

<b>ZONING BY-LAW AMENDMENT MODIFICATION CHART (Zoning By-law No. 05-200)</b>			
<b>Provision</b>	<b>Required</b>	<b>Requested Amendment</b>	<b>Analysis</b>
3.0 DEFINITIONS	Shall mean legally established on the effective date of this By-law or applicable amendments thereto.	“Existing” shall mean existing on the date of passing of this By-law.	<p>Requested by staff.</p> <p>In view of the heritage significance of the existing structures at 265 Mill Street South, significant heritage attributes shall be retained during the redevelopment process.</p> <p>This proposed modification is to ensure the significant heritage attributes are retained/incorporated into the new development. In this regard, the permission for new development on the site is contingent upon the retention of significant heritage attributes.</p> <p>Therefore, staff support the proposed modification.</p>
4.8 g) MAXIMUM HEIGHT	4.5m	6.75m	<p>Requested by the applicant.</p> <p>Staff consider the increased height a minor modification to recognize an existing condition.</p> <p>Staff support this modification.</p>
8.2.1 PERMITTED USES	Community Garden Day Nursery Duplex Dwelling Educational	<p>Permitted uses shall be limited to:</p> <p>Educational Establishment Day Nursery</p>	<p>Requested by staff.</p> <p>Staff recommend only allowing the Educational Establishment and Day</p>

	<p>Establishment Emergency Shelter Museum Recreation Place of Worship Residential Care Facility Retirement Home Semi- Detached Dwelling Single Detached Dwelling Social Services Establishment Street Townhouse Dwelling Urban Farm Urban Farmers Market</p>	<p>Existing Single Detached Dwelling</p> <p>The permitted uses of an Educational Establishment and Day Nursey must be in conjunction with the existing single detached dwelling on the property.</p>	<p>Nursery as permitted uses for the following reasons:</p> <ul style="list-style-type: none"> <li>- to mitigate impacts on existing road infrastructure and protected heritage attribute by ensuring any new use contemplated on the subject lands is subject to further review and planning approval;</li> <li>- to ensure any new use contemplated on the subject lands is provided in accordance with the requirements of the Niagara Escarpment Plan; and,</li> <li>- To ensure the proposed Montessori school can only be established through the adaptive reuse of the existing heritage dwelling on the property.</li> </ul>
<p>8.2.3.2 EDUCATIONAL ESTABLISHMENT, MUSEUM AND RECREATION REGULATIONS</p>	<p>N/A</p>	<p>To include an additional regulation that the Maximum Gross Floor area for an Educational Establishment be limited to 915.00 square metres.</p>	<p>Requested by staff.</p> <p>Transportation Planning staff have commented that increased vehicle traffic generated from future expansions to the Montessori school may not be able to be safely accommodated based on the current site design and surrounding traffic levels.</p>

			As a result, staff recommend limiting the size of the Montessori school to what has been submitted in the applicant’s concept plan to ensure that any future planned expansions are subject to further review and planning approval.
8.2.3.3 SINGLE DETACHED DWELLING, DUPLEX DWELLING AND DAY NURSERY REGULATIONS	N/A	To include an additional regulation that the Day Nursery use is subject to the regulations of Section 8.2.3.2.	Requested by staff.  The Educational Establishment includes a Day Nursery component. In order to facilitate the proposal and to avoid unnecessary zoning nonconformities, staff recommend regulating the Day Nursery use with the same regulations of an Education Establishment as found in 8.2.3.2.