

**Appendix “H-3” – Modifications and Updates Summary to Section 11.3: Transit Oriented Corridor Multiple Residential (TOC3) Zone**

Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>			
11.3.1	<p>Permitted Uses:</p> <p><del>Artist Studio</del>  <del>Catering Service</del>  <del>Commercial School</del>  <del>Communications Establishment</del>  Community Garden  <del>Craftsperson Shop</del>  <del>Day Nursery</del>  Emergency Shelter  <del>Financial Institution</del>  Lodging House  Multiple Dwelling  <del>Office</del>  <del>Performing Arts Theatre</del>  <del>Personal Service</del>  <del>Repair Service</del>  Residential Care Facility  <del>Restaurant</del>  <del>Retail</del>  Retirement Home  Street Townhouse Dwelling  <del>Tradesperson’s Shop</del></p>	<p>Permitted Uses:</p> <p>Community Garden  Emergency Shelter  Lodging House  Multiple Dwelling  Residential Care Facility  Retirement Home  Street Townhouse Dwelling</p>	<p>An amendment to Section 11.3.1 to relocated the list of commercial uses from this section to a new Subsection 11.3.1.1. The remaining permitted uses in this subsection includes residential uses, emergency shelter, and community garden. These uses are permitted as of right on all properties under the TOC3 Zone.</p> <p>Commercial uses were removed from this subsection as they are only permitted in buildings that existed on the day of the passage of the By-law (being October 12, 2016) and where commercial uses were legally established (See page 2).</p> <p>The removal of commercial uses in Section 11.3.1 means these uses are not permitted universally but rather only in regulated through Subsection 11.3.1.1 ii).</p>
11.3.1.1 i)2.	<p>Notwithstanding Subsection 11.3.1.1 i)2., <del>a minimum of one</del> Dwelling unit(s) shall be permitted in a basement or cellar.</p>	<p>Notwithstanding Subsection 11.3.1.1 i)2., Dwelling Unit(s) shall be permitted in a basement or cellar.</p>	<p>A revision to the regulation provides further clarity in wording. The intent of the regulation to permit residential uses in the basement or cellar remains unchanged.</p>

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11.3.1.1 ii)  (new regulation)	<p><b>Restriction of Commercial Uses</b></p> <p><b>1. Notwithstanding Subsection 11.3.1, commercial uses that were legally established within buildings existing at the date of passing of the by-law may convert to any of the following commercial uses:</b></p> <p><b>Artist Studio</b>  <b>Catering Service</b>  <b>Commercial School</b>  <b>Communications Establishment</b>  <b>Craftsperson Shop</b>  <b>Day Nursery</b>  <b>Financial Institution</b>  <b>Office</b>  <b>Performing Arts Theatre</b>  <b>Personal Service</b>  <b>Repair Service</b>  <b>Restaurant</b>  <b>Retail</b>  <b>Tradesperson’s Shop</b></p>	<p>Restriction of Commercial Uses</p> <p>1. Notwithstanding Subsection 11.3.1, commercial uses that were legally established within buildings existing at the date of passing of the by-law may convert to any of the following commercial uses:</p> <p>Artist Studio  Catering Service  Commercial School  Communications Establishment  Craftsperson Shop  Day Nursery  Financial Institution  Office  Performing Arts Theatre  Personal Service  Repair Service  Restaurant  Retail  Tradesperson’s Shop</p>	<p>The TOC2 Zone is primarily a residential zone permitting residential uses to support the LRT. However, it is recognized there are existing commercial uses that continue to serve the local community.</p> <p>A new regulation permits commercial uses in the TOC2 Zone but only in restrictive circumstances. Commercial uses are only permitted in buildings that existed on the day of the passage of the By-law (being October 12, 2016) and where commercial uses were legally established.</p> <p>For example, an artist studio legally established can continue to operate, or a new buyer of the property can convert the space to any other commercial uses so long as the use is located in the building that existed at the date of the passing of the By-law (being October 12, 2016).</p>

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<p>11.3.2c)</p>	<p>i) <b>0.0 metres for the portion of the building(s) less than or equal to 11.0 metres in building height.</b></p> <p>ii) <b>In addition to Subsection i), a minimum 3.0 metres step back for the portion of the building(s) greater than 11.0 metres and less than or equal to 14.0 metres in building height, and an additional 3.0 metres step back for every 6.0 metres in building height thereafter.</b></p> <p>iii) <b>Notwithstanding Sub-sections i) and ii), a minimum 7.5 metres for lots abutting a Single Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse.</b></p>	<p>i) 0.0 metres for the portion of the building(s) less than or equal to 11.0 metres in building height.</p> <p>ii) In addition to Subsection i), a minimum 3.0 metres step back for the portion of the building(s) greater than 11.0 metres and less than or equal to 14.0 metres in building height, and an additional 3.0 metres step back for every 6.0 metres in building height thereafter.</p> <p>iii) Notwithstanding Sub-sections i) and ii), a minimum 7.5 metres for lots abutting a Single Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse.</p>	<p>The existing regulation required a minimum 7.5 metres interior side yard setback when abutting any residential or institutional zone regardless of lot size and lot width. This resulted in skinny lots becoming sterilized if this requirement broadly applied.</p> <p>An amendment includes:</p> <ul style="list-style-type: none"> <li>• Specifying when the minimum 7.5 metres interior side yard setback applies to only single-detached, semi-detached, and townhouse dwellings.</li> <li>• A new regulation requiring a minimum 3.0 metres in step back of the building at and beyond 11.0 metres, and an additional 3.0 metres for every 6.0 metres in building height. This requires the building envelope to be pushed back slightly at the side to allow for transition with the properties. Further, this creates some visual and architectural interest.</li> </ul> <p>A new regulation where for buildings of up to 11.0 metres and where the interior side yard setback of the adjacent building is less than 0.25 metres, the 7.5 metres setback shall not apply. This applies to commercial streets such as Main Street, where the 7.5 metres interior side yard requirement may render the lot unusable due to the narrow lot widths.</p>

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11.3.5	<p><del>COMMERCIAL USES IN COMMERCIAL BUILDINGS EXISTING AT THE DATE OF PASSING OF THE BY-LAW (February 14, 2018)</del></p>	<p><i>(Regulation deleted)</i></p>	<p>Remove commercial use restrictions from this subsection and relocate under “Restricted Uses” under Subsection 11.3.1.1. Listing the permitted commercial uses and restrictions in one Subsection provides further clarity in identifying use restrictions.</p>