

Proposed City Initiated Zoning By-law Amendments

Information and Recommendation Report – November 27, 2023

Planning and Development Committee

Planning and Building Department



The Next City-Initiated Zoning By-Law Amendment:

The City periodically amends the Zoning By-law to:

- Clarify wording
- Update definitions
- Delete or modify outdated regulations
- Address new trends
- Assist in zoning interpretation issues

New or Amended Definitions (Sect. 1.2):

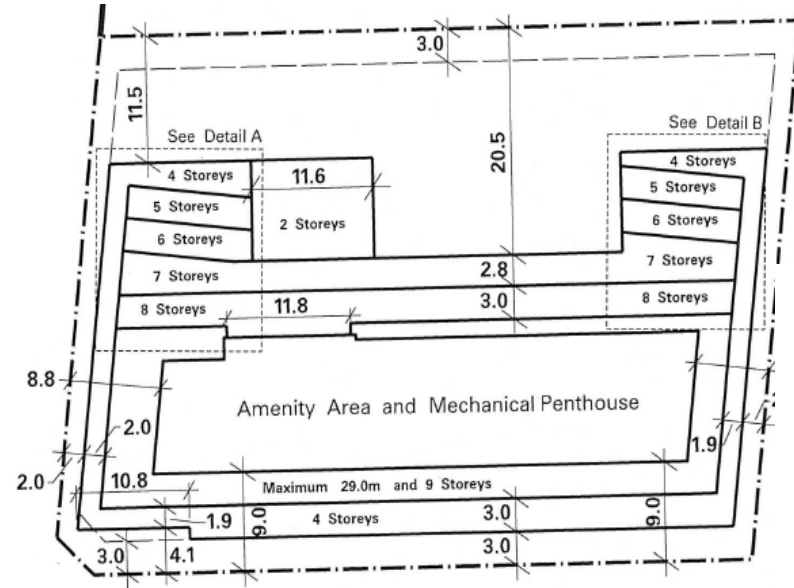
Terrace:

Issue:

- In the absence of a formal definition, such areas are considered “balconies”
- This results in unintended regulations being applied (e.g. setbacks to the exterior edge of a building)

Proposed Solution:

- Create a definition for terrace
- *Terrace means an accessible, external platform situated wholly on the rooftop of the structure below with no access to the ground*



New or Amended Definitions (Sect. 1.2):

Group Home:

Group Home (Current):

means a supportive housing facility located within a dwelling unit where persons live as a unit under responsible supervision consistent with the requirements of its occupants, which may or may not be licensed or approved by the Province of Ontario, but excludes a supportive housing facility that provides accommodation and care for any other purpose including the observation, detention and rehabilitation of offenders or ex-offenders.

Group Home (Proposed):

means a residence licensed or funded under a federal or provincial statute for the accommodation of three to 10 persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being.

Issue:

- The existing definition inappropriately identifies both licensed and non-licensed service providers
- It also regulates individual occupants through defined characteristics

Amendments to the Parking, Loading, Stacking Lane & Bicycle Parking Regulations (Part 3):

Vacant Unit Parking Rate (Non-Residential Uses):

Issue:

- Vacant units within multi-tenant industrial buildings do not have an identified parking rate
- By purposely identifying a unit as “vacant”, a loophole exists where parking can be provided at a lesser rate, up-front
- When these units eventually do become occupied, the site as a whole becomes deficient in parking

Proposed Solution:

- Vacant units will require a parking rate of 3.2 parking spaces per 100 m² GFA - non-residential

Amendments to Residential Zones (Part 4):

Adding Rooftop Amenity Area provisions to Apartment, Long-Term Care, and Retirement Buildings (Sect. 4.1.21 - Height):

Issue:

- Height regulations include enclosed rooftop amenity areas in their calculations
- If appropriately designed and set back, impacts from such structures can be lessened

Proposed Solution:

- To permit an enclosed rooftop amenity structure, provided construction:
 - Is limited to 4.5 m (14.8 ft.) in height
 - Represents no more than 30% of the rooftop area
 - Is set back a minimum of 3.0 m (9.8 ft.) from the rooftop's edge

Other Proposed Amendments (Various Sections of the By-law):

Other minor proposed changes to the Zoning By-law include:

- Amending the definitions of Corner Lot, Exterior Side Lot Line, and Street Line to include reference to “CEC – Road” (common element condominium – road)
- Amending the definition of Electric Vehicle Ready Parking Space to remove the requirements for confirmation from an electrical engineer
- Amending the definition of Landscaped Buffer to remove the reference of “utility easement”
- Amending the regulation for frontage on a street to also recognize Meadow Wood Lane
- Clarifying the points of reference for setbacks within the RM4 Zone
- Removing the outdated Courier/Messenger term as a permitted use

Recommendation (Revised):

That the proposed amendments to Zoning By-law 0225-2007, as detailed in Appendix 2 of the report dated November 8, 2023, from the Commissioner of Planning and Building, be approved in accordance with the following:

1. That an implementing zoning by-law be enacted at a future City Council meeting.
2. That notwithstanding Appendix 2, the proposed revisions to the Greenlands Overlay and the G1-2 Exception Zone be excluded from the implementing zoning by-law.
3. That notwithstanding planning protocol, this report regarding new and revised definitions and regulations for Zoning By-law 0225-2007, be considered both the public meeting and combined information and recommendation report.