

## Overview of Proposed Changes for Zoning Amendment D18-2020-001

The following is a draft overview of zoning changes proposed for the Interim Control By-law (ICB) Zoning By-law Amendment (D18-2020-001).

The amendment proposes to create a basic Mixed Use 3 Zone as well as four “Exception Zones” specially tailored for the ICB lands. Those exceptions are at the end of the document.

This overview shows all proposed changes highlighted in yellow, alongside other Mixed Use provisions in the existing Zoning By-law for comparison purposes.

Interpretive notes have also been added on the right hand side to help explain some changes.

## Section 5 Mixed Use Zones

The Mixed **Use Zones** consist of the following **zones**:

Mixed Use Zones	
ZONE	SYMBOL
Mixed <b>Use 1</b> (Alcona) <b>Zone</b>	MU1
Mixed <b>Use 2</b> (Alcona) <b>Zone</b>	MU2
Mixed <b>Use 3</b> <b>Zone</b>	MU3
Mixed <b>Use 4</b> (Lefroy) <b>Zone</b>	MU4
Mixed <b>Use 5</b> (Cookstown) <b>Zone</b>	MU5

The first change would be to create a new type of Mixed Use zone - the MU3. This is called a "base zone".

The zoning for the ICB lands has been tailored for those lands, but is based on the base MU3 Zone. This is called an "**Exception Zone**" and allows zoning to be specific to a place.

### 5.1 Permitted Uses

**Uses** permitted in the Mixed **Use Zones** are identified with a “●” in the column applicable to that **zone** and corresponding with the row for a specific permitted **use** in Table 5.1 – Permitted **Uses**. Where an “E” is identified in the column, only **uses** which legally existed on the date of passing of this By-law shall be permitted. All permitted **uses** shall be subject to the applicable **zone** regulations provided in Section 5.2 and the General Provisions provided in Section 3.0, where applicable.

**Table 5.1 – Permitted Uses**

	MU1	MU2	MU3	MU4	MU5
<b>Principal Use</b>					
<b>Residential Uses</b>					
<b>Apartment dwelling</b>	●	● (2)	● (2)	● (2)	● (2)

Zones always have a list of uses that are permitted.

If it isn't listed then it isn't allowed.

Permitted uses can be made more restrictive within exception zones. We've proposed to restrict some uses for the ICB lands.

	MU1	MU2	MU3	MU4	MU5
Duplex dwelling	•				
Group home (1)	•				
Single detached dwelling	•				
Semi detached dwelling	•				
Townhouse dwelling	•				
<b>Commercial Uses</b>					
Auction establishment					
Bake shop	•	•	•	•	•
Banquet hall	•	•	•	•	•
Building supply outlet					
Campground (1)					
Commercial school	•	•	•	•	•
Convenience store	•	•	•	•	•
Custom workshop	•	•	•	•	•
Day nursery	•	•	•	•	•
Equipment sales, rental and servicing					
Farm implement dealer					
Financial institution	•	•	•	•	•
Fitness centre	•	•	•	•	•
Fruit and vegetable produce market	•	•	•	•	•
Funeral home	•	•	•	•	•
Garden centre or nursery					
Golf course					
Grocery store	•	•	•	•	
Hotel, motel	•	•	•	•	•
Indoor Recreational Centre	•	•	•	•	•
Laundry and dry cleaning depot	•	•	•	•	•
Marina					
Medical office	•	•	•	•	•
Motor vehicle dealership					
Motor vehicle gas bar					E
Motor vehicle repair					E

	MU1	MU2	MU3	MU4	MU5
garage					
Motor vehicle service station (1)					E
Motor vehicle washing establishment					
Personal service establishment	•	•	•	•	•
Pet day care establishment	•	•	•	•	•
Photography or artist's studio	•	•	•	•	•
Place of entertainment	•	•	•	•	•
Prefabricated home sales establishment or modular home sales and display					
Printing and publishing establishment	•	•	•	•	•
Professional office	•	•	•	•	•
Recreational vehicle sales establishment					
Restaurant	•	•	•	•	•
Restaurant, take-out	•	•	•	•	•
Retail store	•	•	•	•	•
Self storage units					
Service and repair establishment	•	•	•	•	•
Shopping centre	•	•	•	•	
Taxi stand or dispatch office	•	•	•	•	•
Tourist cabin establishment					
Tourist commercial establishment					
Tourist information centre					
Veterinary clinic	•	•	•	•	•
Warehouse retail					
<b>Institutional Uses</b>					
Government facility	•	•	•	•	•

	MU1	MU2	MU3	MU4	MU5
Long term care home or nursing home	•	•	•	•	•
Park	•	•	•	•	•
Place of worship	•	•	•	•	•
Public parking lot or structure	•	•	•	•	•
Public uses	•	•	•	•	•
Retirement home	•	•	•	•	•
School	•	•	•	•	•
University or college	•	•	•	•	•
<b>Accessory Uses, Buildings and Structures</b>					
Accessory buildings and structures (1)	•	•	•	•	•
Accessory dwelling unit (1)	•	•	•	•	•
Drive-through facility (1)	• (4)	• (3)	• (4)	• (3)	• (3)
Garden suite dwelling (1)	•				
Outdoor patio	• (5)	• (5)	• (5)	• (5)	•
Outdoor rooftop patio (accessory use)		• (6)	• (6)		
Restaurant or private club that is <b>accessory</b> to a <b>golf course</b> , <b>marina</b> or other <b>use</b> permitted in the Commercial Tourist <b>zone</b>					

Our new Official Plan doesn't allow drive-throughs on Downtown Commercial areas. That's one change from older Mixed Use zones.

These notes add special rules to some permitted uses listed in the above table.

Changes in here would affect other Mixed Use Zones, so the only change made was to include the MU3 Zone.

Notes:

- (1) Subject to specific **use** provisions contained in the General Provisions of this By-law.
- (2) Residential **dwelling units** are only permitted as part of a **building** containing at least 50% non-residential **uses** on the ground floor. Residential **dwelling units** are not permitted in the basement or on the main floor level if they front Innisfil Beach Road or Killarney Beach Road (i.e. in the first storey). Residential **dwelling units** are permitted to maintain frontage along side streets.
- (3) The establishment of a drive-through service facility on a **lot** fronting on Innisfil Beach Road, Killarney Beach Road, Queen Street or Church Street is not permitted.
- (4) A **stacking lane** for a drive-through facility shall not be located between the **building** face and Innisfil Beach Road and/or Killarney Beach Road, or between

the **building** face and the **exterior side** yard, and shall be setback a minimum of 20 m from any type of residential **zone**. The required setback may be reduced to a minimum of 7.5 m, provided that a noise wall, certified by a professional engineer no taller than 1.8 m, exclusive of decorative elements is installed prior to occupancy of the drive-through facility. The noise levels will not exceed the maximum levels specified by the Ministry of Environment's noise levels for stationary sources of noise.

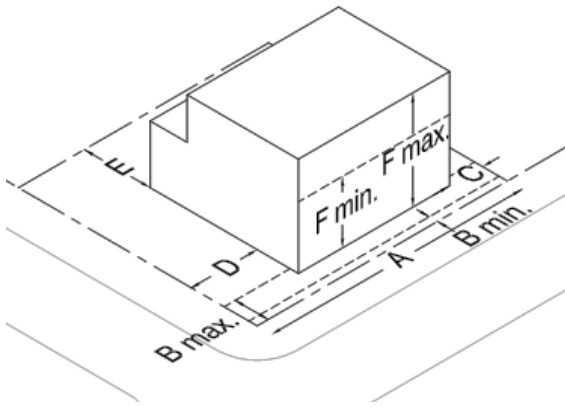
- (5) Patios are only permitted in the MU1, MU2, **MU3**, MU4 and MU5 **zones**.
- (6) Commercial outdoor rooftop patios are to be situated within the front half of a **building**, oriented towards Innisfil Beach Road and are not permitted within **buildings** containing residential **uses**.
- (7) Patios are only permitted within the front yard or **exterior side** yard.

Patios are permitted within the MU3 Zone, but they are restricted in the proposed ICB MU3 zones. The specifics are discussed below.

## 5.2 Zone Regulations

The following zone regulations apply to the respective Mixed Use Zones.

Mixed Use Building



- A: Minimum lot frontage
- B: Minimum/maximum front yard
- C: Minimum interior side yard
- D: Minimum exterior side yard
- E: Minimum rear yard
- F: Minimum/maximum building height

This section describes the location, size, and character of buildings that can be constructed on a given Zone.

**The proposed ICB zones are further tailored, but the MU3 provisions are otherwise referenced when the exception provisions don't specify.**

Table 5.2b – Mixed Use Zone Regulations (1 of 2)

	MU1 (Alcona)	MU2 (Alcona)	MU3	MU4 (Lefroy)	MU5 (Cookstown)
<b>Principal Use</b>	Commercial, Community Services, Mixed Use Buildings	Mixed Use Buildings	Mixed Use Buildings		
Minimum Lot area	2,000 m <sup>2</sup>	1000 m <sup>2</sup>	1000 m <sup>2</sup>	1,000 m <sup>2</sup>	1,400 m <sup>2</sup>
A: Minimum Lot Frontage	15 m	15 m	15 m	15 m	15 m
Minimum Building Frontage	N/A	See (1)	See (1)	N/a	N/a
B: Minimum Front Yard	1 m (3)	1 m (8)(3)	1 m (3); And above 7.5 m, or two storeys, a <b>building</b> shall be setback a minimum of 3 m more than the provided setback from the front lot line and exterior side lot line.	1 m (1)(3)	1 m (1)(3)
B: Maximum	4 m (3)	4 m (8)(3)	3 m (3)(11)	4 m (3)	4 m

Like the uses section above, other Mixed Use Zone regulations were placed side by side with the proposed MU3 zone for comparison purposes.

Many values are similar, but some differences will be highlighted below.

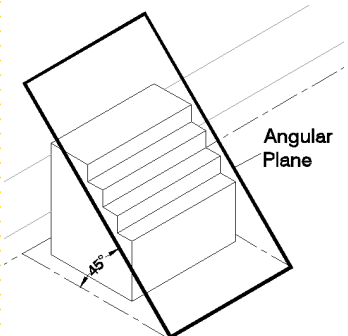
This provision ensures that buildings will be constructed close to the street, like most traditional main streets. Space between the building and sidewalk is left for things like displays or sidewalk seating.

One change is to require a setback from the front of the building above two storeys. This is to allow light to get to the street below, and create opportunities for balconies onto Innisfil Beach Road.

Front Yard					
C: Minimum Interior side Yard	0 m	0 m or 7.5 m and subject to the 45 degree angular plane (2) where the interior side yard abuts an R1 Zone.	0 m; Except 3 m where a residential use facing the interior lot line is proposed; Except 4.5 m where a driveway is provided which leads to a parking area.	N/A	N/A
C: Maximum Interior Side Yard	N/A	N/A	3 m; Except 7.5 m where a driveway is provided which leads to a parking area.		
D: Minimum Exterior side Yard	0 m	6 m	1 m	2 m	N/A
D: Maximum Exterior Side Yard	N/A	N/A	3 m (11)	N/a	N/a
E: Minimum Rear yard	7.5 m	7.5 m and subject to the 45 degree angular plane (2)	7.5 m and subject to the 45 degree angular plane (2)	7.5 m	7.5 m
Maximum Lot coverage	N/A	N/A	N/A	N/A	50%
F: Minimum Building Height	7.5 m	7.5 m and subject to the 45 degree angular plane (2)(9)(10)	7.5 m, but not less than 2 storeys, and subject to the 45 degree angular plane (2)	N/a	N/a
F: Maximum Building Height	15 m (4) and subject to a 45 degree angular	30 m for all commercial buildings, and subject	15 m, but not more than 4 storeys, and subject to the	15 m and in accordance with the 45 degree	10.5 m and in accordance with the 45 degree

Sideyard setbacks describe when two buildings on two lots abut one another.

Traditional main streets have very narrow sideyard setbacks to make them more compact, interesting to walk down, and to shrink the width of driveways to walk across.



An angular plane means a building can't be taller than a 45 degree angle plane from a property line. It controls the visual impact of buildings by setting balconies farther from neighboring properties.

	plane (2)	to the 45 degree angular plane (2)(4) 24 m (8)(4) for mixed use, and subject to the 45 degree angular plane (2)	45 degree angular plane (2)	angular plane (2)	angular plane (2)
Minimum landscaped open space	20%	N/A	N/A	N/A	N/A
Minimum width of landscaped strip at front and exterior side lot lines	0 m	1 m – 4 m (5)	0 m; Except where a yard is provided and not used for driveways, aisles, parking or loading spaces, the whole yard must be landscaped.	1.0 m to 4.0 m (4)	1.0 m to 4.0 m (4)
Minimum width of landscaped strip at rear lot line	3 m, if the rear lot line abuts a Residential zone or 1.5 m, if the rear lot line abuts an Open Space or Environmental Protection Zone	0 m; except where the yard abuts a Residential Zone in which case the minimum required yard is 3 m or where the yard abuts an Open Space or Environmental Protection Zone, in which case the minimum required yard is 1.5 m	0 m; Except 3 m where the yard abuts a Residential Use or Open Space or Environmental Protection Zone.	0.0 m, except where (a) the yard abuts a Residential zone in which case the minimum required landscaping width is 3.0m; or (b) the yard abuts an Open Space or Environmental Protection zone, in which case the minimum required	0.0 m, except where (a) the yard abuts a Residential zone in which case the minimum required landscaping width is 3.0m; or (b) the yard abuts an Open Space or Environmental Protection zone, in which case the minimum required

Landscape strips have been reduced to a minimum of 0 m to make space for uses like storefront displays or pedestrian seating, common on traditional main streets.



				landscaping width is 1.5m.	landscaping width is 1.5m.
Minimum width of landscaping adjacent to the interior lot lines	0 m	0 m	0 m; Except 3 m where the yard abuts a residential zone.	N/a	N/a
Minimum Amenity Space	4 m <sup>2</sup> per residential unit (6)	4 m <sup>2</sup> per residential unit (6)	4 m <sup>2</sup> per residential unit (6)	4 m <sup>2</sup> per residential unit (5)	4 m <sup>2</sup> per residential unit (5)
Maximum Density	N/A	N/A	N/A	N/a	N/a
Maximum Garage Width	N/A	N/A	N/A	N/a	N/a
Minimum floor area for a residential dwelling unit	47 m <sup>2</sup>	47 m <sup>2</sup>	47 m <sup>2</sup>	47 m <sup>2</sup>	47 m <sup>2</sup>
Notwithstanding anything to the contrary the following Minimum Number of Parking Spaces are required.	Commercial Uses - 1 space per 37 m <sup>2</sup> of all leasable area. Place of Worship - 1 space per every 6 persons to be accommodated.	Commercial Uses - 1 space per 40 m <sup>2</sup> of all leasable area. Place of Worship - 1 space per every 6 persons to be accommodated.	Commercial Uses - 1 space per 40 m <sup>2</sup> of all leasable area. Place of Worship - 1 space per every 6 persons to be accommodated.	N/a	N/a

Acknowledging that this type of zone might be placed adjacent to residential uses, a landscaped setback has been incorporated.

## Notes:

- (1) Where the **lot** frontage is less than 30 m, a minimum of sixty (60) percent of the **lot** frontage abutting the front **lot** line/required setback shall be **building(s)**. Where the **lot** frontage is greater than 30 m, a minimum of fifty (50) percent of the **lot** frontage abutting the front **lot** line/required setback shall be **building(s)**.
- (2) Refer to definition of the 45 degree angular plane.
- (3) Notwithstanding any other provisions of this By-law, where a **lot** directly abuts Innisfil Beach Road, the front **lot** line (front yard) will considered to be the property line abutting the planned width of Innisfil Beach Road.
- (4) Whichever is greater.
- (5) The required landscaping will correspond to the setback provided.
- (6) Units shall have amenity space provided at a minimum rate of 4 m<sup>2</sup> per unit, of which: a minimum of 2 m<sup>2</sup> per unit shall be indoor amenity space; a minimum of 40 m<sup>2</sup> shall be outdoor amenity space in a location adjoining or directly accessible to

- the indoor amenity space.
- (7) Consolidated at grade common open space shall be provided in addition to the required per unit **rear yard** area for cluster/block, street and stacked townhouses.
  - (8) Where the **building height** is greater than 4 storeys or 15 m, at and above the four storey or 15 m whichever is the lesser a **building** must be setback a minimum of 1 m more than the provided setback from the front **lot line** as set out, and from the **exterior side yard**.
  - (9) Notwithstanding any other provisions of this By-law, parcels which maintain frontage on Innisfil Beach Road at the northeast and southeast corner of the intersection of Innisfil Beach Road and Jans Boulevard shall maintain a minimum **height** of 10 m. The northeast corner shall include the first two (2) properties with frontage onto Innisfil Beach Road.
  - (10) Notwithstanding any other provisions of this By-law, a drive-through financial institution shall be within a **building** containing a minimum of 2 storeys.
  - (11) The above front and exterior side yard provisions do not apply in the following circumstances:
    - a) When a building must be located further from the lot line to provide a required daylight triangle
    - b) when an outdoor commercial patio accessory to a restaurant use is located in a front or exterior yard.

This note provides flexibility for Town Staff to make a patio deeper when a patio is proposed on the ground floor.

#### 5.2b.1 Special Provisions for MU1, MU2, and MU3 Zones

The following additional special provisions shall apply to lands **zoned** MU1, MU2, and MU3:

##### (1) Permitted Front Yard Encroachments on to Innisfil Beach Road

- a) Private Lands  
Notwithstanding any other provisions of this By-law, front yard encroachments for balconies, porches, canopies, eaves and bay windows are permitted up to 1 m.
- b) Public Lands  
Notwithstanding any of the provisions of this By-law, front yard encroachments for outdoor patios are permitted to the near side of the sidewalk.

Changes in here would affect other Mixed Use Zones, so the only change made was to include the MU3 Zone.

##### (2) Outdoor Roof Top Patios

**Outdoor Roof Top Patios** are permitted in the MU2 and MU3 Zones. Those seeking to develop roof-top patios are required to submit scaled, dimensioned drawings to be approved by Town Planning Staff. Notwithstanding any provisions of this By-law, every outdoor commercial patio shall comply with the following:

- a) Seating Capacity Requirements:  
No outdoor patio shall provide for:
  - i) More than 50% of the seating accommodation permitted under the Liquor License Act, R.S.O. 1990, c.L.19, as amended, to the restaurant with which the outdoor commercial patio is associated; or,
  - ii) Seating accommodation for more than thirty (30) persons, whichever is the greater.

- b) Prohibition of Commercial Entertainment and Recreation:  
That portion of a **lot** on which the outdoor patio is permitted shall not be used for commercial entertainment or commercial recreation including live or recorded music or dance facilities.
- c) Lighting  
Direct any lighting away from adjoining properties and streets.
- d) Exit(s)  
Regular ingress and egress must be provided from the interior of the **building**, and any exterior stair access shall only be used for emergency and fire in accordance with the Ontario **Building Code**.
- e) Sound Attenuation  
Where a proposed roof-top patio is adjacent a residential **use**, a noise study will be required which may recommend the installation of an acoustical wall to attenuate noise from the roof-top patio to acceptable limits.

**(3) Parking Standards**

In addition to the **Parking Provisions** of Section 3.35, the following additional provisions shall apply:

- a) Parking spaces shall not be located between the **building** face and Innisfil Beach Road, or between the **building** face, and the **exterior side** yard.
- b) When a parking area or driveway is in a yard that abuts any residential **zones**, the width of landscaping between the parking area or driveway, and the residential **zone** must be a minimum of 1.5 m wide.
- c) Individual residential **lots**/units consisting of single detached, semi-detached and townhouses in the MU1 **Zone** are not permitted to have direct vehicular access to Innisfil Beach Road, separately from each unit/**lot**.
- d) The difference between the minimum required parking established in this By-law may be addressed by the collection of cash-in-lieu.

**(4) Parking Standards for Detached Private Garages**

Notwithstanding anything to the contrary, detached **private garages** associated with a residential **use** that is accessed from a rear **street** or lane is subject to the following requirements:

Detached Private Garage Standards		
1.	Minimum distance of access lane and garage from the rear lot line	0.6 m (1)
2.	Minimum required exterior side yard	A minimum distance equal to the exterior side yard requirement for the main building.
3.	Minimum required interior side yard	A minimum distance equal to the interior side yard requirement for the main building.

		Notwithstanding the above standard, a detached private garage may share a common wall with another detached private garage on an abutting lot.
4.	For shared detached <b>garages</b> erected on a common interior side yard	0 m
5.	Minimum setback of detached garage from main building on the lot	6 m
6.	Parking of motor vehicles in the setback area	The parking of motor vehicles is not permitted in the setback area required by item 5.
7.	Maximum height	7.5 m
8.	Maximum coverage of detached private garage	20% (2)
9.	Encroachments:	Unenclosed stairs and landings that access the first storey or any storey above the first storey of a detached private garage may encroach into the required setbacks, up to a distance of 0.6 m.

Notes:

- (1) A detached **private garage** shall be prohibited from facing the laneway if the **garage** is located less than 6 m from the laneway.
- (2) The floor area of a staircase and/or landing to access used to access the detached private **garage** or any storey above a detached private **garage** shall be excluded from the **lot coverage** calculation.

**(5) Accessory Buildings and Storage**

Notwithstanding any provisions to the contrary, **accessory buildings** and storage within MU1, MU2, and MU3 **Zones** shall comply with the following:

- a) **Accessory buildings** and storage shall only be permitted in the **rear yard**;
- b) All storage must be completely enclosed in a **building**; and
- c) **Outdoor storage** is not permitted.

**(6) Garbage Containment**

- a) For all **uses** except **single detached, semi-detached** and freehold multiple attached **dwelling**s (townhouses) the following regulations shall apply to garbage containers:
  - i) Garbage containers shall only be permitted if located within a commercial and/or commercial/residential **building** (mixed **use**) and/or apartment **buildings**.

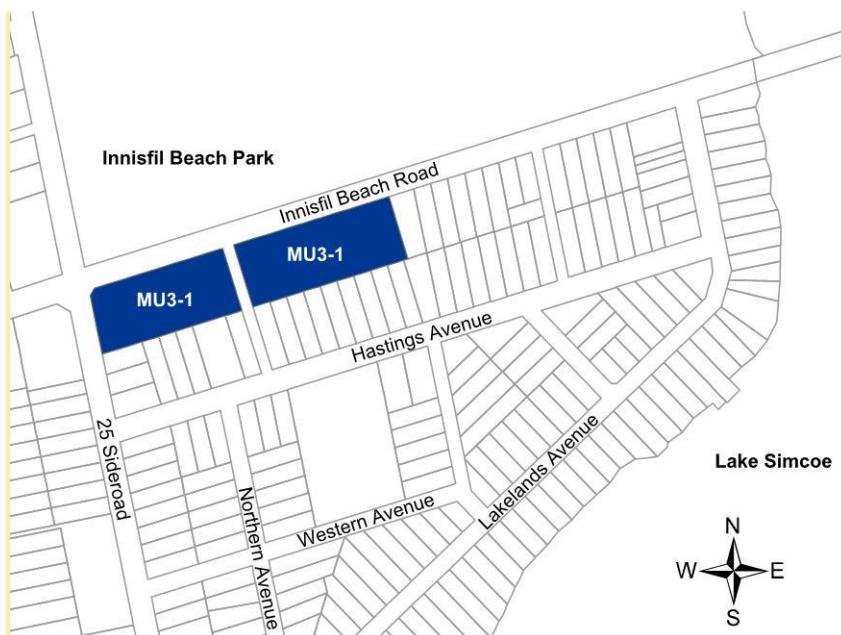
**5.3 Zone Exceptions**

Notwithstanding any other provisions of this By-law, the special regulations contained in this Section shall apply to the area or areas defined below and as shown on Schedule "A".

**5.3.8.1 MU3-1 (H) (XXX-20) - Maps No. 39 and 40**

This section contains the provisions for the zones proposed on the ICB lands.

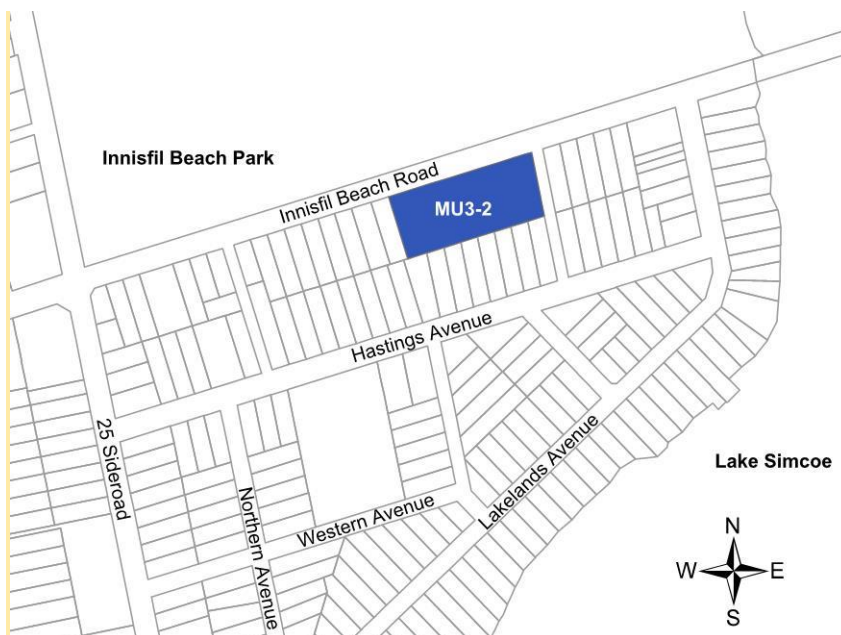
Four distinct exception zones are proposed along the ICB lands, and each has its own provisions.



This map wouldn't normally be in the Zoning By-law, but its been provided to show where the MU3-1 Exception is proposed.

- 1) In addition to the **uses** permitted in Section 5.1 the following **uses** shall also be permitted:
  - a) Notwithstanding Note (6) of Section 5.1 and Note (2) of Section 5.2b.1, **Outdoor Rooftop Patios** shall be permitted, except where they face a residential zone or where they are located above the ground floor.
- 2) In addition to the **uses** permitted in Section 5.1 the following **uses** shall be prohibited:
  - a)
- 3) All **zone** regulations for the MU3 **zone** shall apply to the lands **zoned** MU3-1 with the following exceptions:
  - a) Minimum Interior Side Yard Setback: In addition to base zone requirements, a 6 m minimum interior side yard setback shall be required where the interior side yard abuts a residential zone;
  - a) Rear Yard Setback: 10 m, and subject to the 45 degree angular plane (2).
  - b) Maximum Density:
  - c) Parking
    - i) Notwithstanding any other provisions of this By-law to the contrary, 1.5 parking spaces per **dwelling unit** will be required and shall be inclusive of visitor space requirements.
  - d) Loading
    - i) No **loading space** or platform or overhead vehicular door may be located in any yard or wall of any **building** or **structure**, which adjoins or faces a street.
    - ii) Loading facilities shall be limited to the rear of any **building**.
- 4) The following special provisions shall apply to lands zoned MU3-1:
  - a) For all uses the first storey shall be constructed at a minimum of 4.2 m from the first-floor level to the second-floor level.
  - b) One-storey roof access structures and amenity structures shall not be included in calculation for building height, where the gross total floor area of structures on the roof is less than 15% of the accessible roof area.

#### 5.3.8.2 MU3-2 (H) (XXX-20) - Map No. 40



This map wouldn't normally be in the Zoning By-law, but its been provided to show where the MU3-2 Exception is proposed.

- 1) In addition to the **uses** permitted in Section 5.1 the following **uses** shall also be permitted:
  - a) Notwithstanding Note (6) of Section 5.1 and Note (2) of Section 5.2b.1, **Outdoor Rooftop Patios** shall be permitted, except where they face a residential zone or where they are located above the ground floor.
- 2) In addition to the **uses** permitted in Section 5.1 the following **uses** shall be prohibited:
  - a)
- 3) All **zone** regulations for the MU3 **zone** shall apply to the lands **zoned** MU3-2 with the following exceptions:
  - a) Minimum Interior Side Yard Setback: In addition to base zone requirements, a 6 m minimum interior side yard setback shall be required where the interior side yard abuts a residential zone;
  - b) Rear Yard Setback: 10 m where a rear lot line abuts a residential zone, and subject to the 45 degree angular plane (2);
  - c) Maximum Building Height: 12 m
  - d) Maximum Density:
  - e) Parking
    - i) Notwithstanding any other provisions of this By-law to the contrary, 1.5 parking spaces per **dwelling unit** will be required and shall be inclusive of visitor space requirements.
  - f) Loading
    - i) No **loading space** or platform or overhead vehicular door may be located in any yard or wall of any **building** or **structure**, which adjoins or faces a street.
    - ii) Loading facilities shall be limited to the rear of any **building**.
- 4) The following special provisions shall apply to lands zoned MU3-2:
  - a) For all uses the first storey shall be constructed at a minimum of 4.2 m from the first-floor level to the second-floor level.
  - b) One-storey roof access structures and amenity structures shall not be included in calculation for building height, where the gross total floor area of structures on the roof is less than 15% of the accessible roof area.

#### 5.3.8.3 MU3-3 (H) (XXX-20) - Map No. 40





This map wouldn't normally be in the Zoning By-law, but its been provided to show where the MU3-3 Exception is proposed.

2) In addition to the **uses** permitted in Section 5.1 the following **uses** shall also be permitted:

- a) Notwithstanding Note (6) of Section 5.1 and Note (2) of Section 5.2b.1, **Outdoor Rooftop Patios** shall be permitted, except where they face a residential zone or where they are located above the ground floor.

3) In addition to the **uses** permitted in Section 5.1 the following **uses** shall be prohibited:

a)

4) All **zone** regulations for the MU3 **zone** shall apply to the lands **zoned** MU3-3 with the following exceptions:

- a) Minimum Interior Side Yard Setback: In addition to base zone requirements, a 6 m minimum interior side yard setback shall be required where the interior side yard abuts a residential zone;
- b) Rear Yard Setback: 10 m where a rear lot line abuts a residential zone, and subject to the 45 degree angular plane (2); Except 0 m where
- c) Maximum Building Height: 9 m
- d) Maximum Density:
- e) Parking
  - i) Notwithstanding any other provisions of this By-law to the contrary, 1.5 parking spaces per **dwelling unit** will be required and shall be inclusive of visitor space requirements.
- f) Loading
  - i) No **loading space** or platform or overhead vehicular door may be located in any yard or wall of any **building** or **structure**, which adjoins or faces a street.
  - ii) Loading facilities shall be limited to the rear of any **building**.

5) The following special provisions shall apply to lands zoned MU3-3:

- a) For all uses the first storey shall be constructed at a minimum of 4.2 m from the first-floor level to the second-floor level.
- b) One-storey roof access structures and amenity structures shall not be included in calculation for building height, where the gross total floor area of structures on the roof is less than 15% of the accessible roof area.

#### 5.3.8.4 MU3-4 (H) (XXX-20) - Map No. 40



This map wouldn't normally be in the Zoning By-law, but its been provided to show where the MU3-4 Exception is proposed.

1) In addition to the **uses** permitted in Section 5.1 the following **uses** shall also be permitted:

a) **Boathouses, docks** and other water structures which existed the date this amendment comes into effect.

This ensures that seasonal docks for existing residences can continue to be used.

2) In addition to the **uses** described in Section 5.1 the following **uses** shall be prohibited:

a) Outdoor patios within yards abutting a residential zone.

b) Apartment dwelling

c) Hotel/Motel

d) Banquet Hall

e) Indoor Recreation Centre

f) Laundry and Dry Cleaning Centre

g) Medical Office

h) Pet daycare establishment

i) Shopping Centre

j) Taxi Stand or Dispatch

Potential further restrictions on uses have been proposed here. These are uses that have been included because of potential nuisance issues, high parking needs, or are major drivers of traffic.

3) All **zone** regulations for the MU3 **zone** shall apply to the lands **zoned** MU3-4 with the following exceptions:

a) Minimum Waterfront Yard Setback: For any lot abutting the **shoreline** all structures shall be set back a minimum of 15 m from the **shoreline**.

b) Minimum Interior Side Yard Setback: In addition to base zone requirements, a 6 m minimum interior side yard setback shall be required where the interior side yard abuts a residential zone;

c) Maximum Building Height: 19 m

d) Maximum Density:

e) Parking

i) Notwithstanding any other provisions of this By-law to the contrary, 1.5 parking spaces per **dwelling unit** will be required and shall be inclusive of visitor space requirements.

f) Waterfront Yard Landscaping: No less than 75% of the **waterfront yard** shall be maintained as a **naturalized vegetation area** and 75% of the total **shoreline** on the lot should be maintained in a naturalized state.

Provisions for waterfront naturalization and setback have been incorporated from the Our Shore By-law. This section may expand to incorporate other protections for the lake.

4) The following special provisions shall apply to lands zoned MU3-4:

a) For all uses the first storey shall be constructed at a minimum of 4.2 m from the first-floor level to the second-floor level.



- b) Residential Transition Landscape Strip: For any yard abutting a residential zone, a minimum 4 m landscape strip shall be provided, composed of a combination of hard and soft landscaping, dense screening and large caliper vegetation.