

PROPOSED ZONING REGULATIONS

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
Exception Tables to be Deleted			
1	Exception Table 6.2.2.17 in subsection 6.2.2	Delete Exception C1-17, Table 6.2.2.17 in subsection 6.2.2	Technical Amendment: Since the only regulation within Exception C1-17 pertains to permissions for outdoor patios associated with convenience restaurants, which is now permitted through the introduction of as-of-right regulations for permanent and seasonal 'outdoor' patios, the exception is considered redundant. The land will revert to the C1 base zone upon deletion of the exception zone (as can be seen in Figure 6 below)
2	Exception Table 6.2.2.22 in subsection 6.2.2	Delete Exception C1-22, Table 6.2.2.22 in subsection 6.2.2	Technical Amendment: Since the only regulation within Exception C1-22 references regulation that is proposed to be deleted, the exception is considered redundant. The lands will revert to the C1 base zone upon deletion of the exception zone (as can be seen in Figure 3 and Figure 5 below)
3	Exception Table 6.2.3.18 in subsection 6.2.3	Delete Exception C2-18, Table 6.2.3.18 in subsection 6.2.3	Technical Amendment: Since the only regulation within Exception C2-18 references regulation that is proposed to be deleted, the exception is considered redundant. The land will revert to the C2

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			base zone upon deletion of the exception zone. (as can be seen in Figure 4 below)
4	Exception Table 6.2.4.60 in subsection 6.2.4	Delete Exception C3-60, Table 6.2.4.60 in subsection 6.2.4	Technical Amendment: Since the only regulation within Exception C3-60 references regulation that is proposed to be deleted, the exception is considered redundant. The lands will revert to the C3 base zone upon deletion of the exception zone (as can be seen in Figure 1 and Figure 2 below)
Part 1 – Administration, Interpretation and Enforcement			
5	Article 1.1.13.3 - Certificate of Occupancy	Add Article 1.1.13.3 regarding the waiving of a Certificate of Occupancy for seasonal outdoor patios and seasonal outdoor retail sales and display areas.	The regulation requiring a Certificate of Official will no longer be required for seasonal outdoor patios and seasonal outdoor retail sales and display areas due to the temporary/seasonal nature of the uses.
Section 1.2: Definitions			
6	Seasonal Outdoor Patio	Introduction of a newly defined term, 'Seasonal Outdoor Patio', within the Zoning By-law: means a temporary, outdoor seating area, located on a parking space or sidewalk which may be covered only by a temporary tent, and is operated as accessory to a restaurant, convenience restaurant or take-out restaurant.	The definition replaces the existing Temporary Use By-law definition of a "Temporary Outdoor Patio" which is set to expire on December 31, 2023. The intent of the definition is to provide clarity with regards to the seasonal nature of temporary outdoor patios and to emphasize the fact that a Seasonal

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			Outdoor Patio: a) should be accessory to a restaurant, convenience restaurant and take-out restaurant, b) can only be covered by a temporary tent and c) can only be located on a parking space or sidewalk.
Part 2: General Provisions			
7	Table 2.1.2.1.1 contained in Subsection 2.1.2 - Minimum Separation Distance from Residential Zones	Deleting lines 1.0, 2.0 and 3.0 from Table 2.1.2.1.1 which requires a separation distances of 60.0 metres for a restaurant, convenience restaurant and takeout restaurant respectively to a residential zone	This proposed amendment seeks to eliminate the 60-metre setback requirement for restaurant uses (restaurants, take-out restaurants, and convenience restaurants) to residential zones, as it has proven to be inefficient and overly restrictive. Removing this outdated regulation is essential, especially in high-density urban areas with a mix of uses, to reduce unnecessary applications to the Committee of Adjustment. General building setbacks will still apply as applicable.
8	Table 2.1.9.7 contained in Subsection 2.1.9 - Temporary Tent and/or Stage	Adding the H-CC3, H-CC4 and H-CCOS zones to the list of zones permitted to have a Temporary Tent and/or Stage	This proposed regulation seeks to align the permitted zones for seasonal outdoor patios and seasonal outdoor retail sales and display areas with the zones permitted for temporary tents. Staff note that the CCO and CC1 to CC4 zone are already permitted to have a temporary

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			tent and/or stage, and so we are also adding the associated “H” zones.
9	Article 2.1.9.14, Subsection 2.1.9 – Seasonal Outdoor Patios	<p>Introduce ‘Article 2.1.9.14’ in Subsection 2.1.9 – Seasonal Outdoor Patio, which will include governing regulations as follows:</p> <ul style="list-style-type: none"> – Permitted in the following zones: O1 to O3, C1 to C4, H-CC1 to H-CC4, H-CCO, CCO, CC1 to CC4 and E1 to E3 – Not permitted rooftops – Not permitted on landscaped areas or landscaped buffers – Minimum setback of 6.0 m (19.7 ft.) from Residential Zones – Maximum of 3 parking spaces permitted to be converted for a Seasonal Outdoor Patio uses – Not permitted occupy accessible parking spaces – Minimum of 1.0 m (3.3 ft.) distance from accessible parking space to edge of seasonal outdoor patio – Shall not obstruct driveways, parking aisles and pedestrian walkways – Maintaining a minimum 1.5 m sidewalk, where a seasonal outdoor patio is located on the sidewalk – Temporary tents shall be permitted for use with a seasonal outdoor patio as per table 2.1.9.7 of the by-law 	These seasonal outdoor patio regulations are being updated and brought forward from the Temporary Outdoor Patio Program which was regulated via a Temporary Use By-law that expires December 31, 2023.

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10	Article 2.1.9.14 in Subsection 2.1.9 – Seasonal Outdoor Patio	Adding adding sentence 2.1.9.14.1 to Article 2.1.9.14 to allow seasonal outdoor patios on the lands identified in schedule maps 2.1.9.14 (1), (2) and (3)	Provides permission for seasonal outdoor patios to be permitted within a mix of zones within the Port Credit Business Improvement Association (BIA) area map. This regulation was originally granted by way of Committee of Adjustment via the Port Credit Cultural Node Pilot project which originated in 2011 and has since been renewed multiple times and is now being rolled into the Zoning By-law as an as-of-right use. See Figure 7 for the proposed schedules.
11	Article 2.1.9.15 in Subsection 2.1.9 – Seasonal Outdoor Retail Sales and Display Area	<p>Introduce ‘Article 2.1.9.15’ in Subsection 2.1.9 – Seasonal Outdoor Retail Sales and Display Area, which will include governing regulations as follows:</p> <ul style="list-style-type: none"> – Permitted in the following zones: C1 to C4, H-CC1 to H-CC4, CC1 to CC4, H-CCO, CCO, H-CCOS, CCOS, OS1, OS2 and PB1-6 – Shall be accessory to a retail store with the exception of OS1, OS2 and PB1-6 – Temporary tents shall be permitted for use with a seasonal outdoor retail sales and display area as per table 2.1.9.7 of the by-law – Minimum setback of 4.5 m (14.8 ft.) from Residential Zones 	These seasonal outdoor retail sales and display area regulations are being updated and brought forward from the Temporary Outdoor Business Program which was regulated via a Temporary Use By-law that expires December 31, 2023.

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		<ul style="list-style-type: none"> – Maximum of 2 parking spaces permitted to be converted for a seasonal outdoor retail sales and display uses – Not permitted occupy accessible parking spaces – Minimum of 1.0 m (3.3 ft.) distance from accessible parking space to edge of seasonal outdoor retail sales and display area – Shall not obstruct driveways, parking aisles and pedestrian walkways – Maintaining a minimum 1.5 m sidewalk, where a seasonal outdoor retail sales and display area is located on the sidewalk 	
12	Article 2.1.9.15 in Subsection 2.1.9 – Seasonal Outdoor Patio	Adding adding sentence 2.1.9.15.1 to Article 2.1.9.15 to allow seasonal outdoor patios on the lands identified in schedule maps 2.1.9.15 (1), (2) and (3)	Provides permission for seasonal outdoor retail sales and display areas to be permitted within a mix of zones within the Port Credit Business Improvement Association (BIA) area map. This regulation was originally granted by way of Committee of Adjustment via the Port Credit Cultural Node Pilot project which originated in 2011 and has since been renewed multiple times and is now being rolled into the Zoning By-law as an as-of-right use. See Figure 8 for the proposed schedules.
13	Article 2.1.9.16 in Subsection 2.1.9 – Permanent Outdoor Patio	Introduce ‘Article 2.1.9.16’ in Subsection 2.1.9 – Permanent Outdoor Patio, which will include governing regulations as follows:	The intent is to streamline the approval process for permanent outdoor patios by aligning the currently permitted zones (Downtown Core zones: CC1 to CC4,

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		<ul style="list-style-type: none"> - Permitted in the following zones: O1 to O3, C1 to C4, CC1 to CC4, CCO, H-CC1 to H-CC4, H-CCO, E1 to E3 - Not permitted rooftops - Minimum setback of 6.0 m (19.7 ft.) from Residential Zones - Shall not obstruct driveways, parking aisles and pedestrian walkways - Shall comply with the setback or yard permissions of the applicable zone 	<p>CCO, and CCOS and Office zones: O2 & O3) with those allowed for seasonal outdoor patios. Additionally, it aims to establish clear regulations for permanent outdoor patios.</p> <p>Permanent patios will still require Site Plan Control to review aspects like location, size, and design, as well as considerations like landscaping, safety, and accessibility.</p>
14	Article 2.1.9.16 in Subsection 2.1.9 – Permanent Outdoor Patio	Adding adding sentence 2.1.9.16.1 to Article 2.1.9.16 to allow permanent outdoor patios on the lands identified in schedule maps 2.1.9.16 (1), (2) and (3)	<p><i>Provides permission for permanent outdoor patios to be permitted within a mix of zones within the Port Credit Business Improvement Association (BIA) area map. See</i></p> <p>Figure 9 for the proposed permanent outdoor patios schedules.</p>
Miscellaneous			
-	<p>Various sections of the By-law:</p> <p>General Provisions, RA2 Exception Zones, RA4 Exception Zones, RA5 Exception Zones, O1 to O3 Zones (Office), C1 Exception Zones, C2 Exception Zones, C3 Exception Zones, C4 Exception Zones, CC1 to</p>	Deleting references to proposed deleted lines 1.0, 2.0 and 3.0 of Table 2.1.2.1.1 contained in Subsection 2.1.2 - Minimum Separation Distance from Residential Zones	<p>Technical Amendment: Lines 1.0, 2.0 and 3.0 of table 2.1.2.1.1 references proposed deleted regulation for separation distances requirements for restaurants, convenience restaurants and take-out restaurants to residential uses.</p>

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	CC4, CCO and CCOS Zones (Downtown Core), E1 to E3 Exception Zones		
-	Various sections of the By-law: O1 to O3 Zones (Office), General Provisions for Commercial Zones and C1 to C5 Permitted Uses and Zone Regulations, C1 Exception Zones,	Deleting the words “, with or without an outdoor patio” from various clauses as it relates to use permissions for restaurant, convenience restaurants and take-out restaurants	Technical Amendment: Outdoor patios associated with restaurants, convenience restaurants, and take-out restaurants are now permitted as part of the introduction of as-of-right regulations for permanent and seasonal 'outdoor' patios. This amendment seeks to eliminate redundant wording.
-	Various sections of the By-law: General Provisions for Commercial Zones and C1 to C5 Permitted Uses and Zone Regulations, General Provisions for Employment Zones and E1 to E3 Permitted Uses and Zone Regulations	Deleting “Notes” in various sections of the by-law which references deleted lines 1.0, 2.0 and 3.0 of Table 2.1.2.1.1 contained in Subsection 2.1.2 - Minimum Separation Distance from Residential Zones	Technical Amendment: Lines 1.0, 2.0 and 3.0 of table 2.1.2.1.1 references proposed deleted regulation for separation distance requirements for restaurants, convenience restaurants and take-out restaurants to residential uses. Certain sections of the by-law contain “Notes” which refer to the proposed deleted regulation.
-	Various sections of the By-law: C1 Exception Zones, C2 Exception Zones, C3 Exception Zones, C4 Exception Zones, CC1 to CC4, CCO and CCOS Zones	Deleting clauses and words which provides outdoor patio permissions for a restaurant related use (restaurant, convenience restaurant, or take-out restaurant)	Technical Amendment: Outdoor patios associated with restaurants, convenience restaurants, and take-out restaurants are now permitted as part of the introduction of as-of-right regulations for permanent and seasonal 'outdoor' patios. This

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	(Downtown Core), E1 to E3 Exception Zones		amendment seeks to eliminate redundant clauses.
Part 13 Zoning Maps			
105	Zoning Map Number 17 of Schedule "B"	Revising zoning map 17 to remove reference to the C3-60 Exception zone and revert to the C3 base zone regulations	The purpose of updating the zoning map is to ensure that, following the removal of the C3-60 Exception table, which contained only one outdated regulation, the associated zoning maps accurately reflect the base zone instead of the outdated Exception zone as shown in Figure 1 below. Note: There was only 1 reference to the C3-60 exception within Map 17.
106	Zoning Map Number 23 of Schedule "B"	Revising zoning map 23 to remove reference to the C3-60 Exception zone and revert to the C3 base zone regulations	The purpose of updating the zoning map is to ensure that, following the removal of the C3-60 Exception table, which contained only one outdated regulation, the associated zoning maps accurately reflect the base zone instead of the outdated Exception zone as shown in Figure 2 below. Note: There was only 1 reference to the C3-60 exception within Map 23.
107	Zoning Map Number 27 of Schedule "B"	Revising zoning map 27 to remove reference to the C1-22 Exception zone and revert to the C1 base zone regulations	The purpose of updating the zoning map is to ensure that, following the removal of the C1-22 Exception table, which contained only one outdated regulation,

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			the associated zoning maps accurately reflect the base zone instead of the outdated Exception zone as shown in Figure 3 below. Note: There was only 1 reference to the C1-22 exception within Map 27.
108	Zoning Map Number 55 of Schedule "B"	Revising zoning map 55 to remove reference to the C2-18 Exception zone and revert to the C2 base zone regulations	The purpose of updating the zoning map is to ensure that, following the removal of the C2-18 Exception table, which contained only one outdated regulation, the associated zoning maps accurately reflect the base zone instead of the outdated Exception zone as shown in Figure 4 below. Note: There was only 1 reference to the C2-18 exception within Map 55.
109	Zoning Map Number 56 of Schedule "B"	Revising zoning map 56 to remove reference to the C1-22 Exception zone and revert to the C1 base zone regulations	The purpose of updating the zoning map is to ensure that, following the removal of the C1-22 Exception table, which contained only one outdated regulation, the associated zoning maps accurately reflect the base zone instead of the outdated Exception zone as shown in Figure 5 below. Note: There was only 1 reference to the C1-22 exception within Map 56.

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110	Zoning Map Number 57 of Schedule "B"	Revising zoning map 57 to remove reference to the C1-17 Exception zone and revert to the C1 base zone regulations	The purpose of updating the zoning map is to ensure that, following the removal of the C1-17 Exception table, which contained only one outdated regulation, the associated zoning maps accurately reflect the base zone instead of the outdated Exception zone as shown in Figure 5 Figure 6 below. Note: There was only 1 reference to the C1-17 exception within Map 57.
111	N/A	To postpone the inforce and effect date of this by-law to January 1, 2024.	The existing temporary use by-laws for temporary outdoor patios and temporary outdoor retail sales and display areas are effective until December 31, 2023, after which they expire. This new zoning by-law amendment may be approved before the expiry date. To avoid having two by-laws concurrently in effect, if this this zoning by-law amendment is approved, it will be postponed and not come into full force and effect until January 1, 2024.

Figure 1: Map 17 showing removal of C3-60 Exception zone

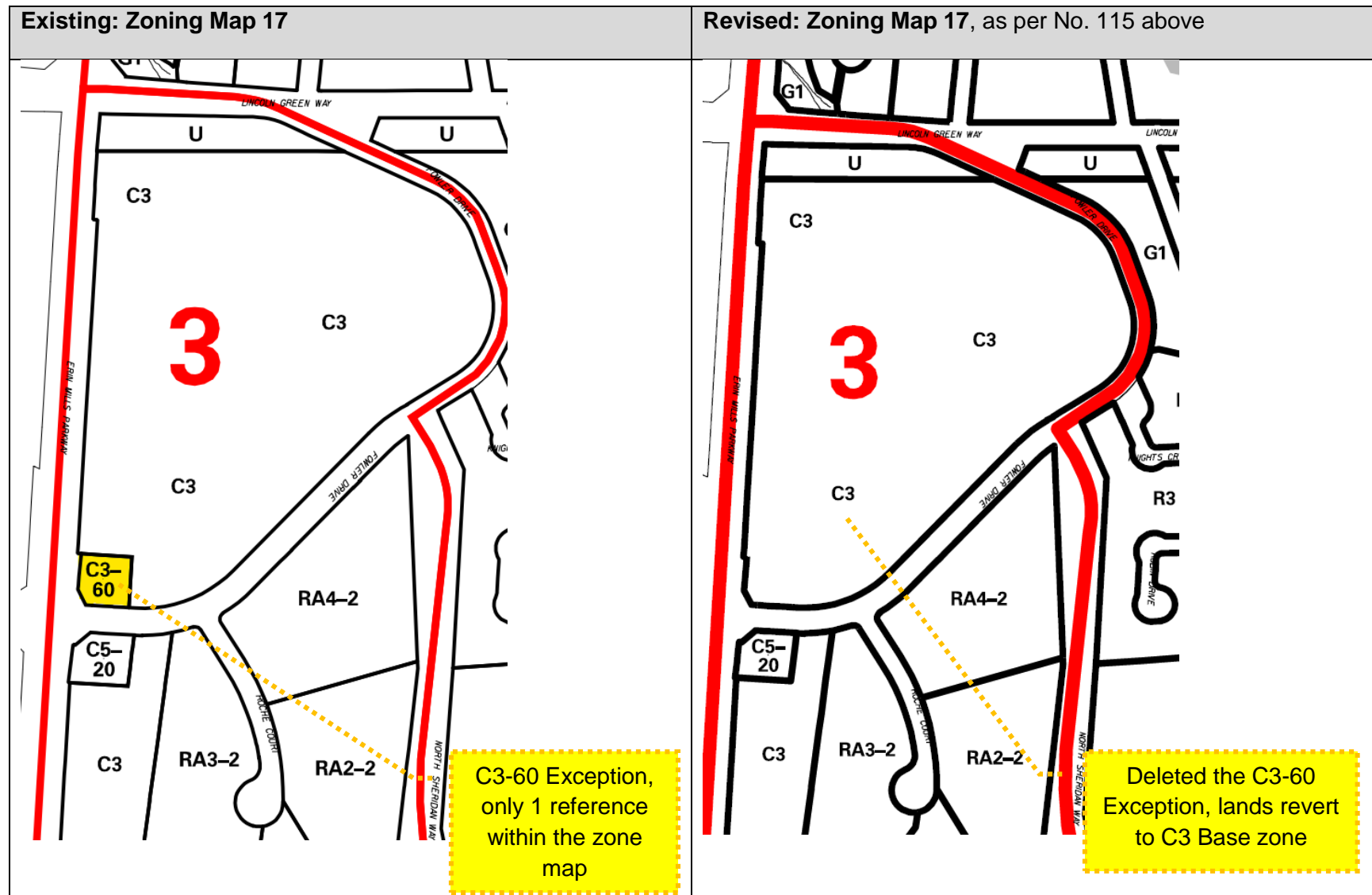


Figure 2: Map 23 showing removal of C3-60 Exception zone

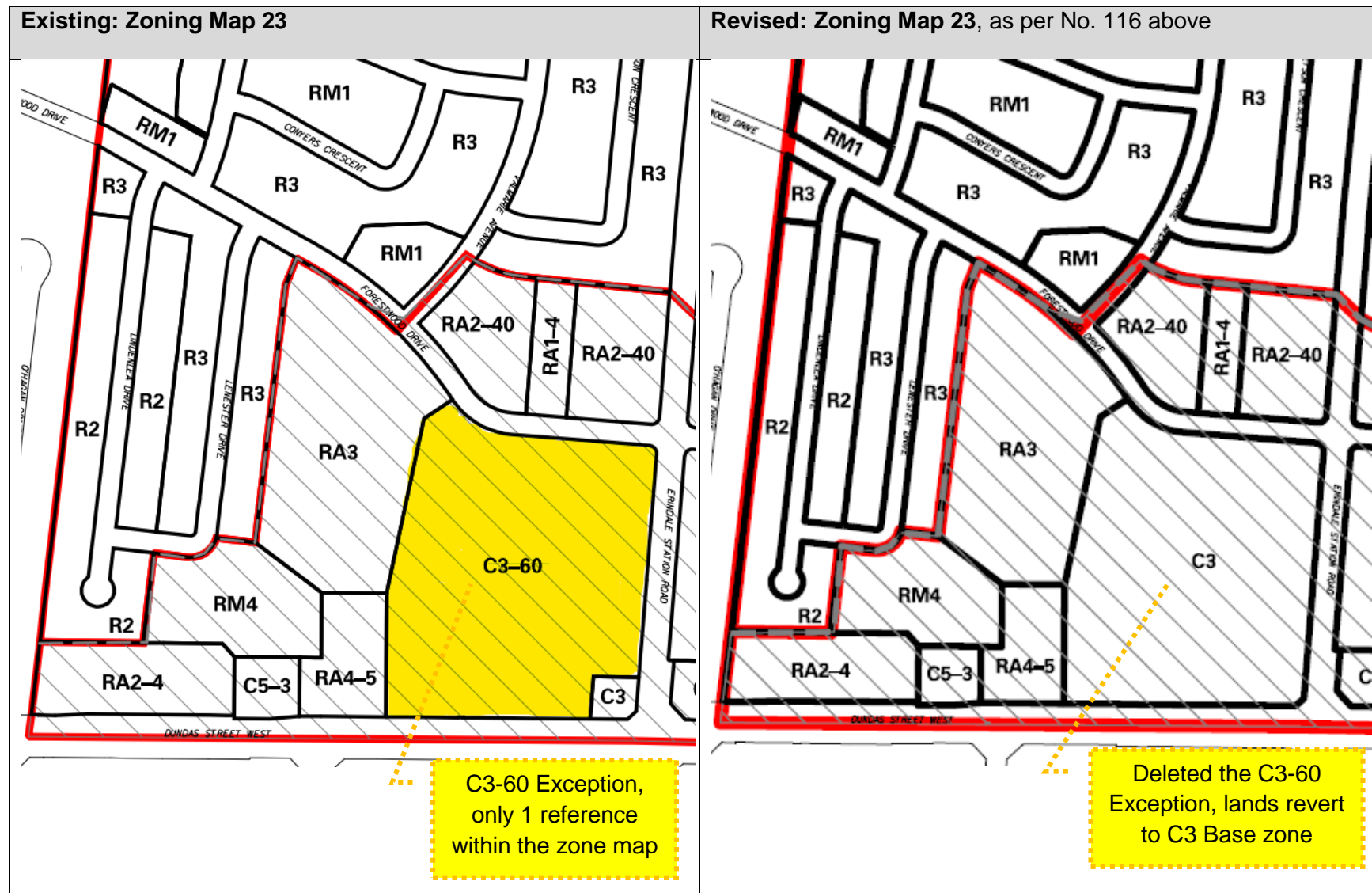


Figure 3: Map 27 showing removal of C1-22 Exception zone

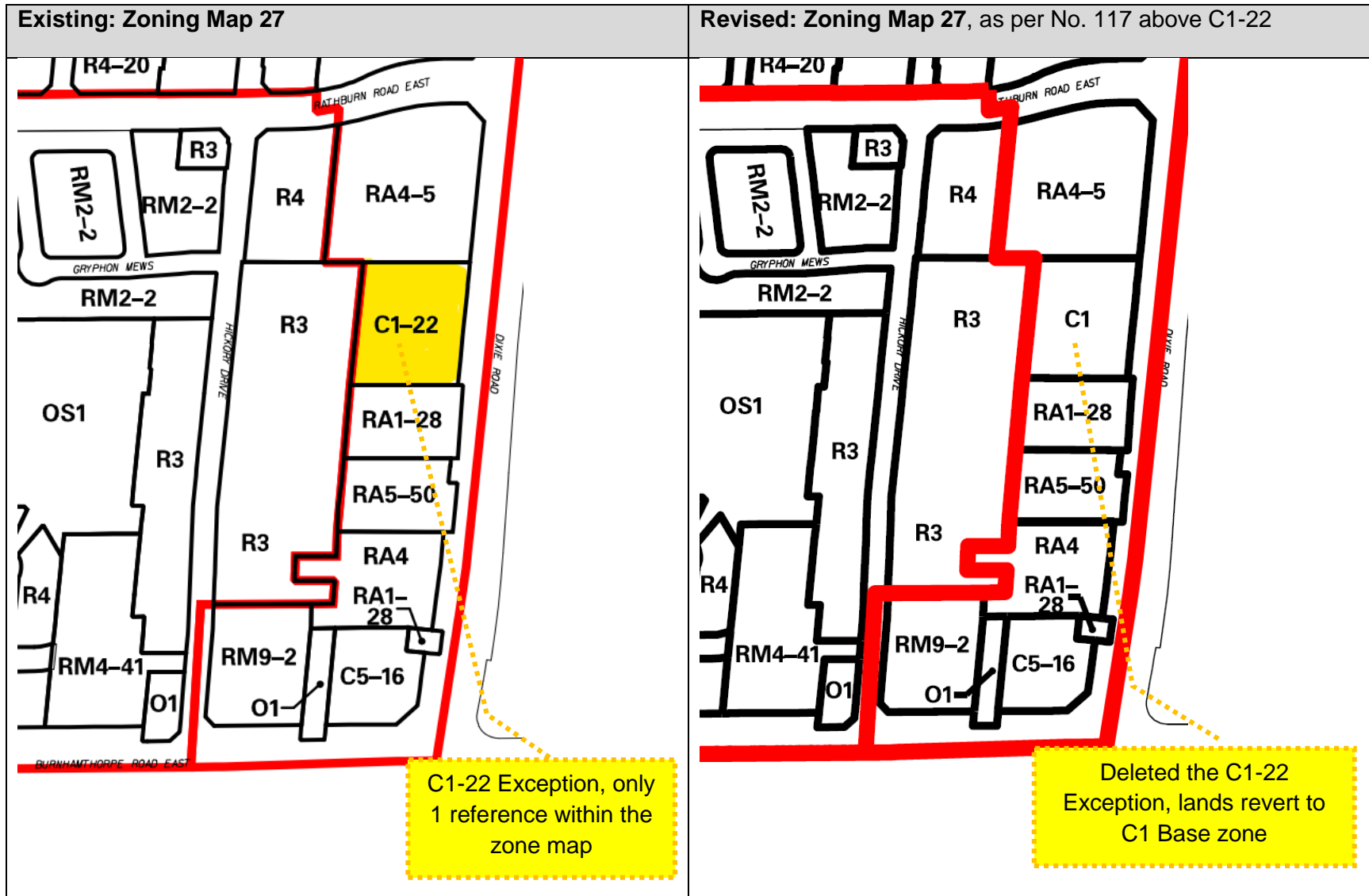


Figure 4: Map 55 showing removal of C2-18 Exception zone

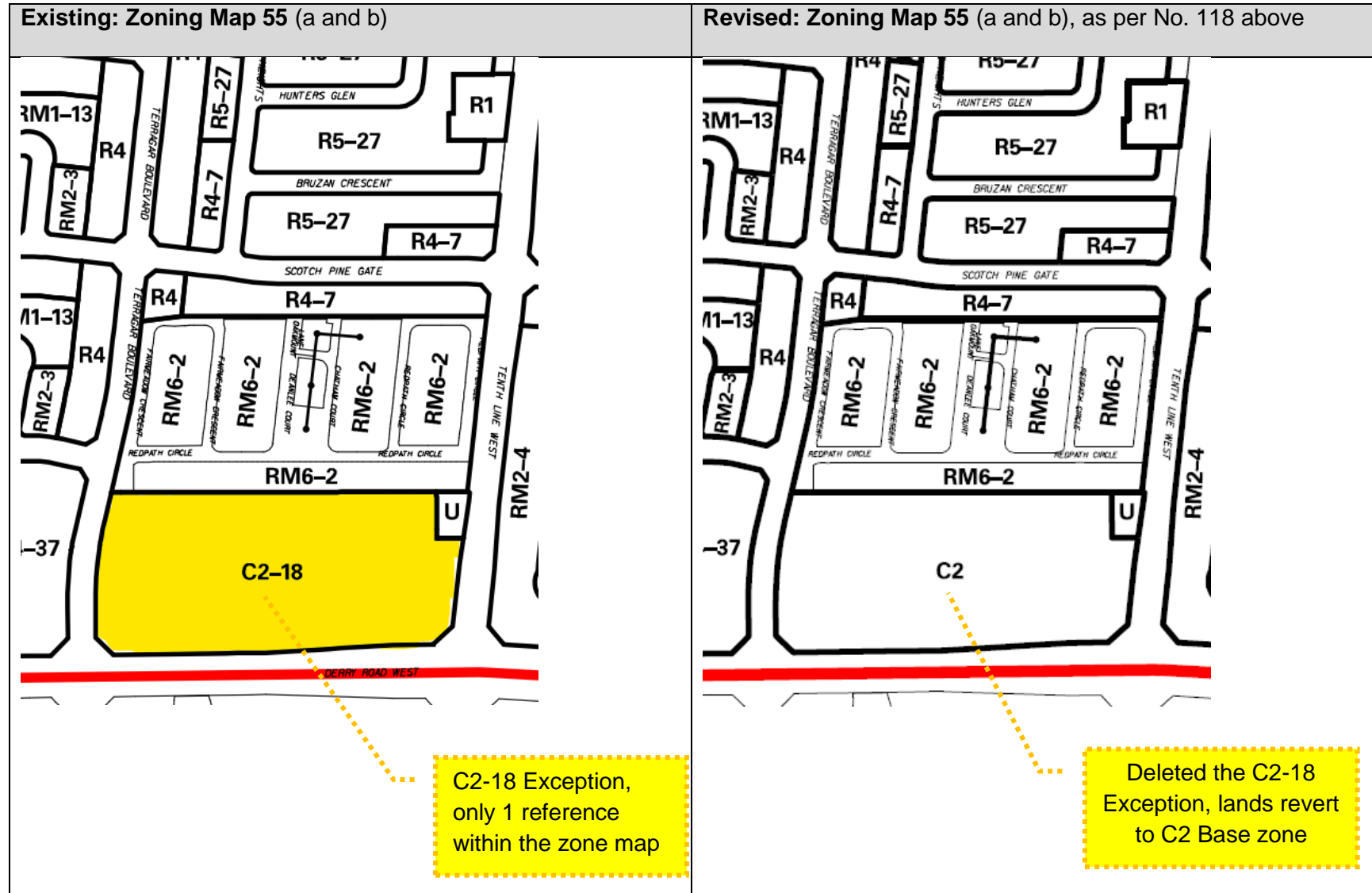


Figure 5: Map 56 showing removal of C1-22 Exception zone

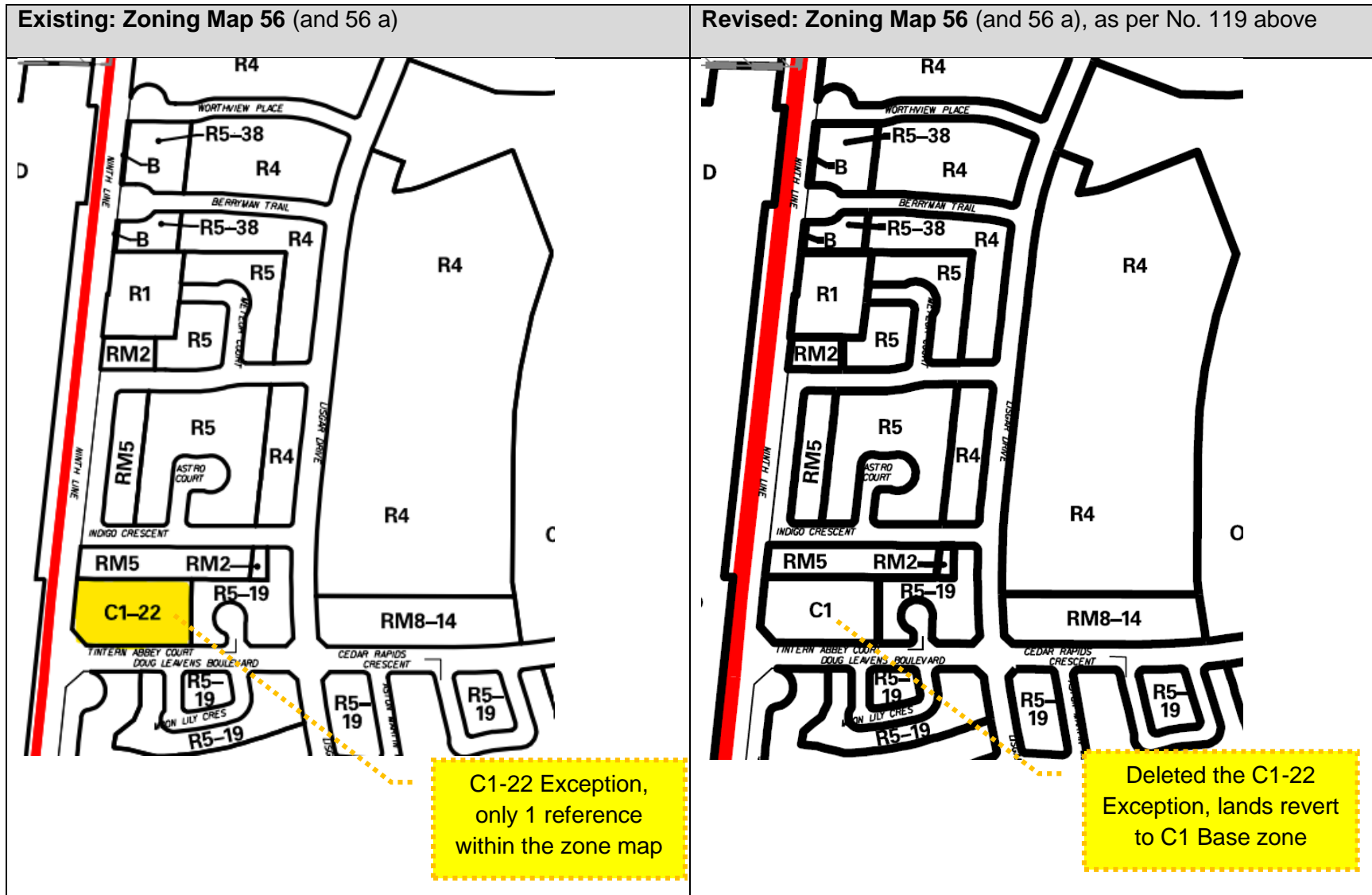


Figure 6: Map 57 showing removal of C1-17 Exception zone

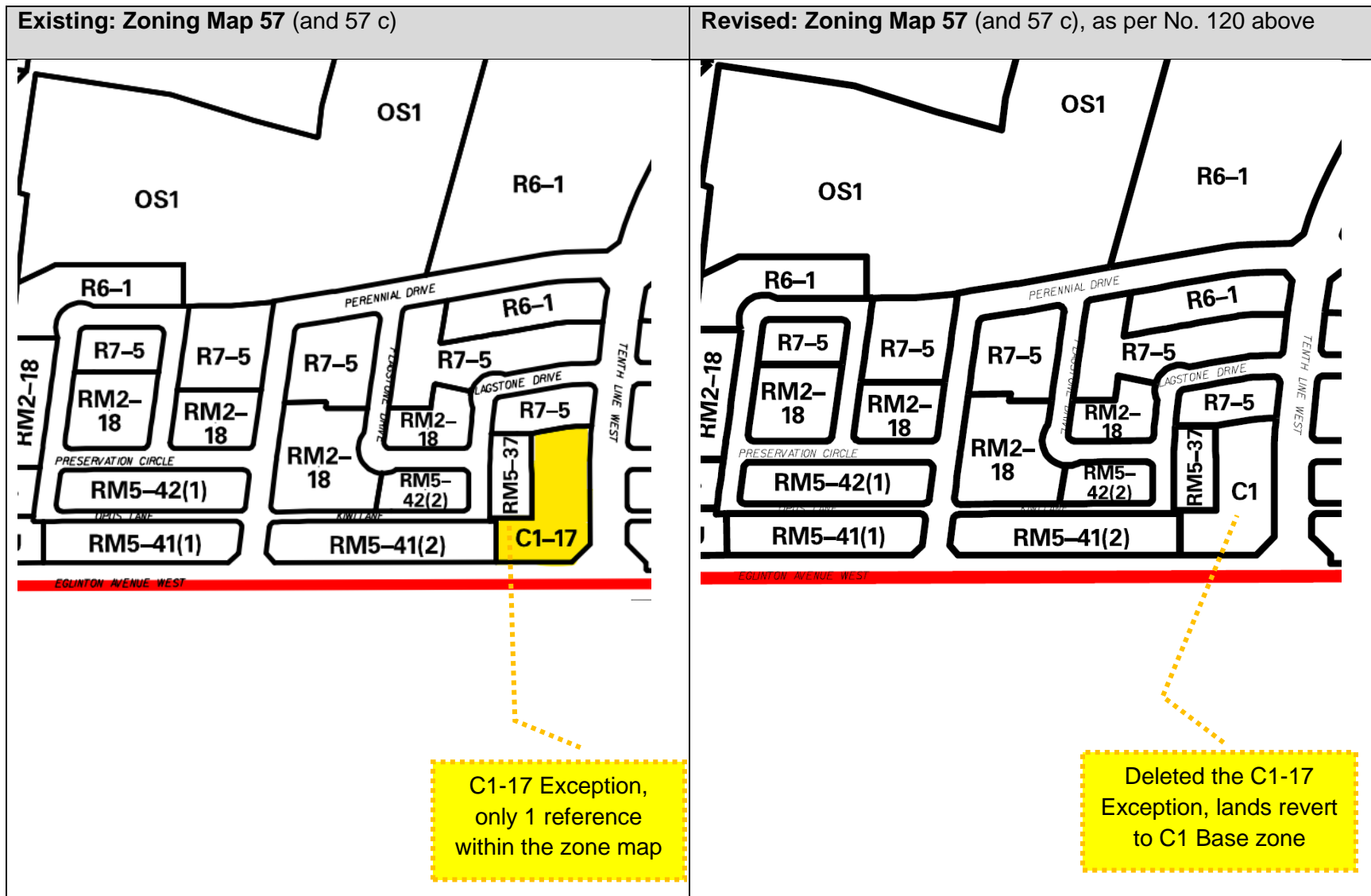
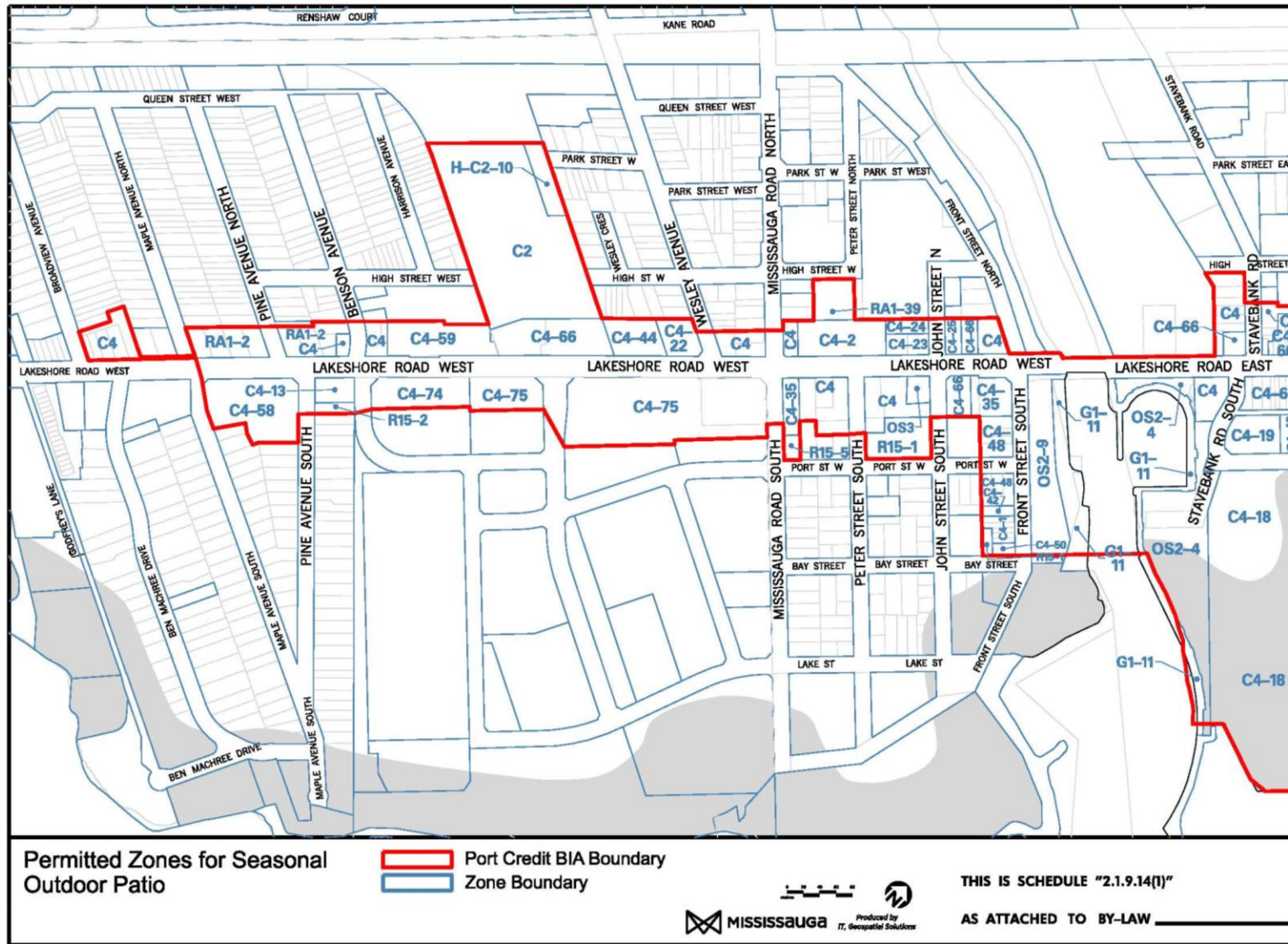
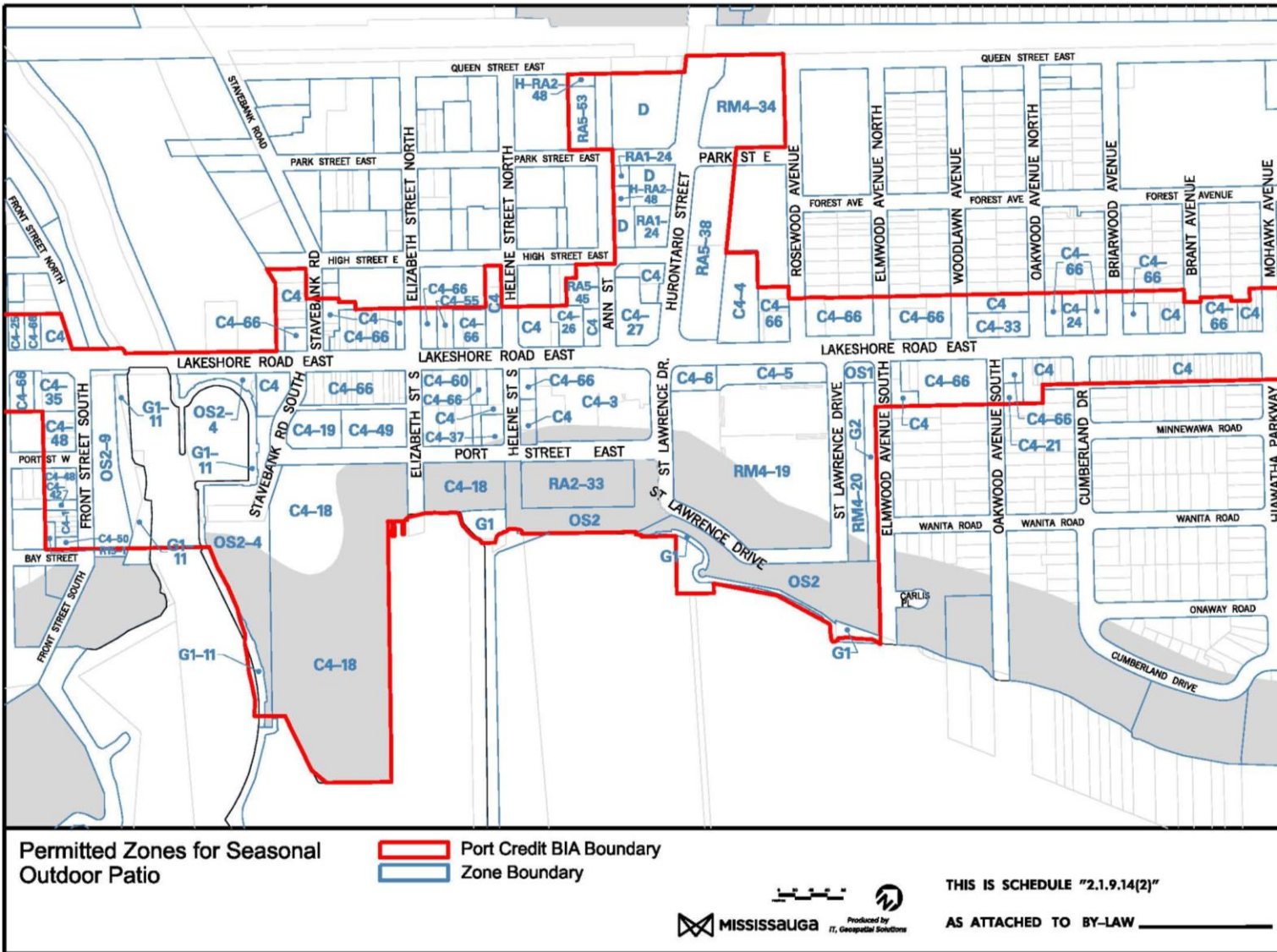


Figure 7: Proposed seasonal outdoor patio schedules 2.1.9.14 (1, 2 and 3)





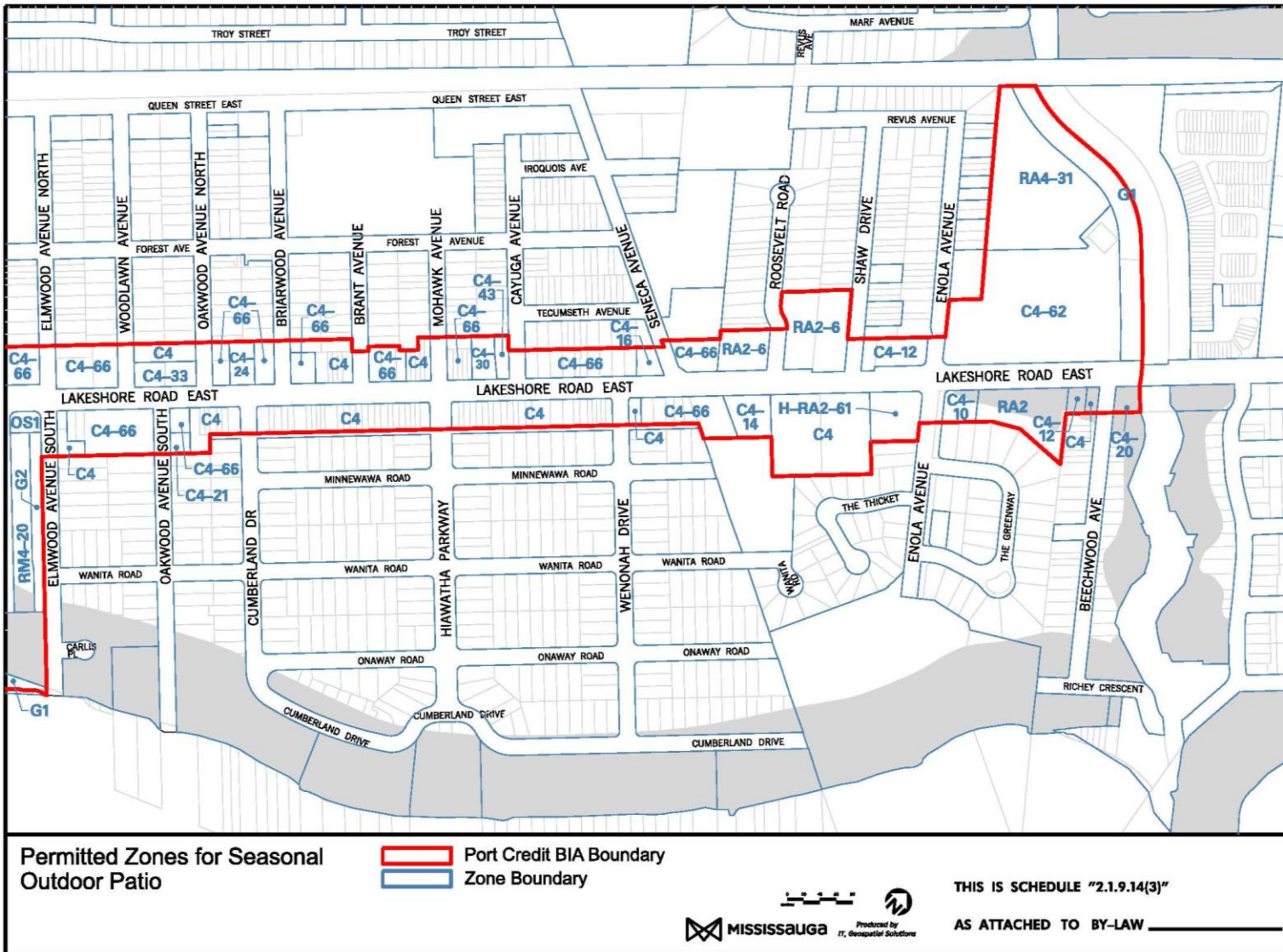
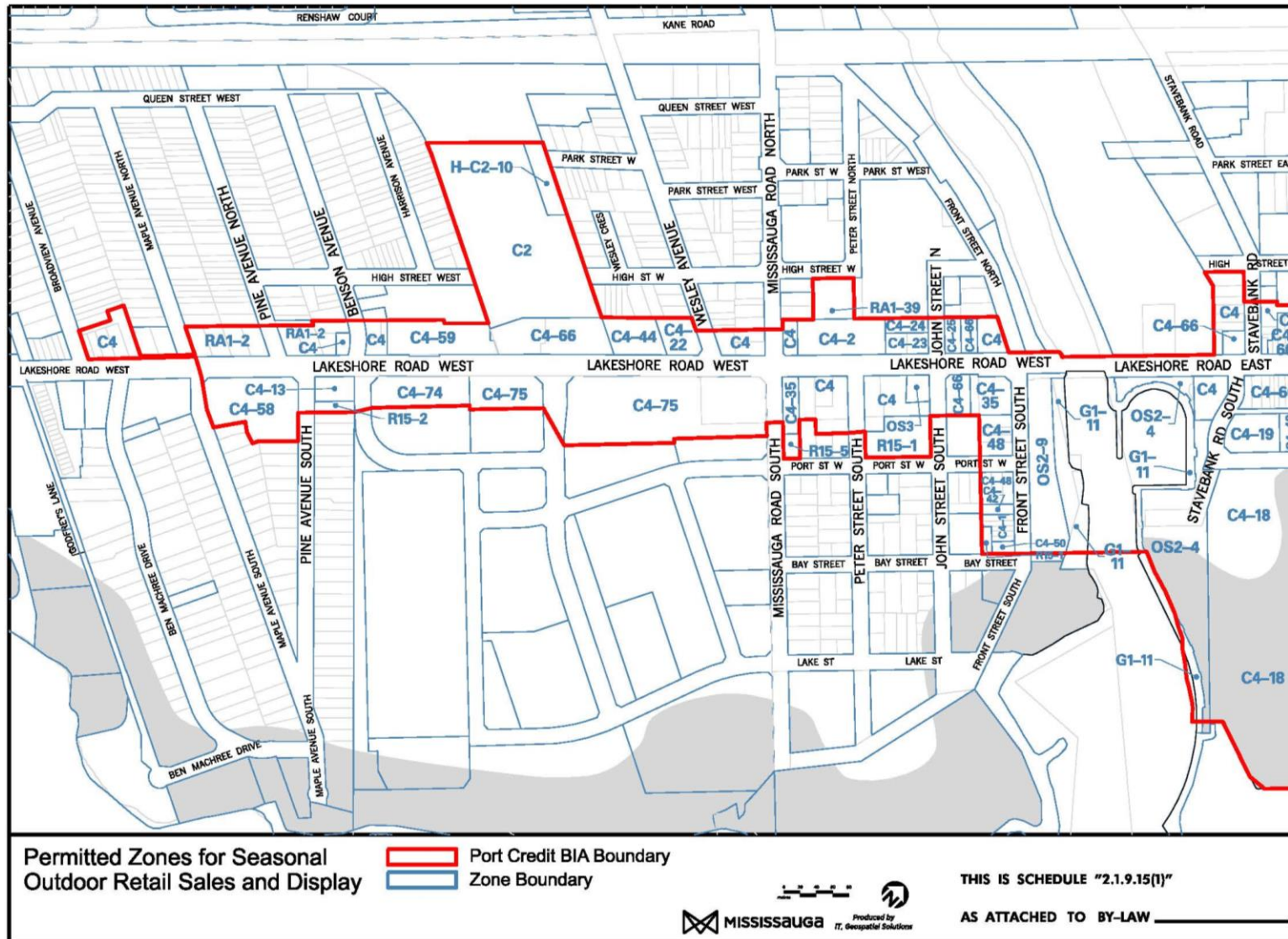
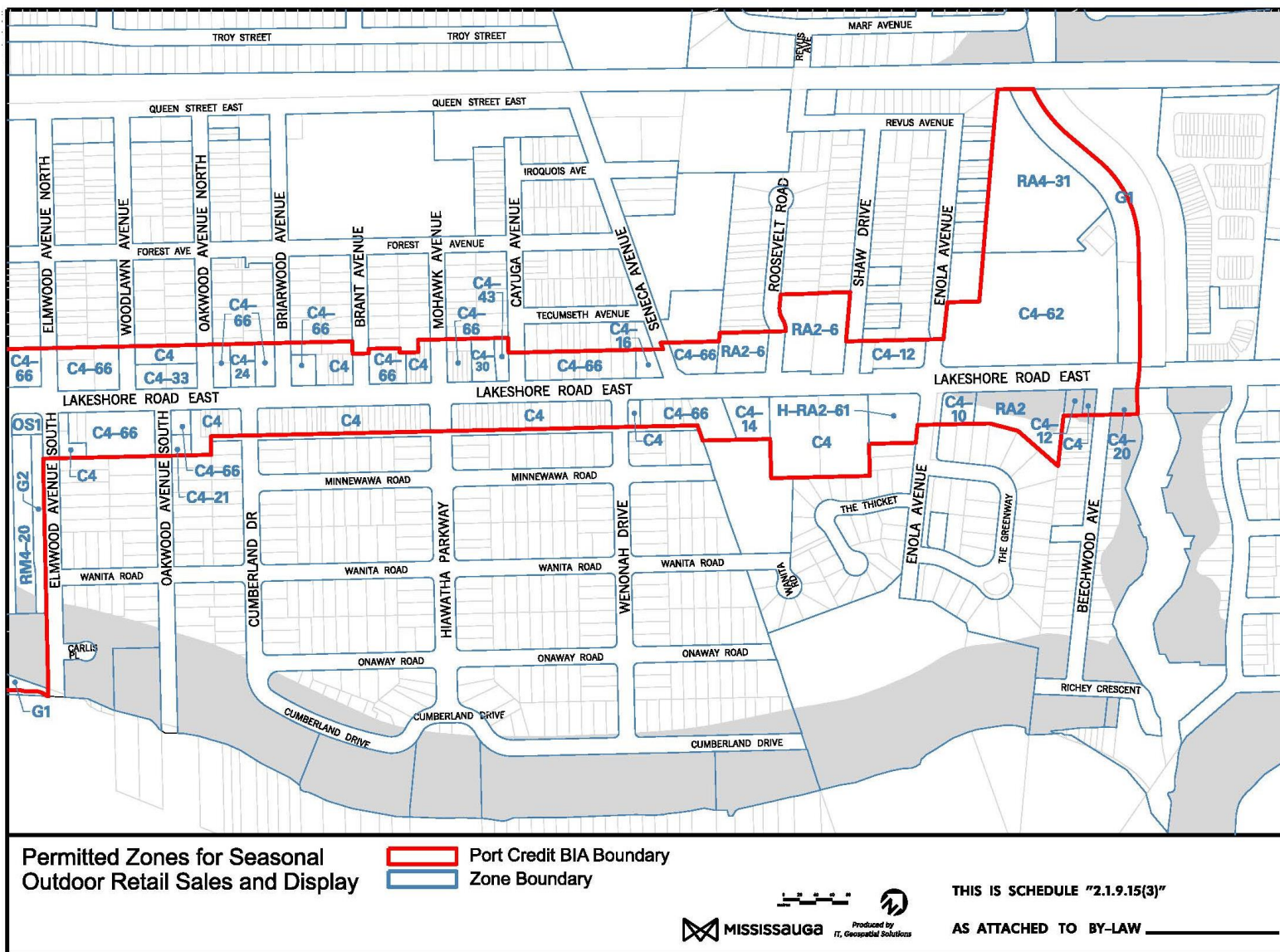


Figure 8: Proposed seasonal outdoor retail sales and display schedules 2.1.9.15 (1, 2 and 3)





Permitted Zones for Seasonal Outdoor Retail Sales and Display

Port Credit BIA Boundary
Zone Boundary



THIS IS SCHEDULE "2.1.9.15(3)"
AS ATTACHED TO BY-LAW _____

Figure 9: Proposed permanent outdoor patio schedules 2.1.9.16 (1, 2 and 3)

