

Section 11: Transit Oriented Corridor Zones

	Current Regulations	Proposed Amendment	Rationale
Subsection 11.1.2 i)	<p>i) Notwithstanding Section 11.1.1 above, the following uses are prohibited, even as an accessory use:</p> <p>Drive-Through Facility Motor Vehicle Dealership Motor Vehicle Gas Bar Motor Vehicle Rental Establishment Motor Vehicle Service Station Motor Vehicle Washing Establishment</p>	<p>i) Notwithstanding Section 11.1.1 above, the following uses are prohibited, even as an accessory use:</p> <p><i>Block Townhouse Dwelling</i> Drive-Through Facility Duplex Dwelling Maisonette Dwelling Motor Vehicle Dealership Motor Vehicle Gas Bar Motor Vehicle Rental Establishment Motor Vehicle Service Station Motor Vehicle Washing Establishment Semi-Detached Dwelling Single Detached Dwelling Stacked Townhouse Dwelling Street Townhouse Dwelling</p>	<p>This amendment is to facilitate an amendment to the definition of “Dwelling Unit”. It is to ensure that where a Dwelling Unit is permitted in the TOC1 Zone, it is constructed in the form of an apartment in a commercial / mixed use building or multiple dwelling (as originally intended).</p>
Subsection 11.1.3 d) iii)	<p>iii) In addition to Section i) and notwithstanding Section ii) above, the minimum building height may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 11.1.3 b) and c) above, when abutting a Residential or Institutional Zone, with the exception of TOC3, to a maximum of 22.0 metres.</p>	<p>iii) In addition to Subsection i) and notwithstanding Subsection ii), the minimum building height may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 11.1.3 b) and c), when abutting a Residential or Institutional Zone, to a maximum of 22.0 metres.</p>	<p>This amendment is to remove reference to the TOC3 Zone. The TOC3 Zone is classified as a Transit Oriented Corridor Zone, not as a Residential Zone, so the reference is inaccurate. This amendment also removes reference to the word “above” and replaces reference to the word “Section” with “Subsection” to make the By-law language more concise and consistent.</p>

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Subsection 11.1.3 i) i)	<p>i) A visual barrier shall be required along any lot line abutting a Downtown D5 Zone, Downtown D6 Zone, Institutional Zone or Residential Zone, with the exception of TOC3 Zone, property line in accordance with the requirements of Section 4.19 of this By-law.</p>	<p>i) A visual barrier shall be required along any lot line abutting a Downtown D5 Zone, Institutional Zone or Residential Zone <i>lot line</i> in accordance with the requirements of Section 4.19 of this By-law.</p>	<p>“Property Line” is not a defined term in Zoning By-law No. 05-200, and should be changed to “Lot Line”.</p> <p>Additionally, “with the exception of TOC3 Zone” is removed because TOC3 is considered a Transit Oriented Corridor Zone, not a Residential Zone.</p> <p>Lastly, reference to the D6 Zone should be removed as this zone will be removed through the Downtown Zoning project.</p>
Subsection 11.1.4 iii)	<p>In addition to Subsection 4.12 f) and in accordance with Subsection 34 (10) of the Planning Act, R.S.O., 1990, c.P.13, an addition or alteration to a single detached or duplex dwelling not permitted by the by-law but existing at the date of passing of the by-law that increases the volume or size of the interior of the building shall be permitted as follows:</p> <p>iii) The existing side yard setbacks are maintained for the addition.</p>	<p>In addition to Subsection 4.12 f) and in accordance with Subsection 34 (10) of the Planning Act, R.S.O., 1990, c.P.13, an addition or alteration to a single detached or duplex dwelling not permitted by the by-law but existing at the date of passing of the by-law that increases the volume or size of the interior of the building shall be permitted as follows:</p> <p>iii) The side yard setbacks of the addition shall not be less than the existing side yard setbacks.</p>	<p>The current wording of this regulation requires the side yard of the addition to exactly match the side yard for the existing dwelling, without providing flexibility for an increased setback. The revised wording provides the flexibility in establishing a minimum requirement.</p>

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Subsection 11.2.2 i)	<p>i) Notwithstanding Section 11.2.1 above, the following uses are prohibited, even as an accessory use:</p> <p>Commercial Driving School Drive-Through Facility Motor Vehicle Dealership Motor Vehicle Gas Bar Motor Vehicle Rental Establishment Motor Vehicle Service Station Motor Vehicle Washing Establishment</p>	<p>i) Notwithstanding Section 11.2.1 above, the following uses are prohibited, even as an accessory use:</p> <p><i>Block Townhouse Dwelling</i> Commercial Driving School Drive-Through Facility <i>Duplex Dwelling</i> <i>Maisonette Dwelling</i> Motor Vehicle Dealership Motor Vehicle Gas Bar Motor Vehicle Rental Establishment Motor Vehicle Service Station Motor Vehicle Washing Establishment <i>Semi-Detached Dwelling</i> <i>Single Detached Dwelling</i> <i>Stacked Townhouse Dwelling</i> <i>Street Townhouse Dwelling</i></p>	<p>This amendment is to facilitate an amendment to the definition of “Dwelling Unit”. It is to ensure that where a Dwelling Unit is permitted in the TOC2 Zone, it is constructed in the form of an apartment in a commercial / mixed use building or multiple dwelling, as originally intended.</p>
Subsection 11.2.3 h)	<p>h) A visual barrier shall be required along any lot line abutting a Downtown D5 Zone, Downtown D6 Zone, Institutional Zone or Residential Zone, with the exception of TOC3 Zone, property line in accordance with the requirements of Section 4.19 of this By-law.</p>	<p>h) A visual barrier shall be required along any lot line abutting a Downtown D5 Zone, Institutional Zone or Residential Zone in accordance with the requirements of Section 4.19 of this By-law.</p>	<p>“Property Line” is not a defined term in Zoning By-law No. 05-200, and should be removed. Additionally, “with the exception of TOC3 Zone” is removed because TOC3 is considered a Transit Oriented Corridor Zone, not a Residential Zone. Lastly, reference to the D6 Zone should be removed as this zone will be removed through the Downtown Zoning project.</p>
Subsection 11.3.1.1 iv)	<p>This Subsection is numbered 11.3.1.1 iv)</p>	<p>This Subsection should be renumbered as 11.3.1.1 iii)</p>	<p>This Subsection was incorrectly numbered and this amendment corrects the typographical error.</p>

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Subsection 11.3.2 a) v)	Where a building(s) exists and complies with Section 11.3.2 f) ii) and iii) below, additional building(s) constructed on the subject property shall not be subject to Section i) above as it relates to the setback from a lot line.	Delete in its entirety.	This regulation states the same requirement as Subsection 11.3.2 a) iv).
Subsection 11.3.2 i) i)	i) A visual barrier shall be required along any lot line abutting a Downtown D5 Zone, Downtown D6 Zone, Institutional Zone or Residential Zone, with the exception of TOC3 Zone, property line in accordance with the requirements of Section 4.19 of this By-law.	i) A visual barrier shall be required along any lot line abutting a Downtown D5 Zone, Institutional Zone or Residential Zone in accordance with the requirements of Section 4.19 of this By-law.	“Property Line” is not a defined term in Zoning By-law No. 05-200, and should be removed. Additionally, “with the exception of TOC3 Zone” is removed because TOC3 is considered a Transit Oriented Corridor Zone, not a Residential Zone. Lastly, reference to the D6 Zone should be removed as this zone will be removed through the Downtown Zoning project.
Subsection 11.3.4 iii)	In addition to Subsection 4.12 f) and in accordance with Subsection 34 (10) of the Planning Act, R.S.O., 1990, c.P.13, an addition or alteration to a single detached or duplex dwelling not permitted by the by-law but existing at the date of passing of the by-law that increases the volume or size of the interior of the building shall be permitted as follows: iii) The existing side yard setbacks are maintained for the addition.	In addition to Subsection 4.12 f) and in accordance with Subsection 34 (10) of the Planning Act, R.S.O., 1990, c.P.13, an addition or alteration to a single detached or duplex dwelling not permitted by the by-law but existing at the date of passing of the by-law that increases the volume or size of the interior of the building shall be permitted as follows: iii) The side yard setbacks of the addition shall not be less than the existing side yard setbacks.	The current wording of this regulation requires the side yard of the addition to exactly match the side yard for the existing dwelling, without providing flexibility for an increased setback. The revised wording provides the flexibility in establishing a minimum requirement.