to be the apex of the side lot lines.

2.126 **LOT LINE, SIDE** means a lot line which is neither a front lot line nor a rear lot line.

2.127 **LOT LINE, EXTERIOR SIDE** means a side lot line abutting a street line.

2.128 **LOT LINE, INTERIOR SIDE** means a side lot line abutting a lot line.

2.129 **LOT, THROUGH** means a lot bounded on two opposite ends by streets.

2.130 **m²**, means square metres.

2.131 **MACHINE SHOP** means a building or portion thereof where equipment and machinery and/or engines are serviced or repaired.

2.132 **MAIN BUILDING** means the building on a lot or part thereof designed, used, or intended for the permitted and principal use of the lot or part thereof.

2.133 **MAIN WALL** means the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof.

2.134 **MANSE** means a building used as a dwelling unit for an employee of a place of worship.

2.135 **MANURE PIT** means a containment system, with or without a roof or covering enclosing the surface area of the container, used for the storage of livestock manure, whether it be liquid livestock manure, solid livestock manure, or livestock manure that is neither liquid livestock manure nor solid livestock manure.

2.136 **MARKET GARDEN** means the use of land, buildings or structures or part thereof for the purpose of selling fruit and vegetables to the general public.

2.137 **MICRO-BREWERY** means a building or part thereof used for the small-scale production of beverages, and which may also include an accessory tasting and hospitality area, and retail sales of the products produced on-site

2.138 **MINIMUM DISTANCE SEPERATION (MDS I & MDS II)** means formulae used for the purposes of determining, in the case of MDS I, the minimum distance required for the establishment of non-agricultural uses in proximity to livestock buildings or structures located on a separate lot, and in the case of MDS II, the minimum distance required for the establishment or the expansion of livestock buildings or structures in proximity to non-agricultural uses located on a separate lot.

2.139 **MOBILE HOME** means a building or structure that is designed, constructed or fabricated so as to be made mobile and transported after construction or fabrication, either on its own wheels, on a flatbed, in or on other trailers or on detachable wheels, and so as to provide occupancy as a single unit permanent residence or a dwelling unit for one or more persons except to the extent of minor and incidental unpacking and assembling operations, placement on a stand, or connection to utilities. A mobile home does not include a bus camper, truck camper, travel trailer, tent trailer, trailer otherwise designed as a recreational vehicle, or any single unit dwellings constructed in parts, designed to be transported to a lot and where they are joined as integral parts and placed on a permanent foundation, cellar, or basement.

2.140 **MOTEL** means an establishment providing accommodation for the travelling public, with or without food, beverage or other services. Each suite shall have access from the exterior only.

2.141 **MOTOR VEHICLE** means a wheeled self-propelled vehicle for the transportation of passengers and goods and including, but not restricted to an automobile, a truck, bus, ambulance, hearse, and tractors.

2.142 **MOTOR VEHICLE, COMMERCIAL** means a vehicle licensed by the Province of Ontario:

(a) as a public vehicle pursuant to the provisions of the Public Vehicles Act, R.S.O. 1990, c. P.54; or

(b) as a public commercial vehicle pursuant to the provisions of the Public Commercial Vehicles Act.

2.143 **MOTOR VEHICLE, DERELICT** means a motor vehicle that is without a valid license plate, or is inoperable, or has no market value as a means of transportation, or is visually offensive by reason of excessive rust, dirt, paint finish, or substandard physical damage.

2.144 **MOTOR VEHICLE, RECREATIONAL** means a vehicle designed to be used as temporary accommodation for travel, vacation or recreational use, including, but not restricted to motorhomes, trailers and truck campers, but shall not include a mobile home as defined in this By-law.

2.145 **MOTOR VEHICLE SALES ESTABLISHMENT** means the use of land, buildings or structures where motor vehicles are kept for sale, and where motor vehicles may be oiled, greased or where repairs essential to the operation of motor vehicles are performed.

2.146 **MOTOR VEHICLE SERVICE ESTABLISHMENT** means the use of land, buildings or structures where gasoline, propane, oil, grease, antifreeze, tires, spark plugs, batteries and other accessories for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.

2.147 **MOTOR VEHICLE WRECKING YARD** means the use of land, buildings, or structures, where derelict motor vehicles are stored wholly or partly in the open, kept for sale and/or processed for further use.

2.148 **MUNICIPAL DRAIN** means a drainage works as defined by the Drainage Act, R.S.O. 1990, c. D.17.

2.149 **MUNICIPALITY** means the Municipality of Middlesex Centre.

2.150 **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 **NON-CONFORMING** means a use, building, structure or any part thereof which does not conform or comply with the permitted uses of this By-law as of the date of the passing thereof, or thereafter.

2.152 **NON-COMPLYING** means that which does not conform, comply or agree with the regulations of this by-law as of the date of passing thereof, or thereafter.

2.153 **NON-RESIDENTIAL** when used with reference to a building, structure or use, means designed, intended, or used for purposes other than those of a dwelling unit or activities associated with a residential use.

2.154 **NOXIOUS USE** means a health hazard or offensive trade within the meaning of the Health Protection and Promotion Act, R.S.O. 1990, c. H.7, or any use, business or trade which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas, fumes, vibration or refuse matter.

2.155 **NURSERY** means the use of land, buildings, or structures, or portions thereof, where trees, shrubs, or plants are grown for the purposes of transplanting, for use as stocks for building or grafting, or for the purpose of retail or wholesale trade.

2.156 **NURSING HOME** means a building in which the proprietor supplies lodging for the elderly, and, in addition, provides nursing, medical or similar care and treatment, if required, and may include a convalescent home or rest home.

2.157 **NUTRIENT MANAGEMENT BY-LAW** means a nutrient management by-law adopted by the Municipality in accordance with the Municipal Act, 2001, S.O. 2001, c.25.

2.158 **NUTRIENT MANAGEMENT PLAN** means a report prepared by a consultant in agriculture that evaluates existing manure handling systems and specifies the requirements for, amongst other matters, the appropriate application of nutrients (manure) and other management techniques to ensure the environmentally safe application of manure.

2.159 **OCCUPANCY** means to reside in as owner or tenant on a permanent or temporary basis.

2.160 **OFFICE, GENERAL** means a building, or portion thereof, in which one or more persons are employed in the management, direction or conducting of an agency, business, labour, or fraternal organization but excluding such uses as retail sales, manufacturing, assembly or storage of goods, or places of assembly and amusement but excludes any use as elsewhere defined in or permitted in this By- law.

2.161 **OFFICE, PROFESSIONAL** means an office used by professionally qualified persons for the purposes of giving advice, consultation or treatment to clients or patients but excludes any use as elsewhere defined in or permitted in this By- law.

2.162 **OPEN STORAGE** means the storage of goods, materials or equipment in the open air on a lot or portion thereof.

2.163 **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 and may include but are not limited to 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. An on-farm diversified use shall not include large-scale recurring events, institutional uses, and large-scale recreational facilities.

2.164 **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.

2.165 **OWNER** means the person who holds legal title to a lot.

2.166 **PARKING AISLE** means a portion of a parking area which abuts, on one or more sides, parking spaces to which it provides access, and which is not used for the parking of vehicles.

2.167 **PARKING LOT** means an area provided for the temporary parking of two or more vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of the street.

2.168 **PARKING SPACE** means an area, enclosed in a main building, in an accessory building, or unenclosed, exclusive of aisles or entrance and exit lanes, accessible to a street or lane, and set aside for the purpose of the temporary parking or storage of a motor vehicle.

2.169 **PARKING SPACE, DESIGNATED 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.

2.170 **PARKING SPACE, VISITOR** means a parking space designated and intended for the exclusive use of visitors to a dwelling.

2.171 **PARK MODEL TRAILER** means a manufactured building to which Section 9.39 of the Building Code applies, which has been designed and constructed in conformance with CAN/CSA-Z241 Series, “Park Model Trailers”, and which is used or intended to be used as a seasonal recreational building of residential occupancy.

2.172 **PARK, PRIVATE** means a park not open to the public and may be operated for commercial gain.

2.173 **PARK, PUBLIC** means a lot, or portion thereof, maintained or owned by the Municipality or a public authority for the enjoyment, health and well-being of the public and normally open to the public, and may include a conservation area.

2.174 **PERMITTED** means permitted by this By-law.

2.175 **PERSON** means an individual, an association, a firm, a partnership, an incorporated company, municipal corporation, agent or trustee and their heirs, executors, or other legal representatives of a person to whom the context of this By-law applies according to the law.

2.176 **PERSONAL SERVICE ESTABLISHMENT** means a building or part thereof in which persons are employed in furnishing services or otherwise and administering to individual and personal needs and may include the premises of a barber, hairdresser, beautician, and shoe repair establishment but shall not include an adult entertainment establishment, a body-rub establishment or a massage parlour. The sale of merchandise shall be permitted only as an accessory use to the personal service provided.

2.177 **PHARMACY** means a retail store which dispenses prescription drugs and which sells, among other things, non-prescription medicines, health and beauty products, and associated sundry items.

2.178 **PIT** means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply materials for construction, industrial or manufacturing purposes, but excludes a wayside pit.

2.179 **PIT, WAYSIDE** means a temporary pit or quarry opened and used by a public road authority, its agents or contractors, on the basis of a permit issued pursuant to the Aggregate Resources Act, R.S.O. 1990, c. A.8, solely for the purpose of a particular project or road construction contract and not located on the road right- of-way.

2.180 **PLACE OF ENTERTAINMENT** means a lot, building or structure, or part thereof, where facilities are provided for entertainment or cultural activities and may include an auditorium, a motion picture or other theatre, billiard or pool room, bingo hall, bowling alley, amusement arcade, music hall or dance hall but shall not include an adult entertainment establishment or a body rub establishment or massage parlour.

2.181 **PLACE OF RECREATION** means a lot, building or structure, or part thereof where facilities are provided for recreation and may include an arena, gymnasium, fitness centre, ice or roller skating rink or curling rink but shall not include an adult entertainment establishment or a body rub establishment or massage parlour.

2.182 **PLACE OF WORSHIP** means a lot, building or structure, or part thereof, used for a church, synagogue, mosque, temple, or other public worship and may include a cemetery and an accessory dwelling unit.

2.183 **PLANTING STRIP** means an area of landscaped open space located immediately adjacent to a lot line, or portion thereof, which is used to achieve buffering between uses, or to enhance the appearance of a site, or arranged in such a way as to form a dense or opaque screen at the property boundary. The planting strip may contain one or more of the following:

(a) a continuous row of trees;

(b) a continuous hedgerow of evergreens or shrubs;

(c) a continuous solid fence or wall;

(d) a discontinuous, solid fence or wall, together with associated shrubs or tree planting.

2.184 **PORCH** means a roofed open gallery, or portico attached to the exterior of a building.

2.185 **PORTABLE ASPHALT PLANT** means a temporary structure designed, used or intended to be used for the heating and drying of aggregate and the mixing of aggregate with bituminous asphalt to produce paving material by a public road authority, its agents or contractors solely for the purpose of a particular project or road construction contract, and may include the stockpiling and storage of bulk materials used in the process.

2.186 **PUBLIC AUTHORITY** means:

(a) the 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 Municipality.

2.187 **PUBLIC USE** when used in reference to a building, structure, use or lot, means a building, structure, use or lot used by a public authority to provide a service to the public, which includes:

(a) the Government of Canada, the Government of Ontario, or a municipal corporation defined by this By-Law;

(b) any ministry, department, commission, authority, board or agency established by the Government of Canada or the Government of Ontario;

(c) any person providing a public utility; or

(d) any railway company authorized by the Government of Canada.

2.188 **PUBLIC UTILITY** means any cable, stormwater, water, wastewater, supply, system, management facility or pipeline, artificial or natural gas supply or pipeline, electrical power or energy transmission line, steam or hot water, telephone, telegraph, and telecommunication networks, towers, a public transportation system, licensed broadcasting receiving and transmitting facilities and includes other similar works, structures, buildings and appurtenances necessarily incidental to the supplying of such services by a board, company, commission, corporation or public authority.

2.189 **PUBLIC SANITARY SEWAGE SYSTEM** means a system of underground piping and related storage, pumping, and treatment facilities for the treatment and collection of sanitary waste, operated by a public authority for public use, and to which a lot has access to make connection thereto.

2.190 **PUBLIC WATER SUPPLY SYSTEM** means a system of underground piping and related storage, pumping, and treatment facilities for the treatment and distribution of potable water, operated by a public authority for public use, and to which a lot has access to make connection thereto.

2.191 **QUARRY** means a place where consolidated rock has been or is being removed by means of an open excavation to supply materials for construction, industrial or manufacturing purposes, but excludes a wayside quarry or open pit metal mine.

2.192 **RECYCLING FACILITY** means a facility, operating by valid license from the 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.

2.193 **REQUIRED** means the minimum standard required by this by-law.

2.194 **RESIDENTIAL USE** means the use of land, buildings or structures primarily for the purposes associated with a dwelling unit.

2.195 **RESTAURANT** means a building, or part thereof, designed, used or intended for the serving of food or refreshments to the general public where the serving and consumption of food or refreshment takes place entirely within such building and may include a licensed dining lounge or temporary outside tables immediately adjacent to such building.

2.196 **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 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 motor vehicle, within the building or elsewhere on the site.

2.197 **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 their motor vehicle, within the building or elsewhere on the site.

2.198 **RETIREMENT HOME** means a building for the accommodation of senior citizens, within single or double rooms or suites which do not contain kitchens, and where central kitchen, dining and laundry facilities are provided for the residents, together with other communal facilities, under the supervision of resident and other staff, but which shall not include a Nursing Home, as defined under the Nursing Homes Act, R.S.O. 1990, c. N.7.

2.199 **RIDING SCHOOL** means the use of land, buildings, or structures for the purpose of riding, training, showing, and boarding of horses and where persons are given instructions in the riding of horses and other aspects of horsemanship.

2.200 **SALVAGE YARD** means the use of land, buildings, or structures where merchandise, articles and goods or things are stored wholly or partly in the open, kept for sale and/or processed for further use and, without limiting the generality of the foregoing, may include a junk yard, a scrap metal yard, and a motor vehicle wrecking yard.

2.201 **SAWMILL** means the use of land, buildings, or structures, or portions thereof designed, used, or intended for the sawing, planing, sanding, and finishing of wood and wood products.

2.202 **SCHOOL, PUBLIC OR PRIVATE** means a building or portion thereof designed, used, or intended for use as an educational or training establishment, which may or may not be under the jurisdiction of a board as defined in the Education Act, R.S.O. 1990, c, E.2.

2.203 **SELF STORAGE ESTABLISHMENT** means a building or buildings consisting of individual storage units accessible by the user, used for the storage of goods, wares, merchandise, substances, articles or things, but does not include a fuel storage tank except as an accessory use.

2.204 **SENSITIVE LAND USE** means buildings or outdoor spaces where routine or normal activities occurring at reasonably expected times would be subjected to one or more adverse effects from contaminant discharges, fumes, odours, vibrations, noise, or air pollutants generated by a nearby facility. Sensitive land uses may be part of the natural or built environmental and may include but are not limited to residences, childcare centres, day nurseries, places of worship, education and health facilities, community uses, parks and playgrounds.

2.205 **SERVICE SHOP** means any building or part thereof where appliances and household machinery are sold, serviced, or repaired and includes the business premises of a tradesman such as a carpenter, an electrician, a plumber and similar trades but excludes any manufacturing, processing or wholesaling.

2.206 **SETBACK** means the horizontal distance from the centre line of a road allowance, measured at right angles to such centre line, to the nearest part of any building or structure on a lot.

2.207 **SIGHT VISIBILITY TRIANGLE** means a triangular area formed by the intersecting streetlines abutting a corner lot and by a third line drawn from a point on one of the streetlines to a point on the other streetline.

2.208 **SIGN** means a name, identification, description, device, display, or illustration which is affixed to, or represented directly or indirectly upon a building, structure or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.

2.209 **STORE, CONVENIENCE** means a retail store within which is conducted the selling of groceries, cigarettes, tobacco, confectionery goods, sundry items, and other general merchandise.

2.210 **STORE, RETAIL** means a building or part thereof, designed, used, or intended for the selling or buying of goods, wares, merchandise, articles, or things at retail or the providing of a service primarily to or from the general public, and uses accessory thereto.

2.211 **STOREY** means a horizontal division of a building from a floor to the ceiling directly above such floor, and includes an attic, a basement or a cellar as defined herein, but does not include any mezzanine, gallery, balcony or other overhang the floor area of which does not exceed 40.0 percent of the least dimension of the room in which the said overhang is located.

2.212 **STREET** means a common and public street, road, lane, or highway vested in the 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) **MUNICIPAL ROAD** means a street under the jurisdiction of the Municipality.

Notwithstanding the foregoing in the case of reference to a registered vacant land condominium unit, a street shall include a private common element road which is internal to the registered vacant land condominium plan in which the unit is located

2.213 **STREET LINE** means the limit of a road allowance and is the dividing line between a lot and a street.

2.214 **STUDIO** means a building or part thereof used as the workplace of a photographer, craftsman or artist or for the instruction of art, music, dancing, l languages or similar disciplines. The sale of any artifacts produced therein shall be permitted only as an accessory use.

2.215 **STRUCTURE** means any material, object, or work erected as a unit or constructed or put together of connected or dependent parts or elements whether located under, on, or above the surface of the ground, but does not include a sign or a fence.

2.216 **SWIMMING POOL** means a body of water located outdoors, contained by artificial means, and having a depth greater than 0.5 metres (1.6 ft) at any point, and used and maintained for the purpose of swimming, wading, diving or bathing, but shall not include a farm pond or irrigation pond.

2.217 **TAVERN** means an establishment operating under the Liquor Licence Act R.S.O. 1990, c. L.19, where alcoholic beverages are sold to be consumed on the premises.

2.218 **TEMPORARY USE** means a use that is authorized under provisions of the Planning Act, R.S.O. 1990, c. P.13.

2.219 **TOP-OF-BANK** means a line delineated at a point where the oblique plane of the slope meets the horizontal plane of the table land.

2.220 **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.

2.221 **TRUCK TERMINAL** means the use of land, buildings, or structures, or portions thereof, where transports are stored, rented, leased, kept for hire, or parked for remuneration or from which trucks or transports are dispatched as common carriers, or where goods are stored temporarily for further shipment.

2.222 **USE** means when used as a noun, the purpose for which any land, building or structure is designed, used, or intended to be used, or lot that is occupied used or maintained. When used as a verb, USE means anything done or permitted to be done by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant, or agent acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land, building or structure.

2.223 **UTILITY STATION** means the use of land, buildings, or structures in connection with the supply and distribution of utilities and, without limiting the generality of the foregoing, may include a water or sewage pumping station, a water storage reservoir, an electric power transformer station, a telephone repeater station, and a microwave tower.

2.224 **WAR GAMES** means the use of land, buildings, or structures for any form of play, sport or amusement, which simulates war, armed conflict or military operations.

2.225 **WAREHOUSE** means a building or portion thereof designed, used, or intended for the storage of goods, wares, merchandise, articles, or things. A warehouse shall also include a self-storage establishment.

2.226 **WASTE** means ashes, foundry wastes and/or flue dust, garbage, refuse, domestic waste, industrial waste, and municipal refuse of any kind.

2.227 **WASTE DISPOSAL SITE** means any land or land covered by water, licensed under the provisions of the Environmental Protection Act, as amended or revised from time to time, upon, into, or through which, or building or structure in which, non-hazardous waste is deposited or processed, and any machinery and equipment or operation required for the treatment or disposal of waste.

2.228 **WATERCOURSE** means a natural channel for a stream of water, but does not include a municipal drain as defined under the provisions of the Drainage Act, R.S.O. 1990, c. D.17.

2.229 **YARD** means an open, structurally uncovered space on a lot, appurtenant to a building or structure, and unoccupied by buildings or structures from the ground to the sky, except as may be expressly permitted in this by-law, and in determining a yard measurement, the minimum horizontal distance from the respective lot line is to be used.

2.230 **YARD, FRONT** means a yard extending across the full width of the lot between the front lot line of the lot and the nearest main wall of any main building or structure on the lot. **FRONT YARD SETBACK** means the least horizontal dimension between the front lot line of the lot and the nearest main wall of any main building or structure on the lot.

2.231 **YARD, REAR** means a yard extending across the full width of the lot between the rear lot line of the lot and the nearest main wall of any main building or structure on the lot. **REAR YARD SETBACK** means the least horizontal dimension between the rear lot line of the lot and the nearest main wall of any main building or structure on the lot.

2.232 **YARD, SIDE** means a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest main wall of any main building or structure on the lot. **SIDE YARD SETBACK** means the least horizontal dimension between the side lot line of the lot and the nearest main wall of any main building or structure on the lot.

2.233 **YARD, EXTERIOR SIDE** means a side yard immediately adjacent or adjoining to a street or a road.

2.234 **YARD, INTERIOR SIDE** means a side yard other than an exterior side yard.

2.235 **ZONE** means an area delineated on the zoning maps, established by this By-law for a specific use or range of uses as shown on Schedule A attached hereto.

3.0 ZONES AND ZONING MAP

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 Municipality of Middlesex Centre, which shall be divided into one or more of the following zones:

ZONE CATEGORY	SYMBOL
AGRICULTURAL	
General Agricultural	A1
Agricultural – No Residences	A3
RESIDENTIAL	
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
Surplus Residence	SR
COMMERCIAL	
Village Centre	C1
Highway Commercial	C2
Office Park Commercial	C3
Hamlet Commercial	C4
INDUSTRIAL	
Light Industrial	M1
General Industrial	M2
Farm Industrial	M3
Extractive Industrial	M4
OTHER	
Institutional	I
Parks and Recreation	PR
Open Space	OS
Existing Use	EU

3.2 USE OF ZONE SYMBOLS

The symbols listed in Section 3.1 shall be used to refer to lands, buildings, and structures and the uses thereof permitted in this By-law in the said zones, and wherever in this By-law the word Zone is used, preceded by any of the said symbols, such zone means any area within the Municipality delineated on the zoning maps and designated thereon by the said symbol.

3.3 FILL REGULATED AREAS

The approximate extent of lands subject to the fill regulations of the Upper Thames River Conservation Authority, Lower Thames Valley Conservation Authority, St. Clair Region Conservation Authority, Kettle Creek Conservation Authority and the Ausable Bayfield Conservation Authority are delineated by shading on Schedule A. Applications for building permits in these areas will be referred to the conservation authority having jurisdiction for review and comment prior to the issuance of such permit.

3.4 DEFINED AREAS

All zones may be divided into one or more defined areas within which greater or lesser restrictions shall apply. These defined areas shall be designated by reference to the symbol of the zone together with a number so as to differentiate defined areas within a zone from each other and from other areas within the zone.

3.5 EXCEPTIONS FOR DEFINED AREAS

Within any zone, there may apply exceptions with respect to a defined area and, in addition to such exceptions, all provisions of this By-law including the general use regulations and the special use regulations applicable to the zone within which the defined area is located shall apply to the defined area provided that, unless a contrary intention appears from the exceptions, the following shall apply:

(a) if the exceptions establish regulations different from the general provisions of this By-law, including the general use regulations and special use regulations applicable to the zone within which the defined area is located, the exceptions shall supersede and prevail over such corresponding regulations of this By-law;

(b) if the exceptions establish one (1) or more specifically permitted uses of the defined area, such permitted use or uses shall be the only purpose or purposes for which land, building, or structures within the defined area may be used; and

(c) if the exceptions specifically permit one (1) or more uses in addition to those otherwise permitted in the zone within which the defined area is located, any and all of the other exceptions applicable to the defined area shall also apply to the additional permitted use or uses and not only to the uses not otherwise permitted in the zone.

3.6 INTERPRETATION OF ZONE BOUNDARIES

Where any uncertainty exists as to the location of the boundary of any of the said zones as shown on a zoning map, the following shall apply:

(a) unless otherwise shown, the boundary of the zones as shown on the zoning maps are the centre lines of the road allowance or lot lines and the projection thereof;

(b) where zone boundaries are indicated as approximately parallel to the line of any street and the distance from such street is not indicated, such zone boundaries shall be construed as being parallel to such street and the distance therefrom shall be determined by the use of the scale shown on the zoning maps;

(c) unless otherwise indicated, a street, lane, railroad or railway right-of-way, transmission line, or water course included on the zoning maps, is included within the zone of the adjoining property on either side thereof; and where such street lane, railroad or railway right-of-way, transmission line, or water course serves as a boundary between two or more different zones, a line midway in such street, lane, railroad or railway right-of-way, transmission line, or water course and extending in the general direction of the long division thereof is considered the boundary between zones unless specifically indicated otherwise; and

(d) in the event a dedicated street, lane, transmission line or right-of-way shown on the zoning maps is closed, the property formerly in said street, lane, transmission line, or right-of-way shall be included within the zone of the adjoining property on either side of the said closed street, lane, transmission line or right-of-way, and the zone boundary shall be the former centre line of said closed street, lane, transmission line or right-of-way.

3.7 HOLDING SYMBOL (h)

(a) PURPOSE

Where a zone symbol listed in Section 3.1 is used in conjunction with the holding symbol “(h)” and appears on Schedule A, no lands shall be used and no buildings or structures shall be erected or altered, unless in compliance with the following provision for interim permitted uses, until the holding symbol “(h)” is removed in accordance with provisions of the Planning Act, R.S.O. 1990, c.P.13:

(i) Interim Uses Permitted

- existing use
- public use

(b) SPECIFIC PROVISIONS

The specific holding provisions are denoted by the number immediately following the symbol “(h)” as shown on Schedule A:

(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 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 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 Ministry of Environment (MOE) Provincial noise criteria.

(iv) (h-4)

The precondition for the removal of the ‘(h-4)’ holding symbol shall be that a development agreement be registered against the title of the lands to which the holding symbol applies.

(v) (h-5)

The precondition for the removal of the “(h-5)” holding symbol shall be the undertaking of a public draft plan of subdivision and/or draft plan of condominium review process, addressing the issues outlined under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

(vi) (h-6)

The precondition for the removal of the “(h-6)” holding symbol shall be the undertaking of a public site plan review process, addressing the issues outlined under Section 41 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

(vii) (h-7)

The precondition for the removal of the (h-7) holding symbol shall be that an urban design brief be prepared by a qualified professional in association with the site plan approval process for any proposed development on the lot to which the holding symbol applies and that the urban design brief shall require the approval of the Municipality.

(viii) (h-8)

The precondition for the removal of the (h-8) holding symbol shall be the obtained of license under the Municipal ‘Farm Wedding or Events By-law.

(ix) (h-9)

The precondition for the removal of the “(h-9)” holding symbol shall be that a Vibration 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 vibration mitigation arising from the Vibration Impact Analysis have been incorporated into the site plan such that the proposed development will meet the Ministry of Environment (MOE) vibration criteria.

3.8 TEMPORARY USE BY-LAW

(a) PURPOSE

Where the symbol "(t)" followed by a zone symbol listed in Section 3.1 appears on Schedule A, it indicates that a Temporary Use By-Law has been passed in accordance with the Planning Act, R.S.O. 1990, c.P.13, to permit the use of lands, buildings or structures in accordance with the zone represented by that zone symbol within the area indicated, with the term of the said temporary use set out specifically in the Temporary Use By-Law; and upon expiry of such term, the underlying zone indicated on Schedule A shall apply.

(b) SPECIFIC PROVISIONS

The specific temporary use provisions are denoted by the number immediately following the symbol “(t)” as shown on Schedule A:

(i) (t-1)

The “(t-1)” temporary use symbol permits an existing single detached dwelling to remain within the area indicated for a temporary period while the construction of a new single detached dwelling is undertaken, as specified in the Temporary Use By-law.

(ii) (t-2)

The “(t-2)” temporary use symbol permits the use of lands, buildings or structures for other purposes which are otherwise not permitted in accordance with this By-law for a temporary period, as specified in the Temporary Use By-law.

4.0 GENERAL PROVISIONS

The provisions of this section shall apply to all zones except as otherwise indicated in this By-law.

4.1 ACCESSORY USES

(a) PERMITTED IN ALL ZONES

Accessory uses, buildings, or structures shall be permitted in any zone, subject to the provisions of this By-law for the particular zone in which the said building, structure, or use is located, and provided that no accessory building, structure or use:

(i) shall be used for human habitation, except where a dwelling unit is permitted as an accessory use;
(ii) shall, with the exception of buildings and structures for agricultural uses, be erected closer to the front lot line or exterior side lot line than the main building or structure on the lot;
(iii) shall, with the exception of buildings and structures for agricultural uses, be erected in the front yard or, in the case of a corner lot, in the exterior side yard;
(iv) shall be erected closer than the lesser of 0.75 metres (2.5 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) to a rear lot line in any Residential or Agricultural Zone;
(vi) shall, with the exception of buildings and structures for agricultural uses, be erected within 1.2 metres (4 ft) of a main building.

(b) LOT COVERAGE & GROSS FLOOR AREA

No buildings or structures accessory to a dwelling:

(i) shall exceed the lesser of 120.0 m² (1,292 ft²) of gross floor area or ten percent (10%) lot coverage on the lot, up to the total lot coverage permitted by the underlying zone in any Urban Residential, Hamlet Residential, or Community Residential Zone;
(ii) shall exceed the lesser of 10% of the lot coverage or 165.0 m² (1,776 ft²) in any Surplus Residence (SR) Zone.
(iii) shall exceed the lesser of three percent (3%) lot coverage in any Agricultural or Restricted Agricultural Zone or the following whichever is less up to the total lot coverage permitted by the underlying zoning:

- 120.0 m² (1,292 ft²) of gross floor area for accessory buildings located on a lot with an area less than 5,000 m² (1.25 ac)
- 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

No buildings or structures accessory to a dwelling:

(i) shall exceed 5.5 metres (18 ft) in height in any Urban Residential or Community Residential Zone;
(ii) shall exceed 7.0 metres (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.

(d) OTHER ZONES

In all other zones and for all other uses, the lot coverage of all accessory buildings or structures on the said lot shall not exceed fifteen percent (15%) of the said lot area.

4.2 ADDITIONAL RESIDENTIAL UNITS

(a) additional residential units shall be permitted on a lot with a principal dwelling in an area serviced by both a public water system and public sanitary services subject to the following:

(i) A maximum of three (3) additional residential units shall be permitted per lot.
(ii) A maximum of two (2) additional residential units are permitted within an accessory structure.
(iii) 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 in accordance with this By-law, which may be configured as a tandem parking space
(iv) Notwithstanding any other provision of this By-law, maximum lot coverage for lots containing an additional residential unit(s) within or attached to a Principal Dwelling, or within a detached accessory structure, shall not exceed 55% lot coverage for all buildings and structures on the lot.
(v) additional residential units within or attached to a principal dwelling shall not exceed 85% of the gross floor area of the principal dwelling.
(vi) Notwithstanding Section 4.1 of this By-law, an accessory structure containing an additional residential unit shall comply with the following:

1. Minimum Interior Side Yard Setback: 1.2 m (4.0 ft)
2. Minimum Exterior Side Yard Setback: Same as base zone
3. Minimum Rear Yard Setback: 1.2 m (4.0 ft)
4. Shall be setback at least 2.0 m (6.5 ft) from another building or structure which contains a residential unit
5. Maximum height: 7.0 m (23.0 ft)
6. Shall not be located within a front or exterior side yard
7. Shall have a 1.5m (5.0 ft) access from a pathway and/or driveway to a street that is unobstructed

(b) additional residential units shall be permitted on a lot with a principal dwelling in an area that is not fully serviced with both public water and wastewater services subject to the following:

(i) A maximum of two (2) additional residential units shall be permitted per lot;
(ii) A maximum of one (1) additional residential unit may be permitted in an accessory structure
(iii) 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 in accordance with this By-law. Notwithstanding anything to the contrary within this By-law, parking spaces for additional residential units may be configured as a tandem parking space.
(iv) Notwithstanding Accessory Use regulations in Section 4.1 of this By-law, and accessory structure containing an additional residential unit shall comply with the following:

1. Where the principal dwelling has a ground floor area of 140m² (1,500 ft²) or less, the additional residential unit shall not exceed 75% of the gross floor area of the principal dwelling;
2. Where the principal dwelling has a ground floor area of greater than 140m² (1,500 ft²), the additional residential unit shall not exceed 75% of the gross floor area of the principal dwelling, to a maximum of 120 m² (1,300 ft²), whichever is less.
3. Total lot coverage for all buildings and structures, including detached additional residential units shall be in accordance with the underlying zone regulations
4. Shall be located a maximum of 30 m from the principal dwelling, measured at the closest point of each building
5. Maximum height: 7.0 m (23.0 ft)
6. Shall not be located within the front or exterior side yard
7. Shall have a 1.5 m access from a pathway and/or driveway to a street that is unobstructed
8. The access from the public road shall be shared between the principal dwelling and additional residential unit
9. Shall comply with MDS I.
10. A well and septic evaluation from a qualified professional shall be required to demonstrate that the proposed on-site water supply and septic systems are adequate to service the additional residential unit, to the satisfaction of the Municipality. This may include a Nitrate Study in accordance with provincial guidelines, including Procedure D-5-4 or equivalent, at the discretion of the Municipality in areas with a high concentration of existing septic systems.
11. The conversion of a principal dwelling on a lot to an additional residential unit as a means to construct a larger dwelling on the lot is permitted, subject to the following:

    a. The existing dwelling shall have a ground floor area not exceeding 140 m² (1,500 ft²) at the time of application for a permit under the Building Code Act.

b. A new principal dwelling may be constructed on the same lot, provided that its gross floor area does not exceed 200 percent of the ground floor area of the existing dwelling to be converted to an additional residential unit;
c. The proposal shall demonstrate that the existing dwelling is capable of being converted to an additional residential unit in compliance with the Building Code, Fire Code and all other Provincial, County, and Municipal standards.

4.3 CANNABIS PRODUCTION FACILITIES

A cannabis production facility shall be setback a minimum of 150.0 m from a sensitive land use or any Residential Zone, Institutional zone, or Parks and Recreation zone.

4.4 CONSTRUCTION USES

Notwithstanding any other provisions of this By-law, uses, buildings or structures such as a work camp, a tool shed, mobile home, trailer, scaffold, or sign, or other building or structure incidental to and necessary for construction work and/or sales and marketing purposes on the premises, are permitted in any zone provided that:

(a) any sign which is erected does not exceed 3.0 m² (32.3 ft²) in area;

(b) such uses, buildings, or structures are used only for as long as are reasonably necessary for work in progress which has neither been finished nor abandoned, or a period of one (1) year whichever is the lesser;

(c) such uses, buildings, or structures are removed when the construction work for which they are required is terminated; and

(d) such buildings or structures are not used as a dwelling unit.

4.5 ESTABLISHED BUILDING LINES

Notwithstanding any other provisions of this By-law, where a main building is to be erected where there is an established building line, such main building may be erected closer to the street line or to the centreline of the road, as the case may be, than required in this By-law provided such main building is not erected closer to the street line or to the centreline of the road, as the case may be, than the established building line on the date of passing of this By-law.

4.6 EXISTING LOTS

Notwithstanding any other provisions of this By-law, existing lots with less than the required lot area, lot frontage, or lot depth, or which exceed the maximum lot area, may be used, and buildings and structures erected or altered thereon, for the purpose specified in the zone in which they are situated, provided:

(a) such lots are serviced or capable of being serviced by approved sanitary sewage facilities where such facilities are required by the said use, building, or structure;

(b) such lots have a minimum lot frontage of 15.0 metres (49 ft) and a minimum lot area of 1,200 m² (12,917 ft²) where a dwelling is to be erected; and

(c) all other regulations of this By-law are satisfied.

4.7 EXPLORATION AND/OR PRODUCTION OF NATURAL GAS OR CRUDE OIL

The provisions of this By-law shall not apply to the use of any agricultural land for the exploration and/or the production of natural gas or crude oil resources, or to the erection, alteration or use of any building or structure, or portion thereof, accessory thereto provided:

(a) the same is located a minimum of 300.0 metres (984 ft) from any dwelling in any Agricultural Zone; and

(b) the same is located a minimum of 1,000.0 metres (3,281 ft) from any Residential Zone.

4.8 EXPROPRIATIONS AND DEDICATIONS

A lot altered as a result of expropriation or dedication to a public authority or public utility and having less than the minimum lot area, minimum lot frontage, and/or minimum lot depth required in this By-law, may be used and a building or structure may be erected, altered or used thereon, provided all other requirements of this By-law are complied with.

4.9 FRONTAGE ON A PUBLIC ROAD

Unless otherwise specified in this By-law, no person shall erect a building or structure unless:

(a) the lot upon which such building or structure is proposed to be erected, abuts or fronts on either an improved public road of satisfactory construction and maintenance to permit the reasonable and safe passage of motor vehicles, or on a private common element road which is internal to a registered vacant land condominium plan; and

(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 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 Municipality, the County, the Province of Ontario, or some other road authority.

4.10 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 exists on the 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.

4.11 HAZARD LANDS

No buildings or structures, with the exception of those designed, used or intended for flood or erosion control purposes, shall be erected or used on lands which exhibit a hazardous condition as a result of instability, susceptibility to flooding, erosion, subsidence, inundation, or the presence of organic soils or steep slopes unless a permit has been obtained by the conservation authority having jurisdiction. The approximate extent of such lands are delineated by shading and illustrated on Schedule A to this By-law.

4.12 HEIGHT RESTRICTIONS

The height restrictions of this By-law shall not apply to restrict the height of any of the following structures:

(i) a radio antenna or television receiving or transmitting equipment;

(ii) a barn for a permitted agricultural use;

(iii) a grain elevator and storage;

(iv) a grain dryer;

(v) a belfry or cupola;

(vi) a chimney;

(vii) a church spire;

(viii) a clock tower;

(ix) an elevator or stairway penthouse;

(x) a flag pole;

(xi) a hydro-electric transmission tower or hydro pole;

(xii) an ornamental dome or structure;

(xiii) a silo;

(xiv) a steeple;

(xv) a structure containing heating, cooling or other mechanized equipment pertaining to a building;

(xvi) a water tower;

(xvii) a structure for crushing, washing, screening or processing relating to an aggregate operation;

(xviii) a tower; or

(xix) a skylight.

4.13 HOME OCCUPATION

Where permitted by this By-law, a home occupation shall be in accordance with the following provisions:

(a) a home occupation shall be secondary to a dwelling unit occupied by the owner or tenant thereof as the principal residence and located within a zone in which a home occupation is specifically listed as a permitted use;

(b) a home occupation shall not employ more than one person who does not reside in the dwelling unit, being the site of the home occupation;

(c) the total floor area of the dwelling unit, including basement area, used for the home occupation shall not exceed twenty-five percent (25%) of the total floor area of the dwelling unit or 40.0 m² (430 ft²), whichever is the lesser;

(d) a home occupation shall not be permitted within an accessory building or structure in any Residential Zone or any Agricultural Zone where a single detached dwelling is the main use;

(e) open storage shall not be permitted;

(f) the external character of the dwelling as a residence shall not change or create a nuisance, particularly in regard to noise, odour, dust and refuse;

(g) no parking in addition to the required parking for the dwelling unit shall be created; and

(h) there shall be no externally visible indications that a home occupation is being conducted within a dwelling unit, except that a sign no larger than 0.4 m² (4.3 ft²) shall be permitted.

4.14 LANDSCAPING

(a) LANDSCAPED OPEN SPACE

Landscaped open space shall be provided in accordance with the zone provisions set out herein for each zone and the following provisions:

(i) any part of a lot which is not occupied by buildings, structures, parking areas, loading spaces, driveways, excavations, agricultural uses or permitted outdoor storage areas shall be maintained as landscaped open space;

(ii) except as otherwise specifically provided herein, no part of any required front yard or required exterior side yard shall be used for any purpose other than landscaped open space;

(iii) where landscaped open space is required adjacent to any lot line or elsewhere on a lot, nothing in this By-Law shall prevent such landscaped open space from being traversed by a pedestrian walkway or a driveway, as permitted;

(iv) no part of any driveway, parking area, loading space, stoop, roof-top terrace, balcony, swimming pool or space enclosed within a building, other than a landscaped area located above an underground parking area, shall be considered part of the landscaped open space on a lot.

(b) PLANTING STRIPS

Planting strips shall be provided in accordance with the zone provisions set out herein for each zone and the following provisions:

(i) where the lot line of a lot containing a non-residential use and located in any Commercial or Industrial zone abuts a lot in any Residential Zone, or abuts a street on the opposite side of which is located a lot in any Residential Zone, then that part of the lot containing such non- residential use or directly adjoining the said lot line shall be used for no purpose other than a planting strip having a minimum width of 1.5 metres (4.9 ft), measured perpendicularly to the said lot line;

(ii) planting strips shall be provided on lands upon which a residential use is being newly established where such lands abut an existing non-residential use, which is not maintaining a planting strip in accordance with the above;

(iii) planting strips shall be provided around the perimeter of an open storage area where open storage is permitted;

(iv) where a row of trees or a hedgerow is provided as part of a required planting strip, such planting strip shall consist of a continuous screen of suitable trees or shrubs maintained at an ultimate height of not less than 1.8 metres (5.9 ft) above the elevation of the ground at the nearest lot line, except that within a sight triangle, the maximum height of any such landscaping material shall be 0.6 metres (2.0 ft);

(v) where a planting strip is required hereby, such planting strip shall be located along the entire length of the zone or lot line separating it from the abutting zone or use;

(vi) where a planting strip required hereby is traversed by a pedestrian walkway or by a driveway, in accordance with Paragraph (iii) of Clause (a) of this Subsection, such planting strip shall not be required to extend closer than 1.0 metres (3.3 ft) to the edge of such walkway or 3.0 metres (9.8 ft) closer to the edge of such driveway, provided that any intervening space between the said planting strip and the said walkway or driveway is maintained as landscaped open space.

4.15 LOTS WITH MORE THAN ONE USE OR ZONE

(a) MORE THAN ONE USE

(i) Where a lot contains more than one permitted use defined separately herein, other than an accessory use, each use shall conform to the provisions of this By-Law which are applicable to each use in the zone in which the said lot is located as if such use existed independently of any other use; and

(ii) Where standards or provisions pertaining to two or more uses on one lot are in conflict, the highest or more restrictive standards or provisions shall prevail.

(b) MORE THAN ONE ZONE

(i) Except as otherwise provided in Paragraph (ii) of this Clause, where a lot is divided into two or more zones, each portion of the said lot shall be treated as if it were a separate lot as defined herein and shall be used in accordance with the provisions of this By-Law which are applicable to the zone wherein such portion of the said lot is located; and

(ii) Notwithstanding anything to the contrary in Paragraph (i) of this Clause, where the use or uses of a lot divided into two or more zones are permitted in all zones applying to the lot, the said lot shall be considered to be a single lot as defined herein. The more restrictive zone requirements pertaining to such use or uses in all the said zones shall apply to only the said portion of the lot found in that zone.

4.16 LOTS CREATED HAVING GREATER COMPLIANCE

Where a lot is created or altered, as a result of a consent being given following the effective date, in greater compliance with the minimum lot area, the minimum lot frontage and/or minimum lot depth requirements of this By-law, the lot shall be deemed to comply with the said requirements, as the case may be, of this By- law."

4.17 LOSS BY NATURAL CAUSES

Notwithstanding any other provisions of this By-law, save and except for Section 4.8, where a building or structure is destroyed or partially destroyed by fire or other natural causes, replacement of the said building or structure to the same basic dimensions and on the same basic site shall be permitted, provided a building permit is issued within three (3) years from the date of destruction.

4.18 MINIMUM DISTANCE SEPARATION FORMULAE

All lands within the Municipality shall be subject to MDS I and MDS II; which in the case of MDS I, provides the minimum distance separation for new development from existing livestock facilities; and in the case of MDS II, provides minimum distance separation for new or expanding livestock facilities from existing development.

4.19 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 Municipal Concession Road, minimum setbacks from such roads shall be provided as follows:

(a) buildings and structures for agricultural, commercial, industrial or institutional uses:

  (i) Provincial Highway: 32.0 metres (105 ft) from the centre line of the road or 14.0 metres (46 ft) from the street line, whichever is the greater; 30.0 metres (98 ft) from the street line for all pits and quarries;
  (ii) County Road: 38.0 metres (125 ft) from the centre line of the road;
  (iii) Municipal Concession Road: 15.0 metres (49 ft) from the streetline

(b) buildings and structures for residential uses:

  (i) Provincial Highway: 26.0 metres (85 ft) from the centre line of the road or 7.5 metres (25 ft) from the street line, whichever is the greater;
  (ii) County Road: 38.0 metres (125 ft) from the centre line of the road;
  (iii) 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 shall be exempt from the above County Road setbacks.

4.20 MINIMUM SETBACKS FROM MUNICIPAL DRAINS AND NATURAL WATERCOURSES

No permanent buildings or structures shall be erected or used:

(a) closer than 7.5 metres (25 ft) from the top-of-bank of a municipal drain having the width of less than 4.5 metres (15 ft) from top-of-bank to top- of- bank;

(b) closer than 18.5 metres (61 ft) from the top-of-bank of a municipal drain having the width of between 4.5 metres (15 ft) and 7.5 metres (25 ft) from top-of-bank to top- of-bank;

(c) closer than 30.5 metres (100 ft) from the top-of-bank of a municipal drain which is 7.5 metres (25 ft) or more from top-of-bank to top-of-bank;

(d) closer than 7.5 metres (25 ft) from the centreline of a municipal tile drain.

4.21 MINIMUM SETBACKS FROM RAILWAYS

Notwithstanding any other provisions of this By-Law to the contrary, the nearest main wall of a dwelling shall not be constructed within 30.0 metres (98.4 ft) to the limit of a railway right-of-way.

4.22 MINIMUM SETBACKS FROM SEWAGE TREATMENT PLANTS

Notwithstanding any other provisions of this By-law to the contrary, the nearest main wall of a dwelling shall not be constructed within 100.0 metres (328.0 ft) of any sewage treatment plant.

4.23 NON-CONFORMING USES

Nothing in this By-law shall apply:

(a) to prevent the use of any land, building or structure for any purpose prohibited in this By-law if such land, building or structure was lawfully used for such purpose on the date of the passing of the By-law, so long as it continues to be used for that purpose; and

(b) to prevent the erection or use for a purpose prohibited in this By-law of any building or structure for which a permit has been issued under the Building Code Act, 1992, S.O. 1992, c.23, prior to the date of the passing of the By- law, so long as the building or structure when erected is used and continues to be used for purposes for which it was erected and provided the permit has not been revoked under such Act.

4.24 NON-COMPLYING BUILDINGS AND STRUCTURES ON EXISTING LOTS

Where a building or structure has been lawfully erected prior to the effective date on an existing lot having less than the minimum:

a) lot frontage; and/or

b) lot area; and/or

c) setback, front yard, side yard, rear yard, and/or lot depth; and/or

where a building or structure has been lawfully erected prior to the effective date on an existing lot having more than the maximum:

d) lot area; and/or

e) height

permitted by this By-law, the said building or structure may be used, altered, repaired, renovated or replaced provided all other applicable regulations of this By-law are complied with.

4.25 NON-COMPLYING BUILDINGS AND STRUCTURES ON NEW LOTS

Where an existing building or an existing structure on a lot created or altered as a result of a consent being given following the effective date and having less than the minimum setback and/or minimum front, side, or rear yard; or having more than the maximum floor area and/or maximum height permitted by this By-law, the said building or structure may be used, altered, repaired, renovated or replaced provided the external dimensions of the building or structure remain as they were on the day the lot was created or altered.

4.26 OPEN STORAGE

Except as otherwise specifically provided in this By-Law, no open storage shall be permitted in any zone, except in accordance with the following provisions:

(a) open storage shall be accessory to a permitted non-residential use or carried on in an enclosed building or portion thereof on the same lot;

(b) no open storage area shall be permitted in any front yard or exterior side yard, except in the case of an agricultural use;

(c) no open storage shall be located closer than 2.0 metres (6.6 ft) to an interior side lot line or a rear lot line;

(d) no open storage area shall be visible from any street or from any adjacent lot, where such adjacent lot is located in a zone other than a Commercial, Industrial or Agricultural Zone, or from a dwelling on an adjacent lot in an Agricultural Zone; and to this end, any open storage area shall be screened by a planting strip containing an opaque fence, wall or other opaque barrier not less than 1.8 metres (5.9 ft) in height, except that this provision shall not apply to any open storage area accessory to an agricultural use or to the outside display and sale of goods and materials in conjunction with a permitted commercial use;

(e) any open storage area shall be maintained as landscaped open space or provided and maintained with a stable surface, and treated so as to prevent the raising of dust or loose particles and drained, except that this provision shall not apply to any open storage area located on a lot whereon the main use is an agricultural use;

(f) notwithstanding Paragraph (e) of this Clause, no open storage area shall be considered part of any landscaped open space required hereby;

(g) no parking spaces or loading spaces required by this By-Law shall be used for open storage purposes.

Nothing in Clause (b) of this Subsection shall apply to prevent or otherwise restrict the use as an open storage area of any part of:

(h) the required front yard or the required exterior side yard on a lot containing an agricultural use, for a temporary roadside retail farm sales outlet for produce grown on the said lot; or

(i) a lot containing a single dwelling, for a special temporary sale, by auction or otherwise, of personal possessions belonging to the occupant thereof.

4.27 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) 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 4.27 (b)

(iv) The total enclosed floor area of building or structure devoted to retail sales shall not exceed 50% of the floor area of all buildings or structures used in conjunction with the on-farm diversified use. This provision shall not apply to a farm produce outlet.

(c) 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.

4.28 PARKING REGULATIONS

(a) PARKING SPACES REQUIRED

Except as otherwise provided herein, the owner or occupant of a lot, building or structure shall provide and maintain, one or more parking spaces on the said lot in accordance with the provisions of this section.

(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 duplex dwelling street townhouse dwelling	2 spaces per unit
apartment dwelling multiple unit dwelling townhouse dwelling	1.5 spaces per unit. For developments consisting of five (5) or more dwelling units, visitor parking spaces shall be provided at a minimum rate of 0.15 spaces per unit.
garden suite	1 space per unit in addition to the parking required for the principal dwelling
additional residential unit	1 space per additional residential unit, in addition to the parking required for the principal dwelling
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 m²
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 m² of retail space and 1 space per 200 m² of warehouse space
car wash	2 spaces per car wash, plus stacking spaces as may be required for this use in accordance with Section 4.28(n) of this By-law
club, private	1 space per 7 seats or 1 space per 35 m², whichever is greater
day nursery	1 space per 40 m²
financial institution	1 space per 30 m²
flea market	1 space per 20 m²
garage, public	6 spaces per bay
garden centre	1 space per 30 m²
gas bar	1 space per 10 m²
hotel or motel	1.25 spaces per guest room

TYPE OF USE	MINIMUM PARKING SPACE REQUIREMENT
market garden	1 space per 20 m²
motor vehicle sales establishment	1 space per 30 m²
motor vehicle service establishment	6 spaces per bay
nursery	1 space per 30 m²
office, general or professional	1 space per 40 m²
personal service establishment	1 space per 20 m²
place of entertainment or recreation	1 space per 7 seats or 1 space per 35 m², whichever is greater
restaurant	1 space per 10 m²
restaurant, drive-thru or take-out	1 space per 10 m²
service shop	1 space per 30 m²
store, convenience	1 space per 25 m²
store, retail	1 space per 25 m²
tavern	1 space per 10 m²
any commercial use permitted by this By-law	1 space per 30 m²
INDUSTRIAL	
abattoir	1 space per 100 m²
animal hospital	1 space per 40 m²
bulk sales establishment	1 space per 30 m² of retail space and 1 space per 200 m² of warehouse
contractor's yard or shop	1 space per 100 m²
industrial use, general industrial use, light	1 space per 100 m²
machine shop	1 space per 30 m²
truck terminal	1 space per 100 m²
warehouse	1 space per 200 m²
any industrial use permitted by this By-law but not specifically mentioned elsewhere in this Clause	1 space per 30 m² of gross floor area
INSTITUTIONAL	
arena	1 space per 7 seats or 1 space per 35 m², whichever is greater
cemetery	1 space per 30 m² of accessory office space
clinic	1 space per 30 m²
community centre	1 space per 7 seats or 1 space per 35 m², whichever is greater
funeral home	1 space per 20 seats or 1 space per 20 m², whichever is greater

TYPE OF USE	MINIMUM PARKING SPACE REQUIREMENT
institutional use	1 space per 30 m²
library	1 space per 40 m²
nursing home	1 space per 2.5 beds
place of worship	1 space per 5 seats or 1 space per 20 m², whichever is greater
retirement home	1 space per 2.5 beds
school, elementary (public or private)	3 spaces + 2 space per classroom
school, secondary (public or private)	3 spaces per classroom
any institutional use permitted by this By-law but not specifically mentioned elsewhere in this Clause	1 space per 30 m²
AGRICULTURAL	
agri-tourism	1 space per 40 m² of gross floor area dedicated to any building or structure accessory to the agri-tourism use
farm produce outlet	1 space per 25 m²
on-farm shop or café	1 space per 25 m²
other on-farm diversified uses	1 space per 40 m² of gross floor area dedicated to any building or structure accessory to the value added agricultural use
Value-added agricultural use	1 space per 40m² of gross floor area dedicated to any building or structure accessory to the value-added agricultural use
OTHER	
golf course	8 spaces per tee for a golf course and 1.5 spaces per tee for mini-putt and/or driving range
any other non-residential use permitted by this By-law but not specifically mentioned elsewhere in this Clause	1 space per 30 m² of gross floor area

(c) CALCULATION OF PARKING REQUIREMENTS

(i) where a building, structure or lot accommodates more than one type of use as set out in Clause (b) of this Subsection, the total parking space requirement for such building, structure or lot shall be the sum of the requirements for the separate uses thereof;

(ii) parking spaces required in accordance with this By-Law shall not include any parking spaces used or intended to be used primarily for the storage or parking of vehicles for hire or gain, display or sale; and

(iii) where the calculation of the required parking spaces results in a fraction, the required parking spaces shall be rounded to the next highest whole number.

(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:

MINIMUM DIMENSION	TYPE A SPACE	TYPE B SPACE
Minimum Width (m)	3.4	2.4
Minimum Length (m)	5.5	5.5
Minimum Access Aisle Width (m)	2.0	2.0
Minimum Access Aisle Length (m)	5.5	5.5

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

TOTAL REQUIRED SPACES	NUMBER OF REQUIRED BARRIER-FREE SPACES
12 or less	1
13-100	4% of total required parking spaces
101-200	3% of total required parking spaces
201-1,000	2% of total required parking spaces
Over 1,000	1, plus 1%of total required parking spaces

(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.

(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)

(f) LOCATION OF PARKING AREAS

(i) all required parking spaces shall be provided on the same lot occupied by the building, structure or use for which such parking spaces are required, and shall not form a part of any street or lane;

(ii) barrier-free parking spaces shall be located to the closest building or structure entrance and exit on the same lot for which such parking spaces are required and shall be accessible via ramps and depressed curbs to the said entrance and exit; and

(iii) where the provision of the required parking on the same lot is impossible or impractical, such off-street parking areas may be located on another lot in the same zone, within 100 metres (328 ft) of the use, building or structure requiring such parking, provided a Site Plan Agreement is registered on title of the lands used for parking committing the required parking spaces related to the said use, building or structure.

(g) YARD WHERE PERMITTED

In any Residential Zone, a driveway shall not exceed ten percent (10%) of the total area of the lot.

Except as otherwise provided herein, uncovered surface parking areas and driveways shall be permitted in any part of any yard, provided that any part of a parking area located within a required yard shall be separated from any lot lines adjacent to such required yard by a planning strip not less than 1.0 metre (3.3 ft) in width. Where a 0.0m side yard setback applies, including street townhouses or similar, no planting strip is required.

(h) PARKING STRUCTURES

Where a parking area is located in a building or structure which is accessory to a permitted use, such building or structure shall conform to all the provisions for accessory uses set out in Section 4.1 of this By-law.

(i) ACCESS TO PARKING AREAS AND SPACES

(i) access to parking areas shall be provided from an improved street by means of one or more unobstructed driveways not exceeding:

- for single detached, semi-detached, and street townhouse dwellings, driveways shall not exceed sixty percent (60%) of the total lot frontage measured at the widest point of the driveway parallel to the street line
- 12.0 m in width for any other driveway, measured at the street line, provided that no lot shall have more than two driveways for the first 30.0 m of street line thereof plus one driveway for each additional 30.0 m (98.7 ft) of street line

(ii) the portion of a driveway located within the Municipal right of way shall be in accordance with the Municipality's Infrastructure Design Standards or equivalent;

(iii) parking aisles shall have a minimum unobstructed width of 6.0 metres (19.7 ft) where two-way traffic is permitted and 3.0 metres (9.8 ft) where only one-way direction of traffic flow is permitted and shall be clearly indicated by signs, pavement markings or both;

(iv) each required parking space shall be readily accessible at all times for the parking or removal of a motor vehicle and access to any such parking space shall not be impeded by any obstruction except that this provision shall not apply to prevent the use as a parking space of any part of a driveway for a residential use, provided that no parking space shall obstruct access to a parking area on any other lot;

(v) a driveway shall not be at an angle less than 45 degrees from the streetline;

(vi) the minimum distance between a driveway and an intersection of streetlines measured along the streetline intersected by such driveway shall be 7.6 metres (25 ft);

(vii) where a two-way driveway is divided into two one-way driveways by a curb, an area of landscaped open space or any other obstruction, such driveway shall, for the purposes of this Subsection, be considered a single driveway, albeit divided, provided that such driveway shall not exceed 9.1 metres (29.9 ft) in total width, measured in accordance with Paragraph (i) of this Clause; and

(viii) nothing in this Subsection shall apply to prevent the use of a right-of- way as a means of obtaining access to a parking area, provided the said right-of-way has been specifically established for such purpose, or to prevent the establishment of abutting driveways or parking aisles along a common lot line, provided the combined width of any abutting driveways shall not exceed 9.1 metres (29.9 ft.), measured in accordance with Paragraph (i) of this Clause.

(j) SURFACE AND DRAINAGE OF PARKING AREAS AND DRIVEWAYS

(i) all parking areas and driveways, shall be provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and including, but not so as to limit the generality of the foregoing, treated crushed stone or gravel; and asphalt, concrete or other hard-surfaced material;

(ii) notwithstanding Paragraph (i) of this Clause, all parking areas and driveways located in any Residential Zone shall consist of asphalt, concrete or other hard-surfaced material;

(iii) parking areas for non-residential uses located in urban areas described as Schedule A, Maps U-1 to U-12 inclusive shall be surfaced with concrete, asphalt or other hard surfaced material to the satisfaction of the Municipality; and

(iii) all parking areas and driveways shall be drained so as to control the pooling of surface water and prevent the flow of surface water onto adjacent lots.

(k) ADDITIONS AND CHANGES IN USE

Where a building or structure is enlarged in floor area, or a use is changed, or there is an increase in the number of dwelling units or change that would require an additional number of parking spaces, then such additional parking spaces shall be provided to the number required for such change.

(l) CASH-IN-LIEU OF PARKING

Notwithstanding Clause (a) and (b) of this Subsection, the owner and/or occupant of a lot, building or structure may be exempted from providing and maintaining some or all of the minimum parking space requirements associated with the said lot provided the following conditions are met:

(i) that the area to which this subsection applies is in accordance with Schedule A, Maps U-1 through U-12 of this By-law;
(ii) that the Council or their delegate has entered into an agreement in accordance with the Municipality of Middlesex Centre Cash-in-lieu of Parking By-law, as amended; and
(iii) such agreement shall be registered on the title of the lands to which the parking exemption applies.

(m) LOADING SPACES

The owner or tenant of any building(s) or structure(s) in any commercial or industrial zone which involves the shipping, receiving, loading or unloading of goods, merchandise or materials shall provide loading spaces in accordance with the following provisions:

(i) the number of required loading spaces shall be based on the gross floor area of the building(s) or structure(s) on the lot, and are as follows:

GROSS FLOOR AREA	NUMBER OF REQUIRED LOADING SPACES
≤ 250 m² (≤ 2,690.9 ft²)	0
> 250 m² and ≤ 2,000 m² (> 2,690.9 ft² and ≤ 21,527.8 ft²)	1
> 2,000 m² and ≤ 4,000 m² (>21,527.8 ft² and ≤ 43,055.6 ft²)	2
> 4,000 m² (> 43,055.6 ft²)	2 plus 1 additional space for each 10,000 m² (107,639.1 ft²) or part thereof in excess of 4,000 m² (43,055.6 ft²)

(ii) loading spaces shall be provided on the same lot as the building(s) or structure(s) for which the said loading spaces are required;
(iii) loading spaces shall be permitted in any part of any yard, provided that any part of a loading area located within a required yard shall be separated from any lot lines adjacent to such required yard by a planting strip not less than 1.0 metre (3.3 ft) in width;
(iv) access to loading spaces shall be provided by an unobstructed driveway with a minimum width of 2.7 metres (8.9 ft);
(v) a loading space required hereby shall have minimum rectangular dimensions of 2.7 metres (8.9 ft) by 7.5 metres (24.6 ft); and

(vi) a loading space required hereby shall have a minimum vertical clearance of 4.5 metres (14.7 ft).

(n) DRIVE-THRU FACILITIES

Where a use in any zone includes a drive-thru facility, off-street motor vehicle queuing space shall be provided in accordance with the following provisions:

(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

(ii) a queuing space required hereby shall have minimum rectangular dimensions of 2.7 metres (8.9 ft) by 5.5 metres (18 ft);

(iii) no queuing space, ordering boards or drive-thru windows may be located within 10 metres (32.8 ft) of a lot line that abuts a residential use or residential zone; and

(iv) where queuing space, ordering boards or drive-thru windows are located in a yard that abuts a residential use or residential zone, the said queuing space, ordering boards or drive-thru windows shall be screened from view from the residential use or residential zone by a solid fence or planting strip with a minimum height of 2 metres (6.5 ft).

(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 designated electric vehicle parking spaces.

(ii) For any new non-residential use in the C1 zone, a minimum of 10 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 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.

4.29 PROHIBITED USES

The following shall be prohibited in any zone unless specifically permitted otherwise:

(a) the use of any land, building or structure for the purposes of wrecking yards, salvage yards, dumps, or the collection or storage of rags, junk, refuse, scrap iron, or other scrap metals;

(b) the use of any land, building or structure for the purposes of an adult entertainment establishment, a body-rub establishment or massage parlour;

(c) the use of any land, building or structure for the keeping of exotic animals;

(d) the use of any land, building or structure for the refining or storage of hazardous industrial products;

(e) the use of a truck, bus, coach, railway car, or streetcar bodies or part thereof for the purposes of any use permitted in this By-law; and

(f) the use of a recreational motor vehicle for the living, sleeping, or eating accommodation of persons for a period exceeding thirty (30) days per annum, except in a campground facility.

Nothing in this Section shall be deemed to permit any other use or uses not otherwise specifically permitted in the respective zones established in this By- law.

4.30 PUBLIC USES

The provisions of this By-law shall not apply to the use of any land or to the erection, alteration or use of any building or structure, or portion thereof, that is owned by the Municipality and used by the Municipality itself or by a tenant or licensee of the Municipality so long as the tenant's or licensee's use is specifically permitted by the lease or license agreement they have with the Municipality.

The provisions of this By-law shall not apply to the use of any land or to the erection, alteration or use of any building or structure, or portion thereof, for the purpose of public service by a public authority or public utility provided:

(a) the lot coverage, setback and yard requirements of the zone in which such land, building, or structure is located are complied with; and

(b) no open storage shall be permitted in any Residential Zone, in a yard on a lot adjacent to any Residential Zone, or in a yard on a lot opposite to any Residential Zone.

4.31 SIGHT VISIBILITY TRIANGLES

(a) Notwithstanding any other provision of this By-law and with the exception of the Village 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)	Municipal – Collector Road
6.0 metres (19.7ft)	Municipal-Local Road

If two roads of different classifications intersect, the more restrictive standard shall apply;

(b) For a railway crossing with signals and/or gates, the required sight triangle shall be measured 50.0 metres (164 ft) from the point on the centreline of the road to a point 100.0 metres (328 ft) from the centreline of the nearest intersecting railway track; and

(c) From a railway crossing with no signals and/or gates, the required sight triangle shall be measured 75.0 metres (246 ft) from the point on the centreline of the road to a point 300.0 metres (984 ft) from the centreline of the nearest intersecting railway track.

4.32 SWIMMING POOLS

The following regulations shall apply with respect to the erection or use of a swimming pool which is not enclosed or otherwise located within a building:

(a) no swimming pool shall be located in any yard other than in an interior side yard or a rear yard;

(b) no swimming pool shall be located closer than 1.5 metres (4.9 ft) to any rear lot line or side lot line;

(c) no part of a swimming pool shall exceed a height of 2.0 metres (6.6 ft) above grade, exclusive of related appurtenances or facilities such as diving boards or slides which shall not exceed 5.0 metres (16.4 ft) in height;

(d) no swimming pool shall be considered part of the lot coverage of a lot, unless such swimming pool is enclosed within a building; and

(e) no swimming pool shall be permitted unless enclosed in accordance with the Municipality's by-law governing the erection and maintenance of fences and gates around 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 0.6 metres (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 TELECOMMUNICATION TRANSMITTING FACILITIES AND TOWERS

Communications towers used for transmitting or receiving telephone, cellular, radio, microwave or other electronic or optical signals, shall be subject to the following:

(a) no communication tower shall be located on a lot unless the said lot has a minimum lot area of 2.0 hectares (4.9 ac);

(b) no communication tower shall be permitted in any Residential Zone; and

(c) no communication tower and accessory buildings, structures, compounds and enclosures shall be located within 150.0 metres (492.1 ft) of any Residential Zone or a dwelling on a separate lot.

4.34 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:

(i) accessory buildings or structures specifically permitted in a required yard elsewhere in this By-law;

(ii) architectural adornments including, but not necessarily limited to, sills, belt courses, chimneys, gas fireplaces, cornices, eaves, gutters, parapets, pilasters and roof trusses projecting not more than 0.6 metres (2.0 ft) into any required yard, with the exception of any eaves of a building located in any Residential Zone which shall be no closer than 0.6 metres (2.0 ft) to any lot line;

(iii) roofless, functional and ornamental structures including, but not necessarily limited to, drop awnings, clothes poles, ornamental fountains, statues, monuments, cenotaphs, memorials, planters, garden trellis, picnic tables, benches, fences, boundary and retaining walls, hedgerows and legal signs projecting into any required yard;

(iv) unenclosed fire escapes or outside staircases in which the stair steps and floors are latticed in such a manner that the proportion of voids to solids is not less than two to one and in which guards consist only of hand rails and the structural members necessary to their support, and which do not project more than 1.5 metres (4.9 ft) into any required yard;

(v) awnings, atriums, and bay windows projecting not more than 1.0 metre (3.3 ft) into any required yard and which do not project into any required sight visibility triangle;

(vi) stoops, sun decks, balconies, 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 metres (2.0 ft) from an interior side yard 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

(b) PROJECTION BEYOND LOT LINES

No part of any building or structure on any lot shall project beyond the lot line or street line of such lot.

(c) RAILWAY SPUR

Notwithstanding the yard and setback provisions of this By-Law to the contrary, a railway spur shall be permitted within any required yard.

5.0 AGRICULTURAL (A1) ZONE

The provisions of the Agricultural (A1) Zone shall generally apply to agricultural development in the rural areas of the Municipality, which encompasses the majority of the Municipality's area.

5.1 GENERAL USE REGULATIONS

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
- 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 use
- portable asphalt plant
- wayside pit

5.1.2 MINIMUM LOT AREA

(a) 40.0 ha (99 ac)

5.1.3 MINIMUM LOT FRONTAGE

(a) 300.0 m (984 ft)

5.1.4 MINIMUM FRONT YARD SETBACK

(a) in accordance with Section 4.19 of this By-law

5.1.5 MINIMUM SIDE YARD SETBACK

(a) Interior Yard:

(i) Dwellings: 3.0 m (10 ft)
(ii) Other Permitted Uses, excluding an accessory use: Equal to one-half building height but not less than 4.5 m (15 ft)

(b) Exterior Yard: 15.0 m (49 ft)

5.1.6 MINIMUM REAR YARD SETBACK

(a) 8.0 m (26 ft)

5.1.7 REDUCED LOT REQUIREMENTS

Notwithstanding the Lot Area and Lot Frontage requirements of this Section, a lot legally used for a single detached dwelling which is created or modified by a consent pursuant to relevant sections of the Planning Act, R.S.O. 1990, c. P.13 shall be subject to the following requirements:

(a) Minimum Lot Area: 2,025 m² (0.5 ac); Maximum Lot Area: 0.6 ha (1.48 ac)

(b) Minimum Lot Frontage: 30.0 m (98 ft)

5.1.8 MINIMUM FLOOR AREA

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

5.1.9 MAXIMUM HEIGHT

(a) Single detached dwelling: 12.0 m (39.4 ft)

5.1.10 MAXIMUM LOT COVERAGE

(a) 20%

5.1.11 MAXIMUM NUMBER OF DWELLINGS PER LOT

(a) One (1) principal dwelling is permitted on a lot and up to two (2) additional residential units.

5.2 SPECIAL USE REGULATIONS

5.2.1 LIVESTOCK BARNS

In addition to the previous provisions of Section 5.0 of this By-law, livestock barns in the Agricultural (A1) Zone shall:

(a) conform with Minimum Distance Separation II formula (MDS II);

(b) conform with the requirements of the Nutrient Management By-law.

5.2.2 MANURE PITS

In addition to the previous provisions of Section 5.0 of this By-law, manure pits in the Agricultural (A1) Zone shall:

(a) be enclosed, if the manure pit accommodates liquid manure and contains no fixed cover, with a permanent safety fence or wall with a minimum height of 1.5 metres (5 ft) above any adjacent grade and/or access ramps and erected within 1.5 metres (5 ft) of the edge of the said pit;

(b) be adequate in size to accommodate the total amount of manure generated in any 240-day period by the agricultural use;

(c) be erected not less than 30.0 metres (98 ft) from the centreline of any municipal drain, field drainage tile, or natural watercourse;

(d) be erected in conformity with Minimum Distance Separation formula II (MDS II); and

(e) conform to the requirements of the Nutrient Management By-law.

5.2.3 MINIMUM DISTANCE SEPARATION I

Notwithstanding any other provision of this By-law to the contrary, the construction of a 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.

5.2.4 DOG KENNELS & DOG RUNS

In addition to previous provisions of Section 5.0 of this By-law, the following provisions shall apply to dog kennels and dog runs in the Agricultural (A1) Zone:

(a) minimum area for dog runs: 10.0 m² (108 ft²)

(b) maximum number of runs 4

(c) minimum distance from a dwelling situated on a separate lot: 150.0 m (492 ft)

5.3 EXCEPTIONS

5.3.1 (a) DEFINED AREA: A1-1 as shown on Schedule A, Key Map 6

(b) PERMITTED USE RESTRICTION:

- No single detached dwelling or single detached dwelling accessory to an agricultural use shall be permitted.

5.3.2 (a) DEFINED AREA: A1-2 as shown on Schedule A, Key Map 38

(b) PERMITTED USE RESTRICTION:

- No buildings shall be permitted for livestock purposes.

5.3.3 (a) DEFINED AREA: A1-3 as shown on Schedule A, Key Map 34

(b) PERMITTED USE RESTRICTION:

- Maximum number of 30 livestock units for confined cattle and 20 livestock units for all other types of livestock.

5.3.4 (a) DEFINED AREA: A1-4 as shown on Schedule A, Key Map 44

(b) PERMITTED USES:

- farm-related truck terminal
- all other permitted uses of the A1 zone

5.3.5 (a) DEFINED AREA: A1-5 as shown on Schedule A, Key Map 48

(b) PERMITTED USES:

- commercial grain handling facility
- farm chemical and fertilizer storage and sales as an accessory use
- all other permitted uses of the A1 zone

(c) MAXIMUM ENCLOSED GRAIN STORAGE CAPACITY: 500,000 bushels

5.3.6 (a) DEFINED AREA: A1-6 as shown on Schedule A, Key Map 50 & Key Map 61

(b) PERMITTED USES:

- animal hospital
- all other permitted uses of the A1 zone

5.3.7 (a) DEFINED AREA: A1-7 as shown on Schedule A, Key Map 60

(b) PERMITTED USES:

- open storage of buses
- repair and servicing of buses and related licensed vehicles
- all other permitted uses of the A1 zone

5.3.8 (a) DEFINED AREA: A1-8 as shown on Schedule A, Key Map 36

(b) PERMITTED USES:

- farm-related truck terminal
- all other permitted uses of the A1 zone

5.3.9 (a) DEFINED AREA: A1-9 as shown on Schedule A, Key Map 82, to this By-law

(b) MINIMUM LOT FRONTAGE: 0 m (0 ft)

(c) SPECIAL PROVISION: Notwithstanding Section 4.9 of this By-law, buildings or structures may be erected provided all other regulations of this By-law are satisfied.

5.3.10 (a) DEFINED AREA: A1-10 as shown on Schedule A, Key Map 52

(b) PERMITTED USES:

- agricultural processing establishment
- all other permitted uses of the A1 zone

5.3.11 (a) DEFINED AREA: A1-11 as shown on Schedule A, Key Map 88

(b) MAXIMUM LOT COVERAGE EXCEPTION: Notwithstanding any other provision of this By-law, the maximum lot coverage for dwellings and buildings accessory to dwellings shall be 10%.

5.3.12 (a) DEFINED AREA: A1-12 as shown on Schedule A, Key Map 39, to this By-law

(b) MINIMUM LOT AREA: 37.4 ha (92.6 ac)

5.3.13 (a) DEFINED AREA: A1-13 as shown on Schedule A, Key Map 84, to this By-law

(b) PERMITTED USES:

- animal hospital
- all other permitted uses of the A1 zone

5.3.14 (a) DEFINED AREA: A1-14 as shown on Schedule A, Key Map 34

(b) MINIMUM LOT AREA: 36.7 ha (90.6 ac)

5.3.15 (a) DEFINED AREA: A1-15 as shown on Schedule A, Key Map 30

(b) PERMITTED USE RESTRICTION:

- no single detached dwelling shall be permitted

(c) MINIMUM LOT FRONTAGE: 0 m (0 ft)

5.3.16 (a) DEFINED AREA: A1-16 as shown on Schedule A, Key Map 76

(b) PERMITTED USE RESTRICTION:

- no single detached dwelling shall be permitted

(c) MINIMUM LOT FRONTAGE: 189 m (620 ft)

5.3.17 (a) DEFINED AREA: A1-17 as shown on Schedule A, Key Map 91

(b) MINIMUM LOT AREA: 13.6 ha (33.6 ac)

(c) LIVESTOCK BARNS AND MANURE PITS EXCEPTION: Notwithstanding any other provision of this By-law, no livestock barns and/or manure pits shall be erected unless in conformity with Minimum Distance Separation formula II (MDS II).

5.3.18 (a) DEFINED AREA: A1-18 as shown on Schedule A, Key Map 85, to this By-law

(b) MINIMUM LOT AREA: 15.2 ha (37.6 ac)

5.3.19 (a) DEFINED AREA: A1-19 as shown on Schedule A, Key Map 40, to this By-law

(b) MINIMUM LOT FRONTAGE: 70 m (229 ft)

(c) MINIMUM LOT AREA: 32.79 ha (81 ac)

5.3.20 (a) DEFINED AREA: A1-20 as shown on Schedule A, Key Map 69, to this By-law

(b) MINIMUM LOT AREA: 25.32 ha (62.57 ac)

5.3.21 (a) DEFINED AREA: A1-21 as shown on Schedule 'A', Key Map 30, to this By-law

(b) MINIMUM LOT FRONTAGE: 199.35 metres (654 ft)

(c) MINIMUM LOT AREA: 6.07 ha (15 ac)

5.3.22 (a) DEFINED AREA: A1-22 as shown on Schedule 'A', Key Map 1

(b) MINIMUM LOT AREA: 36.58 ha (90.39 ac)

5.3.23 (a) DEFINED AREA: A1-23 as shown on Schedule 'A', Key Map 69

(b) MINIMUM LOT AREA: 28.265 ha (69.84 ac)

5.3.24 (a) DEFINED AREA: A1-24 as shown on Schedule "A", Key Map 87

(b) PERMITTED USES

- Market Garden
- all other permitted uses of the A1 zone

5.3.25 (a) DEFINED AREA: A1-25 as shown on Schedule "A", Key Map U-12

(b) MINIMUM DISTANCE SEPARATION I EXCEPTION: Notwithstanding any other provisions of this By-law, the Minimum Distance Separation I formula shall not apply.

(c) MINIMUM INTERIOR SIDE YARD SETBACK: Notwithstanding any other provisions of this By-law, the minimum setback for a single-detached dwelling from the southerly interior side lot line shall be 30 metres (98 ft).

5.3.26 *null*

5.3.27 (a) DEFINED AREA: A1-27 as shown on Schedule 'A', Key Map 40, to this By-law

(b) MINIMUM LOT AREA: 33.4 ha (82.58 ac)

5.3.28 (a) DEFINED AREA: A1-28 as shown on Schedule 'A', Key Maps 30 and U-12, to this By-law

(b) MINIMUM LOT AREA: 32.7 ha (80.82 ac)

5.3.29 (a) DEFINED AREA: A1-29 as shown on Schedule 'A', Key Map 91, to this by-law

(b) PERMITTED USES:

- baseball diamonds
- soccer pitches
- parking lot accessory to the main church use

(c) MINIMUM LOT AREA: 2.4 ha (5.93 ac)

(d) MINIMUM LOT FRONTAGE: 89.346 m (293.13 ft)

5.3.30 (a) DEFINED AREA: A1-30 as shown on Schedule 'A', Key Map 91, to this by-law

(b) PROHIBITED USE: Notwithstanding the permitted uses in Subsection 5.1.1, the following use shall be prohibited:

- agricultural use, intensive livestock

(c) MINIMUM LOT AREA: 12 ha (29.65 ac)

5.3.31 (a) DEFINED AREA: A1-31 as shown on Schedule 'A', Key Map 83, to this by-law

(b) PERMITTED USES:

- Additional residential unit within an accessory building (garage). The accessory building may be located closer to the exterior side yard or front yard that 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).
- All other permitted uses of the A1 zone

5.3.32 *null*

5.3.33 (a) DEFINED AREA: A1-33 as shown on Schedule 'A', Key Map 42, to this by-law

(b) PERMITTED USES:

- 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
- All other permitted uses of the A1 zone

(c) ACCESSORY STRUCTURES:

- Maximum Height: 8.8m
- Minimum Setback from the front lot line: 7m
- Accessory Structures permitted in front yard of the main building

5.3.34 (a) DEFINED AREA: A1-34 as shown on Schedule 'A', Key Map U-12, to this by-law

(b) MINIMUM LOT AREA: 10.3 ha (25.5 ac)

(c) MINIMUM LOT FRONTAGE: 255.14 m (837.07 ft)

5.3.35 (a) DEFINED AREA: A1-35 as shown on Schedule 'A', Key Map 78, to this by-law

(b) MINIMUM LOT AREA: 40.28 acres (16.3 hectares)

5.3.36 (a) DEFINED AREA: A1-36(h-2)(h-3)(h-8) as shown on Schedule 'A', Key Map 42, to this by- law

(b) PERMITTED USES:

- 'Farm Wedding Venue'
- All other permitted uses of the A1 zone

(c) MINIMUM SETBACK OF THE A1-36(h-2)(h-3)(h-8): 1 m (3.3 ft)

5.3.37 (a) DEFINED AREA: A1-37 as shown on Schedule 'A', Key Map 90, to this by law

(b) PERMITTED USES:

- Additional residential unit within an accessory building (garage)
- All other Permitted uses of the Agricultural (A1) zone

(c) ACCESSORY STRUCTURES: Notwithstanding Section 4.2 the following standards shall apply:

- Maximum Height: 7.0 m (23 ft)
- Maximum Floor Area: 193 m² (2,077 ft²)

5.3.38 (a) DEFINED AREA: A1-38 as shown on Schedule 'A', Key Map 88, to this by- law

(b) MINIUMUM LOT AREA: 37.58 acres (15.2 hectares)

5.3.39 (a) DEFINED AREA: A1-39 as shown Key Map 90, to this by law

(b) PERMITTED USES:

- 2 Unit within an accessory building (existing single detached dwelling)
- All other permitted uses of Agricultural (A1) zone

(c) ACCESSORY STRUCTURES: Notwithstanding Section 4.2 the following standards shall apply to the existing accessory building containing the additional residential unit:

- Maximum Height: 9.0 m (29.5 ft)

5.3.40 (a) DEFINED AREA: A1-40 as shown on Schedule "A", Key Map 11

(b) PERMITTED USES:

- Cidery
- All other permitted uses of Agricultural (A1) zone

(c) DEFINTION: Cidery means the use of land, building or structures for the processing of fruit including the fermentation, production, ageing and storage of cider where the fruit used in the production of the cider is locally or regionally grown. A Cidery may also include and accessory tasting and hospitality area, and a retail sales of the products on-site.

5.3.41 (a) DEFINED AREA: A1-41 as shown on Key map 21, to this by-law

(b) PERMITTED USES:

- additional residential unit within an agricultural building
- Ambulatory Mobile Animal Hospital
- All other permitted uses of the Agriculture (A1) zone

(c) ADDITIONAL RESIDENTIAL UNIT WITHIN AN AGRICULTURAL BUILDING:

- Maximum Floor Area 109 m² (1,173 ft²)

5.3.42 (a) DEFINED AREA: (lot 17, concession 7 – LONDON twp.) A1-42 as shown on Schedule A, Map 62

(b) PERMITTED USES:

- commercial grain handling facility
- farm-related truck terminal
- farm chemical and fertilizer storage and sales as an accessory use
- office as an accessory use
- all other permitted uses of the A1 zone

5.3.43 (a) DEFINED AREA: A1-43 as shown on Schedule 'A', Key Map 35

(b) MINIMUM LOT AREA: 29.7 ha (73.39 ac)

5.3.44 (a) DEFINED AREA: A1-44 as shown on Schedule "A", Key Map 36

(b) MINIMUM LOT AREA: 3.0 ha (7.4 ac)

(c) MINIMUM LOT FRONTAGE: 20.0 m (65.6 ft)

5.3.45 (a) DEFINED AREA: A1-45 as shown on Schedule "A", Key Map 81

(b) PERMITTED USES:

- Self storage establishment within an existing building on the land
- All other permitted uses of the A1 zone

(c) MINIMUM LOT FRONTAGE: 92 m (302 ft)

(d) MINIMUM LOT AREA: 2 ha (4.9 ac)

5.3.46 (a) DEFINED AREA: A1-46 as shown on Schedule 'A', Key Map 81, to this by-law

(b) MINIMUM LOT FRONTAGE: 120 m (394 ft)

(c) MINIMUM LOT AREA 2: ha (4.9 ac)

5.3.47 (a) DEFINED AREA: A1-47 as shown on Schedule "A", Key Map 6

(b) MINIMUM LOT AREA:23.7 ha (58.5 ac)

5.3.48 (a) DEFINED AREA: A1-48 as shown on Schedule "A", Key Map 11

(b) MINIMUM LOT AREA: 31.6 ha (78.9 ac)

(c) MINIMUM LOT FRONTAGE: 79.5 m (260.8 ft)

5.3.49 (a) DEFINED AREA: A1-49 as shown on Schedule "A", Key Map 63

(b) PERMITTED USES:

- Existing Apartment Dwelling units, up to 3 units, within an existing building as of the date of the passing of this By-law and notwithstanding Section 5.1.11 of this By-law. Section 1.3 of this By-law shall also apply.

5.3.50 (a) DEFINED AREA: A1-50 as shown on Schedule "A", Key Map 43

(b) MINIMUM LOT AREA: 22.39 ha (55.35 ac)

5.3.51 (a) DEFINED AREA: A1-51 as shown on Schedule "A", key map 60

(b) MINIMUM LOT AREA: 20 ha (49.4 ac)

5.3.52 (a) DEFINED AREA: A1-52 as shown on Schedule "A", key map 65

(b) MINIMUM LOT AREA: 35.5 ha (87.7 ac)

5.3.53 (a) DEFINED AREA: A1-53 as shown on Schedule "A", key map 22

(b) MINIMUM LOT AREA: 37 ha (93 ac)

(c) HOLDING SYMBOL

The "(h-10)" holding symbol shall not be removed until a noise study is completed in accordance with provincial guidance that examines the noise sources in the area that includes but are limited to the grain handling facility. The study shall be to the satisfaction of the Municipality of Middlesex Centre and any mitigation recommendations, including setbacks and building design, are implemented.

5.3.54 (a) DEFINED AREA: A1-54 as shown on Schedule "A", key map 66

(b) MINIMUM LOT AREA: 37.9 ha (93.75 ac)

5.3.55 (a) DEFINED AREA: A1-55 as shown on Schedule “A”, key map 78

(b) PERMITTED USES

- Contractor’s yard
- All other permitted uses of the A1 zone

(c) PERMITTED USE RESRICTIONS

i. No buildings or structures may be erected or uses for a contractor’s yard

ii. The maximum size of contractor’s yard within the A1-55 Zone is 1 Ha (2.47 ac)

iii. Notwithstanding Section 4.23 a), open storage associated with a contractor’s yard may be the principal use within the A1-55 Zone

iv. Section 4.23 e) shall apply to open storage associated with a contractor’s yard within the A1-55 Zone regardless of being located on a lot whereon the main use in an agricultural use.

5.4 TEMPORARY USES

NUMBER	STATUS
5.4.1	EXPIRED on January 6, 2013
5.4.2	EXPIRED on March 17, 2013
5.4.3	EXPIRED on May 18, 2014
5.4.4	EXPIRED on September 19, 2015.
5.4.5	EXPIRED on June 19, 2016.
5.4.6	EXPIRED ON July 24, 2015
5.4.7	EXPIRED ON March 19, 2017.
5.4.8	EXPIRED ON April 16, 2017.
5.4.9	EXPIRED ON May 21, 2017.
5.4.10	EXPIRED on June 24, 2018.
5.4.11	EXPIRED on July 29, 2018.
5.4.12	EXPIRED ON August 12, 2017.
5.4.13	EXPIRED on September 16, 2018.
5.4.14	EXPIRED on February 22, 2019.
5.4.15	EXPIRED on April 19, 2020.
5.4.15	EXPIRED on July 12, 2020

NUMBER	STATUS
5.4.16	EXPIRED ON May 24, 2018.
5.4.17	EXPIRED ON February 21, 2020.
5.4.18	EXPIRED ON March 28, 2020
5.4.18	EXPIRED ON August 15,2020
5.4.18	EXPIRED ON October 24, 2020
5.4.19	EXPIRED ON February 20, 2022
5.4.19b	EXPIRED ON August 14 2022
5.4.20	EXPIRED ON March 20, 2022
5.4.21	EXPIRED ON April 24, 2022.
5.4.22	EXPIRED ON March 15, 2026. By-law 2023-028, 15548 Nine Mile Road
5.4.23	EXPIRED ON January 20, 2024.
5.4.24	EXPIRED ON March 24, 2024.
5.4.25	EXPIRED ON April 28, 2024.
5.4.26	EXPIRED ON July 14, 2024.
5.4.27	EXPIRED ON September 22, 2024.
5.4.28	EXPIRED ON January 12, 2025.
5.4.29	EXPIRED ON July 20, 2025.
5.4.30	(a) DEFINED AREA: A1(t-1) as shown on Schedule “A”, Key Map 90 (b) ADDITIONAL USE PERMITTED: The existing single-detached dwellings are to remain on the subject property for a temporary period, in addition to a new single-detached dwelling and other uses permitted in Section 5.1.1 of this By-law. (c) EXPIRATION: The provisions of this zoning category will expire on September 18, 2028.
5.4.31	EXPIRED ON February 15, 2026. By-law 2023-018, 15292 Fourteen Mile
5.4.32	EXPIRED ON May 17, 2026 By-Law Number 2023-060, 10686 Sharon Drive

NUMBER	STATUS
5.4.33	EXPIRED ON August 16, 2026 By-law 2023-087, 25117 Poplar Hill Road
5.4.34	EXPIRED ON August 16, 2026 By-law 2023-088, 13082 Medway Road
5.4.35	EXPIRED ON October 18, 2026 By-law 2023-110, 20706 Vanneck Road
5.4.36	(a) DEFINED AREA: A1(t-1) as shown on Schedule “A”, Key Map 15 (b) ADDITIONAL USE PERMITTED: The existing single-detached dwellings are to remain on the subject property for a temporary period, in addition to a new single-detached dwelling and other uses permitted in Section 5.1.1 of this By-law. (c) EXPIRATION: The provisions of this zoning category will expire on November 20, 2027. By-law 2024-091, 25143 Poplar Hill Road
5.4.37	(a) DEFINED AREA: A1(t-1) as shown on Schedule “A”, Key Map 22 (b) ADDITIONAL USE PERMITTED: The existing single-detached dwellings are to remain on the subject property for a temporary period, in addition to a new single-detached dwelling and other uses permitted in Section 5.1.1 of this By-law. (c) MINIMUM SIDE YARD SETBACK: (a) Interior Yard: (i) Dwellings: 3.0 m (10 ft); 200 m (656 ft) from a ‘Grain Handling Facility’ (d) EXPIRATION: The provisions of this zoning category will expire on February 26, 2028. 13326/13258 Fourteen Mile, By-law 2025-019

NUMBER	STATUS
5.4.38	(a) DEFINED AREA: A1(t-1) as shown on Schedule “A”, Key Map 82 (b) ADDITIONAL USE PERMITTED: The existing single-detached dwellings are to remain on the subject property for a temporary period, in addition to a new single-detached dwelling and other uses permitted in Section 5.1.1 of this By-law. (c) MINIMUM SIDE YARD SETBACK: In conjunction with Section 5.1.5 of this Zoning By-law and notwithstanding Section 4.18 of this Zoning By-law, the nearest main wall of a dwelling shall not be constructed within 120 m (393.7 ft) to the property line limit of a railway right-of-way, or 30 m (98.4 ft) to the property line limit of a railway right-of-way where a berm is constructed to the satisfaction of the Municipality. (d) EXPIRATION: The provisions of this zoning category will expire in September 17th, 2028. 20636 Pulham Road, By-law 2025-070

6.0 AGRICULTURAL – NO RESIDENCES (A3) ZONE

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

6.1 GENERAL USE REGULATIONS

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) 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
- portable asphalt plant
- wayside pit

6.1.2 MINIMUM LOT AREA

(a) The lesser of 40 hectares (99 ac) or as it existed on the day that the residential use ceased.

6.1.3 MINIMUM LOT FRONTAGE

(a) The lesser of 300.0 metres (984 ft) or as it existed on the day that the residential use ceased.

6.1.4 MINIMUM FRONT YARD SETBACK

(a) In accordance with Section 4.19 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 4.19 of this By-law

6.1.6 MININUM REAR YARD SETBACK

(a) Equal to one-half building height but not less than 4.5 m (15 ft)

6.1.7 MAXIMUM LOT COVERAGE

(a) 20%

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) 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) Zone shall:

(a) be enclosed, if the manure pit accommodates liquid manure and contains no fixed cover, with a permanent safety fence or wall with a minimum height of 1.5 metres (5 ft) above any adjacent grade and/or access ramps and erected within 1.5 metres (5 ft) of the edge of the said pit;

(b) be adequate in size to accommodate the total amount of manure generated in any 240-day period by the agricultural use;

(c) be erected not less than 30.0 metres (98 ft) from the centreline of any municipal drain, field drainage tile, or natural watercourse; and

(d) be erected in compliance with the Minimum Distance Separation (MDS) II formula.

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) Zone:

(a) minimum area for dog runs: 10.0 m² (108 ft²)

(b) minimum distance from a dwelling situated on a separate lot: 150.0 m (492 ft)

6.2 SPECIAL USE REGULATIONS

None.

6.3 EXCEPTIONS

6.3.1 (a) DEFINED AREA: A3-1 as shown on Schedule A, Key Map 34, to this By-law

(b) INTERIOR SIDE YARD SETBACK FOR AN EXISTING AGRICULTURAL STORAGE BUILDING: 1.9 m (6.23 ft)

6.3.2 (a) DEFINED AREA: A3-2 as shown on Schedule A, Key Map 58, to this By-law

(b) INTERIOR SIDE YARD SETBACK FOR AN EXISTING AGRICULTURAL STORAGE BUILDING:1.78 m (5.84 ft)

6.3.3 (a) DEFINED AREA: A3-3 as shown on Schedule A, Key Map 90, to this By-law

(b) INTERIOR SIDE YARD SETBACK FOR AN EXISTING AGRICULTURAL STORAGE BUILDING: 1.5 m (4.92 ft)

6.4 TEMPORARY USES

None.

7.0 URBAN RESIDENTIAL FIRST DENSITY (UR1) ZONE

The provisions of the Urban Residential First Density (UR1) Zone shall apply to low density residential development in the villages of the Municipality, which are generally serviced by public water supply and sanitary sewer systems.

7.1 GENERAL USE REGULATIONS

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
- townhouse dwelling, street
- townhouse dwelling
- multiple unit dwelling

7.1.2 MINIMUM LOT AREA

a) Single detached Dwelling: 400 m²

b) Semi-detached Dwelling and Duplex: 200 m²

c) Street Townhouse Dwelling: 180 m² / unit

d) Townhouse Dwelling and Multiple-Unit Dwelling: 150 m² / unit

7.1.3 MINIMUM LOT FRONTAGE

(a) Single Unit Dwelling: 12.0 m (39.0 ft)

(b) Semi-detached Dwelling and Duplex: 7.0 m (23.0 ft) / unit

(c) Street Townhouse and Townhouse Dwelling: 6.0m (20.0 ft) / interior unit; 7.5m (25.0 ft) / unit for end units

(d) Multiple-Unit Dwelling: 15.0 m (49.0 ft)

7.1.4 MINIMUM FRONT YARD SETBACK

(a) 4.5 m (14.8 ft) to the habitable portion of the dwelling

(b) 6.0 m (20.0 ft) to an attached garage

7.1.5 MINIMUM SIDE YARD SETBACK

(a) single detached, semi-detached, townhouse, street townhouse:

- 1.2m (4.0ft) interior
- 5.0m (16ft) exterior, or 6.0m (20ft) where vehicle access is provided

(b) multiple unit dwellings:

- 1.2 m (4 ft) interior, plus 0.5 m per each metre of building height over 9.0 m (29.5 ft)
- 5.0 m (16 ft) exterior, or 6.0 m (20 ft) where vehicle access is provided

Provided that no side yard shall be required between the common wall dividing individual semi-detached dwelling units, townhouses dwelling units, street townhouse dwelling units and multiple unit dwelling units

7.1.6 MINIMUM REAR YARD SETBACK

(a) Single detached, semi-detached, street townhouse and townhouse: 7.0 m (23.0 ft)

(b) Multiple unit dwelling: 8.0 m (26.0 ft)

*No rear yard setback shall be required on the side where two dwelling units are attached by a common wall extending along the rear lot line separating such lots.

7.1.7 MAXIMUM LOT COVERAGE

(a) main building: 40%

(b) all buildings and structures subject to Accessory Use provisions 4.1: 45%

7.1.8 MAXIMUM HEIGHT

(a) All dwellings: 12.0 m (39.4 ft)

7.1.9 MAXIMUM NUMBER OF DWELLINGS PER LOT

(a) one (1) principal dwelling is permitted on a lot plus additional residential units in accordance with Section 4.2 of this By-law.

(b) Four (4) dwelling units.

7.2 SPECIAL USE REGULATIONS

7.2.1 MUNICIPAL SERVICES

No dwelling shall be erected, used or altered unless such dwelling is connected to a public water supply system and a public sanitary sewage system.

7.3 EXCEPTIONS

7.3.1 (a) DEFINED AREA: UR1-1 as shown on Schedule A, Map U-7

(b) MINIMUM SIDE YARD SETBACK:

(i) interior lot: 1.0 m (3 ft) on one side and 1.5 m (5 ft) on the other side
(ii) corner lot: 3.5 m (11 ft) on the side abutting the road and 1.0 m (3 ft) on the other side

(b) MINIMUM SEPARATION DISTANCE FROM A GRAIN HANDLING FACILITY: 250.0 m (820 ft)

7.3.2 (a) DEFINED AREA: UR1-2 as shown on Schedule A, Map U-7

(b) MINIMUM SIDE YARD WIDTH:

(i) interior lot: 1.0 m (3 ft) on one side and 1.5 m (5 ft) on the other side
(ii) corner lot: 3.0 m (9 ft) on the side abutting the road and1.2 m (4 ft) on the other side

7.3.3 (a) DEFINED AREA: UR1-3 as shown on Schedule A, Map U-8 & Map U-9

(b) MINIMUM LOT AREA: 930.0 m² (0.23 ac)

(c) MINIMUM LOT FRONTAGE: 24.0 m (79 ft)

(d) MINIMUM FRONT YARD SETBACK: 8.0 m (26 ft)

(e) MINIMUM SIDE YARD SETBACK:

(i) interior lot: 3.0 m (10 ft)
(ii) corner lot: 8.0 m (26 ft) on the side abutting the road and 3.0 m (10 ft) on the other side

7.3.4 (a) DEFINED AREA: UR1-4 as shown on Schedule A, Map U-8 & Map U-9

(b) MINIMUM FRONT YARD SETBACK: 8.0 m (26 ft)

(c) MINIMUM SIDE YARD SETBACK:

(i) interior lot: 3.0 m (10 ft) on one side and 2.0 m (7 ft) on the other side
(ii) corner lot: 8.0 m (26 ft) on one side and 2.0 m (7 ft) on the other side

(d) MAXIMUM HEIGHT: 8.5 m (28 ft)

7.3.5 (a) DEFINED AREA: UR1-5 as shown on Schedule A, Map U-9

(b) MINIMUM LOT AREA: 300.0 m² (3,229 ft²)

(c) MINIMUM LOT FRONTAGE: 10.0 m (33 ft)

(d) MINIMUM SIDE YARD SETBACK:

(i) 3.0 m (10 ft) shall be required on one side of any dwelling without an attached garage or carport; and

(ii) 0 m shall be required on one side of a single detached dwelling having no exterior doors, windows or other openings within the yard width that otherwise would be required, and having all roof drainage directed onto the lot of that dwelling, and having a registered private maintenance easement of at least 2.0 m (7 ft) width and an eave and footing encroachment easement on the adjacent lot.

7.3.6 (a) DEFINED AREA: UR1-6 as shown on Schedule A, Map U-9

(b) PERMITTED USES:

- semi-detached dwelling
- all other permitted uses of the UR1 zone

(c) MINIMUM FRONT YARD SETBACK: 8.0 m (26 ft)

(d) ZONE REQUIREMENTS: The zone requirements of the UR1-7 Zone shall apply to a single detached dwelling and to each unit of a semi-detached dwelling, provided further that:

(i) a minimum interior side yard of 0 m shall be required along the lot line of the common wall of a semi-detached dwelling.

7.3.7 (a) DEFINED AREA: UR1-7 as shown on Schedule A, Map U-8 and Map U-9

(b) MINIMUM LOT AREA: 700.0 m² (7,535 ft²)

(c) MINIMUM LOT FRONTAGE: 20.0 m (66 ft)

(d) MINIMUM FRONT YARD SETBACK: 8.0 m (26 ft)

7.3.8 (a) DEFINED AREA: UR1-8 as shown on Schedule A, Map U-9

(b) MINIMUM LOT AREA: 700.0 m² (7,535 ft²)

(c) MINIMUM LOT FRONTAGE: 14.5 m (48 ft)

(d) MINIMUM FRONT YARD SETBACK: 8.0 m (26 ft)

7.3.9 (a) DEFINED AREA: UR1-9 as shown on Schedule A, Map U-9

(b) MINIMUM SETBACK FROM SOUTHERLY LOT LINE: 38.0 m (125 ft)

7.3.10 (a) DEFINED AREA: UR1-10 as shown on Schedule A, Map U-7

(b) MINIMUM FRONT YARD SETBACK: 8.0 m (26 ft)

(c) BUILDING RESTRICTIONS: Notwithstanding all other provisions of this By-law, no buildings or structures are permitted to be placed within any portion of the lot located 45 metres or greater from the front lot line.

7.3.11 (a) DEFINED AREA: UR1-11 as shown on Schedule A, Map U-7 and Map U-9

(b) MINIMUM FRONT YARD SETBACK 8.0 m (26 ft)

7.3.12 (a) DEFINED AREA: UR1-12 as shown on Schedule A, Map U-9

(b) MINIMUM LOT AREA: 550.0 m² (5,920 ft²)

(c) MINIMUM LOT FRONTAGE: 18.0 m (59 ft)

(d) MINIMUM FRONT YARD SETBACK: 10.0 m (33 ft)

(e) MINIMUM SIDE YARD SETBACK: 3.0 m (10 ft)

7.3.13 (a) DEFINED AREA: UR1-13 as shown on Schedule A, Map U-9

(b) MINIMUM LOT AREA: 650.0 m² (6,996 ft²)

(c) MINIMUM LOT FRONTAGE: 18.0 m (59 ft)

(d) MINIMUM SIDE YARD SETBACK: 3.0 m (10 ft) on one side and 2.0 m (7 ft) on the other side

7.3.14 (a) DEFINED AREA: UR1-14 as shown on Schedule A, Map U-9

(b) MINIMUM LOT AREA: 550.0 m² (5,920 ft²)

(c) MINIMUM LOT FRONTAGE: 18.0 m (59 ft)

(d) MINIMUM FRONT YARD SETBACK: 8.0 m (26 ft)

(e) MINIMUM SIDE YARD SETBACK:

(i) interior lot: 3.0 m (10 ft)
(ii) corner lot: 8.0 m (26 ft) on the side abutting the road and 3.0 m (10 ft) on the other side

7.3.15 (a) DEFINED AREA: UR1-15 as shown on Schedule A, Map U-8

(b) MINIMUM SIDE YARD SETBACK:

(i) interior lot: 1.8 m (6 ft) on both sides

7.3.16 (a) DEFINED AREA: UR1-16 as shown on Schedule A, Map U-9

(b) MINIMUM FRONT YARD SETBACK: 8.0 m (26 ft)

(c) MINIMUM SIDE YARD SETBACK:

(i) interior lot: 1.0 m (3 ft) on one side and 1.5 m (5 ft) on the other side; notwithstanding the foregoing, a setback of 2.4 m (7.9 ft) shall be required for all lots adjacent to Block 48 on Registered Plan 33M-630
(ii) corner lot: 3.0 m (9 ft) on the side abutting the road and 1.2 m (4 ft) on the other side

7.3.17 (a) DEFINED AREA: UR1-17 as shown on Schedule A, Map U-9

(b) MINIMUM LOT FRONTAGE: 14.5 m (48 ft)

(c) MINIMUM FRONT YARD SETBACK: 8.0 m (26 ft)

(d) MINIMUM SIDE YARD SETBACK:

(i) interior lot: 1.0 m (3 ft) on one side and 1.5 m (5 ft) on the other side
(ii) corner lot: 3.0 m (9 ft) on the side abutting the road and 1.2 m (4 ft) on the other side

7.3.18 (a) DEFINED AREA: UR1-18 as shown on Schedule A, Map U-7

(b) PERMITTED USES:

- single detached dwellings

(c) MINIMUM LOT AREA: 300 m² (3,229 ft²) per dwelling unit

(d) MINIMUM LOT FRONTAGE: 11.5 m (38 ft)

(e) MINIMUM FRONT YARD SETBACK: 6.0 m (20 ft.) except that where a front lot line abuts a temporary turning circle block, the front yard setback shall be measured from the street line of the block as though the block formed a part of the lot.

(f) MINIMUM SIDE YARD SETBACK:

(i) interior lot: 1.0 m (3 ft) on one side and 1.5 m (5 ft) on the other side
(ii) corner lot: 3.5 m (11 ft) on the side abutting the road and 1.0 m (3 ft) on the other side

7.3.19 (a) DEFINED AREA: UR1-19 as shown on Schedule A, Key Map U-8

(b) MINIMUM LOT: 23.0 m (75 ft)

(c) MINIMUM LOT AREA: 850.0 m² (9,150 ft²)

(d) MINIMUM FRONT YARD SETBACK: 8.0 m (26 ft)

(e) MINIMUM SIDE YARD SETBACK:

(i) interior lot: 2.0 m (7 ft) on one side and 3 m (10 ft) on the other side
(ii) corner lot: 8.0 m (26 ft) on the side abutting the road and 2.0 m (7 ft) on the other side

7.3.20 (a) DEFINED AREA: UR1-20 as shown on Schedule A, Key map U-9

(b) MINIMUM INTERIOR SIDE YARD SETBACK: 1.5 m (5 ft) on both sides

(c) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage:

- lot for single-storey dwelling: 40%
- lots for all other dwellings: 37%

(ii) all buildings, including accessory buildings and structures subject to Section 4.1 a):

- lot for single-storey dwelling: 43%
- lots for all other dwellings: 40%

7.3.21 (a) DEFINED AREA: UR1-21 (h-1) as shown on Schedule A, Key Map U-8

(b) MINIMUM LOT FRONTAGE: 12.0 m (39.4 ft)

(c) MINIMUM LOT AREA: 360 m² (3,875 ft²)

(d) MINIMUM FRONT YARD SETBACK:

(i) habitable portion of the dwelling: 4.5 m (14.7 ft)
(ii) attached garage: 6.0 m (19.7 ft)

(e) MINIMUM SIDE YARD SETBACK: 1.2 m (3.9 ft) on both sides

(f) MINIMUM REAR YARD SETBACK: 7.0 m (23 ft)

(g) MAXIMUM LOT COVERAGE: 40%

(h) MAXIMUM HEIGHT: 10.5 m (34.4 ft)

7.3.22 (a) DEFINED AREA: UR1-22 as shown on Schedule A, Key Map U-8

(b) MINIMUM FRONT YARD SETBACK: 7.0 metres (23.0 ft)

7.3.23 (a) DEFINED AREA: UR1-23 as shown on Schedule A, Key Map U-8

(b) MINIMUM FRONT YARD SETBACK:

(i) habitable portion of the dwelling: 4.0 m (13.1 ft)
(ii) attached garage: 6.0 m (19.7 ft)

7.3.24 (a) DEFINED AREA: UR1-24 as shown on Schedule A, Key Map U-8

(b) MINIMUM FRONT YARD SETBACK: 8.0 metres (26.2 ft)

(c) MINIMUM EXTERIOR SIDE YARD SETBACK: 7.0 metres (23.0 ft)

7.3.25 (a) DEFINED AREA: UR1-25 as shown on Schedule ‘A’, Key Map U-7

(b) MINIMUM FRONT YARD SETBACK: 6.0 m (19.69 ft)

(c) MINIMUM INTERIOR SIDE YARD SETBACK: 1.2 m (3.94 ft)

(d) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage:

- lot for single-storey dwelling: 40%
- lots for all other dwellings: 37%

(ii) all buildings, including accessory buildings and structures subject to Section 4.1 a):

- lot for single-storey dwelling: 43%
- lots for all other dwellings: 40%

7.3.26 (a) DEFINED AREA: UR1-26 as shown on Schedule “A”, Key Map U-9, to this By-law

(b) MINIMUM LOT FRONTAGE: 17.346 m (57 ft)

(c) MINIMUM LOT AREA: 860 m² (0.21 ac)

(d) MINIMUM FRONT YARD SETBACK: 8.0 m (26 ft)

(e) MINIMUM SIDE YARD SETBACK:

(i) interior lot: 3.0 m (10 ft)
(ii) corner lot: 8.0 m (26 ft) on the side abutting the road and 3.0 m (10 ft) on the other side

7.3.27 (a) DEFINED AREA: UR1-27 as shown on Schedule ‘A’, Key Map U-8, to this By-law

(b) MINIMUM LOT AREA: 340.0 m² (3,659.73 ft²)

(c) MINIMUM LOT FRONTAGE: 13.0 m (42.7 ft)

(d) MINIMUM LOT DEPTH: 20.8 m (68.2 ft)

(e) MINIMUM FRONT YARD SETBACK:

- 4.5 m (14.8 ft) for the habitable portion of the dwelling
- 5.5 m (18.0 ft) for an attached garage

(f) MINIMUM INTERIOR SIDE YARD SETBACK: 1.2 m (3.9 ft)

(g) MINIMUM EXTERIOR SIDE YARD SETBACK:

- 1.2 m (3.9 ft) (Units 18, 20, 21, 23 and 35)
- 2.2 m (7.2 ft) (Unit 24)

(h) MINIMUM REAR YARD SETBACK: 6.0 m (19.7 ft)

(i) MAXIMUM HEIGHT: 7.0 m (22.97 ft) for a dwelling unit within 15.2 m (49.87 ft) of the easterly property boundary (Units 21-24 inclusive)

(j) MAXIMUM LOT COVERAGE: 50%

(k) NUMBER OF DETACHED DWELLING UNITS: Notwithstanding any other provisions of this By-law, multiple single- detached dwellings are permitted on a single lot in advance of the registration of a vacant land condominium plan against the land. All other provisions of this zoning category must be adhered to as if the vacant land condominium plan, forming part of the condominium agreement that applies to the land, is registered.

This clause shall not apply after the registration of a vacant land condominium plan against the land.

(l) REAR YARD ENCROACHMENTS FOR UNITS 10 TO 23: Notwithstanding any other provisions of this by-law, the maximum encroachment for decks and/or exterior steps into a required rear yard setback shall be 3.65 metres (12 ft).

(m) REAR YARD ENCROACHMENTS FOR UNITS 24 TO 29: The following provisions shall apply to decks and/or exterior steps that extend beyond the encroachments that are permitted in Section 4.30 (vi) of this By-law:

(i) Unit 24: An upper deck shall be permitted to extend up to 3.65 metres (12 ft) from the existing single-detached dwelling up to a maximum width of 2.74 metres (9 ft). A lower deck shall be permitted to extend up to 3.96 metres (13 ft) from the existing single-detached dwelling up to a maximum width of 4.57 metres (15 ft).

(ii) Unit 25: An upper deck shall be permitted to extend up to 3.05 metres (10 ft) from the existing single-detached dwelling up to a maximum width of 1.22 metres (4 ft). The remaining portion of the upper deck shall be permitted to extend up to 1.82 metres (6 ft) from the existing single-detached dwelling.

(iii) Unit 26: An upper deck shall be permitted to extend up to 3.7 metres (12.14 ft) from the existing single-detached dwelling up to a maximum width of 3.35 metres (11 ft). Stairs with a width of up to 1.1 metres (3.6 ft) shall be permitted to extend from the upper deck but shall not be any closer to the rear lot line than 2.64 metres (8.66 ft).

(iv) Unit 27: An upper deck shall be permitted to extend up to 2.44 metres (8 ft) from the existing single-detached dwelling up to a maximum width of 3.66 metres (12 ft).

(v) Unit 28: An upper deck shall be permitted to extend up to 2.14 metres (7 ft) from the existing single-detached dwelling up to a maximum width of 3.05 metres (10 ft). A lower deck shall be permitted to extend up to 4.27 metres (14 ft) from the existing single-detached dwelling up to a maximum width of 5.79 metres (19 ft). The maximum height of the lower deck shall not exceed 0.3 metres (1 ft) above the highest nearest grade.

(vi) Unit 29: An upper deck shall be permitted to extend up to 2.44 metres (8 ft) from the existing single-detached dwelling up to a maximum width of 3.05 metres (10 ft). The west side of the deck shall include a fixed privacy screen extending 1.83 metres (6 ft) up from the floor of the deck.

7.3.28 (a) DEFINED AREA: UR1-28 as shown on Schedule ‘A’, Key Map U-9

(b) NUMBER OF DETACHED DWELLINGS: Notwithstanding any other provisions of this By-law, multiple single- detached dwellings are permitted on a single lot in advance of the registration of a vacant land condominium plan against the land. All other provisions of this zoning category must be adhered to as if the vacant land condominium plan, forming part of the condominium agreement that applies to the land, is registered.

This clause shall not apply after the registration of a vacant land condominium plan against the land.

(c) MINIMUM INTERIOR SIDE YARD SETBACK: 1.2 m (3.94 ft)

(d) MINIMUM EXTERIOR SIDE YARD SETBACK: 2.0 m (6.56 ft)

(e) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage 40%
(ii) all buildings, including accessory buildings and structures subject to Section 4.1 a) 43%

7.3.29 (a) DEFINED AREA: UR1-29 as shown on Schedule 'A', Key Map 36

(b) MINIMUM LOT AREA: 360.0 m² (3,875 ft²)

(c) MINIMUM LOT FRONTAGE: 11.0 m (36 ft)

(d) MINIMUM FRONT YARD SETBACK:

(i) attached garage: 6 m (19.69 ft)
(ii) dwelling: 4.5 m (14.76 ft)

(e) MINIMUM INTERIOR SIDE YARD SETBACK:

(i) with attached garage, both sides: 1.2 m (3.94 ft)
(ii) without attached garage: 1.2 m (3.94 ft) on one side and 3.0 m (9.84 ft) on the other side

(f) MINIMUM EXTERIOR SIDE YARD:

(i) exterior side yard is adjacent to a front yard of an abutting lot: 4.5 m (14.76 ft) on the side abutting the street provided there is no driveway access from the exterior side yard and 1.2 m (3.94 ft) on the other side; 6 m (19.69 ft) to an attached garage and 4.5 m (14.76 ft) to the dwelling on the side abutting the street if there is a driveway
(ii) rear yard is adjacent to a rear yard of an abutting lot: 1.2 m (3.94 ft) on the side abutting the street provided there is no driveway access from the exterior side yard and 1.2 m (3.94 ft) on the other side; 6 m (19.69 ft) to an attached garage and 4.5 m (14.76 ft) to the dwelling on the side abutting the street if there is driveway access from the exterior yard and 1.2 m (3.94 ft) on the other side

(g) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage:

- lot for single-storey dwelling: 40%
- lots for all other dwellings: 37%

(ii) all buildings, including accessory buildings and structures subject to Section 4.1 a):

- lot for single-storey dwelling: 43%
- lots for all other dwellings: 40%

7.3.30 (a) DEFINED AREA: UR1-30 as shown on Schedule 'A', Key Map 36

(b) MINIMUM LOT AREA: 360.0 m² (3,875 ft²)

(c) MINIMUM LOT FRONTAGE: 15.0m (49 ft)

(d) MINIMUM FRONT YARD SETBACK:

(i) attached garage: 6 m (19.69 ft)
(ii) dwelling: 4.5 m (14.76 ft)

(e) MINIMUM INTERIOR SIDE YARD SETBACK:

(i) with attached garage, both sides: 1.2 m (3.94 ft)
(ii) without attached garage: 1.2 m (3.94 ft) on one side and 3.0 m (9.84 ft) on the other side

(f) MINIMUM EXTERIOR SIDE YARD SETBACK:

(i) exterior side yard is adjacent to a front yard of an abutting lot: 4.5 m (14.76 ft) on the side abutting the street provided there is no driveway access from the exterior side yard and 1.2 m (3.94 ft) on the other side; 6 m (19.69 ft) to an attached garage and 4.5 m (14.76 ft) to the dwelling on the side abutting the street if there is driveway access from the exterior yard and 1.2 m (3.94 ft) on the other side
(ii) rear yard is adjacent to a rear yard of an abutting lot: 1.2 m (3.94 ft) on the side abutting the street provided there is no driveway access from the exterior side yard and 1.2 m (3.94 ft) on the other side; 6 m (19.69 ft) to an attached garage and 4.5 m (14.76 ft) to the dwelling on the side abutting the street if there is driveway access from the exterior yard and 1.2 m (3.94 ft) on the other side

(g) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage:

- lot for single-storey dwelling: 40%
- lots for all other dwellings: 37%

(ii) all buildings, including accessory buildings and structures subject to Section 4.1 a):

- lot for single-storey dwelling: 43%
- lots for all other dwellings: 40%

7.3.31 (a) DEFINED AREA: UR1-31 as shown on Schedule ‘A’, Key Map U-9

(b) NUMBER OF DETACHED DWELLINGS: Notwithstanding any other provisions of this By-law, multiple single-detached dwellings are permitted on a single lot in advance of the registration of a vacant land condominium plan against the land. All other provisions of this zoning category must be adhered to as if the vacant land condominium plan, forming part of the condominium agreement that applies to the land, is registered.

This clause shall not apply after the registration of a vacant land condominium plan against the land.

(c) MINIMUM LOT AREA: 400.0 m² (4,305.7 ft²)

(d) MINIMUM LOT FRONTAGE: 15.0 m (49.2 ft)

(e) MINIMUM FRONT YARD SETBACK: 6 m (19.7 ft)

(f) MINIMUM INTERIOR SIDE YARD SETBACK: 1.2 m (3.9 ft)

(i) Notwithstanding the above, the minimum easterly interior side yard setback for Unit 14 and the westerly interior side yard setback for Unit 10 shall be 6 m (19.7 ft)

(ii) Notwithstanding the above, the minimum westerly interior side yard setback for Unit 1 shall be 3 m (9.8 ft)

(g) MINIMUM EXTERIOR SIDE YARD SETBACK: 3 m

(h) SIGHT VISIBILITY TRIANGLES: Notwithstanding any other provisions of this by-law, Section 4.31 of this by-law shall not apply.

(i) MINIMUM REAR YARD SETBACK: 7 m (23 ft)

(j) MAXIMUM HEIGHT:

- Units 14-17: 7.62 metres (25 ft)
- All other units: 10.668 metres (35 ft)

(k) MAXIMUM LOT COVERAGE PER UNIT: 50%

7.3.32 (a) DEFINED AREA: UR1-32 as shown on Schedule A, Key Map U-7, to this By-law

(b) MINIMUM FRONT YARD SETBACK: 6.0 m (19.69 ft)

(c) MINIMUM INTERIOR SIDE YARD SETBACK: 1.2 m (3.94 ft)

(d) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage:

- lot for single-storey dwelling: 40%
- lots for all other dwellings: 37%

(ii) all buildings, including accessory buildings and structures subject to Section 4.1 a):

- lot for single-storey dwelling: 43%
- lots for all other dwellings: 40%

(e) BUILDING RESTRICTIONS: Notwithstanding all other provisions of this By-law, no buildings or structures are permitted to be placed within any portion of the lot located 45 metres or greater from the front lot line.

7.3.33 (a) DEFINED AREA: UR1-33 as shown on Schedule A, Key Map U-9, to this By-law

(b) MINIMUM LOT AREA: 700 m² (7,535 ft²)

(c) MINIMUM LOT FRONTAGE: 20.0 m (66 ft)

(d) MINIMUM FRONT YARD SETBACK: 6.0 m (20 ft)

(e) MINIMUM INTERIOR SIDE YARD SETBACKS: 1.5 m (4.9 ft) from an interior side lot line adjacent to a lot on which there was an existing residence on October 19, 2016 and 1.2 m (3.9 ft) from an interior side lot line adjacent to a lot that was vacant on October 19, 2016.

7.3.34 (a) DEFINED AREA: UR1-34 as shown on Schedule A, Key Map U-9, to this By-law

(b) MINIMUM LOT AREA: 700 m² (7,535 ft²)

(c) MINIMUM LOT FRONTAGE: 20.0 m (66 ft)

(d) MINIMUM FRONT YARD SETBACK: 6.0 m (20 ft)

7.3.35 (a) DEFINED AREA: UR1-35 as shown on Schedule A, Key Map U-9, to this By-law

(b) MINIMUM LOT AREA: 300.0 m² (3,229 ft²)

(c) MINIMUM LOT FRONTAGE 10.0 m (33 ft)

(d) MINIMUM INTERIOR SIDE YARD SETBACKS: 1.5 m (4.9 ft) from an interior side lot line adjacent to a lot on which there was an existing residence on October 19, 2016 and 1.2 m (3.9 ft) from an interior side lot line adjacent to a lot that was vacant on October 19, 2016.

7.3.36 (a) DEFINED AREA: UR1-36 as shown on Schedule ‘A’, Key Map U-8

(b) MINIMUM FRONT YARD SETBACK:

(i) Porch or habitable portion of dwelling 4.5 m (14.8 ft)
(ii) Attached Garage: 6.00 m (19.7 ft), but not more than 1.00 metre (3.3 ft) closer to the front lot line than the porch or habitable portion of the dwelling on lots 12.19 metres (40 ft.) up to 14 metres (46 feet) wide and not more than 2.00 metres (6.6 ft) closer to the front lot line than the porch or habitable portion of the dwelling on lots greater than 14 metres (46 ft) wide.

(c) MINIMUM SIDE YARD SETBACKS:

(i) Interior side yard: 1.2 m (3.9 ft)
(ii) Exterior side yard, except attached garages: 2.5 m (8.2 ft)
(iii) Exterior side yard for attached garages: 2.5m (8.2 ft) to an attached garage on the side abutting the street provided there is no driveway access from the exterior side yard and provided the wall of the garage is not closer to the exterior side yard that the habitable portion of the dwelling; 6m (19.7 ft) to an attached garage on the side abutting the street if there is driveway access from the exterior side yard.

(d) SIGHT VISIBILITY TRIANGLES: Notwithstanding any other provisions of this by-law, a sight visibility triangle shall have minimum dimensions of 6 m (19.7 ft) by 6 m (19.7 ft)

(e) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage: 40%

(ii) all buildings, including accessory buildings and structures subject to Section 4.1 a): 43%

7.3.37 (a) DEFINED AREA: UR1-37 as shown on Schedule ‘A’, Key Map U-8

(b) MINIMUM LOT FRONTAGE: 13 m (42.7 ft)

(c) MINIMUM FRONT YARD SETBACK:

(i) Porch or habitable portion of dwelling: 4.5 m (14.8 ft)
(ii) Attached Garage: 6.00 m (19.7 ft), but not more than 1.00 metre (3.3 ft) closer to the front lot line than the porch or habitable portion of the dwelling on lots 12.19 metres (40 ft.) up to 14 metres (46 feet) wide and not more than 2.00 metres (6.6 ft) closer to the front lot line than the porch or habitable portion of the dwelling on lots greater than 14 metres (46 ft) wide.

(d) MINIMUM SIDE YARD SETBACKS:

(i) Interior side yard: 1.2 m (3.9 ft)
(ii) Exterior side yard, except attached garages: 2.5 m (8.2 ft)
(iii) Exterior side yard for attached garages: 2.5 m (8.2 ft) to an attached garage on the side abutting the street provided there is no driveway access from the exterior side yard and provided the wall of the garage is not closer to the exterior side yard that the habitable portion of the dwelling; 6m (19.7 ft) to an attached garage on the side abutting the street if there is driveway access from the exterior side yard.

(e) SIGHT VISIBILITY TRIANGLES: Notwithstanding any other provisions of this by-law, a sight visibility triangle shall have minimum dimensions of 6 m (19.7 ft) by 6 m (19.7 ft)

(f) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage: 40%
(ii) all buildings, including accessory buildings and structures subject to Section 4.1 a): 43%

7.3.38 (a) DEFINED AREA: UR1-38 as shown on Schedule ‘A’, Key Map U-8

(b) MINIMUM LOT AREA: 380 m² (4,090 ft²)

(c) MINIMUM LOT FRONTAGE: 12 m (39.4 ft)

(d) MINIMUM FRONT YARD SETBACK:

(i) Porch or habitable portion of dwelling: 4.5 m (14.8 ft)
(ii) Attached Garage: 6.00 m (19.7 ft), but not more than 1.00 metre (3.3 ft) closer to the front lot line than the porch or habitable portion of the dwelling on lots 12.19 metres (40 ft.) up to 14 metres (46 feet) wide and not more than 2.00 metres (6.6 ft) closer to the front lot line than the porch or habitable portion of the dwelling on lots greater than 14 metres (46 ft) wide.

(e) MINIMUM SIDE YARD SETBACKS:

(i) Interior side yard: 1.2 m (3.9 ft)
(ii) Exterior side yard, except attached garages: 2.5 m (8.2 ft)
(iii) Exterior side yard for attached garages: 2.5m (8.2 ft) to an attached garage on the side abutting the street provided there is no driveway access from the exterior side yard and provided the wall of the garage is not closer to the exterior side yard that the habitable portion of the dwelling; 6m (19.7 ft) to an attached garage on the side abutting the street if there is driveway access from the exterior side yard.

(f) MINIMUM REAR YARD SETBACKS: 6 m (19.7 ft)

(g) SIGHT VISIBILITY TRIANGLES: Notwithstanding any other provisions of this by-law, a sight visibility triangle shall have minimum dimensions of 6 m (19.7 ft) by 6 m (19.7 ft)

(h) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage: 40%
(ii) all buildings, including accessory buildings and structures subject to Section 4.1 a): 43%

(i) MAXIMUM HEIGHT: Two storeys to a maximum of 13 m (42.7 ft), measured from the average finished grade elevation of the dwelling.

7.3.39 (a) DEFINED AREA: UR1-39 as shown on Schedule 'A', Key Map U-8

(b) NUMBER OF DETACHED DWELLINGS: Notwithstanding any other provisions of this By-law, multiple single detached dwellings are permitted on a single lot in advance of the registration of a vacant land condominium plan against the lot. All other provisions of this zoning category must be adhered to as if the vacant land condominium plan, forming part of the condominium agreement that applies to the lot, is registered.

This clause shall not apply after the registration of a vacant land condominium plan against the land.

(c) MINIMUM LOT AREA: 340 m² (3,660 ft²)

(d) MINIMUM LOT FRONTAGE: 13 m (42.7 ft)

(e) MINIMUM FRONT YARD SETBACK:

(i) Porch or habitable portion of dwelling: 4.5 m (14.8 ft)
(ii) Attached Garage: 6.00 m (19.7 ft), but not closer to the front lot line than the porch or habitable portion of the dwelling.

(f) MINIMUM SIDE YARD SETBACKS:

(i) Interior side yard: 1.2 m (3.9 ft)
(ii) Exterior side yard, except attached garages: 2 m (6.6 ft)
(iii) Exterior side yard for attached garages: 6 m (19.7 ft)

(g) MINIMUM REAR YARD SETBACK: 6 m (19.7 ft); MINIMUM REAR YARD SETBACK DECKS: 3 m (9.8 ft)

(h) SIGHT VISIBILITY TRIANGLES: Notwithstanding any other provisions of this by-law, a sight visibility triangle shall have minimum dimensions of 6 m (19.7 ft) by 6 m (19.7 ft)

(i) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage: 50%
(ii) all buildings, including accessory buildings and structures subject to Section 4.1 a): 55%

(j) NET DENSITY: The net density shall be less than 20 units per hectare.

7.3.40 (a) DEFINED AREA: UR1-40 as shown on Schedule 'A', Key Map U-08

(b) MINIMUM LOT FRONTAGE: 20 m

(c) MUNICIPAL SERVICES: Residential development shall be permitted on private services

7.3.41 (a) DEFINED AREA: UR1-41 as shown on Schedule 'A', Key Map 68, to this by-law

(b) MINIMUM LOT AREA: 385 m²

(c) MINIMUM LOT FRONTAGE: 12 m

(d) MINIMUM FRONT YARD SETBACK: 8 m

(e) MINIMUM SIDE YARD SETBACK:

(i) Interior Lot: 1.5 m
(ii) Coner Lot: 4.5 m

(f) MAXIMUM LOT COVERAGE:

(i) Main Building: 38%
(ii) All buildings including accessory buildings subject to Section 4.1a: 41%

7.3.42 (a) DEFINED AREA: UR1-42 as shown on Schedule 'A', Key Map 68, to this by-law

(b) MINIMUM LOT AREA: 380 m² (4,090.3 ft²)

(c) MINIMUM LOT FRONTAGE: 12 m (39.4 ft)

(d) MINIMUM FRONT YARD SETBACK: 8 m (26.2. ft); the attached garage shall not be closer to the front lot line than the porch or habitable portion of the dwelling.

(e) MINIMUM SIDE YARD SETBACK:

(i) Interior Lot: 1.2 m (3.9 ft)
(ii) Exterior (to habitable portion): 2.5 m (8.2 ft)
(iii) Exterior (attached garages): 6.0 m (19.7 ft)

(f) MAXIMUM LOT COVERAGE:

(i) Main Building: 38%
(ii) All buildings including accessory buildings subject to Section 4.1a: 41%

7.3.43 (a) DEFINED AREA: UR1-43 as shown on Schedule 'A', Key Map 68, to this by-law

(b) MINIMUM LOT AREA: 380 m² (4,090.3 ft²)

(c) MINIMUM LOT FRONTAGE: 12 m (39.4 ft)

(d) MINIMUM FRONT YARD SETBACK:

(i) To porch or habitable portion: 4.5 m (14.8 ft)
(ii) To attached garage: 6.0 m (19.7 ft)

(e) MINIMUM SIDE YARD SETBACK:

(i) Interior Lot: 1.2 m (3.9 ft)
(ii) Exterior (to habitable portion): 2.5 m (8.2 ft)
(iii) Exterior (attached garages): 6.0 m (19.7 ft)

(f) MAXIMUM LOT COVERAGE:

(i) Main Building: 43%
(ii) All buildings including accessory buildings subject to Section 4.1a: 46%

7.3.44 (a) DEFINED AREA: UR1-44 as shown on Schedule 'A', Key Map U-9

(b) MINIMUM LOT AREA: 360 m² (3,875 ft²)

(c) MINIMUM LOT FRONTAGE: 12 m (49 ft)

(d) MINIMUM FRONT YARD SETBACK:

(i) porch or habitable portion of the dwelling: 4.5 m (14.8 ft)
(ii) Minimum front yard setback attached garage: 6.0 m (19.7 ft)

(e) MINIMUM SIDE YARD SETBACK:

(i) Interior Lot: 1.2 m (3 ft)
(ii) Corner lot: 3 m (10 ft) on the side abutting the road and 1.2 m (3 ft) on the other side except attached garages abutting the road
(iii) attached garages abutting the road: 4.5 m (14.8 ft)

(f) MINIMUM REAR YARD SETBACK: 6 m (19.6 ft)

(g) MAXIMUM LOT COVERAGE:

(i) building, including dwelling and attached garage for a 1 storey dwelling: 50%
(ii) main building, including dwelling, and attached garage for all other dwellings greater than 1 storey: 40%
(iii) Maximum lot coverage – main building, including accessory building and structure for a 1 storey dwelling: 53%
(iv) Maximum lot coverage – main building, including accessory buildings and structure for all other dwellings greater than 1 storey: 43%

7.3.45 (a) DEFINED AREA: UR1-45 as shown on Schedule 'A', Key Map U-9

(b) Notwithstanding and other provisions of this By-law, multiple dwellings are permitted on a single lot in advance of the registration of a condominium plan against the land. All other provisions of this Zoning category must be adhered to as if the condominium plan, forming part of the condominium agreement that applied to the land, is registered on title. This clause shall not apply after the registration of a condominium plan against the land.

(c) MINIMUM LOT AREA: 360 m² (3,875 ft²)

(d) MINIMUM LOT FRONTAGE: 12 m (49 ft)

(e) MINIMUM SIDE YARD SETBACK:

(i) Interior Lot: 1.2 m (3 ft)
(ii) Corner lot: 3 m (9 ft) on the site abutting the road and 1.2 m (3 ft) on the other

(f) MAXIMUM LOT COVERAGE:

(i) building, including dwelling and attached garage: 40%
(ii) all buildings, including accessory buildings and structures: 43%

7.3.46 (a) DEFINED AREA: UR1-46 as shown on Schedule 'A', Key Map U-8

(b) MINIMUM LOT FRONTAGE: 14.0 m (45.9 ft)

(c) MINIMUM FRONT YARD SETBACK: 6.0 m (19.7 ft); the attached garage shall not be closer to the front lot line than the porch or habitable portion of the dwelling

(d) MINIMUM SIDE YARD SETBACK:

(i) interior lot: 1.2 m (3.93 ft)
(ii) corner lot: 4.5 m (14.8 ft) on the side abutting a public or private internal street and 1.2 m (3.93 ft) on the other side

(e) MAXIMUM LOT COVERAGE

(i) main building: 50%
(ii) all buildings including accessory buildings subject to Section 4.1 a): 53%

7.4 TEMPORARY USES

NUMBER	STATUS
7.4.1	EXPIRED on April 21, 2013.
7.4.2	EXPIRED on April 6, 2013.
7.4.3	EXPIRED on December 24, 2018.

8.0 URBAN RESIDENTIAL SECOND DENSITY (UR2) ZONE

The provisions of the Urban Residential Second Density (UR2) Zone shall apply to low density residential development in the villages of the Municipality, which are generally serviced by public water supply and sanitary sewer systems.

8.1 GENERAL USE REGULATIONS

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
- home occupation
- multiple unit dwelling
- semi-detached dwelling
- single detached dwelling
- townhouse dwelling, street
- townhouse dwelling

8.1.2 MINIMUM LOT AREA

(a) Single detached dwelling: 350 m²

(b) Semi-detached: 200 m² / unit

(c) Townhouse Dwelling and Street Townhouse Dwelling: 165 m² / unit

(d) Multiple-Unit Dwelling: 100 m² / unit

8.1.3 MINIMUM LOT FRONTAGE

(a) single detached dwelling: 11.0 m

(b) semi-detached dwelling: 7.0 m

(c) Townhouse Dwelling and street townhouse dwellings: 5.5 m / unit and 6.0 m for end units

(d) Multiple Unit Dwelling: 15 m

8.1.4 MINIMUM FRONT YARD SETBACK

(a) 4.5 m (14.8 ft) to the habitable portion of the dwelling; 6.0 m (20 ft) to an attached garage

8.1.5 MINIMUM SIDE YARD SETBACK

(a) single detached, semi-detached, townhouse, street townhouse: 1.2 m (4.0 ft) interior; 5.0 m (16ft) exterior, or 6.0m (20ft) where vehicle access is provided

(b) multiple unit dwellings: 1.2 m (4ft) interior, plus 0.5 m per each metre of building height over 9.0m (29.5 ft); 5.0 m (16 ft) exterior, or 6.0 m (20 ft) where vehicle access is provided

Provided that no side yard shall be required between the common wall dividing individual semi-detached dwelling units, townhouses dwelling units, street townhouse dwelling units and multiple unit dwelling units.

8.1.6 MINIMUM REAR YARD SETBACK

(a) Single Detached Dwelling, Semi-Detached, Townhouse, Street townhouse: 7.0 m

(b) Multiple-Unit Dwelling: 8.0 m

No rear yard depth shall be required on the side where two dwelling units are attached by a common wall extending along the rear lot line separating such lots.

8.1.7 MINIMUM AMENITY AREA

Every lot containing more than 4 dwelling units shall have amenity area. The minimum size of the amenity area shall be 10.0 m² per dwelling unit.

8.1.8 MAXIMUM LOT COVERAGE

(a) main building: 40%

(b) all buildings and structures subject to Accessory use provisions 4.1 and 4.2: 45%

8.1.9 MINIMUM LANDSCAPED OPEN SPACE

(a) Street townhouse dwelling, townhouse, multiple unit dwelling, grouped housing, apartment: 25%

8.1.10 MAXIMUM HEIGHT

(a) single detached dwelling, semi-detached dwelling, street townhouse dwelling, townhouse dwelling: 12.0m

(b) multiple unit dwelling: 13.0 m

8.2 SPECIAL USE REGULATIONS

8.2.1 MUNICIPAL SERVICES

No dwelling shall be erected, used or altered unless such dwelling is connected to a public water supply system and a public sanitary sewage system.

8.3 EXCEPTIONS

8.3.1 (a) DEFINED AREA: UR2-1 as shown on Schedule A, Map U-7

(b) MINIMUM LOT AREA:

- single-detached dwelling: 442 m² (4,757.6 ft²)
- semi-detached dwelling unit: 360 m² (3,875.0 ft²)
- link dwelling unit: 360 m² (3,875.0 ft²)

(c) MINIMUM LOT FRONTAGE:

- single-detached dwelling: 11 m (36.08 ft)
- semi-detached dwelling unit: 9 m (29.52 ft)
- link dwelling unit: 9 m (29.52 ft)

(d) MINIMUM SIDE YARD SETBACK:

(i) single detached dwelling, semi-detached, link dwelling: 1.2 m (3.94 ft) on an interior lot

(e) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage:

- lot for single-storey dwelling: 40%
- lots for all other dwellings: 37%

(ii) all buildings, including accessory buildings and structures subject to Section 4.1 a):

- lot for single-storey dwelling: 43%
- lots for all other dwellings: 40%

8.3.2 (a) DEFINED AREA: UR2-2 as shown on Schedule A, Map U-8

(b) PERMITTED USES:

- street townhouse dwelling
- townhouse dwelling
- semi-detached dwelling
- single-detached dwelling

(c) MINIMUM LOT AREA:

- street townhouse dwelling, townhouse dwelling: 250.0 m² (2,691 ft²) per dwelling unit

(d) MINIMUM LOT FRONTAGE:

- street townhouse dwelling: 6.0 m (20 ft) for each dwelling unit
- townhouse dwelling: 30.0 m (98 ft)

(e) MINIMUM LOT DEPTH:

- street townhouse dwelling, townhouse dwelling: 35.0 m (115 ft)

(f) MINIMUM FRONT YARD SETBACK:

- street townhouse dwelling, townhouse dwelling: 6.0 m (20 ft)

(g) MINIMUM SIDE YARD SETBACK:

- street townhouse dwelling, townhouse dwelling: 3.0 m (10 ft) on an interior lot; 6.0 m (20 ft) on the side abutting a street and 3.0 m (10 ft) on the interior side of a corner lot; no side yard shall be required along a common wall that divides individual dwelling units.

(h) MINIMUM REAR YARD SETBACK:

- street townhouse dwelling, townhouse dwelling: 8.0 m (26 ft)

(i) MINIMUM FLOOR AREA:

- street townhouse dwelling, townhouse dwelling: 65.0 m² (700 ft²) per dwelling unit

(j) MAXIMUM HEIGHT:

- street townhouse dwelling, townhouse dwelling: 20.0 m (66 ft)

(k) MINIMUM AMENITY AREA:

- street townhouse dwelling, townhouse dwelling: 45.0 m² (484 ft²) per dwelling unit

(l) MAXIMUM LOT COVERAGE

(a) main building: 35%
(b) all buildings including accessory buildings subject to Section 4.1a): 38%

8.4 TEMPORARY USES

None.

9.0 URBAN RESIDENTIAL THIRD DENSITY (UR3) ZONE

The provisions of the Urban Residential Third Density (UR3) Zone shall generally apply to medium density residential development in the villages of the Municipality, which are generally serviced by public water supply and sanitary sewer systems.

9.1 GENERAL USE REGULATIONS

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
- multiple unit dwelling
- street townhouse dwelling
- townhouse dwelling
- grouped housing

9.1.2 MINIMUM LOT AREA

(a) street townhouse or townhouse: 145.0 m² (2,691 ft²)

(b) Multiple-Unit Dwelling: 90.0 m² / unit

(c) Apartment Dwelling: 90.0 m² / unit

(d) Grouped Housing: N/A

9.1.3 MINIMUM LOT FRONTAGE

(a) street townhouse dwelling, townhouse dwelling: 5.5 m/unit and 6.0 m for end units

(b) Multiple-Unit Dwelling, apartment dwelling, grouped housing: 25.0 m

9.1.4 MINIMUM FRONT YARD SETBACK

(a) Street townhouse dwelling, townhouse dwelling: 4.5 m (14.8 ft) to the habitable portion; 6.0 m (20.0 ft) to an attached garage

(b) Multiple-Unit Dwelling, apartment: 6.0 m

(c) Grouped Housing: 7.0 m

9.1.5 MINIMUM SIDE YARD SETBACK

(a) street townhouse dwelling, townhouse dwelling: 2.0 m interior; 4.5 m exterior

(b) Multiple-Unit Dwelling, apartment, grouped housing: 3.0 m interior, plus 1.5 m for each 3.0 m above 9.0 m building height to a maximum of 10.0 m; 4.5 m exterior

9.1.6 MINIMUM REAR YARD SETBACK

(a) street townhouse dwelling, townhouse dwelling: 7.0 m

(b) Multiple-Unit Dwelling, Grouped housing: 8.0 m

(c) Apartment Dwelling: 9.0 m

No rear yard depth shall be required on the side where two dwelling units are attached by a common wall extending along the rear lot line separating such lots.

9.1.7 MAXIMUM HEIGHT

(a) street townhouse dwelling, townhouse dwelling: 12.0 m

(b) Multiple-Unit Dwelling, Grouped housing: 15.0 m

(c) Apartment Dwelling: 20.0 m

9.1.8 MINIMUM AMENITY AREA

Every lot containing more than 4 dwelling units shall have amenity areas. The minimum size of the amenity area shall be 10 m² per dwelling unit.

9.1.9 MAXIMUM LOT COVERAGE

(a) Street townhouse dwelling, townhouse dwelling, multiple unit dwelling, grouped housing, apartment: 45% for all buildings and structures on the lot in accordance with section 4.1

9.1.10 MINIMUM LANDSCAPED OPEN SPACE

(a) Street townhouse dwelling, townhouse dwelling, multiple unit dwelling, grouped housing, apartment: 25%

9.2 SPECIAL USE REGULATIONS

9.2.1 MUNICIPAL SERVICES

No dwelling shall be erected, used or altered unless such dwelling is connected to a public water supply system and a public sanitary sewage system.

9.3 EXCEPTIONS

9.3.1 (a) DEFINED AREA: UR3-1 as shown on Schedule A, Map U-8

(b) PERMITTED USES:

- Street townhouse dwelling
- Townhouse dwelling

(c) MINIMUM LOT AREA: 243 m² (2,615.63 ft²)

(d) MINIMUM LOT FRONTAGE: 9.04 m (29.7 ft)

(e) MINIMUM LOT DEPTH: 26.90 m (88.3 ft)

(f) MINIMUM FRONT YARD SETBACK:

- 4.5 m (14.8 ft) for the habitable portion of the dwelling
- 5.5 m (18.0 ft) for an attached garage

(g) MINIMUM INTERIOR SIDE YARD SETBACK:

- 0.0 m (0.0 ft) on an interior inside unit wall
- 1.2 m (3.9 ft) on an interior outside unit wall

(h) MINIMUM EXTERIOR SIDE YARD SETBACK:

- 2.0 m (6.6 ft) (Unit 1)
- 4.5 m (14.8 ft) (Unit 10)
- 1.2 m (3.9 ft) (Unit 16)
- 3.0 m (9.8 ft) (All other units)

(i) MINIMUM REAR YARD SETBACK: 6.0 m (19.7 ft)

(j) MAXIMUM LOT COVERAGE: 60%

9.3.2 (a) DEFINED AREA: UR3-2 as shown on Schedule A, Map U-7

(b) MINIMUM SIDE YARD SETBACK: 0 m (0 ft) setback from the side lot line abutting the recreation centre to the east

9.3.3 (a) DEFINED AREA: UR3-3 as shown on Schedule A, Map U-7

(b) PERMITTED USES:

- recreation centre
- all other permitted uses of the UR3 zone

(c) MINIMUM LOT FRONTAGE: 0 m (0 ft)

(d) MAXIMUM DENSITY: 33 units per hectare

(e) MINIMUM SIDE YARD SETBACK: 9.45 m (31 ft) setback from the northerly side lot line; 5.0 m (16 ft) from the easterly side lot line and 0 m (0 ft) setback from the side lot line adjoining the recreation centre to the west

9.3.4 (a) DEFINED AREA: UR3-4 as shown on Schedule A, Map U-7

(b) PERMITTED USES:

- single detached dwellings
- townhouse dwellings

(c) MINIMUM LOT AREA: 250.0 m² per dwelling unit

(d) MINIMUM LOT FRONTAGE: 30.0 m (98 ft)

(e) MINIMUM FRONT YARD SETBACK: 55.0 m (180 ft)

(f) MAXIMUM HEIGHT: 10.5 m (34 ft)

(g) MINIMUM FLOOR AREA: 65.0 m² per dwelling unit

(h) MAXIMUM DENSITY: 15 units per hectare

(i) MINIMUM SETBACK:

(i) where the rear wall of a structure abuts a side lot line: 10.0 m (32 ft)
(ii) where the rear wall of a structure abuts the side wall of another structure: 10.0 m (32 ft)

9.3.5 (a) DEFINED AREA: UR3-5 as shown on Schedule 'A', Key Map 'U-8'

(b) PERMITTED USES

- single detached dwellings

(c) MINIMUM EXTERIOR SIDE YARD SETBACK: 2.5 m (8.2 ft)

(d) MINIMUM SIDE YARD SETBACK: 1.2 m (3.9 ft)

(e) MINIMUM REAR YARD SETBACK: 7.65 m (25 ft)

9.3.6 (a) DEFINED AREA: UR3-6 as shown on Schedule 'A', Key Map U-9

(b) NUMBER OF DWELLINGS: Notwithstanding any other provisions of this By-law, multiple dwellings are permitted on a single lot in advance of the registration of a vacant land condominium plan against the land. All other provisions of this zoning category must be adhered to as if the vacant land condominium plan, forming part of the condominium agreement that applies to the land, is registered.

This clause shall not apply after the registration of a vacant land condominium plan against the land.

(c) MINIMUM LOT DEPTH: 29 m (95.1 ft)

(d) MINIMUM INTERIOR SIDE YARD SETBACK: 2 m (6.6 ft) provided that no side yard shall be required between the common wall dividing individual attached dwelling units

(e) MINIMUM EXTERIOR SIDE YARD SETBACK: 0 m (0.0 ft)

(f) MAXIMUM LOT COVERAGE: 55% for main building; 60% for all buildings, including accessory structures subject to section 4.1 a) of the Zoning By-law

(g) MAXIMUM REAR YARD ENCROACHMENT FOR DECKS: 3 m (9.8 ft)

9.3.7 (a) DEFINED AREA: UR3-7 as shown on Schedule 'A', Key Map 36

(b) PERMITTED USES:

- accessory use
- apartment dwelling
- multiple-unit dwelling
- street townhouse
- townhouse
- semi-detached dwelling

(c) MINIMUM LOT AREA: semi-detached dwelling: 250.0 m² (2,691 ft²) per dwelling unit

(d) MINIMUM LOT FRONTAGE:

(i) semi-detached dwelling unit:9.0 m (29.53 ft)
(ii) townhouse or multiple unit dwelling: 14.0 m (45.93 ft)

(e) MINIMUM LOT DEPTH: 28.0 m (91.86 ft)

(f) MINIMUM FRONT YARD: 6.0 m (19.69 ft) to an attached garage; 2.5 m (8.20 ft) to dwelling

(g) MINIMUM SIDE YARD SETBACK: semi-detached dwelling 1.2 m (3.94 ft) on an interior lot; 6.0 m (19.69 ft) on the side abutting a street and 1.2 m (3.94 ft) on the other side on a corner lot

(h) MINIMUM REAR YARD SETBACK: 6.0 m (19.69 ft)

(i) MAXIMUM LOT COVERAGE:

(i) semi-detached dwelling: 50% for the main use; 53% for all buildings including accessory buildings subject to Section 4.1 a)
(ii) townhouse: 60% for the main use; 63% for all buildings including accessory buildings subject to Section 4.1 a)
(iii) apartment, street townhouse or multiple unit dwelling: 40% for the main use; 43% for all buildings including accessory buildings subject to Section 4.1 a)

(j) MAXIMUM BUILDING HEIGHT: townhouse, street townhouse, semi-detached dwelling: 12.0 m (39.37 ft)

9.3.8 (a) DEFINED AREA: UR3-8 as shown on Schedule ‘A’, Key Map U-8

(b) PERMITTED USES

- street townhouse dwelling

(c) MINIMUM LOT AREA: 250 m² (2,691 ft²)

(d) MINIMUM FRONT YARD SETBACK:

(i) Porch or habitable portion of dwelling: 2.5 m (8.2 ft)
(ii) Attached Garage: 6 m (19.6 ft), but not any closer to the front lot line than the porch or habitable portion of the dwelling

(e) MINIMUM SIDE YARD SETBACK: 1.2 metres (3.9 ft) provided that no side yard shall be required between the common wall dividing individual dwelling units.

(f) MINIMUM REAR YARD SETBACK: 6 m (19.7 ft); MINIMUM REAR YARD SETBACK DECKS: 3 m (3.3 ft)

(g) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage: 55%
(ii) all buildings, including accessory buildings and structures: 61%
(iii) notwithstanding Section 4.1 b) of this by-law, the maximum total lot coverage permitted for all accessory buildings or structures shall not exceed 4.5%

9.3.9 (a) DEFINED AREA: UR3-9 (h-3) as shown on Schedule 'A', Key Map U-8

(b) PERMITTED USES:

- multiple unit dwelling
- townhouse dwelling

(c) MINIMUM LOT AREA 210 m² (2,260.4 ft²)

(d) MINIMUM FRONT YARD SETBACK:

(i) Multiple unit dwelling: 0 m (0 ft)
(ii) Townhouse dwelling:
(a) Porch or habitable portion of dwelling: 2.5 m (8.2 ft) to Doan Drive and 2.5 m (8.2 ft) to Glendon Drive

(b) Attached Garage: 6 m (19.6 ft), but not any closer to the front lot line than the porch or habitable portion of the dwelling

(e) MAXIMUM SETBACK FROM GLENDON DR (COUNTY ROAD 14): 10 m (32.8 ft)

(f) GLENDON DRIVE (COUNTY ROAD 14) FRONTAGE:

(i) Percentage of Glendon Drive (County Road 14) frontage to include buildings: 65%
(ii) The Glendon Drive (County Road 14) frontage shall be developed exclusively with minimum building height of 3-storeys.
(iii) All parking areas and driveways shall be prohibited on that portion of the land between Glendon Drive (County Road 14) and the northerly façades of those buildings adjacent to Glendon Drive (County Road 14).

(g) MINIMUM SIDE YARD SETBACK:

(i) 1.2 metres (3.9 ft)

(h) MINIMUM REAR YARD SETBACK: 6 m (19.7 ft)

(i) MINIMUM BLOCK NET DENSITY: 20 units per hectare

(j) MAXIMUM BLOCK NET DENSITY: 50 units per hectare

(k) MINIMUM AMENITY AREA: 25 m² (269 ft²)/unit

(l) MAXIMUM LOT COVERAGE:

(i) main building, including dwelling and attached garage: 55%
(ii) all buildings, including accessory buildings and structures: 65%
(iii) notwithstanding Section 4.1 b) of this by-law, the maximum total lot coverage permitted for all accessory buildings or structures shall not exceed 4.5%

9.3.10 (a) DEFINED AREA: UR3-10 h-2 , h-3 and h-9' as shown on Schedule 'A', Key Map U-9

(b) PERMITTED USES:

- In addition to the permitted uses in in Section 10.1.1, semi-detached dwellings shall be permitted.

(c) MINIMUM FRONT YARD SETBACK: 4.0 m (13.1 ft)

(d) MINUMUM INTERIOR SIDE YARD SETBACK: 1.5 m (4.9 ft)

(e) YARD ENCROACHMENTS AND OBSTRUCTIONS: Notwithstanding Section 4.34 YARD ENCROACHMENTS AND OBSTRUCTIONS (a) iv) the maximum permitted encroachment is 2 m (6.6 ft).

(f) MINUMUM EXTERIOR SIDE YARD SETBACK: 4.0 m (13.1 ft)

(g) MINIMUM BLOCK SEPARATION: Between townhouse or street townhouse blocks:

(i) where there is landscape open space or/and sidewalks: 3.0 m (9.8 ft) .
(ii) where there is private driveway and sidewalks: 7.5 m (24.6 ft)

(h) MAXIMUM DENSITY: 36 units per ha

(i) MINIMUM AMENITY AREA: Section 10.1.11 shall not apply, a minimum accessible amenity area of 60 m² (645.8 ft²) per dwelling which is an outdoor amenity space accessible to a dwelling or dwelling units and situated in the same zone therewith.

(j) MAXIMUM LOT COVERAGE: main building, including dwelling, attached garage and accessory buildings and structures subject to Section 4.1 a) shall not exceed 30 %

(k) MINIMUM LANDSCAPE OPEN SPACE COVERAGE: Landscape Open Space (including, but not limited to, accessible amenity area in 10.3.10 (i)): 40%

(l) HEIGHT RESTRICTIONS: Solar panels and other similar renewable energy equipment as approved by the Municipality shall not be permitted to cause a building to exceed the height restrictions of this by-law by a maximum of 2 metres (6.6 ft).

(m) BUILDING RESTRICTIONS: Despite any existing or future severance, partition, or division of the lot, the provisions of this By-law shall apply to the whole of the zone as if no severance, partition or division had occurred.

(n) HOLDING SYMBOL: To ensure orderly development of the land known as Part of Lot 6, Concession 2 (geographic Township of Lobo), Municipality of Middlesex Centre:

- The “(h-2)” holding symbol shall not be removed until a site plan agreement is completed.
- The “(h-3)” holding symbol shall not be removed until a noise study is completed that examines the noise sources in the area that would include but are not limited to the grain handling operation, CN rail line and vehicle/road noise. The study shall be to the satisfaction of CN rail as well as the Municipality of Middlesex Centre.
- The “(h-9)” holding symbol shall not be removed until a vibration study is completed that examines the vibration sources in the area that would include but are not limited to CN rail line. The study shall be to the satisfaction of CN rail as well as the Municipality of Middlesex Centre.

9.3.11 (a) DEFINED AREA: UR3-11 as shown on Schedule “A”, Key Map U-7

(b) PERMITTED USES

- accessory use
- street townhouse dwelling
- townhouse dwelling
- semi-detached dwelling

(c) MINIMUM LOT AREA: semi-detached dwelling, townhouse dwelling, street townhouse dwelling: 133.0 m² (1,431 ft²) per unit

(d) MINIMUM LOT FRONTAGE: semi-detached dwelling, townhouse dwelling, street townhouse dwelling: 5.0 m (16.4 ft) per unit

(e) MINIMUM LOT DEPTH: semi-detached dwelling, townhouse dwelling, street townhouse dwelling: 22.0 m (72.18 ft)

(f) MINIMUM FRONT YARD SETBACK: semi-detached dwelling, townhouse dwelling, street townhouse dwelling:

- 6.0 m (19.69 ft) to an attached garage
- 2.5 m (8.20 ft) to main dwelling

(g) MINIMUM SIDE YARD SETBACK: semi-detached dwelling, townhouse dwelling, street townhouse dwelling:

- 1.2 m (3.94 ft) on an interior lot,
- 1.2 m (3.94 ft) on the side abutting a private street,
- 3.0 m (9.84 ft) on a side abutting a public street
- No side yard setback required between common walls dividing dwelling units

(h) MINIMUM REAR YARD SETBACK: 5.50 m (18.04 ft); 3.0 m (9.84 ft) to attached decks.

(i) MAXIMUM LOT COVERAGE: semi-detached dwelling, townhouse dwelling, apartment, street townhouse dwelling, multiple unit dwelling: 62% for the main use; 65% for all buildings including accessory buildings subject to Section 4.1 a).

(j) MINIMUM FLOOR AREA: street townhouse dwelling, townhouse dwelling: 50.0 m² (538 ft^2)

(k) MAXIMUM DENSITY: 45 units per hectare

(l) MINIMUM AMENITY AREA: 35.0 m² (376.74 ft) per dwelling unit

(m) VISITOR PARKING: A minimum of 0.1 parking spaces per dwelling unit shall be provided on site for visitors.

Driveways, garages, or parking spaces provided for each unit in accordance of Section 4.28 (b) of this by-law for residential uses shall not be considered as a visitor parking space.

9.3.12 (a) DEFINED AREA: UR3-12 as shown on Schedule “A”, Key Map U-7

(b) PERMITTED USES

- single detached dwelling
- semi-detached dwelling
- townhouse dwelling
- accessory use

(c) MINIMUM LOT AREA

- single detached dwelling 320.0 m² (3,444 ft²)
- semi-detached dwelling 170.0 m² (1,829 ft²)
- townhouse dwelling 170.0 m² (1,829 ft²)

(d) MINIMUM LOT FRONTAGE

- single detached dwelling 12.0 m (39.37 ft)
- semi-detached dwelling 6.0 m (19.69 ft)
- townhouse dwelling 6.0 m (19.69 ft)

(e) MINIMUM LOT DEPTH: 26.0 m (85.3 ft)

(f) MINIMUM FRONT YARD SETBACK:

- to an attached garage: 6.0 m (19.69 ft)
- to dwelling: 2.5 m (8.20 ft)

(g) MINIMUM SIDE YARD SETBACK:

- 1.2 m (3.94 ft) on an interior lot;
- 6.0 m (16.69 ft) on the side abutting a public street and
- 1.2 m (3.94 ft) on the other side on a corner lot
- No side yard setback required between common walls dividing dwelling units

(h) MINIMUM REAR YARD SETBACK: 6.0 m (19.69 ft)

(i) MAXIMUM LOT COVERAGE:

- single detached dwelling: 50% for the main use; 53% for all buildings including accessory buildings subject to Section 4.1 a)
- semi-detached dwelling, townhouse dwelling: 62% for the main use; 65% for all buildings including accessory buildings subject to Section 4.1 a)

(j) MAXIMUM BUILDING HEIGHT: 12.0 m (39.37 ft)

9.3.13 (a) DEFINED AREA: UR3-13 as shown on Schedule "A", Key Map U-7

(b) PERMITTED USES:

- accessory use
- street townhouse dwelling

(c) MINIMUM LOT AREA: 210.0 m² (2, 260.4 ft²) per dwelling unit

(d) MINIMUM LOT FRONTAGE: 7.0 m (22.97 ft)

(e) MINIMUM LOT DEPTH: 30.0 m (98.43 ft)

(f) MINIMUM FRONT YARD SETBACK:

(i) attached garage: 6.0 m (19.69 ft)
(ii) dwelling: 4.5 m (14.76 ft)

(g) MINIMUM SIDE YARD SETBACK:

- 1.2 m (3.94 ft) on an interior lot;
- 3.0 m (9.84 ft) on the side abutting a private street;
- 6.0 m (19.69 ft) on a side abutting a public street
- No side yard setback required between common walls dividing dwelling units

(g) MINIMUM REAR YARD SETBACK:

(i) Setback to the main building: 8.0 m (26.25 ft)
(ii) Setback to attached decks: 5.0 m (16.4 ft)

(h) MAXIMUM LOT COVERAGE:

(i) Main building, including dwelling and attached garage: 50%
(ii) All buildings, including accessory buildings and structures subject to Section 4.1 a) of the zoning by-law.: 55%

(i) MAXIMUM HEIGHT: 12.0 m (39.4 ft)

(j) MAXIMUM DENSITY: 43 units per hectare

(k) MINIMUM AMENITY AREA: 40.0 m² (430.6 ft²)

9.3.14 (a) DEFINED AREA: UR3-14 as shown on Schedule 'A', Key Map U-9

(b) PERMITTED USES

- Accessory use

- Nursing home
- Retirement home
- Street townhouse dwelling
- Townhouse dwelling

(c) MINIMUM SIDE YARD SETBACK:

(i) all permitted uses: 4.5 m (28.2 ft) from the easterly property line
(ii) townhouse dwelling, Street townhouse dwelling: 0.0 m (.0 ft) between the common wall dividing individual units

(d) MINIMUM REAR YARD SETBACK

(i) all permitted uses: 9.0 m (29.5 ft) or setback recommended by the noise impact assessment from the northerly property line abutting the residential uses, whichever is greater
(ii) Street townhouse dwelling: 6.0 m (19.7 ft)

(e) MAXIMUM HEIGHT: 12.0 m (39.4 ft)

(f) MAXIMUM DENSITY:

(i) townhouse dwelling, Street townhouse dwelling: 25 unit per hectare

(i) MAXIMUM LOT COVERAGE:

(i) nursing home or retirement home: 35%

(h) Notwithstanding the definition of “LOT”, the entire area zoned UR3-14 is considered a “Lot”, and the regulations applicable to the subject lands apply to the zoned lands as a whole and not to any individual unit on a registered vacant land condominium plan.

9.3.15 (a) DEFINED AREA: UR3-15 as shown on Schedule ‘A’, Key Map U-7

(b) PERMITTED USES:

- Accessory use
- Semi-detached dwelling
- Townhouse dwelling

(c) MINIMUM REAR YARD SETBACK 4.0 m (13.1 ft) from the southerly property line

(d) MINIMUM SIDE YARD SETBACK:

- 6.75 m (23 ft); 4.0 m (13.1 ft) to Unit 9; and 2.0 m (6.5 ft) to Unit 311;
- 0.0 m (0.0 ft) between the common wall divided individual townhouse dwelling units or semi-detached units;
- 4.0 m (11.5 ft) from the curb of any internal private road.

(e) MAXIMUM HEIGHT: 12.0 m (39.4 ft)

(f) MAXIMUM LOT COVERAGE: 42%

(g) Notwithstanding Section 4.30 (a)(vi) of the Zoning By-law, open roofed porches may project up to 3.0 m into any required side yard

9.3.16 (a) DEFINED AREA: UR3-16 as shown on Schedule 'A', Key Map 68

(b) PERMITTED USES:

- Accessory use
- Street townhouse dwelling

(c) MINIMUM LOT DEPTH: 29 m (95.1 ft)

(d) MINIMUM SIDE YARD SETBACK:

(i) Interior lot line: 1.2 m (3.9 ft); no side yard shall be required along a common wall that divides individual dwelling units.
(ii) Exterior (to habitable portion) : 2.5 m (8.2 ft)
(iii) Exterior (to attached garage) : 6.0 m (19.7 ft)

(e) MAXIMUM DENSITY: 35 units per hectare

(f) MAXIMUM LOT COVERAGE:

(i) Main Building: 55%
(ii) All buildings including accessory buildings subject to Section 4.1a: 58%

9.3.17 (a) DEFINED AREA: UR3-17 as shown on Schedule "A", Key Map U-1

(b) PERMITTED USES:

- Accessory use
- townhouse dwelling

(c) MINIMUM FRONT YARD SETBACK: 15.0 m (49.2 ft)

(d) MAXIMUM SIDE YARD SETBACK: 5.0 m (16.4 ft) on an interior lot; 0.0 m (0.0 ft) between the common wall dividing individual townhouse dwelling units;

(e) MAXIMUM NUMBER OF DWELLING UNITS: four (4) townhouse dwelling units;

(f) MAXIMUM HEIGHT: 10.0 m (32.8 ft)

9.3.18 (a) DEFINED AREA: UR3-18 as shown on Schedule "A", Key Map 79

(b) MINIMUM SIDE YARD SETBACK: Apartment dwelling, multiple unit dwelling 3 m (9.84 ft); 10 m (32.8 ft) from a property line that abuts a Commercial Zone

(c) MINIMUM REAR YARD SETBACK

(i) Accessory parking structure 8 m (26.25 ft); Section 4.1 (a) (v) of this by-law shall not apply to the lands
(ii) Apartment dwelling, multiple unit dwelling 15 m (49.2 ft)

(d) MAXIMUM UNITS: 193 units; Section 10.1.10 of this by-law shall not apply to the lands.

(e) MINIMUM AMENITY AREA: 45 m²/dwelling unit; Section 10.1.11 of this by-law shall not apply to the lands.

Amenity Area means a space located indoors or outdoors for the passive enjoyment and active recreational needs of the residents in a building containing apartment dwelling units and/or multiple dwelling units. Amenity Area includes, but it not limited to, outdoor patios, open landscaped areas, communal indoor and/or outdoor fitness spaces, communal indoor social spaces, swimming pools, private balconies, and outdoor rooftop decks, but does not include lobbies, common laundry areas, storage areas, hallways, parking areas, and loading spaces.

(f) MAXIMUM LOT COVERAGE OF AN ACCESSORY PARKING STRUCTURE: Section 4.1 (b) of this by-law shall not apply to any accessory parking structure on the lands.

An accessory parking structure shall be included in the calculation of lot coverage for the main residential building(s) to a combined maximum of 35% and the lot coverage of an accessory parking structure shall not exceed the lot coverage of the residential building(s)/

(g) VISITOR PARKING: A minimum of 0.1 parking spaces per 1 dwelling unit shall be provided on site for visitors. Driveways, garages or parking spaces provided for each unit in accordance with Section 4.24 (b) of this by-law for residential uses shall not be considered as a visitor parking space.

(h) MAXIMUM HEIGHT OF AN ACCESSORY PARKING STRUCTURE: 6.5 m (21.33 ft)

Section 4.1 (c) of this by-law shall not apply to any accessory parking structure on the lands.

(i) HOLDING SYMBOL: The precondition for the removal of the “(h-11)” holding symbol be that a detailed design of the Regional Stormwater Management Facility, and supporting stormwater management calculations, be finalized and accepted to the satisfaction of the Municipal Engineer and that construction of the facility, including an outlet to the Thames River, has been completed.

9.3.19 (a) DEFINED AREA: UR3-19 as shown on Schedule “A”, Key Map U-7

(b) PERMITTED USES:

- Accessory use
- Multiple unit dwelling

(c) MINIMUM LOT AREA: 175 m² (1,884 ft²) per dwelling unit

(d) MAXIMUM LOT FRONTAGE 20 m (65.6 ft)

(e) MINIMUM FRONT YARD SETBACK: 1 m (3.3 ft)

(f) MINIMUM SIDE YARD SETBACK: 5.0 m (16.4 ft) to the west property line; 3.0 m (9.8 ft) to the east property line; 0.0 m (0.0 ft) between the common wall dividing individual dwelling units;

(g) MAXIMUM DENSITY: 57 units per hectare

(h) Notwithstanding 4.24 (g), the driveway shall not exceed 31% of the total area of the lot.

Except as otherwise provided herein, uncovered surface parking areas and driveway shall be permitted in any part of any yard, provided that any part of a parking area located within a required yard shall be separated from any lot lines adjacent to such required yard by a planting strip not less than 0.5 metre (1.64 ft) in width.

(i) Not withstanding 4.24 (i)(ii), parking aisles shall have a minimum unobstructed width of 5.25 m (17.2 ft) where two-way traffic is permitted.

9.3.20 (a) DEFINED AREA: UR3-20 as shown on Schedule “A”, Key Map U-9

(b) PERMITTED USES

- Accessory use
- Townhouse dwelling
- Multiple unit dwelling

(c) MINIMUM FRONT YARD SETBACK:

(i) Porch or habitable portion of dwelling 4.5 m (14.8 ft)
(ii) Attached garage 6 m (19.7 ft)

(d) MINIMUM SIDE YARD SETBACK:

(i) Interior lot for a townhouse dwelling 3 m (10 ft) and 0.0 m between the common wall dividing individual townhouse dwelling units
(ii) Corner lot for a townhouse dwelling 4.5 m (14.7 ft) on the side abutting a street and 3.0 m (10 ft) on the other side
(iii) Multiple unit dwelling 10.0 m (33 ft)

(e) MINIMUM REAR YARD SETBACK: 6.0 m (19.7 ft)

(f) MAXIMUM LOT COVERAGE:

(i) habitable building(s) 40%
(ii) all buildings including accessory buildings 45%

(g) MINIMUM LANDSCAPE OPEN SPACE: 35%

(h) MAXIMUM DENSITY: 35 units per hectare

9.3.21 (a) DEFINED AREA: UR3-21 as shown on Schedule “A”, Key Map U-9

(b) PERMITTED USES:

- Accessory use
- Townhouse dwelling

(c) MINIMUM SIDE YARD SETBACK:

(i) Interior lot 3 m (10 ft) and 0.0 m between the common wall dividing individual townhouse dwelling units
(ii) Corner lot 4.5 m (14.7 ft) on the side abutting a street and 3.0 m (10 ft) on the other side on a corner lot

(d) MINIMUM REAR YARD SETBACK: 6.0 m (19.7 ft)

(e) MAXIMUM LOT COVERAGE:

(i) habitable building(s) 40%
(ii) all buildings including accessory buildings 45%

(f) MINIMUM LANDSCAPE OPEN SPACE 35%

(g) MAXIMUM DENSITY: 35 units per hectare

(h) HOLDING SYMBOL: A precondition for the removal of the Hold symbol (h-10) shall be that a Noise and Vibration Impact Analysis be prepared by a qualified professional in association with the site plan approval processes for any proposed development on the lands to which the holding symbol applies and that any recommendation for noise or vibration mitigation arising from the Noise and Vibration Impact Analysis have been incorporated into the condition of site plan approval and the building design that the proposed development will meet the Ministry of Environment, Conservation and Parks (MECP) criteria and guidelines

9.3.22 (a) DEFINED AREA: UR3-22 as shown on Schedule “A”, Key Map U-9

(b) PERMITTED USES

- Accessory use
- Townhouse dwelling

(c) MINIMUM SIDE YARD SETBACK

(i) Interior lot 3 m (10 ft) and 0.0 m between the common wall dividing individual townhouse dwelling units
(ii) Corner lot 4.5 m (14.7 ft) on the side abutting a street and 3.0 m (10 ft) on the other side on a corner lot

(d) MINIMUM REAR YARD SETBACK: 6.0 m (19.7 ft)

(e) MAXIMUM LOT COVERAGE: 40% for the main use; 43% for all buildings including accessory buildings subject to Section 4.1a)

(f) MINIMUM LANDSCAPED OPEN SPACE: 35% and a minimum 15 m wide landscape open space area along the northern property line abutting the existing railway right of way

(g) MAXIMUM DENSITY: 35 units per hectare

(h) MINIMUM DWELLING UNIT SETBACK FROM RAIL LINE: 60 m (197 ft) from the existing railway right of way in the absence of a combination safety berm and acoustical mitigation fence adjoining and parallel to the existing railway right of way, or 30 m (98 ft) in conjunction with a safety berm and acoustical mitigation fence

(h) HOLDING SYMBOL: A precondition for the removal of the Hold symbol (h-10) shall be that a Noise and Vibration Impact Analysis be prepared by a qualified professional in association with the site plan approval processes for any proposed development on the lands to which the holding symbol applies and that any recommendation for noise or vibration mitigation arising from the Noise and Vibration Impact Analysis have been incorporated into the condition of site plan approval and the building design that the proposed development will meet the Ministry of Environment, Conservation and Parks (MECP) criteria and guidelines

9.3.23 (a) DEFINED AREA: UR3-23 as shown on Schedule “A”, Key Map U-9

(b) PERMITTED USES:

- Accessory use
- Townhouse dwelling

(c) MINIMUM SIDE YARD SETBACK: 6 m (19.7 ft)

(d) MINIMUM AMENITY AREA: 20 m² (215.3 ft²)

(e) MAXIMUM DENSITY: 60 units per hectare

(f) MINIMUM LANDSCAPED OPEN SPACE: 30% including, but not limited to Amenity Area, as percentage of the total lot area

(g) HOLDING SYMBOL: A precondition for the removal of the Hold symbol (h-10) shall be that a Noise and Vibration Impact Analysis be prepared by a qualified professional in association with the site plan approval processes for any proposed development on the lands to which the holding symbol applies and that any recommendation for noise or vibration mitigation arising from the Noise and Vibration Impact Analysis have been incorporated into the condition of site plan approval and the building design that the proposed development will meet the Ministry of Environment, Conservation and Parks (MECP) criteria and guidelines

9.3.24 (a) DEFINED AREA: UR3-24 as shown on Schedule “A”, Key Map U-9

(b) PERMITTED USES:

- Accessory use
- Townhouse dwelling

(c) MINIMUM FRONT YARD SETBACK:

(i) Interior lot 3 m (10 ft) and 0.0 m between the common wall dividing individual townhouse dwelling units

(ii) Corner lot 4.5 m (14.7 ft) on the side abutting a street and 3.0 m (10 ft) on the other side on a corner lot

(d) MINIMUM REAR YARD SETBACK: 6.0 m (19.7 ft)

(e) MAXIMUM LOT COVERAGE: 40% for the main use; 43% for all buildings including accessory buildings subject to Section 4.1a)

(f) MINIMUM LANDSCAPE OPEN SPACE: 35%

(g) MAXIMUM DENSITY: 35 units per hectare

9.3.25 (a) DEFINED AREA: UR3-25 as shown on Schedule “A”, Key Map U-8

(b) MINIMUM FRONT YARD SETBACK: in accordance with Section 10.1.15; the attached garage shall not be closer to the street than the porch or habitable portion of the dwelling

(c) MAXIMUM HEIGHT: 12.0 m (39.3 ft)

(d) MINIMUM AMENITY AREA: 40.0 m² (430.5 ft²) per unit

(e) Notwithstanding the definition of “LOT”, the entire area zoned UR3-25 is considered a “Lot”, and the regulations applicable to the subject lands apply to the zoned lands as a whole and not to any individual unit on a registered vacant land condominium plan.

(f) Notwithstanding Section 4.24 e), ‘Dimensions of Parking Spaces, all parking spaces shall have minimum rectangular dimensions of 2.7 m (8.9 ft) by 6.0 m (19.7 ft).

(g) Notwithstanding Section 4.24 g), ‘Yards Where Permitted’, a planting strip separating an uncovered parking area from a lot line shall not be required on one side of the uncovered parking area.

9.3.26 (a) DEFINED AREA: UR3-26 as shown on Schedule “A”, Key Map U-9

(b) PERMITTED USES:

- Accessory use
- Apartment dwelling
- Multiple unit dwelling

(c) MINIMUM LOT FRONTAGE:24 M (78.7 ft)

(d) MINIMUM FRONT YARD SETBACK: 4.1 m (13.5 ft)

(e) MINIMUM SIDE YARD SETBACK: 6m (19.7 ft) on the side abutting a street and 2.9m (9.5 ft) on the other side on a corner lot

(f) MINIMUM REAR YARD SETBACK: 5.7 m (18.7 m)

(g) Notwithstanding 4.30(a)(vi), sun decks may project not more than 3.0 m (9.8 ft) into the rear yard

9.3.27 (a) DEFINED AREA: UR3-27 as shown on Schedule “A”, Key Map U-8

(b) MINIMUM LOT AREA: 1.0 ha (2.47 ac)

(c) MINIMUM LOT FRONTAGE: 9.8 m (32.1 ft)

(d) MAXIMUM HEIGHT: 14 m (46 ft)

(e) MINIMUM SIDE YARD SETBACK: 8m (26.2 ft) when abutting a shared lot line with existing residential units; 6.0 m (19.7 ft) when abutting a lot line with no

existing residential units; no side yard shall be required along a common wall that divides individual dwelling units.

(f) MINIMUM SIDEYARD SETBACK ABUTTING COMMERCIAL ZONE: 5.8 m (19.0 ft) from the exterior wall of an end dwelling unit to the lot line; 8.0 m (26.2 ft) from the rear of a dwelling unit to the lot line.

(g) MINIMUM REAR YARD SETBACK: 8 m (26.2 ft); no rear yard shall be required along a common wall that divides individual dwelling units.

(h) VISITOR PARKING SPACES: a minimum of 0.1 parking spaces per dwelling unit shall be provided on-site for the visitors in addition to the parking rate requirement in Section 4.24 of this By-law.

(i) MAXIMUM DENSITY: 60 units per hectares

(j) ATTACHED GARAGES: Garages attached to dwelling units cannot be located closer to an lot line than the habitable portion of the dwelling it is attached to.

(k) Notwithstanding the definition of “LOT”, the entire area zoned UR3-27 is considered a “Lot”, and despite any future severance, partition, or division of the lot within a condominium plan, the provisions of this By-law shall apply to the whole of the zone as if no severance, partition or division had occurred.

9.3.28 (a) DEFINED AREA: UR3-28 as shown on Schedule “A”, Key Map U-7

(b) MINIMUM LOT AREA: 20.0 m (65.6 ft)

(c) MINIMUM FRONT YARD SETBACK: 6.0 m (19.7 ft) to a public street and private, internal road

(d) MINIMUM SIDE YARD SETBACK (INTERIOR):

(i) setback when abutting a commercial zone (northern property lines): 6.0m (19.7 ft) from the lot line of 3.0 m (9.84 ft) when the side of a building faces the lot line; 0.0 m (0.0 ft) between the common wall dividing individual townhouse dwelling units

(ii) setback when abutting residential zones (eastern and southern property lines): 6.0 m (19.7 ft) from the lot line or 1.8 m (5.9 ft) when the side of a building faces the lot line; 0.0 m (0.0 ft) between the common wall dividing individual townhouse dwelling units.

(e) MINIMUM SIDEYARD SETBACK (EXTERIOR): 0.6 m (19.7 ft) to the lot lines abutting George Street

(f) MINIMUM REAR YARD SETBACK:

(i) setback when abutting residential zones (western property line): 6.0 m (19.7 ft) from the lot line or 4.0 m (13.1 ft) when the side of the building faces the lot line and contains no windows to bedrooms

(g) MAXIMUM DENSITY: 35 units per hectares

(h) Notwithstanding the definition of “Lot”, the entire area zoned UR3-28 is considered a “Lot”, and the regulations applicable to the subject lands apply to

the zoned lands as a whole and not to any individual unit on a registered vacant land condominium plan.

9.4 TEMPORARY USES

None.

10.0 COMMUNITY RESIDENTIAL FIRST DENSITY (CR1) ZONE

The provisions of the Community Residential First Density (CR1) Zone shall apply to low density residential development in the village areas of the Municipality, which are serviced by a public water supply system and individual on-site private sewage disposal systems..

10.1 GENERAL USE REGULATIONS

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

10.1.2 MINIMUM LOT AREA

(a) 700.0 m² (7,535 ft²)

10.1.3 MINIMUM LOT FRONTAGE

(a) 20.0 m (66 ft)

10.1.4 MINIMUM FRONT YARD SETBACK

(a) in accordance with Section 4.19 of this By-law

(b) all other roads: 8.0 m (26 ft)

10.1.5 MINIMUM SIDE YARD SETBACK

(a) Interior lot: 1.5 m (5 ft) on one side and 2.5 m (8 ft) on the other side

(b) Exterior side yard is adjacent to a front yard of an abutting lot: 8.0 m (26 ft) on the side abutting the street and 1.5 m (5 ft) on the other side

(c) Rear yard is adjacent to a rear yard of an abutting lot: 5.0 m (16 ft) on the side abutting the street and 1.5 m (5 ft) on the other side

10.1.6 MINIMUM REAR YARD SETBACK

(a) 8.0 m (26 ft)

10.1.7 MAXIMUM LOT COVERAGE

(a) main building: 35%

(b) all buildings including accessory buildings subject to Section 4.1a): 38%

10.1.8 MINIMUM FLOOR AREA

(a) single detached dwelling: 90.0 m² (969 ft²)

10.1.9 MAXIMUM HEIGHT

(a) single detached dwelling: 12.0 m (39.4 ft)

10.1.10 MAXIMUM NUMBER OF DWELLINGS PER LOT

(a) One (1) principal dwelling is permitted on a lot and additional residential units in accordance with Section 4.2 of this By-law OR

(b) Three (3) dwelling units

10.2 SPECIAL USE REGULATIONS

10.2.1 MUNICIPAL SERVICES

No dwelling shall be erected, used or altered unless such dwelling is connected to a public water supply system.

10.3 EXCEPTIONS

10.3.1 (a) DEFINED AREA: CR1-1 as shown on Schedule A, Map U-5

(b) MINIMUM REAR YARD SETBACK: 30.0 m (98 ft)

10.3.2 (a) DEFINED AREA: CR1-2 (h-1) as shown on Schedule A, Map U-5

(b) PERMITTED USE:

- existing horticultural establishment
- all other permitted uses of the CR1 zone

10.3.3 (a) DEFINED AREA: CR1-3 as shown on Schedule A, Key Map U-5

(b) PERMITTED USES:

- existing accessory buildings
- all other permitted uses of the CR1 zone

10.3.4 (a) DEFINED AREA: CR1-4 as shown on Schedule ‘A’, Key Map U-5

(b) MINIMUM LOT FRONTAGE: 11.82 m

10.3.5 (a) DEFINED AREA: CR1-5 as shown on Schedule ‘A’, Key Map U-5

(b) MINIMUM FRONT YARD SETBACK: 100 m (328 ft)

(c) MINIMUM SIDE YARD SETBACK: 8 m (26.25ft) to and interior lot line

10.3.6 (a) DEFINED AREA: CR1-6 as shown on Schedule “A”, Key Map U-5

(b) MINIMUM SIDE YARD SETBACK: 1.65 m (5.4 ft) on the side abutting the street and 1.5 m (5 ft) on the other side

10.4 TEMPORARY USES

None.

11.0 COMMUNITY RESIDENTIAL SECOND DENSITY (CR2) ZONE

The provisions of the Community Residential Second Density (CR2) Zone shall apply to low density residential development in the village areas of the Municipality, which are serviced by a public water supply system and individual on-site private sewage disposal systems.

11.1 GENERAL USE REGULATIONS

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
- semi-detached dwelling
- single detached dwelling

11.1.2 MINIMUM LOT AREA

(a) 1,500.0 m² (0.4 ac)

11.1.3 MINIMUM LOT FRONTAGE

(a) 20.0 m (66 ft)

11.1.4 MINIMUM FRONT YARD SETBACK

(a) in accordance with Section 4.19 of this By-law

(b) all other roads: 8.0 m (26 ft)

11.1.5 MINIMUM SIDE YARD SETBACK

(i) single detached dwelling, semi-detached: 1.5 m (5 ft) on an interior lot, and 8.0 m (26 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.

(ii) duplex dwelling: 1.5 m (5 ft) on an interior lot; and on a corner lot 8.0 m (26 ft) on the side abutting a street and 1.5 m (5 ft) on the other side.

11.1.6 MINIMUM REAR YARD SETBACK

(a) 8.0 m (26 ft)

11.1.7 MINIMUM AMENITY AREA

(a) 45.0 m² (484 ft²) per dwelling unit

11.1.8 MAXIMUM LOT COVERAGE

(a) main building: 35%

(b) all buildings including accessory buildings subject to Section 4.1a): 38%

11.1.9 MINIMUM FLOOR AREA

(a) 65.0 m² (700 ft²) per dwelling unit, excluding additional residential units

11.1.10 MAXIMUM HEIGHT

(a) 12.0 m (39.4 ft)

11.2 SPECIAL USE REGULATIONS

11.2.1 MUNICIPAL SERVICES

No dwelling shall be erected, used or altered unless such dwelling is connected to a public water supply system.

11.3 EXCEPTIONS

None.

11.4 TEMPORARY USES

None.

12.0 HAMLET RESIDENTIAL FIRST DENSITY (HR1) ZONE

The provisions of the Hamlet Residential First Density (HR1) Zone shall apply to low density residential development in the hamlet areas of the Municipality, which are serviced either by a public water supply system and individual on-site private sewage disposal systems; or individual on-site private wells and sewage disposal systems.

12.1 GENERAL USE REGULATIONS

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

12.1.2 MINIMUM LOT AREA

(a) where a public water supply and public sanitary sewage systems are not available: 2,000.0 m² (0.5 ac)

(b) where a public water supply or public sanitary sewage system is available: 1,500.0 m² (0.4 ac)

12.1.3 MINIMUM LOT FRONTAGE

(a) 20.0 m (66 ft)

12.1.4 MINIMUM FRONT YARD SETBACK

(a) in accordance with Section 4.19 of this By-law

(b) all other roads: 6.0 m (20 ft)

12.1.5 MINIMUM SIDE YARD SETBACK

(a) interior lot: 1.5 m (5 ft) on one side and 2.5 m (8 ft) on the other side;

(b) corner lot: 6.0 m (20 ft) on the side abutting the road and 1.5 m (5 ft) on the other side

12.1.6 MINIMUM REAR YARD SETBACK

(a) 8.0 m (26 ft)

12.1.7 MINIMUM FLOOR AREA

(a) single detached dwelling: 90.0 m² (969 ft²)

12.1.8 MAXIMUM HEIGHT

(a) single detached dwelling: 12.0 m (39.4 ft)

12.1.9 MAXIMUM LOT COVERAGE

(a) main building: 35%

(b) all buildings including accessory buildings subject to Section 4.1a): 38%

12.1.10 MAXIMUM NUMBER OF DWELLINGS PER LOT

(a) One (1) principal dwelling is permitted on a lot and additional residential units in accordance with Section 4.2 of this By-law

12.2 SPECIAL USE REGULATIONS

None.

12.3 EXCEPTIONS

12.3.1 (a) DEFINED AREA: HR1-1 as shown on Schedule A, Maps U-10, U-11 and U-12

(b) MINIMUM LOT FRONTAGE: 30.0 m (98 ft)

12.3.2 (a) DEFINED AREA: HR1-2 as shown on Schedule A, Map U-12

(b) MINIMUM LOT AREA: 1.6 ha (4 ac)

(c) MINIMUM LOT FRONTAGE: 120.0 m (394 ft)

(d) MINIMUM INTERIOR SIDE YARD SETBACK: 67.0 m (220 ft) on one side and 3.0 m (10 ft) on the other side

(e) MAXIMUM LOT COVERAGE: 10%

(f) SEPARATION FROM WATERCOURSE: Notwithstanding Section 4.20 of this By-law, no building or structure, other than a bridge approved by the Conservation Authority, shall be located within a distance of 15.25 metres (50 ft) from the top of bank of any natural watercourse.

12.3.3 (a) DEFINED AREA: HR1-3 as shown on Schedule A, Map U-12

(b) MINIMUM LOT AREA: 460 m² (0.1 ac)

(c) MINIMUM LOT FRONTAGE: 15.0 m (49 ft)

(d) MAXIMUM LOT COVERAGE: 38%

12.3.4 (a) DEFINED AREA: HR1-4 (h-1) as shown on Schedule A, Map U-12

(b) MINIMUM LOT AREA: 300.0 m² (3,229 ft²)

(c) MINIMUM LOT FRONTAGE: 10.0 m (33 ft)

(d) MINIMUM SIDE YARD SETBACK:

(i) 3.0 m (10 ft) shall be required on one side of any dwelling without an attached garage or carport; and

(ii) 0 m shall be required on one side of a single detached dwelling having no exterior doors, windows or other openings within the yard width that otherwise would be required, and having all roof drainage directed onto the lot of that dwelling, and having a registered private maintenance easement of at least 2.0 m (7 ft) width and an eave and footing encroachment easement on the adjacent lot.

12.3.5 (a) DEFINED AREA: HR1-5 as shown on Schedule A, Map U-12

(b) MINIMUM LOT AREA: 0.60 ha (1.48 ac)

(c) MINIMUM LOT FRONTAGE: 0 m (0 ft)

12.3.6 (a) DEFINED AREA: HR1-6 as shown on Schedule A, Map U-6

(b) PERMITTED USES:

- two (2) dwelling units
- all other permitted uses of the HR1 zone

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

12.3.7 (a) DEFINED AREA: HR1-7 as shown on Schedule A, Map U-6

(b) MINIMUM LOT AREA: 809.37 m² (0.2 ac)

12.3.8 (a) DEFINED AREA: HR1-8 as shown on Schedule A, Key Map U-12

(b) SPECIAL PROVISION: Notwithstanding section 4.15(b), where a lot is divided into two or more zones, the uses, buildings and structures permitted on the lot shall be limited in each of the zones to those permitted in that zone but, otherwise, for the purposes of zoning regulations of lot area and frontage and of the location of buildings and structures on the lot, the lot shall be considered a single lot, rather than separate as otherwise contemplated by section 4.15(b).

12.3.9 (a) DEFINED AREA: HR1-9 as shown on Schedule ‘A’, Key Map U-12, to this By-law

(b) PERMITTED USES:

- accessory use
- home occupation
- single-detached dwelling
- townhouse dwelling (up to a maximum of four dwelling units)

12.3.10 (a) DEFINED AREA: HR1-10 as shown on Schedule ‘A’, Key Map U-12, to this By-law

(b) MINIMUM INTERIOR SIDE YARD SETBACK: 3.0 m (9.84 ft) on both sides of a single detached dwelling

(c) TOTAL MAXIMUM COVERAGE FOR ALL ACCESSORY BUILDINGS AND STRUCTURE: 111.484 m² (1,200 ft²)

12.3.11 (a) DEFINED AREA: HR1-11 as shown on Schedule ‘A’, Key Map U-04, to this By-law

(b) TOTAL GROSS FLOOR AREA FOR ALL ACCESSORY BUILDINGS: 93.0 m²

12.3.12 (a) DEFINED AREA: HR1-12 as shown on Schedule “A”, Key Map U-12

(b) PERMITTED USES:

- accessory use
- home occupation
- single detached dwelling

(c) MINIMUM FRONT YARD SETBACK:

(a) in accordance with Section 4.19 of this By-law
(b) all other roads: 6.0 m (20 ft)

(d) MINIMUM SIDE YARD SETBACK:

(a) Interior lot: 3.0 m (10 ft)
(b) Corner lot in accordance with Section 4.19 of this By-law on the side abutting the road, and 3.0 m (10 ft) on the other side

(e) SETBBACK FROM IMPERIAL OIL PIPELINE: Notwithstanding Section 13.1 of the By-law, no dwelling units and attached garages shall be located on Lots 1,2,3,4 and 9 within 13m (43 ft) of the Imperial Oil Pipeline easement.

Notwithstanding section 4.1 of the By-law, accessory buildings and structures, and accessory uses, including, but not limited to swimming pools and sheds, may not be located on Lots 1,2,3,4, and 9 within 13m (43 ft) of the Imperial Oil Pipeline easement, unless approval is provided by Imperial Oil.

12.3.13 (a) DEFINED AREA: HR1-13 as shown on Schedule “A”, Key Map U-12

(b) PERMITTED USES:

- accessory use
- home occupation

- single detached dwelling

(c) MINIMUM FRONT YARD SETBACK:

(a) in accordance with Section 4.19 of this By-law
(b) all other roads: 6.0 m (20 ft)

(d) MINIMUM SIDE YARD SETBACK:

(a) Interior lot: 2.5 m (8.2 ft)
(b) Corner lot in accordance with Section 4.19 of this By-law on the side abutting the road, and 3.0 m (10 ft) on the other side

(e) MAXIMUM FLOOR AREA: 200 m² (2, 152 ft²)

(f) MAXIMUM NUMBER OF BEDROOMS: Single Detached dwellings shall be limited to a maximum of three bedrooms.

(g) Notwithstanding 12.3.13 (e) and (f), single detached dwellings may have more than three bedrooms up to a maximum floor area to 325 m² if serviced by a Level IV Treatment Unit sewage system.

12.3.14 (a) DEFINED AREA: HR1-14 as shown on Schedule “A”, Key Map U-12

(b) PERMITTED USES:

- accessory use
- home occupation
- single detached dwelling

(c) MINIMUM FRONT YARD SETBACK:

(a) in accordance with Section 4.19 of this By-law
(b) all other roads: 6.0 m (20 ft)

(d) MINIMUM SIDE YARD SETBACK:

(a) Interior lot:2.5 m (8.2 ft)

(e) MAXIMUM FLOOR AREA: 200 m² (2,152 ft²)

(f) MAXIMUM NUMBER OF BEDROOMS: Single Detached dwellings shall be limited to a maximum of three bedrooms

(g) Notwithstanding 13.3.14 (e) and (f), single detached dwellings may have more than three bedrooms up to a maximum floor area to 325 m² if serviced by a Level IV Treatment Unit sewage system

12.3.15 (a) DEFINED AREA: HR1-15 as shown on Schedule “A”, Key Map U-12

(b) MINIMUM LOT FRONTAGE: 30.0 m (98 ft)

(c) MINIMUM LOT AREA: 1,950 m² (0.48 ac)

(d) MINIMUM REAR YARD SETBACK: 2.3 m (7.5 ft)

12.3.16 (a) DEFINED AREA: HR1-16 as shown on Schedule “A”, Key Map U-12

(b) MINIMUM LOT FRONTAGE: 30.0 m (98 ft)

(c) MINIMUM LOT AREA: 1,950 m² (0.48 ac)

12.4 TEMPORARY USES

NUMBER	STATUS
12.4.1	EXPIRED on February 27, 2016.
12.4.2	EXPIRED on May 22, 2015.
12.4.3	EXPIRED ON August 11, 2024.
12.4.4	EXPIRED ON April 19, 2026. By-law 2023-040, 21176 Vanneck Rd

13.0 SURPLUS RESIDENCE (SR) ZONE

The provisions of the Surplus Residence (SR) Zone shall apply to lots that have been severed as a result of farm consolidation in order to accommodate surplus farm residences.

13.1 GENERAL USE REGULATIONS

13.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Surplus Residence (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

13.1.2 LIVESTOCK

Notwithstanding any other provisions of this By-law, livestock shall be prohibited within the Surplus Residence (SR) Zone.

13.1.3 MINIMUM LOT AREA

(a) 2,000.0 m² (0.5 ac)

13.1.4 MINIMUM LOT FRONTAGE

(a) 30.0 m (98 ft)

13.1.5 MINIMUM FRONT YARD SETBACK

(a) In accordance with Section 4.19 of this By-law

13.1.6 MINIMUM SIDE YARD SETBACK

(a) Interior Yard: 3 m (10 ft)

(b) Exterior Yard: In accordance with Section 4.19 of this By-law

13.1.7 MINIMUM REAR YARD SETBACK

(a) 8.0 m (26 ft)

13.1.8 MAXIMUM HEIGHT

(a) Permitted uses, excluding an accessory use: 12.0 m (39.4 ft)

13.1.9 MAXIMUM LOT COVERAGE

(a) 35%

13.1.10 MAXIMUM NUMBER OF DWELLINGS PER LOT

One (1) principal dwelling is permitted on a lot and additional residential units in accordance with Section 4.2 of this By-law.

13.1.11 DOG KENNELS & DOG RUNS

In addition to previous provisions of Section 14.0 of this By-law, the following provisions shall apply to dog kennels and dog runs in the Surplus Residence (SR) Zone:

(a) minimum area for dog runs: 10.0 m² (108 ft2)

(b) minimum distance from a dwelling situated on a separate lot: 150.0 m (492 ft)

13.2 SPECIAL USE REGULATIONS

None.

13.3 EXCEPTIONS

13.3.1 (a) DEFINED AREA: SR-1 as shown on Schedule 'A', Key Map 31, to this By-law

(b) MINIMUM LOT FRONTAGE: 25.146 m (82.5 ft)

13.3.2 (a) DEFINED AREA: SR-2 as shown on Schedule 'A', Key Map 97, to this By-law

(b) MAXIMUM TOTAL AREA PERMITTED FOR ALL RESIDENTIAL ACCESSORY BUILDINGS: 200.8 m²

13.3.3 (a) DEFINED AREA: SR-3 as shown on Schedule 'A', Key Map 89, to this By-law

(b) MAXIMUM TOTAL AREA PERMITTED FOR ALL RESIDENTIAL ACCESSORY BUILDINGS: 179.1 m² (1,928 ft²)

13.3.4 (a) DEFINED AREA: SR-4 as shown on Schedule 'A', Key Map 74, to this By-law

(b) MAXIMUM HEIGHT: Notwithstanding any other provisions of this by-law, the maximum height for an existing accessory building shall not exceed 6.6 metres (21.6 ft)

13.3.5 (a) DEFINED AREA: SR-5 as shown on Schedule ‘A’, Key Map 36, to this By-law

(b) MAXIMUM TOTAL AREA PERMITTED FOR ALL RESIDENTIAL ACCESSORY BUILDINGS: 171.5 m² (1,846 ft²)

13.3.6 (a) DEFINED AREA: SR-6 as shown on Schedule ‘A’, Key Map 56, to this By-law

(b) MAXIMUM TOTAL AREA PERMITTED FOR ALL RESIDENTIAL ACCESSORY BUILDINGS: 183.5 m² (1,975 ft²)

13.3.7 (a) DEFINED AREA: SR-7 as shown on Schedule ‘A’, Key Map 52, to this By-law

(b) ACCESSORY BUILDINGS: Notwithstanding any other provisions of this by-law, existing accessory buildings shall be permitted in the front yard.

13.3.8 (a) DEFINED AREA: SR-8 as shown on Schedule ‘A’, Key Map 1, to this by-law

(b) MAXIMUM TOTAL AREA PERMITTED FOR ALL RESIDENTIAL ACCESSORY BUILDINGS: 185.81 m² (2,000 ft²)

13.3.9 (a) DEFINED AREA: SR-9 as shown on Schedule ‘A’, Key Map 96, to this by-law

(b) MINIMUM LOT FRONTAGE: 13.51 m (44.3 ft)

13.3.10 (a) DEFINED AREA: SR-10 as shown on Schedule ‘A’, Key Map 40, to this by-law

(b) MINIMUM REAR LOT SETBACK: 4 m (13.1 ft)

13.3.11 (a) DEFINED AREA: SR-11 as shown on Schedule ‘A’, Key Map 96, to this by-law

(b) MINIMUM LOT FRONTAGE: 12.0 m (39.8 ft)

13.3.12 (a) DEFINED AREA: SR-12 as shown on Schedule ‘A’, Key Map 51, to this by-law

(b) MINIMUM LOT FRONTAGE: 28.96 m (95 ft)

13.3.13 (a) DEFINED AREA: SR-13 as shown on Schedule ‘A’, Key Map 42, to this by-law

(b) MINIMUM LOT FRONTAGE:10.4 m (32 ft)

13.3.14 (a) DEFINED AREA: SR-14 as shown on Schedule ‘A’, Key Map 59, to this by-law

(b) MINIMUM LOT FRONTAGE: 14.73 m (48.3 ft)

13.3.15 (a) DEFINED AREA: SR-15 as shown on Schedule ‘A’, Key Map 34

(b) MINIMUM LOT FRONTAGE: 25.14 m (82.5 ft)

(c) MINIMUM REAR YARD SETBACK: 1.2 m (3.93 ft)

13.3.16 (a) DEFINED AREA: SR-16 as shown on Schedule “A”, Key Map 43

(b) MINIMUM FRONT YARD SETBACK:10 m (32.8 ft)

13.4 TEMPORARY USES

NUMBER	STATUS
13.4.1	EXPIRED ON September 26, 2020.
13.4.1	EXPIRED ON March 16, 2025.

14.0 VILLAGE CENTRE (C1) ZONE

The provisions of the Village Centre (C1) Zone shall apply to commercial and mixed-use development located in the core areas of the Municipality's urban and community settlement areas.

14.1 GENERAL USE REGULATIONS

14.1.1 PERMITTED USES

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

- accessory use
- animal clinic
- bed and breakfast establishment
- boarding house, rooming house, or tourist home
- 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 four storeys and/or located below the first storey in a basement
- financial institution
- hotel, motel or tavern
- museum
- office, general or professional
- parking lot
- personal service establishment
- pharmacy
- place of entertainment restaurant
- restaurant, take-out subject to section 14.2.4
- 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

14.1.2 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)

14.1.3 MINIMUM LOT FRONTAGE

(a) 20.0 m (66 ft)

14.1.4 MINIMUM FRONT YARD SETBACK

(a) in accordance with Section 4.19 of this By-law

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

14.1.5 MINIMUM SIDE YARD SETBACK

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

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

14.1.6 MINIMUM REAR YARD SETBACK

(a) 10.0 m (33 ft)

14.1.7 MAXIMUM LOT COVERAGE

(a) 40%

14.1.8 MINIMUM SEPARATION DISTANCE FROM A BUILDING OR PUMP ISLAND TO A DWELLING

(a) 7.5 m (25 ft)

14.1.9 MAXIMUM HEIGHT

(a) 16.5 m (54 ft)

14.2 SPECIAL USE REGULATIONS

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 Centre (C1) Zone is designed, used, or intended for use as a dwelling unit:

(a) Access: Pedestrian access to each dwelling unit, other than an accessory dwelling unit, shall be for the sole use of the occupants of the said dwelling unit and any other dwelling units located in the same building.

(b) 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.

14.2.2 *Not used*

14.2.3 *Not used*

14.2.4 MAXIMUM GROSS FLOOR AREA

The maximum gross floor area for all uses subject to this provision shall be 500.0 m² (5.381 ft²) per lot.

14.3 EXCEPTIONS

14.3.1 (a) DEFINED AREA: C1-1 as shown on Schedule A, Map U-7

(b) PERMITTED USES:

- day nursery
- office, general
- office, professional
- parking lot
- store, convenience
- store, retail
- restaurant
- restaurant, drive-thru or take-out
- service shop
- 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

14.3.2 (a) DEFINED AREA: C1-2 as shown on Schedule A, Map U-7

(b) PERMITTED USES:

- accessory use
- clinic
- office, general
- office, professional
- parking lot
- personal service establishment
- store, convenience
- store, retail
- restaurant
- restaurant, drive-thru or take-out
- service shop
- 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

14.3.3 (a) DEFINED AREA: C1-3 as shown on Schedule A, Map U-1

(b) PERMITTED USES:

- 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

14.3.4 (a) DEFINED AREA: C1-4 as shown on Schedule A, Map U-1 and Map U-7

(b) PERMITTED USES:

- clinic
- day nursery
- institutional uses
- offices, general or professional
- personal service establishment
- public authority office or building
- service shop
- store, convenience
- store, retail

14.3.5 (a) DEFINED AREA: C1-5 as shown on Schedule A, Map U-7

(b) PERMITTED USES

- place of recreation
- all other permitted uses of the C1 zone

14.3.6 (a) DEFINED AREA: C1-6 as shown on Schedule A, Map U-7, to this By-law

(b) PERMITTED USES: The following are permitted uses within existing buildings only:

- clinic
- day nursery
- institutional uses
- offices, general or professional
- personal service establishment
- public authority office or building
- service shop
- store, convenience
- store, retail

(c) MINIMUM LOT AREA: 1,2000.0 m² (0. 29 ac)

14.3.7 (a) DEFINED AREA: C1-7 as shown on Schedule A, Map U-7, to this By-law

(b) PERMITTED USES:

- existing single detached dwelling
- all other permitted uses of the C1 zone excluding a motor vehicle sales establishment and a motor vehicle service establishment

14.3.8 (a) DEFINED AREA: C1-8 as shown on Schedule A, Key Map U-12

(b) PERMITTED USES:

- dwelling unit as an accessory use
- all other permitted uses of the C1 zone

14.3.9 (a) DEFINED AREA: C1-9 as shown on Schedule A, Map U-1

(b) PERMITTED USES:

- basement apartment dwelling
- all other permitted uses of the C1 Zone

(c) PARKING: Notwithstanding any other provision of this by-law, a total of twelve (112) parking spaces shall be required for the following uses:

- Four apartment dwellings
- Office uses with a gross floor area of 273.51 square metres (2,944.04 sq ft)
- Retail uses with a gross floor area of 24.99 square metres (269 sq ft)

(d) PLANTING STRIPS: Notwithstanding any other provision of this by-law, the minimum width of a planting strip separating a parking area from a lot line shall be 0.8 metres for the southerly lot line and 0.3 metres for the northerly lot line.

14.3.10 (a) DEFINED AREA: C1-10 as shown on Schedule A, Map U-1

(b) PERMITTED USES:

- accessory use
- animal clinic
- bed and breakfast establishment
- boarding house, rooming house, or tourist home
- 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
- financial institution
- hotel, motel or tavern
- 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

14.3.11 (a) DEFINED AREA: C1-11 as shown on Schedule ‘A’, Key Map U-9

(b) PERMITTED USES

- accessory use
- animal clinic
- clinic
- day nursery
- dwelling units above the first storey
- financial institution
- office, general or professional
- personal service establishment
- place of entertainment
- public authority office
- restaurant
- restaurant, take-out
- store, convenience
- store, retail
- studio

(c) Notwithstanding the permitted uses in 15.3.11, drive-thru facilities shall be prohibited.

(d) GLENDON DRIVE (COUNTY ROAD 14) FRONTAGE:

(i) Percentage of lot frontage to include buildings: 75%

(e) MINIMUM FRONT YARD SETBACK: 0.0 m

(f) MAXIMUM FRONT YARD SETBACK FOR BUILDINGS ALONG GLENDON DRIVE (COUNTY ROAD 14): 1.5 m (4.92 ft)

(g) MINIMUM EXTERIOR SIDE YARD SETBACK: 0.0 m

(h) MINIMUM INTERIOR SIDE YARD SETBACK:

(i) where the yard abuts a residential zone: 3.0 m (9.84 ft)
(ii) where the yard abuts all other zones:1.5 m (4.92 ft)

(i) MINIMUM REAR YARD SETBACK:

(i) where the yard abuts a residential zone: 3.0 m (9.84 ft)
(ii) where the yard abuts all other zones:1.5 m (4.92 ft)

(j) MINIMUM PARKING REQUIREMENT: 1 space per 25 square metres of Gross Floor Area for all permitted commercial uses; save and except for all office uses, the parking standard for which shall be dictated by Section 4.0 of this By-law. The number of accessible parking spaces shall be dictated by Section 4.0 of this By-law.

14.3.12 (a) DEFINED AREA: C1-12 as shown on Schedule ‘A’, Key Map U-9, to this By-law

(b) PERMITTED USES

- accessory use
- animal clinic
- clinic
- day nursery
- dwelling units above the first storey
- financial institution
- office, general or professional
- personal service establishment
- place of entertainment
- public authority office
- restaurant
- restaurant, take-out
- store, convenience
- store, retail
- studio

(c) Notwithstanding the permitted uses in 15.3.12, drive-thru facilities shall be prohibited.

(d) GLENDON DRIVE (COUNTY ROAD 14) FRONTAGE:

(i) Percentage of lot frontage to include buildings: 65%

(e) MINIMUM FRONT YARD SETBACK: 0.0 m

(f) MAXIMUM FRONT YARD SETBACK FOR BUILDINGS ALONG GLENDON DRIVE (COUNTY ROAD 14): 1.5 m (4.92 ft)

(g) MINIMUM EXTERIOR SIDE YARD SETBACK: 0.0 m

(h) MINIMUM INTERIOR SIDE YARD SETBACK:

(i) where the yard abuts a residential zone: 3.0 m (9.84 ft)
(ii) where the yard abuts all other zones: 1.5 m (4.92 ft)

(i) MINIMUM REAR YARD SETBACK:

(i) where the yard abuts a residential zone: 3.0 m (9.84 ft)
(ii) where the yard abuts all other zones: 1.5 m (4.92 ft)

(j) MINIMUM PARKING REQUIREMENT: 1 space per 25 square metres of Gross Floor Area for all permitted commercial uses; save and except for all office uses, the parking standard for which shall be dictated by Section 4.0 of this By-law. The number of accessible parking spaces shall be dictated by Section 4.0 of this By-law.

14.3.13 removed - see 17.3 Hamlet Commercial Special Exceptions

14.3.14 (a) DEFINED AREA: C1-14 (h-7) as shown on Schedule ‘A’, Key Map U-8

(b) PERMITTED USES:

- accessory use

- animal clinic
- clinic
- club, private
- day nursery
- dwelling units, retirement home or nursing home above the first storey or at the rear of the ground floor commercial uses
- financial institution
- hotel, motel or tavern
- laboratory
- office, general or professional
- personal service establishment
- place of entertainment
- restaurant
- restaurant, take-out
- service shop
- store, convenience
- store, retail
- studio

(c) Notwithstanding the permitted uses in 15.3.a, drive-thru facilities shall be prohibited.

(d) GLENDON DRIVE (COUNTY ROAD 14) FRONTAGE:

(i) Percentage of lot frontage to include buildings: 65%
(ii) All parking areas and any driveways shall be prohibited on that portion of the land between Glendon Drive (County Road 14) and the northerly façades of those buildings adjacent to Glendon Drive (County Road 14).

(e) MINIMUM SETBACK FROM GLENDON DRIVE (COUNTY ROAD 14): 0 m

(f) MAXIMUM SETBACK FROM GLENDON DRIVE (COUNTY ROAD 14): 5 m (16.4 ft)

(g) MINIMUM SIDE YARD SETBACK: 0 m

(h) MINIMUM REAR YARD SETBACK: 6 m (19.7 ft)

(i) MAXIMUM LOT COVERAGE: 50%

(j) MAXIMUM HEIGHT: 28 m (91.9 ft)

14.3.15 (a) DEFINED AREA: C1-15 (h-7) as shown on Schedule ‘A’, Key Map U-8

(b) PERMITTED USES:

- accessory use
- animal clinic
- clinic
- club, private
- day nursery
- dwelling units above the first storey

- financial institution
- hotel, motel or tavern
- laboratory
- office, general or professional
- personal service establishment
- place of entertainment
- restaurant
- restaurant, take-out
- service shop
- store, convenience
- store, retail
- studio

(c) Notwithstanding the permitted uses in 15.3.b, drive-thru facilities shall be prohibited.

(d) GLENDON DRIVE (COUNTY ROAD 14) FRONTAGE:

(i) Percentage of lot frontage to include buildings: 65%
(ii) All parking areas and any driveways shall be prohibited on that portion of the land between Glendon Drive (County Road 14) and the northerly façades of those buildings adjacent to Glendon Drive (County Road 14).

(e) MINIMUM SETBACK FROM GLENDON DRIVE (COUNTY ROAD 14): 0 m

(f) MAXIMUM SETBACK FROM GLENDON DRIVE (COUNTY ROAD 14): 5 m (16.4 ft)

(g) MINIMUM SIDE YARD SETBACK: 0 m

(h) MINIMUM REAR YARD SETBACK WHEN THE YARD IS ADJACENT OR ACROSS FROM A RESIDENTIAL ZONE: 6 m (19.7 ft)

(i) MAXIMUM LOT COVERAGE: 50%

(j) MAXIMUM HEIGHT: 20 m (65.6 ft)

14.3.16 (a) DEFINED AREA: C1-16 as shown on Schedule ‘U-09’, to this by-law

(b) PERMITTED USES:

- Car wash serviced by a private water supply, used for car washing purposes only, all other uses shall use municipal services
- All other uses permitted in the C2 zone.

14.3.17 (a) DEFINED AREA: C1-17 as shown on Schedule ‘U-09’, to this by-law

(b) PERMITTED USES:

- Animal clinic
- Financial Institution
- Studio

(c) MINIMUM LOT AREA: 740 m²

(d) MINUMUM INTERIOR SIDE YARD SETBACK: 1.5 m

(e) MINIMUM NUMBER OF PARKING SPACES: 7

14.3.18 (a) DEFINED AREA: 'C1-18 h-2 and h-3' as shown on Schedule 'A', Key Map U-9

(b) PERMITTED USES: Notwithstanding Section 15.1.1, no land shall be used and no buildings or structures shall be erected, used, or altered except for the following purposes:

- accessory use
- animal clinic
- apartment dwelling
- multiple unit dwelling
- clinic
- club, private
- day nursery
- flea market -outdoor only maximum coverage of 464.5 m² (5,000ft²)
- financial institution
- market garden - if outdoor maximum coverage of 464.5 m² (5,000ft²)
- office, general or professional
- park, public
- parking lot
- personal service establishment
- place of entertainment
- restaurant
- restaurant, take-out
- service shop
- store, convenience
- store, retail
- studio

(c) MINIMUM FRONT YARD SETBACK:2.0 m (6.5 ft)

(d) MINIMUM INTERIOR SIDE YARD SETBACK: 3.0 m (9.8 ft)

(e) MINIMUM EXTERIOR SIDE YARD SETBACK: 4.0 m (13.1 ft)

(f) MAXIMUM DENSITY: 155 units per ha

(g) MINIMUM OUTDOOR AMENITY AREA: 8 m² (484.3 ft²) per dwelling unit

(h) MAXIMUM LOT COVERAGE: All buildings, including all structures enclosing any of the permitted uses shall not exceed 40% (Inclusive of Public Park)

(i) MINIMUM LANDSCAPE OPEN SPACE COVERAGE:

- Landscape Open Space (including, but not limited to, Amenity Area) as percentage of zone: 25%
- Public Park: 400 m² (4,305.5 ft²)

(j) MAXIMUM BUILDING HEIGHT: 29 m (78.7 ft)

(k) HEIGHT RESTRICTIONS: In addition to the list of structures in Section 4.9, solar panels and other similar renewable energy equipment as approved by the Municipality shall not be permitted to cause the building to exceed the height restrictions of this by-law by a maximum of 2 metres.

(l) MINIMUM BUILDING SEPARATION: There shall be a minimum separation between buildings in the same zone which is measured above 2 metres in height.: 15.0 m (49.2 ft)

(m) DWELLING UNITS:

(i) Minimum Floor Area of a Dwelling Unit:

1. bachelor unit 40.0 m2 (431 ft2)
2. one-bedroom unit 55.0 m2 (592 ft2)
3. two-bedroom unit 65.0 m2 (700 ft2)
4. three-bedroom unit 85.0 m2 (915 ft2)

(ii) Access: Pedestrian access to apartment building(s), shall be provided from an adjacent public street, private street or private driveway and shall be for the sole use of the occupants of the said.

(iii) 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 such products, those dwelling units shall immediately cease to be occupied as dwelling units.

(n) LANDSCAPING: Section 4.11 (a) (ii) shall not apply.

(o) PARKING

i) Notwithstanding Section 4.24 (a), the owner or occupant of a lot, using a building or structure for office or retail uses may provide and maintain, one or more parking spaces on a lot other than the lot specified in Schedule “A” in accordance with the provisions of this section.

ii) Notwithstanding Section 4.24 (b), for residential uses, a minimum of 1.1 parking space per dwelling unit and 0.1 parking spaces per dwelling unit for visitors shall be provided on the lot.

(p) LOADING: Section 4.24 (m) shall apply to the non-residential gross floor area only located within building(s) or structure(s) on the lot.

(q) YARD WHERE PERMITTED: Notwithstanding 4.24 (g):

i) Driveways and aisles shall not exceed fifteen percent (15%) of the total area of the lot.

ii) Except as otherwise provided herein, uncovered surface parking areas and driveways shall be permitted in any part of any yard, provided that any part of a parking area located within a required yard shall be separated from any lot lines adjacent to such required yard by a planting strip not less than 1.0 metre (3.3 ft) in width. This provision shall not apply when the parking

area or driveway is adjacent to a driveway or parking area on the adjacent property.

(r) BUILDING RESTRICTIONS: Despite any existing or future severance, partition, or division of the lot, the provisions of this By-law shall apply to the whole of the zone as if no severance, partition or division had occurred.

(s) HOLDING SYMBOL: To ensure orderly development of the land known as Part of Lot 6, Concession 2 (geographic Township of Lobo), Municipality of Middlesex Centre:

- The “(h-2)” holding symbol shall not be removed until a site plan agreement is completed.
- The “(h-3)” holding symbol shall not be removed until a noise study is completed that examines the noise sources in the area that would include but are not limited to the grain handling operation, CN rail line and vehicle/road noise. The study shall be to the satisfaction of CN rail as well as the Municipality of Middlesex Centre.

14.3.19 (a) DEFINED AREA: C1-19 as shown on Schedule ‘U-01’, to this by-law

(b) PERMITTED USES:

- A Funeral Home, without chapel for services
- All other uses permitted in the C1 zone

14.3.20 (a) DEFINED AREA: C1-20 as shown on Schedule “A”, Key Map U-7

(b) PERMITTED USES

- Accessory use
- Animal clinic
- 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
- Personal service establishment
- Restaurant
- Restaurant, take-out
- Store, convenience
- Store, retail
- Studio

(c) MINIMUM REAR YARD SETBACK:

i) To an existing building: 4.5 m (14.7 ft)
ii) To a new building: 10 m (33 ft)

14.3.23 (a) DEFINED AREA: C1-23 as shown on Schedule “A”, Key Map U-7

(b) PERMITTED USES

- Accessory use
- Animal clinic
- Clinic
- Apartment dwelling units connected to and forming an integral part of a main building and located above the first storey to a maximum of four storeys and/or located below the first storey in a basement
- Museum
- Office, general and professional
- Personal service establishments
- Store, convenience subject to Section 14.2.4
- Studio

(c) MINIMUM LOT AREA: 796.7 m^2 (0.19 ac)

(d) MINIMUM SIDE YARD SETBACK (INTERIOR)

i. Where the yard abuts a Residential Zone (western property line): 3.0 m (9.8 ft)

ii. 8.3 m (27.2 ft) to the eastern property line

(e) PARKING SPACES

i. Residential uses are subject to Section 4.24 (b) of this By-law

ii. Notwithstanding Section 4.24 (b) for Commercial Uses, a minimum of 3 parking spaces inclusive of 1 Barrier-Free Parking Space must be provided on site.

(f) Notwithstanding 4.28 (g), except as otherwise provided herein, uncovered surface parking areas and driveway shall be permitted in any part of any yard, provided that any part of a parking area located within a required yard, shall be separated from any lots lines adjacent to such required yard by a planting strip not less than:

- 0.49 m (1.6 ft) in width abutting the eastern property line

- 0.50 m (1.64 ft) in width abutting the northern property line

(g) Notwithstanding 4.14 (b)(i), where the lot line of a lot containing a non-residential use and located in any Commercial Zone abuts a lot in any Residential Zone, then that part of the lot containing such non-residential use or directly adjoining the said lot line shall be used for no purpose or than a planting strip having a minimum width of 0.86 m (2.82 ft) measured perpendicularly to the said lot line.

14.4 TEMPORARY USE

None.

15.0 HIGHWAY COMMERCIAL (C2) ZONE

The provisions of the Highway Commercial (C2) Zone shall apply to commercial development generally located in the periphery of the villages and hamlets of the Municipality.

15.1 GENERAL USE REGULATIONS

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

15.1.2 MINIMUM LOT AREA

(a) 2,000.0 m² (0.5 ac)

15.1.3 MINIMUM LOT FRONTAGE

(a) 30.0 m (98 ft)

15.1.4 MINIMUM LOT DEPTH

(a) 60.0 m (196 ft)

15.1.5 MINIMUM FRONT YARD SETBACK

(a) in accordance with Section 4.19 of this By-law

(b) all other roads: 10.0 m (33 ft)

15.1.6 MINIMUM SIDE YARD SETBACK

(a) interior lot: 6.0 m (20 ft);

(b) corner lot: 10.0 m (33 ft) on the side abutting the road and 6 m (20 ft) on the other side

15.1.7 MINIMUM REAR YARD SETBACK

(a) 10.0 m (33 ft)

15.1.8 MAXIMUM LOT COVERAGE

(a) 35%

15.1.9 MAXIMUM HEIGHT

(a) 12.0 m (39.4 ft)

15.2 SPECIAL USE REGULATIONS

15.2.1 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 Highway Commercial (C2) Zone:

(a) maximum area for the open storage: 100.0 m^2 (1,076 ft^2) of motor vehicles

15.2.2 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 Highway Commercial (C2) 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.

15.2.3 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 Highway Commercial (C2) 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%

15.2.4 OPEN STORAGE AS AN ACCESSORY USE

Notwithstanding any previous provisions of Section 15.0 of this By-law, open storage as an accessory use in the Highway Commercial (C2) 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.

15.3 EXCEPTIONS

15.3.1 (a) DEFINED AREA: C2-1 as shown on Schedule A, Map 31

(b) PERMITTED USES:

- gas bar
- motor vehicle service establishment

15.3.2 (a) DEFINED AREA: C2-2 as shown on Schedule A, Map U-10

(b) PERMITTED USES:

- light industrial use related to the refurbishing of curling stones
- all other permitted uses of the C2 zone

15.3.3 (a) DEFINED AREA: C2-3 as shown on Schedule A, Map U-9

(b) PERMITTED USES:

- clinic
- club, private
- funeral home
- library
- parking lot
- all other permitted uses of the C2 zone

(c) MINIMUM LOT AREA: 930.0 m² (0.23 ac)

(d) MINIMUM LOT FRONTAGE: 15.0 m (49.2 ft)

(e) MINIMUM INTERIOR SIDE YARD SETBACK:

(i) where the yard abuts any Residential Zone: 6.0 m (20 ft)
(ii) where the yard abuts any Non-Residential Zone other than a Commercial Zone: 3.0 m (9.8 ft)
(iii) where the yard abuts any Commercial Zone: 0 m (0 ft)

(f) MAXIMUM LOT COVERAGE: 50%

15.3.4 (a) DEFINED AREA: C2-4 as shown on Schedule A, Map 87

(b) PERMITTED USES:

- animal clinic
- clinic
- day nursery
- financial institution
- funeral home
- garden centre
- gas bar
- hotel, motel or tavern
- motor vehicle service establishment
- office, general
- office, professional parking lot
- personal service establishment
- place of recreation
- restaurant
- restaurant, drive-thru or take-out
- school, private
- service shop
- store, convenience
- store, retail

15.3.5 (a) DEFINED AREA: C2-5 as shown on Schedule A, Map U-8

(b) PERMITTED USES:

- self storage establishment
- all other permitted uses of the C2 zone

15.3.6 (a) DEFINED AREA: C2-6 as shown on Schedule A, Key Map 64

(b) PERMITTED USES:

- light industrial use (restricted to the assembly of swimming pools)
- outside storage (maximum of 20% of total area)
- all other permitted uses of the C2 zone

15.3.7 (a) DEFINED AREA: C2-7 as shown on Schedule A, Key Map 15

(b) PERMITTED USES:

- fuel depot
- all other permitted uses of the C2 zone

(c) PERMITTED BUILDINGS AND STRUCTURES: Save as hereinafter specifically permitted, only buildings and structures as the same existed on January 1, 2007 are permitted; and, without limiting the generality of the foregoing, the concrete slab structure with a side yard setback of 0.08 metres and an exterior side yard setback of 5.71 metres and located immediately to the south of the metal clad building which existed on January 1, 2007 as identified on the survey dated August 23, 2005 prepared by Callon Dietz OLS, shall remain roofless and without walls and shall only be used in a manner that is incidental, subordinate and exclusively devoted to the existing loading space to which it is adjacent, notwithstanding the foregoing:

(i) additions to such existing buildings and structures for which a building permit is not required are permitted;
(ii) structures for which a building permit is not required are permitted; and
(iv) in the case of a redevelopment that involves the removal of all such existing buildings and structures, new buildings and structures which comply with the regulations of this By-law applicable to the Highway Commercial (C2) Zone are permitted.

15.3.8 (a) DEFINED AREA: C2-8 as shown on Schedule A, Key Map U-8

(b) PERMITTED USES:

- industrial use, light
- all other permitted uses of the C2 zone

15.3.9 (a) DEFINED AREA: C2-9 as shown on Schedule A, Key Map U-8

(b) MAXIMUM LOT COVERAGE: 40%

(c) PERMITTED USES:

- Clinic
- Open storage as an accessory use to a Building Supply Establishment
- All other uses permitted in the C2 zone

(d) MINIMUM FRONT YARD SETBACK: 4.0 m

(e) MIMIMUM EXTERIOR SIDE YARD SETBACK: 4.0 m

(f) OPEN STORAGE EXCEPTION: Notwithstanding any other provisions of this By-law:

i) Open Storage shall be permitted in the rear and side yard
ii) Open Storage shall have a minimum setback of 4.0 metres from the rear and side yards
iii) Open Storage shall not be permitted in the front yard (abutting Glendon Drive)
iv) Open storage shall be screened from abutting residential uses

15.3.10 (a) DEFINED AREA: C2-10 as shown on Schedule “A”, Key Map U-5

(b) PERMITTED USES:

- Self storage establishment
- all other permitted uses of the C2 zone

(c) SETBACK FROM SENSITIVE LAND USES: The following land uses shall not be permitted within 91.44 metres (300 feet) of the agricultural and open space strip legally described as Part of Lot 6, Concession 1 (geographic Township of Delaware) and as Part 10 on Reference Plan 33R-14639:

- Car wash
- Drive-thru, including but not limited to those associated with a restaurant or financial institution
- Garage, public
- Gas bar
- Motor vehicle sales establishment
- Motor vehicle service establishment

15.3.11 (a) DEFINED AREA: C2-11 as shown on Schedule A, Key Map U-8, to this By-law

(b) PERMITTED USES:

- clinic
- pharmacy
- all other permitted uses of the C2 zone

15.3.12 (a) DEFINED AREA: C2-12 as shown on Schedule A, Key Map U-9, to this By-law

(b) PERMITTED USES:

- clinic

- laboratory
- all other permitted uses of the C2 zone

(c) MINIMUM REAR YARD SETBACK: 3 m (9.8 ft)

15.3.13 (a) DEFINED AREA: C2-13 as shown on Schedule A, Key Map U-7, to this By-law

(b) PERMITTED USES:

- animal clinic
- clinic
- day nursery
- financial institution
- general or professional office
- personal service establishment
- one restaurant, drive-thru permitted at a time
- convenience store
- retail store
- studio

(c) MINIMUM NUMBER PF QUEUING SPACES: Notwithstanding any other provisions of this by-law, the minimum number of queuing spaces before the first window of the drive-thru shall be 15.

(d) MINIMUM FRONT YARD SETBACK: 6.5 m (21.3 ft)

(e) MINIMUM REAR YARD SETBACK: 2.8 metres (9.17 ft)

15.3.14 (a) DEFINED AREA: C2-14 as shown on Schedule ‘A’, Key Map 88, to this by-law

(b) PERMITTED USES:

- Contractor’s Yard or Shop
- All other uses permitted in the C2 zone

15.3.15 *Not used*

15.3.16 (a) DEFINED AREA: C2-16 as shown on Schedule ‘U-09’, to this by-law

(b) PERMITTED USES:

- Clinic
- Laboratory
- Pharmacy
- All other uses permitted in the C2 zone.

15.3.17 (a) DEFINED AREA: C2-17 as shown on Schedule “A”, Key Map U-10

(b) PERMITTED USES:

- Self-Storage Establishments

(c) MINIMUM SIDE YARD SETBACK:

(i) corner lot: 7.2 m (23.6 ft) on the side abutting the road and 6 m (20 ft) on the other side.

(d) MINIMUM FRONT YARD SETBACK: 23.4 m (44 ft) from the streetline of a Township Concession Road 7 spaces.

(e) MINIMUM NUMBER OF PARKING SPACES: 7 spaces. The number of accessible parking spaces shall be dictated by Section 4.0 of this By-law

15.4 TEMPORARY USES

None.

16.0 OFFICE PARK COMMERCIAL (C3) ZONE

The provisions of the Office Park Commercial (C3) Zone shall apply to office park commercial development generally located in the periphery of the villages in the Municipality.

16.1 GENERAL USE REGULATIONS

16.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Office Commercial (C3) Zone except for the following purposes:

- accessory use
- clinic
- laboratory
- office, general
- office, professional
- personal service establishment
- store, convenience

16.1.2 MINIMUM LOT AREA

(a) 2,000.0 m² (0.5 ac)

16.1.3 MINIMUM LOT FRONTAGE

(a) 30.0 m (98 ft)

16.1.4 MINIMUM LOT DEPTH

(a) 60.0 m (196 ft)

16.1.5 MINIMUM FRONT YARD SETBACK

(a) in accordance with Section 4.19 of this By-law

(b) all other roads: 10.0 m (33 ft)

16.1.6 MINIMUM SIDE YARD SETBACK

(a) interior lot: 6.0 m (20 ft)

(b) corner lot: 10.0 m (33 ft) on the side abutting the road and 6.0 m (20 ft) on the other side

16.1.7 MINIMUM REAR YARD SETBACK

(a) 10.0 m (33 ft)

16.1.8 MAXIMUM LOT COVERAGE

(a) 35%

16.1.9 MAXIMUM HEIGHT

(a) 12.0 m(39 ft)

16.2 SPECIAL USE REGULATIONS

None.

16.3 EXCEPTIONS

16.3.1 (a) DEFINED AREA: C3-1 as shown on Schedule A, U-7

(b) PERMITTED USES

- laboratory
- all other permitted uses of the C3 zone

(c) MINIMUM LOT FRONTAGE: 27.3 m (90 ft)

(d) MINIMUM INTERIOR SIDE YARD SETBACK: 3.0 m (20 ft)

(e) MINIMUM REAR YARD SETBACK:4.2 m (14 ft)

16.3.2 (a) DEFINED AREA: C3-2 as shown on Schedule 'A', Key Map U-7, to this By-law

(b) PERMITTED USES

- accessory use
- clinic
- laboratory
- office, general
- office, professional

(c) MINIMUM FRONT YARD SETBACK: 6.0 m (20 ft)

(d) MAXIMUM FRONT YARD SETBACK: 7.0 m (23 ft)

(e) MINIMUM SETBACK FROM SOUTHERLY SIDE LOT LINE: 1.5 m (4.92 ft)

(f) PLANTING STRIPS: Notwithstanding any other provision of this by-law, planting strips shall not be required.

16.4 TEMPORARY USES

None.

17.0 HAMLET COMMERCIAL (C4) ZONE

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

17.1 GENERAL USE REGULATIONS

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:

- 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 m^2 (0.8 ac)

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

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

17.1.3 MINIMUM LOT FRONTAGE

(a) 20.0 m (66 ft)

17.1.4 MINIMUM FRONT YARD SETBACK

(a) in accordance with Section 4.19 of this By-law

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

17.1.5 MINIMUM SIDE YARD SETBACK

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

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

17.1.6 MINIMUM REAR YARD SETBACK

(a) 10.0 m (33 ft)

17.1.7 MAXIMUM LOT COVERAGE

(a) 40%

17.1.8 MINIMUM SEPARATION DISTANCE FROM A BUILDING OR PUMP ISLAND TO A DWELLING

(a) 7.5 m (25 ft)

17.1.9 MAXIMUM HEIGHT

(a) 12.0 M (39 FT)

17.2 SPECIAL USE REGULATIONS

17.2.1 CAR WASH

Notwithstanding any previous provisions of Section 17 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) 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.

(b) 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 17 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 100.0 m² (1,076 ft^2) of motor vehicles

17.2.4 GAS BARS

Notwithstanding any previous provisions of Section 17 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 17.0 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 14.017.0 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

17.3.1 (a) DEFINED AREA: 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 other permitted uses of the C4 zone

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

17.4 TEMPORARY USES

None.

18.0 LIGHT INDUSTRIAL (M1) ZONE

The provisions of the Light Industrial (M1) Zone shall generally apply to light industrial development located in the periphery of the villages of the Municipality.

18.1 GENERAL USE REGULATIONS

18.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Light Industrial (M1) Zone except for the following purposes:

- accessory use
- industrial use, light
- laboratory
- office as an accessory use
- open storage as an accessory use
- retail store as an accessory use
- warehouse

18.1.2 MINIMUM LOT AREA

(a) 3,000 m² (0.75 ac)

18.1.3 MINIMUM LOT FRONTAGE

(a) 25.0 m (82 ft)

18.1.4 MINIMUM FRONT YARD SETBACK

(a) in accordance with Section 4.19 of this By-law

(b) all other roads:12.0 m (39 ft)

18.1.5 MINIMUM SIDE YARD SETBACK

(a) corner lot: 12.0 m (39 ft) on the side abutting the road and 6.0 m (20 ft) on the other side

(b) where the yard abuts any Residential or an Institutional Zone: 12.0 m (39 ft)

(c) all other cases: 6.0 m (20 ft)

18.1.6 MINIMUM REAR YARD SETBACK

(a) where the yard abuts any Residential Zone or an Institutional Zone: 12.0 m (39 ft)

(b) all other cases: 6.0 m (20 ft)

18.1.7 MAXIMUM LOT COVERAGE

(a) 35%

18.1.8 MAXIMUM HEIGHT

(a) 12.0 m (39.4 ft)

18.1.9 YARDS ABUTTING A RAILWAY RIGHT-OF-WAY

Notwithstanding Sections 18.1.5 and 18.1.6 of this By-law, where a lot zoned Light Industrial (M1) abuts a railway right-of-way, no yard shall be required along the lot line abutting the said railway right-of-way.

18.2 SPECIAL USE REGULATIONS

18.2.1 LIGHT INDUSTRIAL USES

Notwithstanding any previous provisions of Section 18.0 of this By-law, if a public water supply system is not available, a light industrial use shall not be permitted in the Light Industrial (M1) Zone unless it is a dry industrial use.

18.2.2 OPEN STORAGE AS AN ACCESSORY USE

Notwithstanding any previous provisions of Section 18.0 of this By-law, open storage as an accessory use, in the Light Industrial (M1) Zone, shall:

(a) not be permitted within any front yard or, in the case of a corner lot, within any exterior side yard;

(b) not be permitted within any side yard abutting any Residential Zone or Institutional Zone;

(c) not exceed twenty-five percent (25%) of the total lot area of the lot on which it is located.

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 m^2 (21,527ft^2)

18.3 EXCEPTIONS

18.3.1 (a) DEFINED AREA: M1-1 as shown on Schedule A, Map 87

(b) PERMITTED USES:

- contractor’s yard
- office as an accessory use
- open storage as an accessory use
- warehouse

18.3.2 (a) DEFINED AREA: M1-2(h-3) as shown on Schedule A, Map U-5

(b) PERMITTED USES: The following uses in addition to the list of permitted uses in subsection 18.1.1:

- contractor's yard or shop
- machine shop
- service shop

(c) MINIMUM LOT FRONTAGE: 0 m

18.3.3 (a) DEFINED AREA: M1-3 as shown on Schedule A, Map U-5

(b) PERMITTED USES: The following uses in addition to the list of permitted uses in subsection 18.1.1:

- existing dwelling

(c) MINIMUM LOT AREA: 1,870 m² (0.46 ac)

18.3.4 (a) DEFINED AREA: M1-4 as shown on Schedule A, Map U-9

(b) PERMITTED USES:

- Accessory use
- Laboratory
- Office as an accessory use
- Open storage as an accessory use
- Retail as an accessory use
- Self-storage establishment
- warehouse

(c) MINIMUM FRONT YARD DEPTH: 7 m (22.9 ft)

18.4 TEMPORARY USES

None.

19.0 GENERAL INDUSTRIAL (M2) ZONE

The provisions of the General Industrial (M2) Zone shall generally apply to industrial development located in the periphery of the villages and limited rural areas of the Municipality.

19.1 GENERAL USE REGULATIONS

19.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the General Industrial (M2) Zone except for the following purposes:

- accessory use
- bulk sales establishment
- contractor's yard or shop
- fuel depot
- garage, public
- industrial use, general
- machine shop
- office as an accessory use
- open storage as an accessory use
- retail store as an accessory use
- sawmill
- service shop
- truck terminal
- warehouse

19.1.2 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: 1,800.0 m² (0.4 ac)

(c) where a public water supply and public sanitary sewage systems are available: 1,400.0 m² (0.3 ac)

19.1.3 MINIMUM LOT FRONTAGE

(a) 25.0 m (82 ft)

19.1.4 MINIMUM FRONT YARD SETBACK

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

(b) all other roads:12.0 m (39 ft)

19.1.5 MINIMUM SIDE YARD SETBACK

(a) corner lot: 12.0 m (39 ft) on the side abutting the road and 6 m (20 ft) on the other side

(b) where the yard abuts any Residential Zone, any Agricultural Zone used for the purpose of a single detached dwelling or an Institutional Zone: 12.0 m (39 ft)

(c) all other cases: 6.0 m (20 ft)

19.1.6 MINIMUM REAR YARD SETBACK

(a) where the yard abuts any Residential Zone, any Agricultural Zone used for the purpose of a single detached dwelling or an Institutional Zone: 12.0 m (39 ft)

(b) all other cases: 6.0 m (20 ft)

19.1.7 MAXIMUM LOT COVERAGE

(a) 35%

19.1.8 MAXIMUM HEIGHT

(a) 12.0 m (39.4 ft)

19.1.9 YARDS ABUTTING A RAILWAY RIGHT-OF-WAY

Notwithstanding Section 19.1.5 and Section 19.1.6 of this By-law, where a lot zoned General Industrial (M2) abuts a railway right-of-way, no yard shall be required along the lot line abutting the said railway right-of-way.

19.2 SPECIAL USE REGULATIONS

19.2.1 INDUSTRIAL USES

Notwithstanding any previous provisions of Section 19.0 of this By-law, if a public water supply system is not available, a general industrial use shall not be permitted in the General Industrial (M2) Zone unless it is a dry industrial use.

19.2.2 OPEN STORAGE AS AN ACCESSORY USE

Notwithstanding any previous provisions of Section 19.0 of this By-law, open storage as an accessory use in the General Industrial (M2) Zone shall:

(a) not be permitted within any front yard or, in the case of a corner lot, within any exterior side yard;

(b) not be permitted within any side yard abutting any Residential Zone, any Agricultural Zone used for the purpose of a single detached dwelling or an Institutional Zone;

(c) not exceed fifty percent (50%) of the total lot area of the lot on which it is located.

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)

19.3 EXCEPTIONS

19.3.1 (a) DEFINED AREA: M2-1 as shown on Schedule A, Map U-5

(b) PERMITTED USES:

- dry industrial use related to agricultural products
- office as an accessory use
- open storage as an accessory use not exceeding 465 m² (5,005 ft²)

19.3.2 (a) DEFINED AREA: M2-2 as shown on Schedule A, Maps U-9

(b) PERMITTED USES:

- any use existing as of the date of the passing of this By-law

19.3.3 (a) DEFINED AREA: M2-3 as shown on Schedule A, Map U-5

(b) PERMITTED USES:

- conservation use
- forestry use

(c) PROHIBITED USES:

- Notwithstanding Section 17.0, no buildings or structures or open storage shall be permitted.

19.3.4 (a) DEFINED AREA: M2-4 as shown on Schedule 'A', Key Map 43

(b) PERMITTED USES:

- Notwithstanding any other provisions of this by-law, a Motor Vehicle Sales Establishment shall be permitted as an accessory use
- All other permitted uses of the M2 zone.

19.3.5 (a) DEFINED AREA: M2-5 as shown on Schedule 'A', Key Map U-10, to this by-law

(b) FRONTAGE EXCEPTION: Notwithstanding any other provisions of this By-law, the legal frontage shall be located along Egremont Drive.

(c) REAR YARD EXCEPTION: Notwithstanding any other provisions of this By-law, the legal rear yard shall include those lands comprising 23170 Nairn Road, notwithstanding that it has frontage on Nairn Road.

(d) OPEN STORAGE EXCEPTION: Notwithstanding any other provisions of this By-law:

i) open storage shall be permitted in the rear yard
ii) open storage shall have a minimum setback from the rear yard and side yard of 3 metres (9.84 ft)

19.3.6 (a) DEFINED AREA: M2-6 as shown on Schedule 'A', Key Map 15

(b) PERMITTED USES:

- Accessory use, excluding any residential uses
- agricultural use, excluding any residential uses
- Bulk sales establishment
- Office as an accessory use
- Retail store as an accessory use
- Sawmill service shop
- Warehouse

(c) MINIMUM FRONT YARD SETBACK:

(a) in accordance with Section 4.19 of this By-law
(b) all other roads 12.0 m (39 ft)

19.4 TEMPORARY USES

None.

20.0 FARM INDUSTRIAL (M3) ZONE

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

20.1 GENERAL USE REGULATIONS

20.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Farm Industrial (M3) Zone except for the following purposes:

- accessory use
- abattoir
- animal hospital
- agricultural processing establishment
- agricultural sales establishment
- dog kennel
- grain handling facility
- farm equipment sales and service
- livestock sales and marketing yard
- market garden
- office as an accessory use
- open storage as an accessory use
- retail store as an accessory use
- tile drainage contractor

20.1.2 MINIMUM LOT AREA

(a) 3,000 m² (0.75 ac)

20.1.3 MINIMUM LOT FRONTAGE

(a) 25.0 m (82 ft)

20.1.4 MINIMUM FRONT YARD SETBACK

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

(b) all other roads: 20.0 m (66 ft)

20.1.5 MINIMUM SIDE YARD SETBACK

(a) corner lot: 20.0 m (66 ft) on the side abutting the road and 6.0 m (20 ft) on the other side

(b) where the yard abuts an Agricultural Zone used solely for residential purposes or an Institutional Zone: 15.0 m (49 ft)

(c) all other cases: 6.0 m (20 ft)

20.1.6 MINIMUM REAR YARD SETBACK

(a) where the yard abuts an Agricultural Zone used solely for residential purposes or an Institutional Zone: 12.0 m (39 ft)

(b) all other cases: 6.0 m (20 ft)

20.1.7 MAXIMUM LOT COVERAGE

(a) 35%

20.1.8 MAXIMUM HEIGHT

(a) 12.0 m (39.4 ft)

20.1.9 YARDS ABUTTING A RAILWAY RIGHT-OF-WAY

Notwithstanding Sections 20.1.5 and 20.1.6 of this By-law, where a lot zoned Farm Industrial (M3) abuts a railway right-of-way, no yard shall be required along the lot line abutting the said railway right-of-way.

20.2 SPECIAL USE REGULATIONS

20.2.1 GRAIN HANDLING FACILITY

Notwithstanding Sections 20.1.4, 20.1.5 and 20.1.6 of this By-law, a grain handling facility located in the Farm Industrial (M3) Zone shall be setback a minimum of 150.0 metres (492 ft) from all lot lines.

20.2.2 OPEN STORAGE AS AN ACCESSORY USE

Notwithstanding any previous provisions of Section 20.0 of this By-law, open storage as an accessory use, in the Farm Industrial (M3) Zone, shall:

(a) not be permitted within a front yard or, in the case of a corner lot, within an exterior side yard;

(b) not be permitted within any side yard abutting an Agricultural Zone used solely for the purpose of a single detached dwelling or an Institutional Zone;

(c) not exceed seventy-five percent (75%) of the total lot area of the lot on which it is located.

20.2.3 RETAIL STORE AS AN ACCESSORY USE

In addition to previous provisions of Section 20.0 of this By-law, a retail store as an accessory use in the Farm Industrial (M3) Zone shall:

(a) be located in or erected within 2.0 metres (6.6 ft) of the main building;

(b) not exceed ten percent (10%) of the total floor area of the main building.

20.3 EXCEPTIONS

20.3.1 (a) DEFINED AREA: M3-1 as shown on Schedule A, Map 40

(b) PROHIBITED USE:

- open storage as an accessory use

20.3.2 (a) DEFINED AREA: M3-2 as shown on Schedule A, Map 82

(b) PERMITTED USES:

- contractor's yard or shop
- fuel depot
- truck terminal
- all other permitted uses of the M3 zone

20.3.3 (a) DEFINED AREA: M3-3 as shown on Schedule A, Map 73

(b) PERMITTED USES:

- accessory use
- animal hospital
- agricultural sales establishment
- farm equipment sales and service
- market garden
- office as an accessory use
- open storage as an accessory use
- retail store as an accessory use

20.3.4 (a) DEFINED AREA: M3-4 as shown on Schedule A, Map 60

(b) PERMITTED USES:

- Agricultural sales establishment
- Farm equipment sales and service establishment
- Market garden
- Office as an accessory use
- Open storage as an accessory use
- Retail storage as an accessory use
- Tile drainage contractor

20.3.5 (a) DEFINED AREA: M3-5 as shown on Schedule "A", Key Map 65

(b) PERMITTED USES:

- accessory use

- animal hospital
- agricultural processing establishment
- agricultural sales establishment
- dog kennel
- farm equipment sales and service
- livestock sales and marketing yard
- market garden
- office as an accessory use
- open storage as an accessory use
- retail store as an accessory use
- tile drainage contractor

20.3.6 (a) DEFINED AREA: M3-6 as shown on Schedule “A”, Key Map 66

(b) PERMITTED USES:

- accessory use
- animal hospital
- agricultural processing establishment
- agricultural sales establishment
- dog kennel
- farm equipment sales and service
- market garden
- office as an accessory use
- open storage as an accessory use
- retail store as an accessory use
- tile drainage contractor

20.3.7 (a) DEFINED AREA: M3-7 as shown on Schedule “A”, Key Map 57

(b) PERMITTED USES:

- dry industrial use, related to agricultural products or farm-related
- general industrial use, related to agricultural products or farm-related
- office, as an accessory use
- open storage, as an accessory use

(c) GENERAL INDUSTRIAL USES

Notwithstanding any other provisions of this Zoning By-law, if a public water supply system is not available, a general industrial use shall not be permitted in the “Farm Industrial exception 7 (M3-7)’ Zone unless it is a dry industrial use.

(d) OPEN STORAGE

Notwithstanding any other provisions of this Zoning By-law, Open Storage shall have a minimum setback of 3m (9.84 ft) to the rear lot line and interior side lot line, or zone boundary of the ‘Farm Industrial exception 7 (M3-7)’ Zone

(e) MINIMUM PARKING SPACE REQUIREMENTS

Notwithstanding any other provisions of this Zoning By-law, a minimum of 50 parking spaces are required.

20.4 TEMPORARY USES

None.

21.0 EXTRACTIVE INDUSTRIAL (M4) ZONE

The provisions of the Extractive Industrial (M4) Zone shall generally apply to aggregate extraction related development generally located in the rural areas of the Municipality.

21.1 GENERAL USE REGULATIONS

21.1.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Extractive Industrial (M4) Zone except for the following purposes:

- accessory use
- aggregate storage
- aggregate use
- agricultural use
- asphalt plant, portable
- concrete batching plant
- forestry use
- pit
- quarry
- wayside pit

21.1.2 MINIMUM FRONT YARD SETBACK

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

(b) all other roads: 20.0 m (66 ft)

21.1.3 MINIMUM SIDE YARD SETBACK

(a) corner lot: 20.0 m (66 ft) on the side abutting the road and 6.0 m (20 ft) on the other side

(b) where the yard abuts any Agricultural Zone used solely for the purpose of a single detached dwelling or an Institutional Zone: 15.0 m (49 ft)

(c) all other cases: 10.0 m (33 ft)

21.1.4 MINIMUM REAR YARD SETBACK

(a) where the yard abuts any Agricultural Zone used solely for the purpose of a single detached dwelling or an Institutional Zone: 12.0 m (39 ft)

(b) all other cases: 6.0 m (20 ft)

21.1.5 MAXIMUM HEIGHT

(a) 15.0 m (49 ft)

21.2 SPECIAL USE REGULATIONS

21.2.1 AGRICULTURAL USE

Notwithstanding any previous provisions of Section 21.0 of this By-law, the minimum lot area, lot frontage, setbacks, maximum lot coverage, front yard depth, side yard width, and rear yard depth for buildings and structures for an agricultural use shall be in accordance with the zone requirements of Section 5.0.

21.2.2 ASPHALT PLANTS AND CONCRETE BATCHING PLANTS

In addition to previous provisions of Section 21.0 of this By-law, the following provisions shall also apply to asphalt plants and concrete batching plants in the Extractive Industrial (M4) Zone:

(a) MINIMUM LOT AREA: 5.0 hectares (12 ac)

(b) MAXIMUM LOT COVERAGE: 20%

(c) MINIMUM SIDE YARD AND REAR YARD SETBACKS:

(i) an Agricultural Zone used solely for purpose of a single detached dwelling or an Institutional Zone: 90.0 m (295 ft)
(ii) all other cases:30.0 m (98 ft)

21.2.3 MINIMUM SEPARATION DISTANCE FOR A PIT OR PRODUCT STOCKPILE

In addition to previous provisions of Section 21.0 of this By-law, no pit or product stockpile shall be located closer to:

(a) an Agricultural Zone used solely for the purpose of a single detached dwelling or an Institutional Zone: 90.0 m (295 ft)

(b) the edge of a road allowance than: 30.0 m (98 ft)

(c) a lot line than: 15.0 m (49 ft)

21.3 EXCEPTIONS

21.3.1 (a) DEFINED AREA: M4-1 as shown on Schedule A, Map 77 and Map 78

(b) PERMITTED USES

- accessory use
- agricultural use
- aggregate storage
- asphalt plant, portable
- forestry use
- pit
- recycling facility
- wayside pit

(c) RETAIL STORE AS AN ACCESSORY USE: In addition to the previous provisions of Section 21.0 of this By-law, a retail store as an accessory use in the Extractive Industrial Exception (M4-1) Zone shall:

(a) be limited to the general retail sale of products produced, processed and / or upgraded on site as part of the permitted Recycling Facility;
(b) be limited to an area not exceeding 1.892 hectares

(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 Municipality, registered against the title of the subject lands that address matters governed by Section 41 of the Planning Act as amended.

21.3.2 (a) DEFINED AREA: M4-2 as shown on Schedule A, Map 67

(b) PERMITTED USES:

- accessory use
- aggregate storage
- aggregate use
- asphalt plant, portable
- pit

21.3.3 (a) DEFINED AREA: M4-3 as shown on Schedule A, Map 67

(b) PROHIBITED USES:

- asphalt plant, portable
- concrete batching plant

21.3.4 (a) DEFINED AREA: M4-4 as shown on Schedule A, Map 78

(b) MINIMUM SEPARATION DISTANCE FOR A PIT OR PRODUCT STOCKPILE:

(i) 0 metres (0 ft) from a lot line along the westerly lot line from the southwest corner of the subject property running north along the westerly lot line for a distance of 183.0 metres (600 ft);
(ii) 0 m. (0 ft.) from a lot line along the southeasterly lot line from a point located 158.0 metres (518 ft) east of the southwesterly corner of the subject property running northeast along the northeasterly lot line for a distance of 142.0 metres (465 ft);
(iii) 0 metres (0 ft) from a lot line along the southerly lot line from the southeast corner of the subject property running west along the southerly lot line for a distance of 309.0 metres (1,013 ft).

21.3.5 (a) DEFINED AREA: M4-5 as shown on Schedule A, Map 31

(b) PERMITTED USES:

- existing trucking business primarily devoted to the trucking of aggregate

- existing dwelling
- all other permitted uses of the M4 zone

21.3.6 (a) DEFINED AREA: M4-6 as shown on Schedule A, Map 78

(b) PERMITTED USES:

- single detached dwelling
- all other permitted uses of the M4 zone

21.4 TEMPORARY USES

None.

22.0 INSTITUTIONAL (I) ZONE

The provisions of the Institutional (I) Zone shall generally apply to institutional development generally located in the urban and rural areas of the Municipality.

22.1 GENERAL USE REGULATIONS

22.1.1 PERMITTED USES

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

- accessory use
- cemetery
- clinic
- club, private
- community centre
- day nursery
- funeral home
- institutional use
- nursing home
- park, public
- place of worship
- retirement home
- school, public or private
- dwelling unit as an accessory use

22.1.2 MINIMUM LOT AREA

(a) 3,000.0 m² (0.75 ac)

22.1.3 MINIMUM LOT FRONTAGE

(a) 30.0 m (98 ft)

22.1.4 MINIMUM LOT DEPTH

(a) 60 m (197 ft)

22.1.5 MINIMUM FRONT YARD SETBACK

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

(b) all other roads: 10.0 m (33 ft)

22.1.6 MINIMUM SIDE YARD SETBACK

(a) corner lot: 10.0 m (33 ft) on the side abutting the road and 4.5 m (15 ft) on the other side

(b) interior lot: 4.5 m (15 ft)

22.1.7 MINIMUM REAR YARD SETBACK

(a) 9.0 m (30 ft)

22.1.8 MAXIMUM LOT COVERAGE

(a) 35%

22.1.9 MAXIMUM HEIGHT

(a) 12.0 m (39.4 ft)

22.2 SPECIAL USE REGULATIONS

22.2.1 DWELLING UNIT AS AN ACCESSORY USE

In addition to previous provisions of Section 22.0 of this By-law, a dwelling unit as an accessory use in the Institutional (I) Zone shall comply to the following:

(a) have a minimum floor area of 65 m² (700 ft²);

(b) be located within or be contiguous to the main building;

(c) be above or to the rear of the main building;

(d) be used as the residence of the owner or operator, or an employee of the owner or operator of the main use which it is accessory to;

(e) not exceed twenty-five percent (25%) of the total floor area of the main building in which it is located.

22.3 EXCEPTIONS

22.3.1 (a) DEFINED AREA: I-1 as shown on Schedule A, Map U-7 and Map 49

(b) PERMITTED USES:

- accessory use
- day nursery
- park, (public)
- place of worship,
- dwelling unit as an accessory use

22.3.2 (a) DEFINED AREA: I-2 as shown on Schedule A, Key Map U-12

(b) PERMITTED USES:

- store, retail
- all other permitted uses of the I zone

(c) PLANTING STRIPS: Notwithstanding Section 4.13(b) (i) of this By-law, a Planting Strip shall be required along the property line abutting 5184 Egremont Drive.

(d) PARKING LOT: For the purposes of the defined area, Section 4.26 (j) (iii) of this By-law shall not apply.

22.3.3 (a) DEFINED AREA: I-3 as shown on Schedule A, Key Map 91

(b) PERMITTED USES

Accessory uses may include:

i) the temporary storage of vehicles, provided that:

- storage of vehicles, including unlicensed vehicles, shall be permitted only if they are not in a derelict condition;
- no vehicle shall be stored on the site for more than seven (7) months; and
- the area dedicated to the temporary storage of vehicles shall be limited to that portion of the land described as Part 1 on Reference Plan 33R-17093.

ii) housing for the full-time staff members.

22.3.4 (a) DEFINED AREA: I-4 as shown on Schedule 'A', Key Map U-7

(b) MINIMUM INTERIOR SIDE YARD SETBACK: 2.0 m (6.56 ft)

(c) MINIMUM REAR YARD SETBACK: 2.0 m (6.56 ft)

22.3.5 (a) DEFINED AREA: I-5 as shown on Schedule 'A', Key Map 1

(b) MINIMUM LOT AREA:4.05 ha (10.01 ac)

(c) MINIMUM LOT FRONTAGE: 253.1 metres (830.4 ft)

(d) MINIMUM FRONT YARD SETBACK as it existed on October 16, 2013

22.3.6 (a) DEFINED AREA: I-6 as shown on Schedule 'A', Key Map U-7

(b) PERMITTED USES:

- day nursery
- dwelling unit as a stand-alone use

22.4 TEMPORARY USES

None.

23.0 PARKS AND RECREATION (PR) ZONE

The provisions of the Parks and Recreation (PR) Zone shall generally apply to active recreational development generally located in the rural and urban areas of the Municipality.

23.1 GENERAL USE REGULATIONS

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

23.1.2 MINIMUM FRONT YARD SETBACK

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

(b) all other roads: 10.0 m (33 ft)

23.1.3 MINIMUM SIDE YARD SETBACK

(a) 10.0 m (33 ft)

23.1.4 MINIMUM REAR YARD SETBACK

(a) 7.5 m (25 ft)

23.1.5 MAXIMUM LOT COVERAGE

(a) 20%

23.1.6 MAXIMUM HEIGHT

(a) 12.0 m (39 ft)

23.2 SPECIAL USE REGULATIONS

21.2.1 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 21.0 of this By-law, the following provisions shall apply to such a lifestyle community use:

- There shall be a minimum front yard setback and minimum exterior yard setback of 6.0 metres (19.8 ft) with respect to the location of any park model trailer or mobile home.
- There shall be a minimum side yard setback and a minimum rear yard setback of 1.5 metres (4.9 ft) with respect to the location of any park model trailer or mobile home.

23.3 EXCEPTIONS

23.3.1 (a) DEFINED AREA: PR-1 as shown on Schedule A, Map 78

(b) PERMITTED USES:

- accessory use
- agricultural use, excluding buildings and structures
- park, public or private

23.3.2 (a) DEFINED AREA: PR-2 as shown on Schedule A, Map 80

(b) PERMITTED USES:

- agricultural use, excluding buildings and structures
- conservation use
- golf driving range use
- park, public or private

23.3.3 (a) DEFINED AREA: PR-3 as shown on Schedule A, Key Map ‘67’, to this by-law

(b) PERMITTED USES:

- Lifestyle Community
- Park, Public or Private
- Administrative building
- Laundromat servicing on site residents only
- Recreation Building servicing on site residents only
- Variety store servicing on site residents only
- Uses accessory to the above permitted uses

(c) YEAR ROUND OCCUPANCY: Mobile homes and park model trailers shall be permitted for year round occupancy provided:

(i) It is a mobile home or pre-manufactured building which complies with the Ontario Building Code (OBC) for year- round occupancy;
(ii) It is a unit that is existing on the subject lands as of the date of November 28, 2018 and can be converted for year-round occupancy and certified as such by a professional engineer to the satisfaction of the Chief Building Official if requested;
(iii) All other requirements of this By-law are met.

(d) TRAVEL TRAILERS AND RECREATIONAL VEHICLES: Within the PR-3 zone, no travel trailers or recreational vehicles including additions thereto shall be permitted.

23.3.4 (a) DEFINED AREA: PR-5 as shown on Schedule A, Map 68

(b) PERMITTED USES:

- golf course
- buildings, structures and uses accessory to the permitted use including a club house, existing single detached dwelling, practice range, maintenance and storage buildings, cartpaths, bridge crossings, parking lot and driveway circulation system
- temporary clubhouse during the initial years of operation pending the construction of the permanent clubhouse
- agriculture
- pit and quarry

23.3.5 (a) DEFINED AREA: PR-6 as shown on Schedule A, Map 74

(b) PERMITTED USES:

- accessory use
- agricultural use
- conservation use
- forestry use
- public park
- golf course, excluding a golf driving range
- single detached dwelling

23.3.6 (a) DEFINED AREA: PR-7 as shown on Schedule A, Map 67

(b) PERMITTED USES:

- existing single detached dwelling
- accessory use

23.3.7 Not used.

23.3.8 (a) DEFINED AREA: PR-8 as shown on Schedule A, Key Map 85, to this By-law

(b) MINIMUM DISTANCE SEPARATION: Notwithstanding Section 4.17 of this By-law, all uses of the PR zone are permitted within the PR-8 zone, save and except for the area legally described as Part 1 on Reference Plan 33R-17591. This area shall only be used as a landscaped buffer area.

23.3.9 (a) DEFINED AREA: PR-9 as shown on Schedule “A”, Key Map 69

(b) PERMITTED USES:

- one single-detached dwelling as an accessory use
- all other permitted uses of the PR zone

(c) SETBACK REQUIREMENTS FOR A SINGLE-DETACHED DWELLING AS AN ACCESSORY USE: Notwithstanding any other provisions of this by-law, the setback requirements for single-detached dwellings contained within the Agricultural (A1) zone shall apply for locating a single-detached dwelling as an accessory use on the land.

23.3.10 (a) DEFINED AREA: PR-10 as shown on Schedule “A”, Key Map 81

(b) PERMITTED USES:

- Clinic as an accessory use
- Office, professional as an accessory use
- Restaurant as an accessory use
- Store, retail as an accessory use
- All other permitted uses of the Parks and Recreation (PR) zone

(c) MAXIMUM HEIGHT: 12.7 m (41.7 ft) for a place of recreation

23.4 TEMPORARY USES

None.

24.0 OPEN SPACE (OS) ZONE

The provisions of the Open Space (OS) Zone shall generally apply to passive recreational development generally located in the rural and urban areas of the Municipality.

24.1 GENERAL USE REGULATIONS

24.1.1 PERMITTED USES

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

- accessory use
- agricultural use, excluding buildings and structures
- conservation use
- forestry use
- nursery
- park, public or private

24.1.2 MINIMUM FRONT YARD SETBACK

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

(b) all other roads: 10.0 m (33 ft)

24.1.3 MINIMUM SIDE YARD SETBACK

(a) 10.0 m (33 ft)

24.1.4 MINIMUM REAR YARD SETBACK

(a) 7.5 m (25 ft)

24.1.5 MAXIMUM HEIGHT

(a) 12.0 m (39 ft)

24.1.6 MAXIMUM LOT COVERAGE

(a) 20%

24.2 SPECIAL USE REGULATIONS

None.

24.3 EXCEPTIONS

24.3.1 (a) DEFINED AREA: OS-1 as shown on Schedule A, Map U-9

(b) PERMITTED USES:

- private park having no commercial use
- public use

24.3.2 (a) DEFINED AREA: OS-2 as shown on Schedule A, Map U-5

(b) PERMITTED USES:

- any use existing as of the date of the passing of this By-law

24.3.3 (a) DEFINED AREA: OS-3 as shown on Schedule A, Map U-12

(b) PERMITTED USES:

- silviculture, forest, woodlot or wildlife management, or harvesting activities consistent with the County of Middlesex Tree Cutting By-law and consistent with the recommendations of the Development Assessment Report (DAR) prepared by BioLogic dated October 2001, with an addendum dated May 20, 2003 and the DAR Peer Review Report prepared by ESG International, dated June 12, 2003.

(c) LOT FRONTAGE: 0 m (0 ft)

24.3.4 (a) DEFINED AREA: OS-4 as shown on Schedule A, Map 74

(b) PERMITTED USES:

- golf course, excluding a golf driving range
- all other permitted uses of the OS zone

24.3.5 (a) DEFINED AREA: OS (h-4) as shown on Schedule A, Map 75

(b) HOLDING SYMBOL: The precondition for the removal of the ‘(h-4)’ holding symbol shall be that a development agreement be registered against the title of the subject lands to address issues including, but not necessarily limited to, construction details, maintenance, and ownership of the walkway; and furthermore that a subdivision agreement be registered against the title of the lands described as South Part of Lot 13, Concession 6 (geographic Township of London), City of London.

24.3.6 (a) DEFINED AREA: OS-5 as shown on Schedule A, Key Map U-12.

The irregular OS-5 zone lines on Schedule A, Key Map U-12 replicate the “Erosion Hazard Limit” identified by Gerry Waldron, Consulting Ecologist, Development Assessment Report, Figure 6, January 2013.

(b) PERMITTED USES:

- conservation use, excluding buildings and structures

(c) SPECIAL PROVISION: Notwithstanding section 4.12(b), where a lot is divided into two or more zones, the uses, buildings and structures permitted on the lot shall be limited in each of the zones to those permitted in that zone but, otherwise, for the purposes of zoning regulations of lot area and frontage and of the location of buildings and structures on the lot, the lot shall be considered a single lot, rather than separate as otherwise contemplated by section 4.12(b).

24.3.7 (a) DEFINED AREA: OS-6 as shown on Schedule A, Map U-8

(b) PERMITTED USES:

- No buildings or structures or grade alteration of site is permitted

24.3.8 (a) DEFINED AREA: OS-8 as shown on Schedule A, Key Map 88, to this by law

(b) PERMITTED USES:

- Conservation Use

24.3.9 (a) DEFINED AREA: OS-8 as shown on Schedule A, Key Map U-9

(b) PERMITTED USES:

- Public Utility

24.3.9 (a) DEFINED AREA: OS-8 as shown on Schedule “A”, Key Map U-12

(b) PERMITTED USES: Conservation use, excluding buildings and structures

24.3.9 (a) DEFINED AREA: OS-9 as shown on Schedule A, Key Map U-9

(b) PERMITTED USES:

- Conservation use, excluding buildings and structures unless used for public utility subject to Section 4.26

24.4 TEMPORARY USES

None.

25.0 EXISTING USE (EU) ZONE

The provisions of the Existing Use (EU) Zone shall generally apply to undeveloped lands located in the villages and hamlets of the Municipality.

25.1 GENERAL USE REGULATIONS

25.1.1 PERMITTED USES

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

- any use existing as of the date of the passing of this By-law

25.1.2 REGULATIONS FOR LOTS AND BUILDINGS

The minimum lot area and lot frontage, the minimum front, side and rear yards, the maximum lot coverage, and the maximum building height shall remain as they lawfully existed as of the date of the passing of this By-law.

25.2 SPECIAL USE REGULATIONS

25.2.1 EXISTING SINGLE DETACHED DWELLINGS

The alteration of existing single detached dwellings or the erection or alteration of buildings accessory thereto shall be permitted in accordance with the regulations of the Urban Residential First Density (UR1) Zone and the regulations for Accessory Uses.

25.2.2 PUBLIC USES

Notwithstanding Subsection 23.1.2 of this By-law, the erection, alteration or use of any building or structure, or portion thereof, for the purpose of public service by a public authority or public utility shall be permitted provided the lot coverage, setback and yard requirements of the Institutional (I) Zone are complied with.

25.3 EXCEPTIONS

25.3.1 (a) DEFINED AREA: EU-1 as shown on Schedule A, Key Map U-12

(b) MINIMUM LOT FRONTAGE: 15 m (49 ft)

(c) MINIMUM LOT AREA: 2.8 ha (6.9 ac)

25.3.2 (a) DEFINED AREA: EU-2 as shown on Schedule A, Key Map U-12

(b) MINIMUM LOT FRONTAGE: 224 m (734 ft)

(c) MINIMUM LOT AREA: 7.4 ha (18.3 ac)

25.3.3 (a) DEFINED AREA: EU-3 as shown on Schedule “A”, Key Map U-9

(b) MINIMUM LOT FRONTAGE: 100 m (328.1 ft)

(c) MINIMUM LOT AREA: 1.40 ha (3.45 ac)

25.3.4 (a) DEFINED AREA: EU-4 as shown on Schedule “A”, Key Map U-4

(b) MINIMUM LOT FRONTAGE: 20 m (65.6 ft)

(c) MINIMUM LOT AREA: 6.6 ha (16.3 ac)

25.3.5 (a) DEFINED AREA: EU-5 as shown on Schedule “A”, Key Map U-5

(b) MINIMUM LOT FRONTAGE: 20 m (66 ft)

25.4 TEMPORARY USES

NUMBER	STATUS
25.4.1	EXPIRED ON November 27th, 2021