



**Municipality of Middlesex Centre  
By-Law 2022-085**

**Being a By-Law of the Corporation of the Municipality of Middlesex Centre to amend the Middlesex center comprehensive zoning by-law number 2005-005 with respect to Part Lot 4, Concession 3, RP 33R-19922, Parts 1-3 (geographic Township of Lobo); roll number: 393900002024000**

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

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

**NOW THEREFORE BE IT RESOLVED** the Council of the Municipality of Middlesex Centre enacts as follows:

- 1) That Zoning Map Schedule 'A', Key Map 'U-9' to the Middlesex Centre Comprehensive Zoning By-law 2005-005 is hereby amended by changing from the "Existing Use (EU)" zone to a "Urban Residential First Density exception 44 with Hold (UR1-44)(h-1)", "Urban Residential First Density exception 45 with Hold (UR1-45)(h-2)(h-3)", "Urban Residential Third Density exception 20 with Hold (UR3-20)(h-2)(h-3)(h-6)", "Urban Residential Third Density exception 21 with Hold (UR3-21)(h-2)(h-6)(h-10)", "Urban Residential Third Density exception 22 with Hold (UR3-22)(h-2)(h-6)(h-10)", "Urban Residential Third Density exception 23 with Hold (UR3-23)(h-2)(h-6)(h-10)", "Urban Residential Third Density exception 24 with Hold (UR3-24)(h-2)(h-3)(h-6)", "Parks and Recreation (PR)" and "Open Space exception 8 (OS-8)" zones that land drawn in heavy solid lines and identified on Schedule 'A', attached hereto and described as being Part Lot 4, Concession 3, RP 33R-19922, Parts 1-3 (geographic Township of Lobo) in the Township of Middlesex Centre.

- 2) That Section 8.3 "Exceptions" be amended by adding the following subsection:

"8.3.44

(a) DEFINED AREA

UR1-44 as shown on Schedule A, Key Map U-9

(b) MINIMUM LOT AREA

360.0 m<sup>2</sup> (3,875 ft<sup>2</sup>)

(c) MINIMUM LOT FRONTAGE

12.0 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

3.0 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

6.0 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 buildings and structures for a 1 storey dwelling - 53%
- (iv) Maximum lot coverage – main building, including accessory buildings and structures for all other dwellings greater than 1 storey - 43%

3) That Section 8.3 “Exceptions” be amended by adding the following subsection:

“8.3.45

- (a) DEFINED AREA  
UR1-45 as shown on Schedule A, Key Map U-9
- (b) Notwithstanding any 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 applies 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 360.0 m² (3,875 ft²)
- (d) MINIMUM LOT FRONTAGE 12.0 m (49 ft)
- (e) MINIMUM SIDE YARD SETBACK
  - (i) interior lot 1.2 m (3 ft)
  - (ii) corner lot 3.0 m (9 ft) on the site abutting the road and 1.2 m (3 ft) on the other side
- (f) MAXIMUM LOT COVERAGE
  - (i) main building, including dwelling and attached garage 40%
  - (ii) all buildings, including accessory buildings and structures 43%

4) That Section 10.3 “Exceptions” be amended by adding the following subsection:

“10.3.20

- (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 the dwelling 4.5 m (14.8 ft)
  - (ii) Attached garage 6.0 m (19.7 ft)
- (d) MINIMUM SIDE YARD SETBACK
  - (i) Interior lot for a townhouse dwelling 3.0 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 (10 ft) on the other side
(iii) Multiple unit dwelling	10.0 m (33 ft)
(e) <u>MINIMUM REAR YARD SETBACK</u>	6.0 m (19.7 ft)
(f) <u>MAXIMUM LOT COVERAGE</u>	
(i) habitable building(s)	40%
(ii) all buildings including accessory buildings	45%
(g) <u>MINIMUM LANDSCAPE OPEN SPACE</u>	35%
(h) <u>Maximum Density</u>	35 units per hectare

5) That Section 10.3 “Exceptions” be amended by adding the following subsection:

“10.3.21

(a) <u>DEFINED AREA</u>	UR3-21 as shown on Schedule A, Key Map U-9
(b) <u>PERMITTED USES</u>	Accessory Use Townhouse Dwelling
(c) <u>MINIMUM SIDE YARD SETBACK</u>	
(i) Interior lot	3.0 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) <u>MINIMUM REAR YARD SETBACK</u>	6.0 m (19.7 ft)
(e) <u>MAXIMUM LOT COVERAGE</u>	
(i) habitable building(s)	40%
(ii) all buildings including accessory buildings	45%
(f) <u>MINIMUM LANDSCAPE OPEN SPACE</u>	35%
(g) <u>MAXIMUM DENSITY</u>	35 units per hectare
(h) <u>HOLDING SYMBOL</u>	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 recommendations for noise or vibration mitigation arising from the Noise and Vibration Impact Analysis have been incorporated into the conditions of site plan approval and the building design such that the proposed development will meet the Ministry of Environment, Conservation and Parks (MECP) criteria and guidelines.”

6) That Section 10.3 “Exceptions” be amended by adding the following subsection:

“10.3.22

- (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  
3.0 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 4.1 a)
- (f) MINIMUM LANDSCAPE OPEN SPACE  
35% and a minimum 15 m wide landscaped 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 feet) in conjunction with a safety berm and acoustical mitigation fence
- (i) 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 recommendations for noise or vibration mitigation arising from the Noise and Vibration Impact Analysis have been incorporated into the conditions of site plan approval and the building design such that the proposed development will meet the Ministry of Environment, Conservation and Parks (MECP) criteria and guidelines.”

7) That Section 10.3 “Exceptions” be amended by adding the following subsection:

“10.3.23

- (a) DEFINED AREA  
UR3-23 as shown on Schedule A, Key Map U-9

- (b) PERMITTED USES  
 Accessory Use  
 Apartment Dwelling
- (c) MINIMUM SIDE YARD SETBACK 6 m (19.7 ft)
- (d) MINIMUM OUTDOOR AMENITY AREA 20 m<sup>2</sup> (215.3 ft<sup>2</sup>)
- (e) MAXIMUM DENSITY 60 units per hectare
- (f) MINIMUM LANDSCAPED OPEN SPACE 30% including, but not limited to Outdoor 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 recommendations for noise or vibration mitigation arising from the Noise and Vibration Impact Analysis have been incorporated into the conditions of site plan approval and the building design such that the proposed development will meet the Ministry of Environment, Conservation and Parks (MECP) criteria and guidelines.”

8) That Section 10.3 “Exceptions” be amended by adding the following subsection:

“10.3.24

- (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) Porch or habitable portion of the dwelling 4.5 m (14.8 ft)  
 (ii) Attached garage 6.0 m (19.7 ft)
- (d) MINIMUM SIDE YARD SETBACK  
 (i) Interior lot 3.0 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
- (e) MINIMUM REAR YARD SETBACK 6.0 m (19.7 ft)
- (f) MAXIMUM LOT COVERAGE 40% for the main use; 43% for all buildings including accessory buildings subject to Section 4.1 a)
- (g) MINIMUM LANDSCAPE OPEN SPACE 35%
- (h) MAXIMUM DENSITY 35 units per hectare”

9) That Section 24.3 “Exceptions” be amended by adding the following subsection:

“24.3.9

(a) DEFINED AREA

OS-8 as shown on Schedule A, Key Map U-9

(b) PERMITTED USES

Public Utility”

10) This by-law comes into force and take effect until Amendment No. 45 to Middlesex Centre’s Official Plan has been approved by the County of Middlesex in accordance with the provisions of Section 34 of the Planning Act R.S.O. 1990, c. P. 13.

**READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED** this 7<sup>th</sup> day of September 2022.

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Aina DeViet, Mayor

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James Hutson, Municipal Clerk