



Economic Development and Planning Committee

Tuesday, September 5, 2017, 6:00 pm
City Hall, Council Chambers

Committee Members

Councillor D. LeSueur,
Chair
Councillor J. Baker
Councillor J. Earle
Councillor M. Kalivas
Mayor D. Henderson, Ex-
Officio

Areas of Responsibility

Economic Development
Planning
Chamber of Commerce
DBIA
Heritage Brockville

Economic Development
Advisory Team
Museum Board
Library Board
Arts Centre
Tourism

Page

PUBLIC MEETING AGENDA

Report

2 - 16

1. 2017-090-09
Proposed General Amendments to
Zoning By-law 050-2014
City of Brockville

THAT Report 2017-090-09 be received as information and that a report including a final housekeeping amendment by-law on this matter be prepared by Staff for consideration of the Economic Development Planning Committee at a future meeting.

30Aug2017

REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE - PUBLIC MEETING – 5 SEPT 2017

2017-090-09

**PROPOSED GENERAL AMENDMENTS
TO ZONING BY-LAW 050-2014
CITY OF BROCKVILLE
FILE: D14-023₍₀₅₀₋₂₀₁₄₎**

**D. DICK
DIRECTOR OF PLANNING (Acting)
ANDREW MCGINNIS
PLANNER II**

RECOMMENDATION

THAT Report 2017-090-09 be received as information and that a report including a final housekeeping amendment by-law on this matter be prepared by Staff for consideration of the Economic Development Planning Committee at a future meeting.

PURPOSE

To provide information for purposes of conducting a Public Meeting under the Planning Act respecting a General Housekeeping Amendment to City of Brockville Zoning By-law 050-2014.

BACKGROUND

Staff regularly undertakes a review of issues raised through the usage of the City's Comprehensive Zoning By-law. The frequency of such review ensures the continued effectiveness of the by-law to regulate land use and development within the City, and provides an opportunity to incorporate new policy directions and/or legislative requirements when necessary.

Staff recommends that a series of housekeeping matters relating to missed/wrong references, interpretation issues, and suggestions from departments, agencies and public over the past years, be addressed at this time.

Since Zoning By-law 050-2014 was passed (10 June 2014), Staff have been actively reviewing zoning provisions, definitions and setback requirements as well as monitoring the general usage of the by-law and are now in a position to recommend changes be brought forward where the effectiveness of the By-law is affected.

ANALYSIS

It is staff's opinion that to ensure continued effectiveness of the City's current Zoning By-law, it is necessary to address a number of issues and make improvements and

clarifications to the provisions of the Zoning By-law for ease of interpretation and implementation.

The proposed housekeeping amendment addresses issues resulting from multiple supported variances/previous amendments, matters of interpretation, and suggestions received from departments, agencies and the public over the past three (3) years. More specifically, the proposed amendments include, but are not limited to, the following topics:

- Technical revisions (granting staff authority to make minor changes that do not change the intent of the by-law or any provision contained within (ie. grammatical, map/schedule changes, etc.))
- Definitions (additions of new definitions, amendments to current definitions and amendments to incorrect references.
- Apartment units in Commercial and Mixed Use Zones.
- Fencing
- Home Industries/Home Occupations (Prohibited Uses)
- Legal non-conforming uses and legal non-complying buildings and structures
- Parking Area requirements
- Seasonal Uses
- Setback requirements and permitted encroachments
- Lot and Building Requirements for Residential Zones
- Permitted Uses in Commercial and Mixed Use Zones
- Permitted Uses in Non-Residential and Non-Commercial Zones
- Site-specific Zones throughout the by-law that are missing or affected by other revisions proposed in the housekeeping amendment.

The specific details of the draft housekeeping amendments and accompanying rationale has been described in table format in **Schedule "A"** to this report.

Issues for Discussion:

1. Appropriateness of the delegation of authority to staff for technical revisions.
2. Appropriateness of the proposed amendments.
3. Additional revisions Members of the EDP Committee would like staff to review, if any.

POLICY IMPLICATIONS

The contents of this report are provided for information purposes for the Public Meeting. Following the Public Meeting, Planning Department Staff will prepare a report which will include review and consideration of policies that are relevant to the requested amendment.

FINANCIAL CONSIDERATIONS

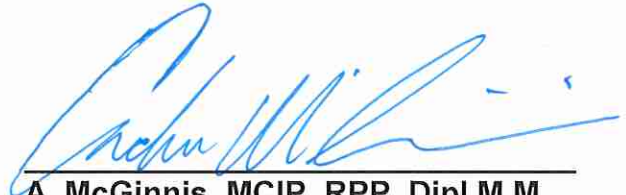
None.

CONCLUSION

A Report on this matter, including a detailed analysis of the proposed amendments and consideration of the issues raised at the Public Meeting and a recommendation from Planning Staff, will be prepared for consideration of the Economic Development Planning Committee at a future meeting.



D. Dick, CPA, CA
Director of Planning (Acting), and
Director of Corporate Services



A. McGinnis, MCIP, RPP, Dipl.M.M.
Planner II



B. Casselman
City Manager

SCHEDULE "A" TO REPORT 2017-090-09

SECTION	PROPOSED AMENDMENT	REASON/EXPLANATION
Section 1.0 - Interpretation, Administration and Enforcement, Subsection 1.6 – Interpretation of Schedules "A" and "B", Sub-section e), v)	<p>Repeal in its entirety and replace with the following:</p> <p>"v) Where an intermittent street frontage and minimum ground floor height are shown to apply to a lot line or a portion of a lot line the provisions of Subsection 3.22 and Subsection 3.27 shall apply to that portion of the lot line. Where the intermittent street frontage and minimum ground floor height are shown to apply to a portion of a lot line on a lot, the applicability shall be scaled from the map."</p>	<p>Due to an improper reference whereas Subsection 3.12 was referred, and reference should be made to 3.22.</p>
Section 1.0 – Interpretation, Administration and Enforcement	<p>Add a new section "Technical Revisions" at subsection 1.10 to read the following:</p> <p>"1.10 Technical Revisions Revisions may be made to this by-law without the need for a zoning amendment in the following cases:</p> <ul style="list-style-type: none"> a) correction of grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision; b) adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends or title blocks; and c) changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this by-law and are editorially inserted for convenience of reference only." 	<p>By addition the proposed section, this will permit staff to make minor technical changes (as needed) to the By-law without the need for a zoning amendment process.</p> <p>The changes that could be made without Council approval will not change the intent or direction of the By-law.</p>
Section 2.0– Definitions	<p>Add definition for "Computer Design and Development Facility".</p> <p>Said definition to read as follows: "62. Computer Design and Development Facility, means a company whose primary business activities are associated with technology industry which includes computer hardware, software, electronics, semiconductor, internet, telecom equipment, e-commerce and computer services."</p>	<p>Currently the By-law has no definition for this type of use.</p>

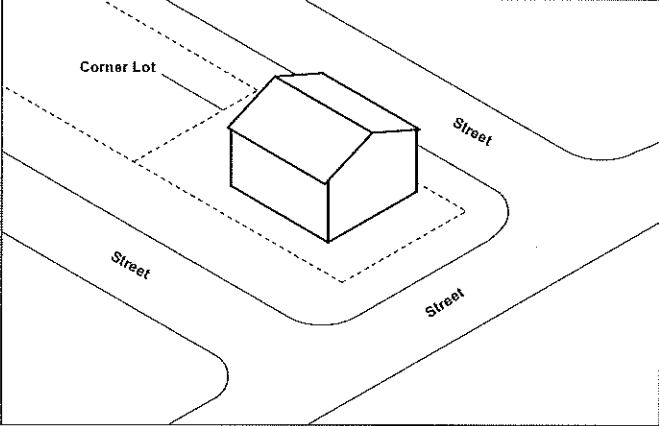
SECTION	PROPOSED AMENDMENT	REASON/EXPLANATION
Section 2.0— Definitions	<p>Repeal in its entirety and replace, “Day Care, Private-Home” with the following:</p> <p>“73. Day Care, Private-Home, means a place wherein the temporary care of children is provided and is operated as an accessory use within a residential dwelling in accordance and licensed under the <i>Child Care and Early Years Act</i>, as amended, or any other applicable Provincial legislation, and in accordance with the provisions for home occupations in Subsection 3.21.”</p>	<p>The “<i>Day Nurseries Act</i>” has been repealed and replaced with the “<i>Child Care and Early Years Act</i>.” Change is required to reference the current Act.</p>
Section 2.0— Definitions	<p>Replace heading for definition of “Day Nursery” with “Child Care Centre.” Definition to remain the same.</p> <p>Replace all references to “Day Nursery” with “Child Care Centre.”</p>	<p>The “<i>Day Nurseries Act</i>” has been repealed and replaced with the “<i>Child Care and Early Years Act</i>.” The By-law had previously referred to a “Day Nursery” to describe a licenced child care facility; however, the terminology is no longer accurate since the new legislation uses the term “Child Care Centre.” Note also the general amendment replaces every occurrence of the term “Day Nursery” in the By-law with “Child Care Centre.”</p>
Section 2.0 – Definitions	<p>Repeal in its entirety and replace “Lot Line, Front” with the following:</p> <p>“151. Lot Line, Front, means in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot abutting two (2) or more street lines, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot, or a corner lot whose exterior lot lines are the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.”</p>	<p>This amendment is proposed due to the addition of “<u>or more</u>” to the reference. Currently there is no reference to a lot having frontages on more than two streets.</p>
Section 2.0 – Definitions	<p>Add the following definition for “Medical Laboratory”:</p> <p>“163. Medical/Dental Laboratory” means a building, or part thereof, used for medical and/or dental testing, medical and/or dental experimentation and medical and/or dental research.”</p>	<p>Currently the By-law has no definition for this type of use.</p>

SECTION	PROPOSED AMENDMENT	REASON/EXPLANATION
Section 2.0 – Definitions	Repeal in its entirety and replace, “ Public Use ” with the following: “197. Public Use, means any essential or public service or utility outlined in Subsection 3.38 of this By-law.”	Proposed addition of “or public” to the reference.
Section 2.0 – Definitions	Add the following definition for “ Rowing Club ”: “209. Rowing Club, means a club for people to take part in the activity or sport of rowing or paddling.”	Currently the By-law has no definition for this type of use.
Section 2.0 – Definitions	Add the following definition for “ Street Edge ”: “236. Street Edge, means the point at where a front lot line meets the street line.”	The By-law refers to “Street Edge” in multiple locations, but has no definition. Definition is being added for clarification.
Section 2.0 – Definitions	Repeal in its entirety and replace “ Transportation Terminal ” with the following: “250. Transportation Terminal, means a building or structure which is used for loading or unloading of trucks, or where trucks, transports or buses are stored, rented, leased, kept for hire, parked or repaired on the property, or are dispatched for hire as common carriers, or which is a bonded or sufferance warehouse.”	Removes the reference to “or land” from the definition. The new definition removes the ability to have a transportation terminal on a parcel of land without a main building.
Section 2.0 – Definitions	Add the following definition for “ Vehicle Length ”: “258. Vehicle Length, means the horizontal length of a vehicle, motorized or other, measured from the longest point, including the tongue and bumper.”	The By-law refers to “Vehicle Length” in multiple locations but has no definition. This is being added for clarification.
Section 2.0 – Definitions	Add the following definition “ Yacht Club ”: “266. Yacht Club, means a club organized to promote and regulate yachting and boating.”	Currently the By-law has no definition for this type of use.

SECTION	PROPOSED AMENDMENT	REASON/EXPLANATION
Section 3.0— General Provisions, Subsection 3.6 – Apartment units in commercial and mixed use Zones, d)	Amend by adding the following to existing line of text “In a Commercial Zone.” Said provision should read as follows: “d) Apartment units shall not exceed 100.0 percent of the gross floor area of the non-residential use in a Commercial Zone.”	Currently this regulation does not allow any building in a mixed use zone (Downtown, 1000 Islands Mall, former Zellers Mall) to have more than 100.0 percent of the commercial space developed for residential.
Section 3.0 – General Provisions, Subsection 3.16 – Fences, i) and ii),	Repeal in its entirety and replace with the following: “i) Fences, walls, or hedgerows described herein shall be measured from grade, and said height shall be inclusive of lattice or other fence toppers. ii) Fences or walls constructed in any side or rear yard in any Residential Zone shall be limited to a height of 2.0 metres. This includes fences or walls constructed on or around a deck or patio. For fences constructed on a deck, height is measured from the top of deck.”	Proposed in order to help facilitate the height of fences and/or walls on a deck. Currently the By-law does not address these matters.
Section 3.0— General Provisions, Subsection 3.20 – Home Industries	Add new subsection: “j) Prohibited Uses Without limiting the generality or applicability of the provisions for home industries under clause 3.20, the following uses shall not be considered home industries: i. Automotive repair or automotive trade use exceeding one (1) service bay measuring a maximum of 150.0 m ² . ii. Painting of vehicles, trailers or boats exceeding one (1) service bay 150.0 m ² . iii. Arcade iv. Outside storage associated to the home industry.”	The By-law does not preclude any uses from being a “Home Industry.” The proposed addition of Prohibited Uses to the “Home Industry” section will align the uses with the “Home Occupation” regulations.
Section 3.0 – General Provisions, Subsection 3.21 – Home Occupations) Exception	Repeal in its entirety and replace with the following: “A private home day care or babysitting service may be established as a home occupation, and shall not be restricted by subclauses 3.21 b) i) and viii).”	Proposed due to a typographical error which limited the “Private Home Daycare” to two (2) clients.

SECTION	PROPOSED AMENDMENT	REASON/EXPLANATION
<p>Section 3.0 - General –Provisions, Subsection 3.2.1 – Home Occupations, d) Prohibited Uses, x)</p>	<p>Re-number as follows:</p> <p>ix) arcade.</p>	<p>Proposed due to a typographical error. “Arcade” was under “x)” not “ix).”</p>
<p>Section 3.0 – General Provisions, Subsection 3.2.3 – Legal non-conforming uses and legal non-complying buildings and structures, g)</p>	<p>Repeal in its entirety and replace with the following:</p> <p>“g) to prevent the repair of legal non-conforming uses, provided their dimensions (height, size and volume) are not increased.</p> <p>h) A non-conforming building destroyed by any means beyond the control of the owner may be replaced and rebuilt to the same extent in its former location provided that construction is commenced within one year from the date of destruction and provided that the building is completed within a reasonable time thereafter. The Chief Building Official shall have regard for the clear intent of the Owner to reconstruct the damaged building in considering the issuance of a Building Permit in accordance with the aforementioned requirements”.</p>	<p>The By-law currently allows the reconstruction of non-conforming uses. Staff believe that this reference should only permit legal non-conforming uses to be reconstructed for a limited timeframe as it is the intent to remove non-conforming uses from properties around the city and gain compliance.</p>
<p>Section 3.0– General Provisions, Subsection 3.33 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.33(b): Parking Requirements for Commercial and Mixed Uses – Industrial Equipment Sales, Service and Rental or Industrial and/or Automotive Supply.</p>	<p>Repeal in its entirety and replace with the following:</p> <p>“3.0 spaces per 100.0 square metres gross leasable area.”</p>	<p>Proposed change is from 5.0 spaces to 3.0 spaces.</p> <p>Staff have determined through review of projects with this use that 5.0 parking spaces being required is excessive. Most of these facilities have large buildings for storage of their equipment.</p>

SECTION	PROPOSED AMENDMENT	REASON/EXPLANATION												
Section 3.0– General Provisions, Subsection 3.33 – Parking Area Requirements, a) Minimum Number of Parking Spaces, iii) Designation of Parking for Persons with Disabilities	<p>Repeal in its entirety and replace with the following:</p> <p>1. a. Where a new residential building or an addition to an existing residential building must be barrier free in accordance with the Building Code Act and its regulations, one (1) parking space, with a width of not less than 3.5 metres, shall be provided at the rate of one (1) space for every fifty (50) parking spaces required to be provided by this By-law.</p> <p>1. b. Where a new building or an addition to an existing building must be barrier free in accordance with the Building Code Act and its regulations, the following chart will apply to barrier-free parking spaces. Each required space must have a minimum width of not less than 3.5 metres.</p> <table><tr><td>Total number of parking spaces in parking facility for public use</td><td>Total number of accessible parking spaces required</td></tr><tr><td>1-12</td><td>1</td></tr><tr><td>12-100</td><td>4%</td></tr><tr><td>101-200</td><td>3% + 1</td></tr><tr><td>201-1000</td><td>2% + 2</td></tr><tr><td>1001 +</td><td>1% + 11</td></tr></table>	Total number of parking spaces in parking facility for public use	Total number of accessible parking spaces required	1-12	1	12-100	4%	101-200	3% + 1	201-1000	2% + 2	1001 +	1% + 11	<p>Proposed addition in order to bring the Zoning By-law into conformity with the Accessibility for Ontarians with Disabilities Act.</p>
Total number of parking spaces in parking facility for public use	Total number of accessible parking spaces required													
1-12	1													
12-100	4%													
101-200	3% + 1													
201-1000	2% + 2													
1001 +	1% + 11													
Section 3.0 – General Provisions, Subsection 3.33 – Parking Area Requirements, b) Parking Space, Area and Driveway Requirements, v) Parking Area Location, 2. Location of Parking Areas in Residential Zones, a. and b.	<p>Repeal and replace with the following:</p> <p>“a. Parking areas shall be permitted in any yard except in the exterior side yard. Parking areas shall only be permitted in the front yard in accordance with subparagraph 3.33 b) v) 2. b. below. Parking shall be limited to a driveway or parking area designed and located in accordance with the provisions of section 3.33.”</p> <p>“b. Notwithstanding anything to the contrary in this subsection, any residential driveway may be used for parking purposes, provided that it shall lead to another legal parking space, garage, or carport. An additional parking area which does not lead to a legal parking space, garage or carport, may be provided in a front yard parallel to the existing legal parking space or driveway to accommodate the parking of vehicles, provided that the total width of all driveway(s) or parking areas does not exceed the lesser of 9.0 metres or 50.0 percent of the width of the lot.”</p>	<p>The regulation permits driveways to be used for stacking of the required spaces. Currently stacking (in a row) is not permitted.</p> <p>In addition, the By-law allows driveways larger than 9.0 metres as it is based on each unit. An example of this would be for a tri-plex. If a tri-plex had significant frontage, a driveway could be put in that measured 27.0 metres.</p> <p>The reference to “for each unit” has been removed and now limits the driveway width to the lesser of 9.0 metres or 50.0 percent of the width of the lot.</p>												

SECTION	PROPOSED AMENDMENT	REASON/EXPLANATION
Section 3.0— General Provisions, Subsection 3.40 – Seasonal Uses	Add the following to the existing list of provisions: “f) Seasonal use(s) shall not occupy more than 25% of the required parking for the entire property and shall not cover any portion of a required barrier-free space(s).”	Currently the By-law does not regulate the size of a seasonal use. The proposed percentage will give merchants ample space for their sale area and maintain a sufficient amount of parking spaces for customers.
Section 3.0 – General Provisions, Subsection 3.46 – Through Lots and Corner Lots, b) Corner Lot	Add the following pictorial reference to Section 3.0, Subsection 3.46 b) 	The By-law currently portrays a pictorial representation of a corner lot with frontage on two (2) streets; however, the text in this section described a lot having front on more than two streets. Staff proposes the picture (left) be added for clarification.
Section 3.0 – General Provisions, Subsection 3.51 – Yard, Setback and Height Encroachments Permitted, g)	Repeal and replace heading of “ Covered or Uncovered Porches, Steps and Decks ” with the following heading: “Unenclosed Porches, Steps and Decks”	Staff are proposing the change described in order to remove the possibility of an addition to a home encroaching in to a required yard as porches, steps and decks can encroach in comparison to a dwelling.
Section 3.0 – General Provisions, Subsection 3.51 – Yard, Setback and Height Encroachments Permitted, g), iv) and v)	Repeal in their entirety and replace with the following: “iv) Uncovered decks may project into any required front or exterior side yard a distance of not more than 1.5 metres provided said structure is not higher than 4.0 metres from grade.” “v) Uncovered decks may project a maximum of 3.75 metres into the required rear yard, provided said structure is not higher than 1.5 metres from grade.”	The addition of “uncovered” to each of the headings is to implement the changes proposed in the heading of Section 3.0 – General Provisions, Subsection 3.51 – Yard, Setback and Height Encroachments Permitted, g).

SECTION	PROPOSED AMENDMENT	REASON/EXPLANATION
Section 3.0 – General Provisions, Subsection 3.51 – Yard, Setback and Height Encroachments Permitted, g), vi)	Repeal in its entirety.	Proposed to be removed as this is a typo. It is a repeat of a portion of clause 3.51 g) ii)
Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, table 5.2(b): Lot and Building Requirements for Residential – General Zones, Minimum Lot Frontage under heading R3 and R3A	Repeal reference to Street Townhouse Dwelling of “6.0 m per unit, plus 3.0 m for exterior lots” and replace with “not permitted.”	Remove the reference to Street Townhouse Dwelling as the use should not be permitted within the R3 – General Residential Zone and the R3A - General Residential Zone.
Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, table 5.2(b): Lot and Building Requirements for Residential – General Zones, Minimum Lot Frontage under heading R3 and R3A	Repeal reference to Townhouse Dwelling of “30.0 m” and replace with “not permitted.”	Remove the reference to Townhouse Dwelling as the use should not be permitted within the R3 – General Residential Zone and the R3A – General Residential Zone.
Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, table 5.2(b): Lot and Building Requirements for Residential – General Zones, Minimum Lot Area under heading R3 and R3A	Repeal reference to Street Townhouse Dwelling of “180.0 m ² ” and replace with “not permitted.”	Remove the reference to Street Townhouse Dwelling as the use should not be permitted within the R3 – General Residential Zone and the R3A – General Residential Zone.
Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, table 5.2(b): Lot and Building Requirements for Residential – General Zones, Minimum Lot Area under heading R3 and R3A	Repeal reference to Townhouse Dwelling of “180.0 m ² per unit” and replace with “not permitted.”	Remove the reference to Townhouse Dwelling as the use should not be permitted within the R3 – General Residential Zone and the R3A – General Residential Zone.

SECTION	PROPOSED AMENDMENT	REASON/EXPLANATION
Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, table 5.2(b): Lot and Building Requirements for Residential – General Zones, Minimum Lot Frontage	Under heading “Use” add “Linked Dwelling” to the subheading “Semi-Detached Dwelling, Duplex Dwelling.”	Adds the permitted use of a Linked Dwelling to the zone provision chart. It was missed in the initial implementation but is a permitted use under Table 5.1 “Permitted Uses.”
Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, table 5.2(b): Lot and Building Requirements for Residential – General Zones, Minimum Lot Area	Under heading “Use” add “Linked Dwelling” to the subheading “Semi-Detached Dwelling, Duplex Dwelling.”	Adds the permitted use of a Linked Dwelling to the zone provision chart. It was missed in the initial implementation but is a permitted use under Table 5.1 “Permitted Uses.”
Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, table 5.2(b): Lot and Building Requirements for Residential – General Zones, Minimum Front Yard	Under heading “Use,” subheading “All uses except Converted Dwellings and Maisonette Dwellings,” repeal and replace “8.0 m” with “6.0 m” under the “R4” heading.	Due to typographical errors that staff have found while reviewing the document.
Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, table 5.2(b): Lot and Building Requirements for Residential – General Zones, Minimum Exterior Side Yard	Under heading “Use,” subheading “Maisonette Dwellings,” repeal and replace “8.0 m” with “6.0 m” under the “R4” heading.	Due to typographical errors that staff have found while reviewing the document.
Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, table 5.2(c): Lot and Building Requirements for Residential – Multiple Zones, Minimum Interior Side Yard	Add footnote (“1”).	Being amended to recognize that “Townhouse Dwelling or Street Townhouse Dwelling” can have a common wall that requires no interior side yard.

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Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, table 5.2(c): Lot and Building Requirements for Residential – Multiple Zones	Add new footnote “(1) an interior side yard shall not be required where dwelling units share a common wall.”	Being amended to recognize that “Townhouse Dwelling or Street Townhouse Dwelling” can have a common wall that requires no interior side yard.																				
Section 5.0 – Residential Zones, Subsection 5.3 – Residential Special Exception Zones 5.3.4.9 R3-9 Zone.	<p>Add the following:</p> <p>“5.3.4.9 R3-9 Zone (Lots 7, 8 and 9, Part of Lots 5 and 6, Block 3, Plan 67; 72, 74, 76 and 78 Murray Street) Amending By-law 020-2014</p> <p>The uses permitted in the R3-X3-1 Zone shall be those permitted in the R3-General Residential Zone.</p> <p>The zone provisions for the R3-X3-1 Zone shall be the same as for the R3-General Residential Zone, save and except for the following:</p> <table><tr><td></td><td>72 Murray Street</td><td>74 Murray Street</td><td>76 Murray Street</td><td>78 Murray Street</td></tr><tr><td>Minimum Lot Area</td><td>270.0 m2</td><td>270.0 m2</td><td>270.0 m2</td><td>255.5 m2</td></tr><tr><td>Minimum Lot Frontage</td><td>11.7 m</td><td></td><td></td><td></td></tr><tr><td>Minimum Interior Side Yard to an accessory structure</td><td>(corner lot)</td><td>9.0 m</td><td>9.0 m</td><td>9.0 m</td></tr></table>		72 Murray Street	74 Murray Street	76 Murray Street	78 Murray Street	Minimum Lot Area	270.0 m2	270.0 m2	270.0 m2	255.5 m2	Minimum Lot Frontage	11.7 m				Minimum Interior Side Yard to an accessory structure	(corner lot)	9.0 m	9.0 m	9.0 m	Required to be inserted into Zoning By-law 050- 2014 as By-law 020-2014 was passed prior to the implementation of Zoning By-law 050-2014 and was not inserted in the previous Zoning By- law 194-94 in order to be carried over correctly.
	72 Murray Street	74 Murray Street	76 Murray Street	78 Murray Street																		
Minimum Lot Area	270.0 m2	270.0 m2	270.0 m2	255.5 m2																		
Minimum Lot Frontage	11.7 m																					
Minimum Interior Side Yard to an accessory structure	(corner lot)	9.0 m	9.0 m	9.0 m																		
Section 5.0 – Residential Zones, Subsection 5.3 – Residential Special Exception Zones – 5.3.12.2 R9-2 Zone, heading “5.3.12.2 R9-2 Zone (119 Water Street West)	<p>Repeal and replace with the following:</p> <p>“5.3.12.2 R9-2 Zone (80 Henry Street)”</p>	Correction of the municipal address associated with the property.																				
Section 5.0 – Residential Zones, Subsection 5.3 – Residential Special Exception Zones – 5.3.12.3 R9-3 Zone (Wall Street Village – Wall Street, James Street and Victoria Avenue) Amending By- law 056-2015	Repeal and replace the reference to “R9-7 Zone” with “R9-3 Zone”	Reference to the wrong zone was quoted.																				

SECTION	PROPOSED AMENDMENT	REASON/EXPLANATION
Section 5.0 – Residential Zones, Subsection 5.3 – Residential Special Exception Zones	Repeal Section “5.3.12.4 T-R9-4 Zone (South east Corner of James Street East and Victoria Avenue)” in its entirety and renumber following sections accordingly.	Zoning has expired and is now the site of Wall Street Village. Removing it from the By-law is a general housekeeping matter.
Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones	Under the heading “Use”, subheading “Assembly Hall”, add “x” for permitted use within the “MC” Mixed Use and Commercial Zone.	The above permits an “Assembly Hall” on properties zoned “MC.” This includes the 1000 Islands Mall and the former Zellers Mall.
Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1-Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones	Under the heading “Use”, add “Community Centre” as a permitted use and permit the use in all Commercial and Mixed Use Zones by adding “x” under all sub-headings: MD, MW, MC, C1, C2(2), C3(2), C4, C5, C6(3).	The Zoning By-law defines a “Community Centre,” but does not permit it in any Commercial or Mixed Use Zones. This was missed during the initial implementation of the By-law in 2014.
Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones	Under the heading “Use”, subheading “Home Improvement Store”, delete reference to footnote (3) within the C6 Power Centre Zone.	The deletion of the footnote reference removes the “Home Improvement Store” from the retail cap regulations currently within the C6 – Power Centre Zone. “Home Depot” was not to be included in this cap.
Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones	Under the heading “Use,” repeal the heading “Medical Laboratory” and replace with the heading “Medical/Dental Laboratory.”	There was never a definition for “Medical Laboratory,” but it is a permitted use in multiple zones. Staff are proposing to also add “Dental” to the new definition.
Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.2 – Lot and Building Requirements, Table 6.2(b) Lot and Building Requirements for Commercial and Mixed Use Zones, Maximum Building Height	Under headings MD and MW, be amended to reference “Section 3.5” rather than “Section 3.6.”	Reference is being made to Section 3.6 “Apartment Units in Commercial and Mixed Use Zones” rather than the correct section, Section 3.5 “Angular Planes.”

SECTION	PROPOSED AMENDMENT	REASON/EXPLANATION
Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones	Under heading “Use,” “Community Centres,” subheading “I2,” add “X.”	Will allow a Community Centre as a permitted use within the I2 – St. Lawrence College/Special Education Zone. Currently it is not a permitted use and was missed when By-law 050-2014 was presented to Council.
Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones	Under heading “Use”, add “Park (Private/Public)” to permit the use under the “OS” heading by adding an “X.”	The way the By-law currently reads does not permit “Parks (Public/Private)” in the “OS” Open Space Zone.
Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.3 – Non-Residential & Non-Commercial Special Exception Zones	Amend subsection 7.3.5.2 OS-3 Zone (Islands) to read “7.3.5.3 OS-3 Zone (Islands).”	Typographical error.