

Municipality of North Middlesex Zoning By-law No. 35 of 2004, as amended
Proposed HAF2 Amendments

#	Provision	Suggested Change	Rationale
End Exclusionary Zoning			
Section 5.0 – Definitions All definitions have been aligned with other local municipalities participating in the HAF initiative (Lucan Biddulph, Strathroy-Caradoc and Middlesex Centre), to promote clarity, consistency and efficiency.			
5.XX		ADDITIONAL RESIDENTIAL UNIT shall mean a self-contained dwelling unit that is subordinate to and located within the principal dwelling, or within one accessory building or structure on the same lot as the principal dwelling.	Addition of a definition to recognize new housing type.
5.XX		AFFORDABLE HOUSING shall mean: a) in the case of ownership housing, the least expensive of: i. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or ii. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality; b) in the case of rental housing, the least expensive of: i. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or ii. a unit for which the rent is at or below the average market rent of a unit in the municipality.	Addition of a definition to recognize new housing type.
5.XX		AMENITY AREA shall mean a space located indoors or outdoors for the passive enjoyment and active recreational needs of the residents where private yards are not 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, but does not include lobbies, common laundry areas, storage areas, hallways, parking areas, and loading spaces.	Addition of definition to provide flexibility for amenity area space for multi-unit residential developments.
5.13	APARTMENT BUILDING shall mean dwelling units so arranged in a building so that five or more dwelling units shall have common external access to the building at the grade level of the building.	APARTMENT BUILDING shall mean multiple dwelling units contained within a building, which have a common entrance directly from the outside, and may contain one or more permitted uses other than residential on the first floor.	Amended with revised definition for alignment and clarity.
5.XX		DWELLING shall mean a building, containing one or more dwelling units, used or intended to be used for	Addition of definition for alignment and clarity.

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		human habitation but does not include a travel trailer, camping trailer, truck camper, bus camper, motor home, or tent.	
5.XX		DWELLING, APARTMENT shall mean dwelling units contained within an apartment building.	Addition of definition for alignment and clarity.
5.56	DWELLING, CONVERTED shall mean an existing single detached dwelling altered to contain two or more self contained dwelling units.	DELETE	Removal to avoid redundancy and increase clarification. Dwelling type is now covered under new more clear and flexible definitions.
5.57	DWELLING, DOUBLE DUPLEX shall mean a building which consists of two attached duplex dwellings, or a building containing only two storeys exclusive of basement, divided vertically into four dwelling units with either one or two complete walls in common with adjoining units and an independent entrance, either directly or through a common vestibule.	DELETE	Removal to avoid redundancy and increase clarification. Dwelling type is now covered under new more clear and flexible definitions.
5.58	DWELLING, DUPLEX shall mean a building of two or more storeys that is divided horizontally into two dwelling units each of which has an independent entrance either directly or through a common vestibule.	DWELLING, DUPLEX shall mean 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.	Amended with revised definition for alignment and clarity.
5.XX		DWELLING, MULTIPLE UNIT shall mean 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.	Addition of a definition to recognize new housing type.
5.XX		DWELLING, PRINCIPAL shall mean 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.	Addition of a definition for alignment and clarity.
5.59	DWELLING, SEMI-DETACHED shall mean a building that is divided vertically by a common wall above and below the finished grade into two dwelling units each of which has an independent entrance either directly or through a common vestibule.	DWELLING, SEMI-DETACHED means two dwelling units attached by a common wall, each of which has an independent entrance directly from the outside.	Amended with revised definition for alignment and clarity.
5.60	DWELLING, SINGLE DETACHED shall mean a completely detached dwelling unit.	DWELLING, SINGLE DETACHED shall means a separate dwelling containing one principal dwelling.	Amended with revised definition for alignment and clarity.
5.XX		DWELLING, STREET TOWNHOUSE shall mean a minimum of three dwelling units, but not more than eight dwelling units, attached by a common wall, each of which has an independent entrance directly from the outside and each of which shall have frontage on a public street.	Addition of a definition to recognize new housing type.

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5.61	DWELLING, TRIPLEX shall mean the whole of a building divided horizontally or vertically into three separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.	DELETE	Removal to avoid redundancy and increase clarification. Dwelling type is now covered under new more clear and flexible definitions.
5.62	DWELLING, TOWNHOUSE shall mean a residential dwelling unit which is connected by one or more walls to a series of at least four, but not more than eight similar units, usually sharing the same street frontage.	DWELLING, TOWNHOUSE shall mean a minimum of three dwelling units, but not more than eight dwelling units, attached by a common wall, 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.	Amended with revised definition for alignment and clarity.
5.63	DWELLING UNIT shall mean one room or a group of rooms in a building used or designed or intended to be used as a single, independent and separate housekeeping establishment and, a) in which food preparation and sanitary facilities are provided for the exclusive use of the residents of the dwelling unit, and b) which has a private entrance from outside the building or from a common hallway or stairway inside the building, but c) does not mean or include a tent, or a room or suite of rooms in a bed and breakfast establishment, boarding or rooming house, in a hotel, motel, motor hotel, or tourist cabin establishment.	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.	Amended with revised definition for alignment and clarity.
5.XX		GARDEN SUITE shall mean 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.	Addition of a definition to recognize new housing type.
5.XX		GROUPED HOUSING shall mean 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.	Addition of a definition to recognize new housing type.
5.118	LOT shall mean a parcel of land capable of being legally conveyed, whether such parcel is described in a registered deed or is shown on a registered plan of subdivision and including any of its parts which are subject to right-of-way or easement.	LOT shall mean a parcel or tract of land: a) which 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) which 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	Amended with revised definition for alignment and clarity. Also updated verbiage to recognize His Majesty as opposed to the previous Her Majesty.

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		<p>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</p> <p>d) is the whole remnant remaining to an owner or owners after a conveyance made with consent pursuant to the Planning Act; or</p> <p>e) is a vacant land condominium unit on a registered vacant land condominium plan.</p> <p>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.</p>	
5.201	5.201 STREET OR ROAD, shall mean a public highway as defined by the Municipal Act and the Highway Traffic Act and shall exclude a lane or any private right-of-way or unopened road allowance, or any street which is shown on a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under Section 50 (4) of the Planning Act, or which has not been assumed by the Municipality.	STREET OR ROAD shall mean a common and public highway and includes a bridge forming part of a highway or on, over or across which a highway passes, but does not include an unopened road allowance.	Amended with revised definition for alignment and clarity.
Regulations			
7.1	<p>Permitted Uses (A1) Zone</p> <p>No person within any Agricultural (A1) Zone shall use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:</p> <p>a) Accessory use;</p> <p>b) Agricultural use, non-intensive;</p> <p>c) Agricultural use, intensive;</p> <p>d) Animal clinic, existing legally on the date of adoption of this By-law;</p> <p>e) Cemeteries that are small in scale and inactive, subject to Section 7.2.3 of this By-law;</p> <p>f) Conservation use;</p> <p>g) Equestrian use;</p> <p>h) Forestry use;</p> <p>i) Grain drying and handling facility, existing legally on the date of adoption of this By-law;</p> <p>j) Home industry;</p> <p>k) Home occupation;</p> <p>l) Kennel, subject to Section 7.2.4 of this By-law;</p> <p>m) Livestock sales barn and/or marketing yard, existing legally on the date of adoption of this By-law;</p> <p>n) On-farm secondary business;</p> <p>o) Nursery;</p> <p>p) Private airfield, subject to Section 7.2.5 of this By-law;</p> <p>q) Sale of farm produce from a farm;</p>	<p>Permitted Uses (A1) Zone</p> <p>No person within any Agricultural (A1) Zone shall use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:</p> <p>a) Accessory use;</p> <p>b) Additional residential unit;</p> <p>c) Agricultural use, non-intensive;</p> <p>d) Agricultural use, intensive;</p> <p>e) Animal clinic, existing legally on the date of adoption of this By-law;</p> <p>f) Cemeteries that are small in scale and inactive, subject to Section 7.2.3 of this By-law;</p> <p>g) Conservation use;</p> <p>h) Equestrian use;</p> <p>i) Forestry use;</p> <p>j) Grain drying and handling facility, existing legally on the date of adoption of this By-law;</p> <p>k) Home industry;</p> <p>l) Home occupation;</p> <p>m) Kennel, subject to Section 7.2.4 of this By-law;</p> <p>n) Livestock sales barn and/or marketing yard, existing legally on the date of adoption of this By-law;</p> <p>o) On-farm secondary business;</p> <p>p) Nursery;</p> <p>q) Private airfield, subject to Section 7.2.5 of this By-law;</p>	Amending to permit additional residential units.

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	<ul style="list-style-type: none">r) Sanctuary use;s) Single detached residential dwelling associated with an agricultural use and on an agricultural lot;t) Second detached residential dwelling accessory to an agricultural use, subject to Section 7.2.6 of this By-law;u) Single detached residential dwelling on an existing lot of record;v) Wayside pit.	<ul style="list-style-type: none">r) Sale of farm produce from a farm;s) Sanctuary use;t) Single detached residential dwelling associated with an agricultural use and on an agricultural lot;u) Second detached residential dwelling accessory to an agricultural use, subject to Section 7.2.6 of this By-law;v) Single detached residential dwelling on an existing lot of record;w) Wayside pit.	
7A.1	<p>Permitted Uses (AG1 Zone) No person within any Agricultural Small Holding (AG1) Zone shall use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:</p> <ul style="list-style-type: none">a) Accessory use;b) Home industry;c) Home occupation;d) Single detached residential dwelling.	<p>Permitted Uses (AG1 Zone) No person within any Agricultural Small Holding (AG1) Zone shall use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:</p> <ul style="list-style-type: none">a) Accessory use;b) Additional residential unit;c) Home industry;d) Home occupation;e) Single detached residential dwelling.	Amending to permit additional residential units.
8.1	<p>Permitted Uses (A2) Zone No person within any Restricted Agricultural (A2) Zone shall use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:</p> <ul style="list-style-type: none">a) Accessory use;b) Agricultural use, non-intensive;c) Animal clinic, existing legally on the date of adoption of this By-law;d) Cemeteries that are small in scale and inactive, subject to the requirements of Section 7.2.3 of this By-law;e) Conservation use;f) Equestrian use;g) Forestry use;h) Home industry;i) Home occupation;j) Kennel, subject to the requirements of Section 7.2.4 of this By-law;k) Nursery;l) On-farm secondary business;m) Sale of farm produce from a farm;n) Sanctuary use;o) Single detached residential dwelling associated with an agricultural use and on an agricultural lot;p) Second detached residential dwelling accessory to an agricultural use, subject to the requirements of Section 7.2.6 of this By-law;q) Single detached residential dwelling on an existing lot of record;r) Wayside pit.	<p>Permitted Uses (A2) Zone No person within any Restricted Agricultural (A2) Zone shall use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:</p> <ul style="list-style-type: none">a) Accessory use;b) Additional residential unit;c) Agricultural use, non-intensive;d) Animal clinic, existing legally on the date of adoption of this By-law;e) Cemeteries that are small in scale and inactive, subject to the requirements of Section 7.2.3 of this By-law;f) Conservation use;g) Equestrian use;h) Forestry use;i) Home industry;j) Home occupation;k) Kennel, subject to the requirements of Section 7.2.4 of this By-law;l) Nursery;m) On-farm secondary business;n) Sale of farm produce from a farm;o) Sanctuary use;p) Single detached residential dwelling associated with an agricultural use and on an agricultural lot;q) Second detached residential dwelling accessory to an agricultural use, subject to the requirements of Section 7.2.6 of this By-law;r) Single detached residential dwelling on an existing lot of record;s) Wayside pit.	Amending to permit additional residential units.

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9.1	Permitted Uses (A3 Zone) No person within any Urban Reserve (A3) Zone shall use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses: a) Accessory use; aa) Agriculture use; b) Animal clinic existing legally on the date of adoption of this By-law; c) Cemeteries that are small in scale and inactive, subject to the requirements of Section 7.2.3 of this By-law; d) Conservation use; e) Equestrian use; f) (deleted) g) Kennel, subject to the requirements of Section 7.2.4 of this By-law; h) Forestry use; i) Home occupation; j) Nursery; k) On-farm secondary business; l) Sale of farm produce from a farm; m) Sanctuary use; n) Single detached dwelling; o) Single detached dwelling associated with an agricultural use; p) Second detached dwelling accessory to an agricultural use, subject to the requirements of Section 7.2.6 of this By-law; q) Wayside pit; r) Any use legally existing on the date of adoption of this By-law.	Permitted Uses (A3 Zone) No person within any Urban Reserve (A3) Zone shall use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses: a) Accessory use; b) Additional residential unit; c) Agriculture use; d) Animal clinic existing legally on the date of adoption of this By-law; e) Cemeteries that are small in scale and inactive, subject to the requirements of Section 7.2.3 of this By-law; f) Conservation use; g) Equestrian use; h) Kennel, subject to the requirements of Section 7.2.4 of this By-law; i) Forestry use; j) Home occupation; k) Nursery; l) On-farm secondary business; m) Sale of farm produce from a farm; n) Sanctuary use; o) Single detached dwelling; p) Single detached dwelling associated with an agricultural use; q) Second detached dwelling accessory to an agricultural use, subject to the requirements of Section 7.2.6 of this By-law; r) Wayside pit; s) Any use legally existing on the date of adoption of this By-law.	Amending to permit additional residential units.
10.1	Permitted Uses (R1 Zone) No persons shall hereafter change the use of any building, structure or land or erect or use any building or structure in a Residential Density One (R1) Zone, except for the following use: a) Accessory use; b) Duplex dwelling; c) Home occupation; d) Semi-detached dwelling; e) Single detached dwelling.	Permitted Uses (R1 Zone) No persons shall hereafter change the use of any building, structure or land or erect or use any building or structure in a Residential Density One (R1) Zone, except for the following use: a) Accessory use; b) Additional residential unit; c) Duplex dwelling; d) Home occupation; e) Multiple unit dwelling; i. maximum of four (4) units f) Semi-detached dwelling; g) Single detached dwelling; h) Street townhouse dwelling; i. maximum of four (4) units i) Townhouse dwelling; i. maximum of four (4) units j) Multiple unit dwelling; i. maximum of four (4) units	Amended to facilitate four units as-of-right, facilitate different housing types, and clarify number of units permitted.
11.1	Permitted Uses (R2 Zone) No persons shall hereafter change the use of any building, structure or land or erect or use any building or structure in a Residential Density Two	Permitted Uses (R2 Zone) No persons shall hereafter change the use of any building, structure or land or erect or use any building or structure in a Residential Density Two	Amended to facilitate four units as-of-right, facilitate different housing types, and clarify number of units permitted.

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	(R2) Zone, except for the following use: a) Accessory use; b) Day nursery or day care centre; c) Double duplex dwelling; d) Home occupation; e) Townhouse dwelling; f) Triplex dwelling.	(R2) Zone, except for the following use: a) Accessory use; b) Additional residential unit; c) Day nursery or day care centre; d) Home occupation; e) Multiple unit dwelling; i. maximum of eight (8) units f) Semi-detached dwelling; g) Single detached dwelling; h) Street townhouse dwelling; i. maximum of eight (8) units i) Townhouse dwelling; i. maximum of eight (8) units	
12.1	Permitted Uses (R3 Zone) No persons shall hereafter change the use of any building, structure or land or erect or use any building or structure in a Residential Density Three (R3) Zone, except for the following use: a) Accessory uses; b) Apartment building; c) Day nursery or day care centre.	Permitted Uses (R3 Zone) No persons shall hereafter change the use of any building, structure or land or erect or use any building or structure in a Residential Density Three (R3) Zone, except for the following use: a) Accessory use; b) Additional residential unit; c) Apartment building; d) Day nursery or day care centre; e) Multiple unit dwelling; i. maximum of ten (10) units f) Street townhouse dwelling; i. maximum of ten (10) units g) Townhouse dwelling; i. maximum of ten (10) units h) Grouped housing; i. maximum of ten (10) units	Amended to facilitate four units as-of-right, facilitate different housing types, and clarify number of units permitted.
13.1	Permitted Uses (RH) Zone No person within any Hamlet Residential (RH) Zone shall use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses. a) Accessory use; b) Apartment dwellings existing legally on the date of adoption of this By-law; c) Converted dwelling; d) Duplex dwelling; e) Home occupation; f) Semi-detached dwelling; g) Single detached dwelling.	Permitted Uses (RH) Zone No person within any Hamlet Residential (RH) Zone shall use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses. a) Accessory use; b) Additional residential unit; c) Apartment dwellings existing legally on the date of adoption of this By-law; d) Duplex dwelling; e) Home occupation; f) Semi-detached dwelling; g) Single detached dwelling.	Amending to permit additional residential units and remove converted dwelling.
Increase Flexibility			
General Provisions			
6.12	DWELLING UNIT RESTRICTION Except as specifically provided for in other Sections of this By-law, a maximum of one single detached dwelling unit per lot shall be permitted, where a dwelling is a permitted use.	DWELLING UNIT RESTRICTION No lot shall contain more than one principal dwelling type. The erection or use of more than one type of dwelling (e.g. single detached, semi-detached, townhouse, multiple dwelling) on the same lot is prohibited unless specifically permitted by this By-law. Notwithstanding the foregoing, Additional Residential Units are permitted in accordance with the provisions of this By-law and	Modifies the regulation to permit up to four dwelling units per lot, in accordance with the HAF.

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		shall not be considered a separate dwelling type for the purposes of this Section.							
6.33	Parking and Loading Requirements The following parking and loading requirements shall apply: a) For every building or structure to be erected the required parking shall be located on the same lot, shall have unobstructed access to a public street and shall be provided and maintained in conformity with the standards of this Section. Unless otherwise specified, the standards are expressed in one space per specified square metres of gross floor area. If when determining the parking space requirements, the result is a fraction of a parking space, then the number of parking spaces shall be rounded to the next highest whole number.	Parking and Loading Requirements a) For every building or structure to be erected the required parking shall be located on the same lot, shall have unobstructed access to a public street and shall be provided and maintained in conformity with the standards of this Section. Notwithstanding, parking for the ‘Residential - Commercial (RC) Zone’ and ‘Central Commercial (C1) Zone’ may be located on a separate lot provided that said lot is within 150 m of the lot to which the parking is to apply, and that the owner of both lots shall enter into an agreement with the Municipality of North Middlesex to be registered against the title of both lots, guaranteeing that the land required for parking by this By-law shall continue to be so used only for such purpose until the owner provides alternate parking in conformity with this By-law. Unless otherwise specified, the standards are expressed in one space per specified square metres of gross floor area. If when determining the parking space requirements, the result is a fraction of a parking space, then the number of parking spaces shall be rounded to the next highest whole number.	Amended to permit shared parking in Main Street commercial areas with higher density and concentration of mixed-use commercial/residential structures.						
6.34	Parking Lot and Driveway Standards Parking Requirements Table	Parking Lot and Driveway Standards Parking Requirements Table <table><tr><th>PURPOSE OR USE</th><th>MINIMUM PARKING SPACES REQUIRED</th></tr><tr><td>Affordable Housing</td><td>0.5 per unit</td></tr><tr><td>Additional Residential Unit</td><td>1.0 per unit</td></tr></table>	PURPOSE OR USE	MINIMUM PARKING SPACES REQUIRED	Affordable Housing	0.5 per unit	Additional Residential Unit	1.0 per unit	Amended to introduce a parking rate for affordable housing and additional residential unit
PURPOSE OR USE	MINIMUM PARKING SPACES REQUIRED								
Affordable Housing	0.5 per unit								
Additional Residential Unit	1.0 per unit								
R1 Zone (Lots on Full Municipal Services)									
10.2.a	Minimum Lot Area <ul style="list-style-type: none">single detached dwelling unit 460.0 m2semi-detached dwelling unit 230.0 m2duplex 460.0 m2	10.2.1 MINIMUM LOT AREA a) single detached dwelling 400 m² b) semi-detached detached dwelling and duplex dwelling 200 m²/unit	Amended to reduce minimum lot area and reflect additional permitted housing types.						

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		c) street townhouse dwelling 180 m²/unit d) townhouse dwelling and multiple unit dwelling 165 m²/unit	
10.2b	Minimum Lot Frontage <ul style="list-style-type: none">Single detached dwelling unit 15.0 mSemi-detached dwelling unit 9.0 mduplex 16.0 m	10.2.2 MINIMUM LOT FRONTAGE a) single detached dwelling 12.0 m b) semi-detached dwelling and duplex dwelling 7.0 m/unit c) street townhouse dwelling and townhouse dwelling 6.0 m/unit d) multiple unit dwelling 15.0 m	Amended to reduce minimum lot frontage and reflect additional permitted housing types.
10.2c	Minimum front yard setback 6.0 m	10.2.3 MINIMUM FRONT YARD SETBACK a) 4.5 m to the habitable portion of the dwelling b) 6.0 m to an attached garage	Amended to reduce minimum front yard setback for habitable portion of dwelling for increased flexibility in design options and a more efficient utilization of lands.
10.2d	Minimum exterior side yard setback 3.0 m	10.2.4 MINIMUM EXTERIOR SIDE YARD SETBACK a) single detached dwelling, semi-detached dwelling, duplex dwelling and street townhouse dwelling 3.0 m or 6.0 m where vehicle access is provided b) townhouse dwelling and multiple unit dwelling 5.0 m or 6.0 m where vehicle access is provided	Amended to reflect additional permitted housing types.
10.2e	Minimum interior side yard setback 1.2 m* * This requirement shall not apply to the common wall between semi-detached units.	10.2.5 MINIMUM INTERIOR SIDE YARD SETBACK a) single detached dwelling, semi-detached dwelling, duplex dwelling, street townhouse dwelling and townhouse dwelling *1.2 m b) multiple unit dwelling *1.2 m plus 0.5 m per each meter	Amended wording to clarify what instances with particular dwelling types the setback does not apply to and where an increased setback is required, and to reflect additional permitted housing types.

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		of building height over 9.0 m <i>*This requirement shall not apply to the common wall between semi-detached dwelling units, duplex dwelling units, street townhouse dwelling units, townhouse dwelling units, and multiple unit dwellings.</i>	
10.2f	Minimum rear yard setback 7.0 m	10.2.6 MINIMUM REAR YARD SETBACK a) single detached dwelling, semi-detached dwelling, duplex dwelling, street townhouse dwelling and townhouse dwelling 7.0 m b) multiple unit dwelling 8.0 m <i>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.</i>	Amended to reflect additional permitted housing types.
10.2g	Maximum building height 10.5 m	10.2.7 MAXIMUM BUILDING HEIGHT 10.5 m	No change – including for reformatting purposes only.
10.2h	Maximum height of an accessory building 5.5 m in accordance with Section 6.3.3	10.2.8 MAXIMUM HEIGHT OF AN ACCESSORY BUILDING 5.5 m in accordance with Section 6.3.3	No change – including for reformatting purposes only.
10.2i	Maximum Gross Floor Area as a % of Lot Area <ul style="list-style-type: none">single or semi-detached dwelling unit: 40%duplex: 40%	10.2.9 MAXIMUM LOT COVERAGE a) main building 40% b) all buildings and structures 45%	Amended to reflect additional permitted housing types.
10.2j	Maximum lot coverage for all buildings 45%	DELETE	Amended to remove redundancy with clause above.
R2 Zone			
11.2a	Minimum Lot Area per Dwelling Unit <ul style="list-style-type: none">triplex, fourplex 300.0 m2townhouse 300.0 m2	11.2.1 MINIMUM LOT AREA a) single detached dwelling 350 m² b) semi-detached dwelling 200 m²/unit c) street townhouse dwelling and townhouse dwelling 165 m²/unit d) multiple unit dwelling 100 m²/unit	Amended to reduce minimum lot area and reflect additional permitted uses.
11.2b	Minimum Lot Frontage per Dwelling Unit: 6.0 m	11.2.2 MINIMUM LOT FRONTAGE	Amended to reduce minimum lot frontage on certain dwelling types, and

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		<div><div>a) single detached dwelling</div><div>11.0 m</div></div> <div><div>b) semi-detached dwelling and duplex dwelling</div><div>7.0 m/unit</div></div> <div><div>c) street townhouse dwelling and townhouse dwelling</div><div>6.0 m/unit</div></div> <div><div>d) multiple unit dwelling</div><div>15.0 m</div></div>	reflect additional permitted housing types.
11.2c	Minimum front yard setback 6.0 m	11.2.3 MINIMUM FRONT YARD SETBACK a) 4.5 m to the habitable portion of the dwelling b) 6.0 m to an attached garage	Amended to reduce minimum front yard setback for habitable portion of dwelling for increased flexibility in design options and a more efficient utilization of lands.
11.2d	Minimum exterior side yard setback 3.0 m	11.2.4 MINIMUM EXTERIOR SIDE YARD SETBACK a) single detached dwelling, semi-detached dwelling, street townhouse dwelling and townhouse dwelling 3.0 m or 6.0 m where vehicle access is provided b) multiple unit dwelling 5.0 m or 6.0 m where vehicle access is provided	Amended to reflect additional permitted housing types.
11.2e	Minimum interior side yard setback 1.5 m*	11.2.5 MINIMUM INTERIOR SIDE YARD SETBACK a) single detached dwelling, semi-detached dwelling, duplex dwelling, street townhouse dwelling and townhouse dwelling *1.2 m b) multiple unit dwelling *1.2 m plus 0.5 m per each meter of building height over 9.0 m <i>* This requirement shall not apply to the common wall between semi-detached dwelling units, duplex dwelling units, street townhouse dwelling units, townhouse dwelling units, or multiple unit dwellings.</i>	Amended to reflect additional permitted housing types.

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11.2f	Minimum rear yard setback: 7.0 m	<p>11.2.6 MINIMUM REAR YARD SETBACK</p> <p>a) single detached dwelling, semi-detached dwelling, street townhouse dwelling and townhouse dwelling 7.0 m</p> <p>b) multiple unit dwelling 8.0 m</p> <p><i>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.</i></p>	Amended to reflect additional permitted housing types.
11.2g	Maximum Building Height: 10.5 m	<p>11.2.7 MAXIMUM BUILDING HEIGHT</p> <p>12.0 m</p>	Amended to provide flexibility.
11.2h	Maximum height of an accessory building 5.5 m	<p>11.2.8 MAXIMUM HEIGHT OF AN ACCESSORY BUILDING</p> <p>5.5 m in accordance with Section 6.3.3</p>	No change – including for reformatting purposes only.
11.2i	Maximum Lot Coverage for all buildings: 40%	<p>11.2.9 MAXIMUM LOT COVERAGE</p> <p>a) main building 40%</p> <p>b) all buildings and structures 45%</p>	Amended for clarity.
11.2j	Maximum Gross Floor Area as a % of Lot Area: 55%	DELETE	Amended to remove redundancy with clause above.
11.2x		<p>11.2.10 MINIMUM LANDSCAPED OPEN SPACE</p> <p>25%</p>	Added to ensure green space is provided for.
R3 Zone			
12.2X		<p>12.2.1 MINIMUM LOT AREA</p> <p>a) street townhouse dwelling and townhouse dwelling 145 m²/unit</p> <p>b) multiple unit dwelling 90 m²/unit</p> <p>c) apartment building 90 m²/unit</p> <p>d) grouped housing N/A</p>	Addition of minimum lot area provisions and to reflect additional permitted uses.
12.2a	Minimum Lot Frontage: 30 m	<p>12.2.2 MINIMUM LOT FRONTAGE</p> <p>a) street townhouse dwelling and townhouse dwelling 6.0 m/unit</p> <p>b) multiple unit dwelling, apartment building, grouped housing 25.0 m</p>	Amended to reduce minimum lot frontage for particular housing types to provide flexibility, and to reflect additional permitted housing types.

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#	Provision	Suggested Change	Rationale
		c) day nursery or day care centre 30.0 m	
12.2b	Minimum front yard setback 6.0 m	12.2.3 MINIMUM FRONT YARD SETBACK a) street townhouse and townhouse dwelling 4.5 m to the habitable portion of the dwelling and 6.0 m to an attached garage b) multiple unit dwelling and apartment building 6.0 m c) grouped housing 7.0 m d) day nursery or day care centre 6.0 m	Amended to reflect additional permitted housing types and to reduce minimum front yard setback for habitable portion of certain dwelling types for increased flexibility in design options and a more efficient utilization of lands.
12.2c	Minimum Exterior Side Yard Setback: 13 m	12.2.4 MINIMUM EXTERIOR SIDE YARD SETBACK 6.0 m	Amended to decrease the minimum exterior side yard to provide additional flexibility.
12.2d	Minimum Interior Side Yard Setback: 10 m	12.2.5 MINIMUM INTERIOR SIDE YARD SETBACK a) street townhouse and townhouse dwelling 2.0 m b) multiple unit dwelling, apartment building and grouped housing 3.0 m plus 1.5 m for each 3.0 m above 9.0 m to a maximum of 10.0 m c) day nursery or day care centre 10.0 m <i>*This requirement shall not apply to the common wall between street townhouse dwelling units, townhouse dwelling units, or multiple unit dwellings.</i>	Amended to reduce minimum interior side yard where appropriate and reflect additional permitted housing types.
12.2e	Minimum rear yard setback 10.0 m	12.2.6 MINIMUM REAR YARD SETBACK a) street townhouse and townhouse dwelling 7.0 m b) multiple unit dwelling 8.0 m c) apartment building and grouped housing 9.0 m d) day nursery or day care centre 10.0 m	Amended to reflect additional housing types.

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#	Provision	Suggested Change	Rationale
		<i>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.</i>	
12.2f	Minimum landscaped open space 35.0 %	12.2.7 MINIMUM LANDSCAPED OPEN SPACE 25%	Reduction of amount required as now amenity area provisions are now included to offer more flexibility.
12.2g	Maximum Building Height: 4 storeys	12.2.8 MAXIMUM BUILDING HEIGHT a) street townhouse and townhouse dwelling 12.0 m b) apartment building, multiple unit dwelling, grouped housing and day nursery or day care centre 15.0 m	Amended to reflect additional permitted housing types, provide flexibility, and provide for a defined height that the Municipality’s Fire Department is capable of providing service to.
12.2i	Maximum Lot Coverage for all Buildings: 30%	12.2.8 MAXIMUM LOT COVERAGE a) all buildings and structures 45%	Amended to increase maximum lot coverage to provide additional flexibility in design.
12.2j	Maximum gross floor area as % of lot area 75.0 %	DELETE	Proposed to be deleted. Height, setbacks, etc. already govern what could theoretically be built.
Reduce Parking			
North Middlesex is not participating in this initiative			
ARUs			
6.50		AMENITY AREAS Every lot containing more than four (4) dwelling units shall have an amenity area. The minimum size of the amenity area shall be 10 m² per dwelling unit. The required amenity area may be provided as a combination of different indoor and/or outdoor amenity areas, provided that the cumulative total area meets or exceeds the minimum required amenity area based on the number of dwelling units, and that each amenity space is of sufficient size, configuration, and design to be reasonably used for its intended amenity purposes, to the satisfaction of the Municipality.	Included to provide flexibility for amenity space options and to ensure residents have amenity space despite a reduction in the required landscaped open space.
6.51		6.51 ADDITIONAL RESIDENTIAL UNIT(S) – LOTS WITH PUBLIC WATER AND PUBLIC SANITARY SERVICES An additional residential unit shall be permitted on a lot with a principal dwelling in an area serviced by both a public water system and public sanitary service, subject to the following: a. a maximum of three (3) additional residential units shall be permitted per lot.	Addition of ARU provisions for lots with full municipal services.

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		<p>b. a maximum of two (2) additional residential units shall be permitted within one (1) accessory building.</p> <p>c. each additional residential unit shall have one (1) 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.</p> <p>d. 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 building, shall not exceed 55% lot coverage for all buildings and structures on the lot.</p> <p>e. additional residential units within or attached to a principal dwelling shall not exceed 85% of the gross floor area of the principal dwelling.</p> <p>f. additional residential units shall be connected to the municipal water system and municipal sanitary system through the existing water service connection and the existing sanitary service connection for the principal dwelling, and no new or separate connection to the municipal water system and municipal sanitary service shall be permitted.</p> <p>g. notwithstanding Section 6.3.2 and Section 6.3.3 of this By-law, an accessory building containing an additional residential unit shall comply with the provisions below:</p> <p>i. minimum interior side yard setback: 1.5 m;</p> <p>ii. minimum rear yard setback: 1.5 m;</p> <p>iii. minimum exterior side yard setback: same as base zone;</p> <p>iv. minimum separation distance: 2.0 m from another building or structure which contains a residential dwelling unit;</p> <p>v. maximum height: 7.0 m as measured from grade to peak when located in an accessory building;</p>	

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#	Provision	Suggested Change	Rationale
		<div>vi. shall not be located within a front or exterior side yard;</div> <div>vii. shall have a 1.5 m access from a pathway and/or driveway that is unobstructed to a street.</div>	
6.52		<div>ADDITIONAL RESIDENTIAL UNIT(S) – LOTS <u>WITHOUT BOTH PUBLIC WATER AND PUBLIC SANITARY SERVICES</u></div> <div>An additional residential unit shall be permitted on a lot with a principal dwelling that is not fully serviced with both public water and public wastewater services subject to the following:</div> <div><div>a) a maximum of two (2) additional residential units shall be permitted per lot.</div><div>b) a maximum of one (1) additional residential unit may be permitted in an accessory building.</div><div>c) notwithstanding Section 6.3.2 and Section 6.3.3 of this By-law, an accessory building containing an additional residential unit shall comply with the following:<div><div>i. where the principal dwelling has a ground floor area of 140 m² (1500 ft²) or less, the gross floor area of an additional residential unit shall not exceed 75% of the gross floor area of the principal dwelling;</div><div>ii. where the principal dwelling has a ground floor area greater than 140 m² (1500 ft²), the gross floor area of an additional residential unit shall not exceed 75% of the gross floor area of the principal dwelling to a maximum of 120 m² (1300 ft²), whichever is lesser;</div><div>iii. shall be located a maximum of 30.0 m from the principal dwelling, measured at the closest point of each building;</div><div>iv. shall not be located on the same lot as a garden suite;</div><div>v. maximum height: 7.0 m as measured from grade to peak when located in an accessory building;</div></div></div></div> <div>Addition of ARU provisions for lots without full municipal services.</div>	

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#	Provision	Suggested Change	Rationale
		<div><div>vi.</div><div>shall not be located within a front or exterior side yard;</div></div> <div><div>vii.</div><div>shall have a 1.5 m access from a pathway and/or driveway to a street that is unobstructed;</div></div> <div><div>viii.</div><div>the access from the public street shall be shared between the principal dwelling and additional residential unit(s);</div></div> <div><div>ix.</div><div>shall comply with Minimum Distance Separation I setbacks;</div></div> <div><div>x.</div><div>a septic evaluation from a qualified professional shall be required to demonstrate that the proposed septic system is adequate to service the additional residential unit, to the satisfaction of the Municipality;</div></div> <div><div>xi.</div><div>where an additional residential unit is located on a lot where connection to a municipal water service is available, the additional residential unit shall be connected to the municipal water system through the existing water service connection for the principal dwelling, and no new or separate connection to the municipal water system shall be permitted;</div></div> <div><div>xii.</div><div>where a connection to the municipal water system is not available, the property owner shall be responsible for ensuring that the on-site water supply is sufficient to service the additional residential unit, and is in accordance with all applicable laws, regulations, and requirements, including but not limited to municipal by-laws and provincial legislation, as amended;</div></div> <div><div>xiii.</div><div>the conversion of a principal dwelling on a lot to an additional residential unit as a means to construct a larger principal dwelling on the lot is permitted, subject to the following;</div></div>	

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#	Provision	Suggested Change	Rationale
		<div><div>i.</div><div>the existing principal dwelling shall have a ground floor area not exceeding 140 m² (1500 ft²) at the time of application for a permit under the Building Code Act;</div></div> <div><div>ii.</div><div>a new principal dwelling may be constructed on the same lot, provided that its gross floor area does not exceed 200% of the ground floor area of the existing dwelling to be converted to an additional residential unit;</div></div> <div><div>iii.</div><div>the proposal shall demonstrate that the existing dwelling is capable of being converted to an additional residential unit in compliance with the Ontario Building Code, Ontario Fire Code, and all other applicable Provincial, County and Municipal standards.</div></div>	
6.53		<div>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:</div> <div><div>a)</div><div>A garden suite may only be established for a maximum duration of twenty (20) years, calculated from the date of issuance of a building permit</div></div> <div><div>b)</div><div>A maximum of one (1) garden suite may be permitted on a lot.</div></div> <div><div>c)</div><div>A garden suite shall be located on the same lot as a principal single detached dwelling.</div></div> <div><div>d)</div><div>A garden suite shall be located a maximum of 30.0 m from the principal dwelling, measured at the closest point of each building;</div></div>	

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#	Provision	Suggested Change	Rationale
		<p>e) A garden suite shall not be permitted where a detached additional residential unit exists on the lot.</p> <p>f) A garden suite shall only be permitted on a lot which has frontage on a public street.</p> <p>g) Services shall be shared with the principal dwelling on the lot.</p> <p>h) Parking shall be provided in accordance with the provisions of this By-law.</p>	