

**Document 4 – Staff-Recommended Changes to Provisions – Changes of Intent in the Final Draft of the Zoning By-law**

<b>Part 1 - Administration, Interpretation and Definitions</b>		
<b>Section</b>	<b>Issue</b>	<b>Proposed Provision in Tracked Changes</b>
<b>109</b>	<p>Section 109 – Transition for Complete Applications provides transition provisions for in-process <i>Planning Act</i> applications submitted while Zoning By-law 2008-250 is in effect. These provisions allow the application to proceed to issuance of building permit, as if Zoning By-law 2008-250 continues to be in effect, even after the new Zoning By-law comes into effect.</p> <p>A correction is needed to the subsection numbers in subsection (7). Subsection (4) is proposed to be changed to subsection (5), to correct a cross-referencing error, and “other zone code suffixes” has been added to subsection (7) to align Section 109 with the intent of Section 110.</p>	<p>Modify subsection (7), as follows:</p> <p><b>Interpretation of Exceptions and Schedules</b></p> <p>(7) Subsections 110(2) through 110(5)(4) apply to the interpretation of exceptions, and schedules and other zone code suffixes resulting from the approval of complete applications received prior to [the date of passing of this By-law].</p>
<b>110</b>	<p>Section 110 provides:</p> <ul style="list-style-type: none"> <li>• transition provisions for <i>Planning Act</i> applications approved under Zoning By-law 2008-250, and</li> <li>• interpretation provisions for exceptions, schedules and other zone code suffixes carried forward from Parts 15 and 17 and the Zoning Map of Zoning By-law 2008-250.</li> </ul> <p>There are no changes proposed to the provisions that apply to properties located inside of</p>	<p>Modify Schedule A13 to add areas subject to Area-Specific policies in Volume 2C of the Official Plan and secondary plan areas in the Rural transect in Volume 2B of the Official Plan.</p> <p>Replace the provisions in Section 110 with the following provisions:</p> <p><b>Approved Applications</b></p> <p>(1) Nothing in this By-law prevents the issuance of a building permit, or in the case of a prior approval under Section 34, an approval under Section 41,</p>

	<p>secondary plan areas or area-specific policy areas in Volumes 2A, 2B and 2C of the Official Plan. Exceptions, schedules and other zone code suffixes will operate as if Zoning By-law 2008-250 remains in effect.</p> <p>A review of exceptions, schedules and other zone codes is planned on a priority basis in 2026 and 2027. Until the work to review exceptions, schedules and other suffixes in zone codes in secondary plan and area-specific policy areas is completed, the most restrictive provisions in an exception, schedule or other zone code suffix will apply.</p> <p>Changes are proposed to provisions that apply to properties <i>located outside of secondary plan or area-specific policy areas</i> that are subject to an exception, schedule, or other zone code suffix. It is proposed to modify Section 110 to specify that the most permissive provisions apply from the primary zone, subzone, exception, schedule and other zone code suffixes in a zone code.</p> <p>The effect of the proposed change is to provide an interim set of provisions to allow the intent of the new Zoning By-law to become operational prior to the detailed review of exceptions, schedules and other zone code suffixes being undertaken in 2026 and 2027.</p> <p>The proposed transition provisions would make the most permissive provisions operational as of</p>	<p>for a use on a lot or a building for which one or more of the following approvals were issued on or after June 25, 2008, if the development or use complies, or is amended to comply, with the provisions of Zoning By-law 2008-250 as it read immediately prior to [the date of passing of this By-law]:</p> <ul style="list-style-type: none"> <li>(a) any application under Section 45 of the <i>Planning Act</i>;</li> <li>(b) Site Plan Control application under Section 41 of the <i>Planning Act</i>;</li> <li>(c) Zoning By-law Amendment application under Section 34 of the <i>Planning Act</i>;</li> <li>(d) Draft Plan of Subdivision pursuant to Section 51 of the <i>Planning Act</i> or a description under the <i>Condominium Act</i>;</li> <li>(e) Part Lot Control exemption pursuant to Section 50 of the <i>Planning Act</i>; or</li> <li>(f) consent pursuant to Section 53 of the <i>Planning Act</i>.</li> </ul> <p><b>Interpretation of exceptions, schedules and other zone code suffixes</b></p>
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	<p>the date the provisions come into effect, while the work to modify exceptions, schedules and other zone code suffixes being a housekeeping exercise to remove provisions that no longer have any effect.</p> <p>The proposed change will speed the implementation of policies in the Official Plan in the new Zoning By-law in an efficient manner and will result in a streamlined Zoning By-law that is more consistent from a policy implementation perspective. The proposed change will also reduce non-compliance and ensure existing development complies with the new Zoning By-law.</p> <p>An amendment is also proposed to correct an omission in Schedule A13, to add secondary plan areas in the Rural transect and Area-Specific policy areas in Volume 2C of the Official Plan.</p>	<p>(2) The following provisions of this By-law prevail over, exceptions, schedules and other zone code suffixes:</p> <p>(a) Permitted Uses and Conditionally Permitted Uses in IH - Heavy Industrial, IL - Industrial and Logistics, RIL – Rural Industrial and Logistics Zones; and</p> <p>(b) Where an exception or schedule requires minimum parking space rates those rates do not apply, except minimum visitor parking space rates and maximum parking space rates continue to apply in exceptions and schedules.</p> <p>(3) In areas inside Area A shown on Schedule A13, where exceptions, schedules and other zone code suffixes apply, approvals under the <i>Planning Act</i> and the issuance of building permits will only occur if the development or use complies or is revised to comply with the most restrictive provisions in the exceptions, schedules and other zone code suffixes, subject to subsection (2).</p> <p>(4) In areas outside of Area A shown on Schedule A13, where exceptions, schedules and other zone code suffixes apply, the most permissive provisions apply in the primary zone, subzone, exception, schedule and other zone code suffixes, and:</p> <p>(a) subsection (2) applies;</p>
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		<p>(b) holding (-h) provisions and exceptions, schedules and other zone code suffixes related to them continue to apply;</p> <p>(c) subsection (4) does not apply to exceptions, schedules and other zone code suffixes in AG – Agricultural, ME – Mineral Aggregate Extraction, MR – Mineral Reserve, N1 – N6 - Neighbourhood, RG – Rural General Industrial, RH – Rural Heavy Industrial Zones; and</p> <p>(d) subsection (4) does not apply to exceptions, schedules and other zone code suffixes in Zoning By-law 2008-250 approved after November 4, 2022, and the most restrictive provisions in the exception, schedule and other suffixes apply.</p> <p><b>Repeal</b></p> <p>(5) Section 110 is repealed in its entirety three years after [the date of passing of this by-law].</p>
<b>199</b>	Modify definition of “Training Centre” to include the words, “similar organization” to encompass uses such as union training facilities.	Training Centre means a place where an employer or <b>similar organization</b> provides job-related training or instruction to its employees or members that is designed to improve job performance or enhance the career advancement opportunities of those employees.
<b>199</b>	The Housing Acceleration Plan directs that provisions be added to the new Zoning By-law to facilitate construction of modular housing. This	Add the following definition:

	definition is needed to support provisions in Section 801 concerning provisions for maximum height that apply to modular housing that incorporates double floor construction methods.	Double-floor means a form of modular building construction in which two or more prefabricated floor assemblies are vertically stacked with a structural or service gap between them, resulting in an increased overall building height post construction.
<b>199</b>	Modify the name and definition of the land use term, “Shelter” to better reflect the term “Emergency Shelter” in the 10-Year Housing and Homelessness Action Plan.	<p>Modify the name of the defined land use term “Shelter” and modify the definition to delete reference to “food”, as shown below:</p> <p><b>Emergency Shelter</b> means a building or part of a building providing temporary accommodations to individuals who are in immediate need of emergency accommodation <del>and food</del>, and may include ancillary health care, counselling and social support services. (<i>refuge</i>)</p> <p>In all instances where the term “Shelter” appears in the draft Zoning By-law, replace that term with “Emergency Shelter”.</p>

<b>Part 2 – General Provisions</b>		
<b>Section</b>	<b>Issue</b>	<b>Proposed Provision in Tracked Changes</b>
<b>202 (13)(a)(iii)(1)</b>	Requiring that the aggregate of all accessory buildings must not exceed 50 per cent of the yard in which they are located in the Neighbourhood Zones would not permit an accessory building, such as a garage, in an interior side yard for wide lots with larger interior side yards.	<p>13) The maximum permitted size:</p> <p>(a) in the N1, N2, N3, N4, N5 and N6 – Neighbourhood Zones:</p> <p>(iii) for all other accessory buildings and structures:</p> <p>1. <b>where located in a front yard, exterior side yard</b></p>

		<p><b>or rear yard</b> the aggregate of all accessory buildings must not exceed 50 per cent of the yard <del>in which they are located</del>; and</p> <p><b>2.</b> a maximum cumulative floor area of 55 square metres as measured from the exterior walls of the accessory building.</p>
<b>203(3)(o)</b>	Revising the language with respect to rooftop terraces to clarify that they only require a minimum 1.5 m setback and opaque screening in the case of low-rise buildings (i.e. four storeys or fewer in height).	<p>(3) The following features may project above the maximum building height subject to the listed conditions:</p> <p>(o) rooftop landscaped area, garden, or terrace <b>for a building four storeys or less:</b></p> <p>(i) must be setback a minimum of 1.5 metres from any exterior wall of the building when the feature is located on the roof of the uppermost storey; and</p> <p>(ii) a 1.5 metre high opaque screen must be provided facing an interior side yard, or facing the interior side yard of an abutting lot.</p>
<b>208(4)</b>	Amend this section to refer to amenity area provided outdoors being prohibited in a required front or exterior side yard (i.e. within the minimum required setback for the applicable zone), as	(4) Amenity area provided outdoors must not be located in a <b>required</b> front or exterior side yard.

	opposed to prohibiting in front or exterior side yards in their entirety.	
<b>210(3)</b>	It is proposed to delete the requirement for an underground setback for the underground portion of a building, and retain the minimum landscaped area requirement.	<p>Delete this subsection.</p> <p><del>(3) No below-grade portion of a building projecting into a rear yard may be located closer than the lesser of:</del></p> <p style="padding-left: 40px;"><del>(a) 3 metres from the rear lot line, or</del></p> <p style="padding-left: 40px;"><del>(b) the minimum rear yard setback in the underlying zone.</del></p>
<b>217(4) and (5)</b>	These subsections state that storage for waste and recyclables may be located within a rear yard but not within any other yard. In the case of Planned Unit Developments where waste storage buildings are provided, these are often provided within the interior of the development and thus may not be strictly within the zoning definition of “rear yard”. It is proposed to amend these subsections to state that waste storage where located outside in a PUD can be located in any yard that is not a front or exterior side yard.	<p>(4) Required storage areas for garbage and organics must be located:</p> <p style="padding-left: 40px;">(a) inside a main or accessory building; or</p> <p style="padding-left: 40px;">(b) inside a fully-enclosed structure other than an accessory building;</p> <p style="padding-left: 40px;">(c) where waste or organics are to be stored in a metal front-end loader container, may be located outdoors in a rear yard or interior yard abutting a rear yard;</p> <p style="padding-left: 40px;">(d) despite clause (c), in the case of a planned unit development, may be located in any yard other than a front or exterior side yard; and</p> <p style="padding-left: 40px;">(ed) where located in a N1, N2, N3, N4, N5 and N6 – Neighbourhood Zone, must be</p>

		<p>accessible by a functional path of travel required by Section 802.</p> <p>(5) Required storage areas for recyclables may be located:</p> <p>(a) inside a main or accessory building; or</p> <p>(b) inside a fully-enclosed structure other than an accessory building;</p> <p>(c) in a rear yard or interior yard abutting a rear yard;</p> <p>(d) despite clause (c), in the case of a planned unit development, may be located in any yard other than a front or exterior side yard; and</p> <p>(ed) where located in a N1, N2, N3, N4, N5 and N6 – Neighbourhood Zones, must be accessible by a functional path of travel required by Section 802.</p>
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<b>Part 3 – Specific Use Provisions</b>		
<b>Section</b>	<b>Issue</b>	<b>Proposed Provision in Tracked Changes</b>
<b>305(1)</b>	Staff propose to change the permission for bicycle and motor vehicle training facilities to exclude EP (Environmental Protection) zones in addition to residential zones.	(1) An instructional facility, limited to an outdoor bicycle and motor vehicle training facility, is permitted in all zones <del>that are not a residential zone</del> other than any residential zone or the EP – Environmental Protection Zone, subject to the following requirements:

313(2)(c)	Staff propose to remove the provision that requires beer or wine at a personal brewing facility to be made from “prepared concentrates or juices” as it is impractical to enforce.	<del>(c) the beer or wine must be made from prepared concentrates or juices; and</del>
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Part 4 – General Setbacks		
Section	Issue	Proposed Provision in Tracked Changes
No changes are proposed.		

Part 5 – Overlay Provisions		
Section	Issue	Proposed Provision in Tracked Changes
No changes are proposed.		

Part 6 – Parking, Queueing and Loading Provisions		
Section	Issue	Proposed Provision in Tracked Changes
601(1)(a)	It is proposed to delete the reference to parking spaces being required to “be set aside for and exclusively used for that purpose”, given that the By-law proposes to more generally eliminate minimum parking space rates in the urban area.	(1) Parking spaces, queueing spaces and loading spaces, and all driveways and aisles leading to those spaces are to be provided in accordance with the provisions of Part 6 of this By-law, and:  <del>(a) must be set aside for and exclusively used for that purpose;</del>
604(4)	Staff propose to adjust the provisions with respect to front yard parking permissions in the Neighbourhood zones. In particular, the language is proposed to be amended to clarify that front yard parking is permitted provided the width of a driveway containing a front yard parking space does not exceed the maximum driveway widths contemplated under Section 606.	(4) Despite subsection (2)(a), for lots in the N1, N2, N3, N4, N5 and N6 – Neighbourhood Zones in Area B on Schedule A5 – Front Yard Parking, parking is permitted in the front yard subject to the following:  (a) the lot is greater than 6 metres in width;

		<p>(b) the parking space must be located entirely on the lot; and</p> <p>(c) the maximum width of any driveway containing front yard parking must not exceed the maximum width permitted under Section 606. <del>despite any other provision to the contrary, no other parking spaces are permitted on the lot.</del></p>
<b>604(6)</b>	This provision is proposed to be amended to clarify that parking exclusion fixtures in the front yards of Neighbourhood zones are only required in the case of lots containing a building with six or more units.	<del>For</del> In the case of a lot containing a building with six or more units in the N1, N2, N3, N4, N5 and N6 – Neighbourhood Zones, that part of the front yard, the exterior side yard, and the extension of the exterior side yard into the rear yard not occupied by parking spaces or driveways permitted in accordance with this By-law, must be equipped with permanent fixtures or landscaping sufficient to prevent vehicular parking in contravention of this By-law, and for greater clarity such parking exclusion fixtures may include:
<b>604(10)</b>	This provision is proposed to be changed to only apply to non-residential uses in the Neighbourhood Mixed-Use Zone and the Mainstreet 2 Zone in the Outer Urban and Suburban Transects. The third draft permitted one row of parking for non-residential uses in all zones in both transects. Staff conducted further review and feel the narrow permission better reflects Official Plan policy while providing some flexibility in terms of site design for non-residential uses.	(10) Despite subsection (2), in the Neighbourhood Mixed-Use (NMU) and Mainstreet 2 (MS2) Zones in Area C – Outer Urban Transect and Area E – Suburban Transect shown on Schedule A1 – Transects, one drive aisle with one row of parking on each side may be provided in a front yard or an exterior side yard for non-residential uses, excluding those in a mixed-use building.
<b>606(1)</b>	The final draft proposes to allow walkways leading to the right-of-way to abut permitted driveways, so	(1) A driveway providing access to one to three parking space(s) must be at least 2.6 metres

	<p>long as the cumulative width of the driveway plus any walkways leading to the right-of-way does not exceed 50% of the lot width.</p> <p>As such walkways are sometimes used to provide additional flexibility for vehicular parking, Staff propose an additional clause in Section 606(1) to clarify that the use of such walkways for parking is acceptable provided maximum permitted widths are not exceeded.</p>	<p>wide or equal in width to the legal parking space it serves, if less than 2.6 metres;</p> <p>(a) further to subsection (1), a motor vehicle may be parked in a permitted driveway provided it complies with all relevant provisions of this By-law; and</p> <p>(b) for the purposes of clause (a), a walkway abutting the driveway is considered part of the permitted driveway, however the cumulative width of the driveway plus all walkways must not exceed the width provided in subsection (4).</p>
<b>606(11)</b>	<p>Amendment to clarify where the maximum 8% slope for a driveway is measured to where it does not lead to a garage.</p>	<p>(11) The gradient of a driveway leading to one to three parking spaces may not exceed 8 per cent measured from the nearest lot line to the lowest point of the garage door <del>or where no garage is provided, measured from the nearest lot line to the front edge of the closest parking space.</del></p>
<b>Table 613A(a)(iii)</b>	<p>Reduce width of stacked bicycle spaces to 0.37 metres from 0.5 metres, which maintains the current width from 2008-250. Stacked bicycle racks are staggered in height, which allows bicycles to be placed closer together.</p>	<p>Change Table 613A(a)(iii) to 0.37.</p>
<b>613(7)</b>	<p>Based on discussions with industry, this provision could be difficult to comply with on urban sites, which are typically located in areas with nearby bike parking. Staff propose to delete this provision.</p>	<p><del>The first ten required short-term bicycle parking spaces must be located within 15 metres of a main entrance to a building, and any additional short-term bicycle parking spaces must be located within 30 metres of a main entrance to a building.</del></p>
<b>613(9)</b>	<p>Based on discussions with industry, this provision could be difficult to comply with on many</p>	<p>Where more than 20 short-term bicycle parking spaces are required <del>for a non-residential use</del>, a minimum of 50 per cent of spaces must be</p>

	residential or mixed-use sites, as such it has been revised to only apply for non-residential uses.	covered by an awning, canopy or roofed structure that provides some or full protection from the elements and can be integrated into a building.
<b>613(13)</b>	Add structure to provide more flexibility and allow long-term bicycle parking to be located in a secure enclosure that could include a structure such as a bike cage with a roof.	(13) Long-term bicycle parking must be located inside a building or structure.
<b>613 (14)(b)(iii)</b>	Based on feedback from Building Code Services, this provision would conflict with the Ontario Building Code as only railings are permitted to encroach onto stairs. It is proposed to delete this provision.	<del>where 20 or fewer long-term bicycle parking spaces are required, a wheel ramp may be provided along the side of a set of stairs provided the ramp is a minimum width of 0.15 metres and does not encroach onto the required width of the stair tread and that the stairway does not exceed 2 metres in height.</del>
<b>Table 613B(a)(v) to (vii)</b>	Based on discussions with industry, the proposed short-term parking rate for residential uses would require a significant increase in visitor bike parking. Developments in the Downtown and Inner Urban Transects typically have on-street bike parking nearby, which reduces the need to short-term bicycle parking on the property. Staff feel it is appropriate to change short-term rate to 1 space per 20 units.	Table 613B(a)(v) – Minimum 2 spaces with an additional 1 space per 20 dwelling units where a building contains more than 21 dwelling units  Table 613B(a)(vi) - Minimum 2 spaces with an additional 1 space per 20 dwelling units where a building contains more than 21 dwelling units  Table 613B(a)(vii) - Minimum 2 spaces with an additional 1 space per 20 dwelling units where a building contains more than 21 dwelling units
<b>Table 613B(b)(v)</b>	Change the long-term bicycle parking rate in the Outer Urban and Suburban Transects to 0.75 spaces per dwelling unit based on industry feedback. This also will reorganize the table and ensure dwelling unit is used consistently, instead of using dwelling unit and residential unit.	Move (iv) down so it becomes (vi) to group similar land uses and the current 613B(v) becomes (iv).  Change 613B(iv) to “Building with 13 or more dwelling units located in Area A – Downtown Transect and Area B – Inner Urban on Schedule A1”

		Add new line for 613B(v) “Building with 13 or more dwelling units located in Area C – Outer Urban Transect and Area E – Suburban Transect on Schedule A1” with rate of “Minimum 2 spaces with an additional 1 space per 20 dwelling units where a building contains more than 21 dwelling units” for (a), and “0.75 per dwelling unit” in (b)
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<b>Part 7 – Housing Provisions</b>		
<b>Section</b>	<b>Issue</b>	<b>Proposed Provision in Tracked Changes</b>
<b>701(7)(c)</b>	Change to a 3.6m maximum height for all coach houses. Remove 3.2m height for flat roof.	in all other cases, 3.6 metres, <del>except for a coach house with a flat roof, which has a maximum building height of 3.2 metres;</del> and
<b>701(9)</b>	It is proposed to edit this provision pertaining to maximum permitted size of a coach house to state that only the maximum permitted footprint of 95 square metres applies in the AG – Agricultural and RU – Rural Countryside zones. The intent of this change is to avoid a 95 square metre cumulative size limit for accessory buildings in rural zones, when Section 202 more generally permits a larger cumulative size for such buildings.	(9) <b>The maximum permitted size of a coach house is as follows:</b>  (a) <b>In the AG and RU zones, the maximum permitted footprint of a coach house is 95 square metres; and</b>  (b) <b>In all other cases,</b> the total footprint of a building containing a coach house plus all accessory buildings in a yard may not exceed 50 per cent of the area of the yard in which they are located, to a maximum of 95 square metres.
<b>702</b>	Add a provision to clarify the maximum number of principal vertically attached units permitted in zones intended to permit fewer than eight principal dwelling units.	(8) <b>Despite subsection (7):</b>  (a) <b>In the N1, NU, AG, RU zones, vertically attached dwelling configurations are not permitted;</b>

		<p>(b) In the N2 zones, no more than two principal vertically attached dwelling units are permitted; and</p> <p>(c) In the N3 zone within Area C – Outer Urban Transect of Schedule A1, no more than four principal vertically attached dwelling units are permitted.</p>
<b>703(3)</b>	Add a new clause (a) to require that buildings within a planned unit development be set back at least 1.8 metres from any private way. This requirement exists in the current Zoning By-law 2008-250.	<p>Add a new clause (a) to subsection (3) as follows:</p> <p>(a) Buildings located within a planned unit development must be set back at least 1.8 metres from any private way.</p>
<b>705(2)</b>	Staff feel it is not necessary to require residential care facilities to occupy the whole of the building, as only the N5 and N6 Zones would permit accessory commercial uses in the Urban Area and only the Village Mixed-Use Zone in the Rural Area.	<p><del>In addition to being subject to the provisions of the zone in which it is located, a residential care facility must occupy the whole of the building including all attached units when located in a N1, N2, N3, N4, N5 and N6 – Neighbourhood Zones, V1, V2, V3, V4 and V5 – Village Residential Zones or VM – Village Mixed-Use Zone.</del></p>
<b>707(8)</b>	<p>Change to this provision to only apply limits on the maximum number of rooming units in a rooming house to zones that more generally limit the maximum permitted density/number of dwelling units on a lot.</p> <p>Section 146 states that two rooming units are considered equivalent to one dwelling unit for the purposes of determining the maximum number of dwelling units permitted as well as the application of provisions that apply on a “per dwelling unit” rate (e.g. amenity area, bicycle parking).</p>	<p>(8) Section 146, which states that two rooming units are equivalent to one dwelling unit for zoning purposes, applies, including with respect to the maximum number of rooming units permitted.</p> <p><del>(8) The maximum number of rooming units permitted in a rooming house is the lesser of:</del></p> <p>(a) 20; or</p> <p>(b) the number of dwelling units permitted in the zone multiplied by two, and Section 146 – Dwelling Equivalency applies with respect</p>

		to determining the maximum permitted number of units.
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Part 8 – Neighbourhood Zones		
Section	Issue	Proposed Provision in Tracked Changes
801(3)(c)(i)	Delete the reference to PUDs and mid-rise buildings for communal parking	<del>the parking is located on the same property as a planned unit development or a residential use building that is five or more storeys in height and the parking is accessory to another residential use on another lot within 400 metres of the subject property</del>
801	As directed by Council in the Housing Acceleration Plan, a provision is proposed to be added to Section 801 to provide additional height flexibility for modular construction in the low-rise Neighbourhood zones.	(14) A modular-constructed building containing double floors that comprises no more than three storeys may exceed the building height maximums in the N1, N2, N3, and N4 zones by up to 0.5 metres per storey above grade, provided that the number of storeys above grade does not exceed the following:  (a) where the maximum building height is 11 metres, three storeys; and  (b) where the maximum building height is greater than 11 metres, four storeys.
801(3)	Add provisions to clarify the maximum number of principal vertically attached units permitted. Specifically, it is intended to limit the maximum number of principally attached vertical units to two in N2 zones and four in N3 zones in the Outer Urban transect, such that the maximum number of units in a vertically attached dwelling including potential additional dwelling units are as consistent	(g) Despite Section 702(7):  (i) In the N1 zone, vertically attached dwellings are not permitted;  (ii) In the N2 zone, no more than two principal vertically attached dwelling units are permitted; and

	as possible with the maximums permitted in these zones.	(iii) In the N3 zone in Area C – Outer Urban Transect on Schedule A1, no more than four principal vertically attached dwelling units are permitted.
<b>802(3)(a)</b>	Reduce the minimum distance between an attached garage and an existing or planned sidewalk in the suburban transect to 5.7 metres.	(a) In Area E – Suburban Transect on Schedule A1 – Transects, the entrance to a garage or carport must be set back at least <del>6</del> 5.7 metres from any existing or planned sidewalk
<b>802(7)</b>	<p>Change to the regulations concerning functional paths of travel in Neighbourhood zones to clarify that they are intended to apply in the case of buildings containing six units or more, or in the case of vertically attached (i.e. townhouse) dwellings, three or more townhouses.</p> <p>Staff note that in the case of smaller density units such as detached dwellings, there is often some variation with respect to side yard setbacks such that a strict functional path of travel width is mainly necessary in cases where required to provide sufficient space for municipal waste collection (i.e. typically six unit buildings or more).</p>	<p>(7) <del>Where a building contains at least six dwelling units, or three principal dwelling units in the case of a vertically attached dwelling, it</del> Any principal building must provide one or more functional paths of travel connecting a public street or travelled public lane with:</p> <ul style="list-style-type: none"> <li>(a) a rear yard or courtyard, as applicable;</li> <li>(b) any required garbage, recyclable or organics storage area;</li> <li>(c) any coach house; and</li> <li>(d) any required bicycle parking area.</li> </ul>
<b>802(15)</b>	Removal of the minimum fenestration requirement. Staff acknowledge that many new buildings in new communities do not meet the 25% required in a front façade, and acknowledge that the review of this requirement can lead to delays in building permit review timelines.	<p><del>(15) For a building four storeys or fewer in height:</del></p> <ul style="list-style-type: none"> <li><del>(a) the front facade of any principal building must comprise at least 25 per cent windows;</del></li> <li><del>(b) any exterior side facade must comprise at least 15 per cent windows; and</del></li> </ul>

		(c) windows located in doors may count towards the minimum window requirement.
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Part 9 – Mixed-Use Zones		
Section	Issue	Proposed Provision in Tracked Changes
All	Add “purpose statement” text to subzones specifying which secondary plan they are implementing.	e.g. “MS2X implements the policies of the XXXX Secondary Plan”
901(3) 902(3) 903(3) 904(4) 905(5)	Revise phrasing of the requirement for glazing. Draft 3 eliminates the “public street” qualifier because the s.199 definition of facade renders it implicit & redundant. Addition of public street improves clarity.	Add “facing a public street” back to these provisions.
901 902 903 904 905	Introduce a provision to limit the number of private approaches.	A maximum of one private approach may be provided for each property having a lot frontage of 45 metres or less.
901 902 903	Introduce a provision to specify that, when a Hub zone abuts a designated Corridor, that lot line should be treated as the front lot line.	For the purpose of this section, when a Hub-zoned lot abuts a Corridor designated in Schedule A6 – Mainstreet Corridors and Minor Corridors, the front lot line is the lot line abutting the Corridor, and: <p>(a) for a lot at the intersection of two Mainstreet Corridors, and for a through lot which abuts two Mainstreet Corridors, the front lot line is the shorter lot line; or</p> <p>(b) for a lot at the intersection of a Mainstreet Corridor and a Minor Corridor, the front lot line is the Mainstreet Corridor.</p>

<b>903(4)</b>	This provision is intended to apply to larger-than-normal yards in otherwise very urban, zero-lot-line conditions, but the minimum front/exterior setback in H3 is 3 metres. Revise this to better correspond.	Revise 903(4): Where a front or exterior yard is provided that is <del>4 metre or greater</del> <b>greater than 3 metres</b> in depth, that yard must contain any of the following:
<b>Table 904(e)(ii) and (iii)</b>	Restore 7.5m rear yard setback for abutting residential uses and for residential-use buildings.	Revise Table 904(e)(ii) to: Where abutting an N1, N2, N3, N4, N5 or N6 Zone: 7.5m  Revise Table 904(e)(iii) to : For a residential use building: 7.5m
<b>904(8) to (10) 905(9) to (12)</b>	Height and transition provisions will be difficult to understand for staff and developers without a diagram.	A diagram will be added to this section.
<b>904 905 906 907</b>	The current draft by-law has three different minimum heights that are intended to require buildings to be two storeys. MS1 has 6.7m minimum height, while MS2 is 7.5m and CM1 and CM2 is 6m. Staff propose to use 6m as a minimum height for all zones.	Revise Table 904(f) and Table 905(f) to 6 metres
<b>904(10) 905(11) 905(12)</b>	For height provisions to work requires that MS lot abuts a Mainstreet; does not cover situations where MS zone extends deeper than first lot on a Mainstreet.  Can be solved by deleting the reference to a Mainstreet <30m ROW protection from the first provision. Thus, 30m max height universally, unless abutting a >30m ROW Mainstreet.	Revise 904(10)(b)(i): <del>on a lot abutting a Mainstreet with a protected right of way width less than 30 metres as identified on Schedule C16 of the Official Plan: 30 metres;</del>  Revise 905(11)(a): <del>on a lot abutting a Mainstreet with a protected right of way width less than 30 metres as identified on Schedule C16 of the Official Plan: 30 metres;</del>  Revise 905(12)(a): <del>on a lot abutting a Mainstreet with a protected right of way width less than 30 metres as identified on Schedule C16 of the Official Plan: 30 metres;</del>

<b>906(6) 907(5)</b>	Projections are not included in the list of features. Including projections here improves clarity.	Revise 906(6) and 907(5) to include “permitted projections.”
<b>906(9) 907(9)</b>	CM zones do not have a front/exterior setback above 15m, thus permitting more volume at the street edge than MS for equivalent building heights. Add 1.5m setback above 15m equivalent to the one in MS zones.	(i) For any part of the building 15 metres or less above grade: no minimum  (ii) For any part of the building greater than 15m above grade: 1.5
<b>Table 907(c) Table 907(d)</b>	It is proposed to harmonize front yard and interior side yard setbacks for all buildings to 2 metres.	Revise Table 907(c) to: Minimum front yard setback (m): 2  Revise Table 907(d) to: Minimum interior side yard setback (m): 2
<b>908-2</b>	NMU-2 permits parking lot and numerous other auto-centric uses. Parking garage as a standalone use is typically permitted whenever parking lot is also permitted.	Add <b>parking garage</b> to permitted uses in 908-2.

### Part 10 – Industrial Zones

Section	Issue	Proposed Provision in Tracked Changes
<b>1003(2)</b>	Move Training Centre from conditional uses with a 300 square metre maximum size limit to a permitted use. There is no Official Plan direction to limit the size of Training Centres in this zone.	Move Training Centre to (1).

### Part 11 – Institutional, Recreation and Greenspace Zones

Section	Issue	Proposed Provision in Tracked Changes
No changes are proposed.		

### Part 12 – Special District Zones

Section	Issue	Proposed Provision in Tracked Changes
No changes are proposed.		

<b>Part 13 – Rural Zones</b>		
<b>Section</b>	<b>Issue</b>	<b>Proposed Provision in Tracked Changes</b>
1308(2)	Move Training Centre from conditional uses with a size limit to a permitted use. There is no Official Plan direction to limit the size of Training Centres in this zone.	Move Training Centre to (1).
1311(1)	Secondary Plan policies in Greely, Manotick and Richmond all prohibit auto-centric uses in their Village Cores. The current VM subzones in Richmond already prohibit these uses, but the VM zones in Greely and Manotick do not. As such, staff propose to introduce a provision that would prohibit automobile service station, gas bar and automobile rental establishment where located in Greely or Manotick.	<p><b>Prohibited Uses</b></p> <p>(3) Despite (1), the following uses are prohibited in the Villages of Greely and Manotick:</p> <ul style="list-style-type: none"> <li>• Automobile rental establishment</li> <li>• Automobile service station</li> <li>• Gas bar</li> </ul>

<b>Part 14 – Greenbelt, Reserve and Protection Zones</b>		
<b>Section</b>	<b>Issue</b>	<b>Proposed Provision in Tracked Changes</b>
No changes are proposed.		

<b>Part 15 – Exceptions</b>		
<b>Section</b>	<b>Issue</b>	<b>Proposed Provision in Tracked Changes</b>
New Exception – XXX5	A new urban exception [XXX5] was proposed to carry forward restaurant as a permitted use for 375 Queen Elizabeth Driveway. The lands are within the Rideau Canal Special District and the surrounding lands are zoned SDC – Rideau Canal Special District Zone which lists restaurant as a permitted use. The zoning will be changed from	New urban exception [XXX5] has been deleted.

	FAC[XXX5] to SDC to maintain the permitted use and reflect the Official Plan designation.	
New Exception – XX15	A new exception has been applied to recognize existing uses at 413 and 447 March Road in the Kanata North Economic District. The exception adds industrial, health and science biotechnology business as a permitted use.	<p><b>industrial, health and science biotechnology business</b> which includes:</p> <ul style="list-style-type: none"> <li>• Research and scientific development involving radioactive materials.</li> <li>• The development of products involving radioactive materials that may take place in a laboratory setting.</li> <li>• Manufacturing, shipping and storage of radioactive materials and associated equipment or products.</li> </ul>
New Exception – XX20	It is proposed to establish a new exception for the areas of Clemow Avenue and Monkland Avenue covered by the Clemow-Monkland Heritage Conservation District, in order to implement HCD Plan policies addressing the existing front yard setback patterns of the district.	<p>Add a new exception to the areas covered by the Clemow-Monkland Heritage Conservation District containing the following provisions:</p> <p>(1) the minimum front yard setback is equal to the average of the existing front yard setbacks of the adjacent properties on each side of the lot minus one metre</p> <p>(2) the maximum front yard setback is equal to the average of the existing front yard setbacks of the adjacent properties on each side of the lot plus one metre</p>
New exception – XX18r	New Rural exception to recognize an automobile service station that has operated at 5361 Old Richmond Road since the mid-1960s that was previously legal non-conforming under Rural Residential zoning	New exception will add automobile service station as a permitted use at this address.

<b>Part 16 – Schedules</b>		
<b>Section</b>	<b>Issue</b>	<b>Proposed Provision in Tracked Changes</b>
No changes are proposed.		

<b>Part 17</b>		
<b>Section</b>	<b>Issue</b>	<b>Proposed Provision in Tracked Changes</b>
<b>A13</b>	As referenced in the proposed changes to Section 110, it is proposed to modify Schedule A13 to add locations subject to Secondary Plans in the rural area and Area-Specific policies in Volumes 2B and 2C of the Official Plan.	Schedule A13 to be modified to add locations subject to Secondary Plans in the rural area and Area-Specific policies in Volumes 2B and 2C of the Official Plan.