DRAFT AMENDMENTS to Zoning By-law 2019-051

Existing Section/Regulation	Proposed Amendment	Rationale
Section 3 – Definition **NEW**	**Section 3 - Definition** Bicycle Parking Stall, Class C – a weather protected area with controlled access in which a bicycle may be parked, including but not limited to a private garage, an accessory structure, a bicycle locker, or an indoor storage alcove.	Creating Class C bike parking for ADU's. The proposed regulations are less prescriptive and onerous than Class A bicycle parking while still requiring secure, weather protected space be made available.
Section 3 – Definition Dwelling – means a building containing one or more dwelling units and can include a single detached dwelling, semi-detached dwelling, street townhouse dwelling, additional dwelling unit (attached), additional dwelling unit (detached), cluster townhouse dwelling, multiple dwelling, small residential care facility, or large residential care facility.	**Section 3 - Definition** Dwelling – means a building containing one or more dwelling units and can include a single detached dwelling, semi-detached dwelling, street townhouse dwelling, ~~additional dwelling unit (attached),~~ additional dwelling ~~unit~~ (detached), cluster townhouse dwelling, multiple dwelling, small residential care facility, or large residential care facility.	Clarification that the dwelling type is an additional dwelling (detached).
Section 3 – Definition Dwelling, Multiple – means the use of a building containing four or more dwelling units and can include a stacked townhouse dwelling and back-to-back townhouse dwelling. A multiple dwelling is not a street townhouse dwelling, mixed use building, cluster townhouse dwelling, single detached dwelling with additional dwelling units (attached) or semi-detached dwelling with additional dwelling units (attached).	**Section 3 – Definition** Dwelling, Multiple – means the use of a building containing five ~~four~~ or more dwelling units, or building containing two or more dwelling units where there are a minimum of 5 dwelling units located on a lot and can include a stacked townhouse dwelling and a back-to-back townhouse dwelling. A multiple dwelling is not a street townhouse dwelling, mixed use building, cluster townhouse dwelling, ~~single detached dwelling with additional dwelling units (attached) or semi-detached dwelling with additional dwelling units (attached).~~	Refine definition so that a multiple is a 5 or more units in a building or a lot with several buildings where the lot has five units or more.
Section 3 – Definition Dwelling Unit (Detached), Additional – means the use of a building where a separate self-contained dwelling unit located in a detached building on the same lot as an associated single detached dwelling, semi-detached dwelling unit, or street townhouse dwelling unit. An additional dwelling unit (detached) is not an accessory building.	**Section 3 - Definition** Dwelling Unit (Detached), Additional – means the use of a building where a separate self-contained dwelling unit ~~in~~ is located in ~~a detached~~ an additional dwelling (detached) ~~building on the same lot as an associated single detached dwelling, semi-detached dwelling unit, or street townhouse dwelling unit. An additional dwelling unit (detached) is not an accessory building.~~	Updating definition as it now refers to the detached unit within the building.
NEW	Dwelling (Detached), Additional – means the use of a building containing one or two additional dwelling unit(s) (detached) on the same lot as a single detached dwelling, semi-detached dwelling, or street townhouse dwelling (as the principal use). An additional dwelling (detached) is not an accessory building.	New definition for Additional Dwelling (Detached) to clarify the building type, and to allow more than one unit within the building.
NEW	Unobstructed Walkway – means a path of travel providing access to a principal entrance of an additional dwelling unit (attached) or additional dwelling unit (detached) and shall be unencumbered by obstructions including but not limited to: stairs, decks and porches (except those which form part of the path of travel to the principal entrance); parking spaces; driveways; chimney breasts; window wells; balconies; secure outdoor areas associated with pools; mechanical, heating, ventilation, air-conditioning equipment and utility meters; or amenity structures such as playgrounds, garden trellises, pergolas, etc. An unobstructed walkway may be shared between more than one dwelling unit on a lot.	Clarification on requirements for an unobstructed walkway.
Section 4 – General Regulations 4.5 CORNER VISIBILITY TRIANGLES, CORNER VISIBILITY AREAS AND DRIVEWAY VISIBILITY TRIANGLES a) No buildings, structures, motor vehicles, food cart, signs, landscaping, or other impediments shall obstruct visibility within a corner visibility triangle, corner visibility area or driveway visibility triangle. An obstruction to visibility shall not include objects 0.9 metres or less in height from the ground, or objects higher than 5 metres in height from the ground. This provision does not apply to the location of fences constructed in accordance with and regulated by Chapter 630 (Fences) of The City of Kitchener Municipal Code.	**Section 4 – General Regulations** 4.5 CORNER VISIBILITY TRIANGLES, CORNER VISIBILITY AREAS AND DRIVEWAY VISIBILITY TRIANGLES a) No buildings, structures, motor vehicles, food cart, signs, landscaping, or other impediments shall obstruct visibility within a corner visibility triangle, corner visibility area or driveway visibility triangle. An obstruction to visibility shall not include objects 0.9 metres or less in height from the ground, or objects higher than 5 metres in height from the ground. This provision does not apply to the location of fences constructed in accordance with and regulated by Chapter 630 (Fences) of The City of Kitchener Municipal Code, or motor vehicles parked in a parking space on a driveway.	Motor vehicles regularly park on driveways and encroach into the required DVT.
Section 4 – General Regulations Table 4-2 (Second Title) Permitted home occupation use in a dwelling unit within a single detached dwelling with an additional dwelling unit (attached) or additional dwelling unit (detached), semi-detached dwelling unit with an additional dwelling unit (attached) or additional dwelling unit (detached), street townhouse dwelling, cluster townhouse dwelling, or multiple dwelling (9)(10)	**Section 4 – General Regulations** Table 4-2 (Second Title) Permitted home occupation use in a dwelling unit within a single detached dwelling with additional dwelling unit(s) (attached) or additional dwelling unit(s) (detached), semi-detached dwelling unit with ~~a~~ additional dwelling unit(s) (attached) or additional dwelling unit(s) (detached), street townhouse dwelling with an additional dwelling unit(s) (attached) or additional dwelling unit(s) (detached), cluster townhouse dwelling, or multiple dwelling (9)(10)	Clarifying that certain home occupations are permitted in additional dwelling units attached and detached.

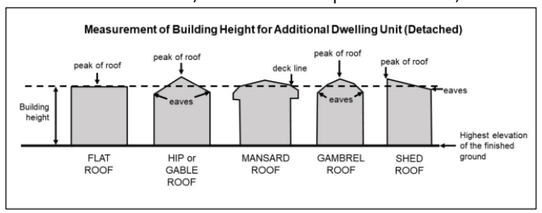
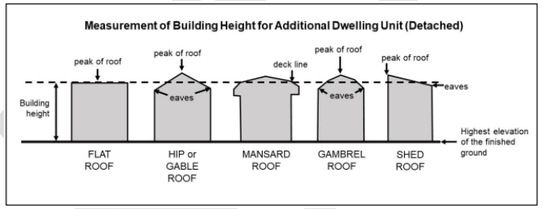
DRAFT AMENDMENTS to Zoning By-law 2019-051

Existing Section/Regulation	Proposed Amendment	Rationale
Section 4 – General Regulations **4.12 NUMBER OF DWELLINGS PER LOT** a) Unless otherwise provided for in this By-law, in any zone where a single detached dwelling or semi-detached dwelling is permitted, no more than one such dwelling shall be erected on a lot. b) On a lot or block against which a Part Lot Control Exemption By-law is registered, those parts on a reference plan which are intended to constitute a future lot, the future lot shall be considered a lot for the purposes of this By-law	**Section 4 – General Regulations** **4.12 NUMBER OF DWELLINGS AND DWELLING UNITS PER LOT** a) Unless otherwise provided for in this By-law, in any zone where a single detached dwelling, or semi-detached dwelling, is permitted, no more than one such dwelling shall be erected on a lot. b) On a lot or block against which a Part Lot Control Exemption By-law is registered, those parts on a reference plan which are intended to constitute a future lot, the future lot shall be considered a lot for the purposes of this By-law c) A maximum of four (4) dwelling units are permitted on a lot which contains a single detached dwelling, semi-detached dwelling unit or street townhouse dwelling unit, subject to the regulations contained herein. The maximum number of units shall include the principal dwelling unit, additional dwelling unit(s) (attached) and additional dwelling unit(s) (detached).	Permit a maximum of 4 dwelling units on a lot.
Section 4 – General Regulations **4.12.1 One Additional Dwelling Unit (Attached)** One additional dwelling unit (attached) may be permitted in association with a single detached dwelling, semi-detached dwelling unit or street townhouse dwelling unit in accordance with the regulations specified by the zone category in which an additional dwelling unit (attached) is permitted, and the dwelling type in which the additional dwelling unit (attached) is located and in addition to and as amended by the following: a) One additional dwelling unit (attached) shall only be located in the same building as a single detached dwelling, semi-detached dwelling, or street townhouse dwelling; b) An additional dwelling unit (attached) shall be connected to full municipal services;	**Section 4 – General Regulations** **4.12.1 One Additional Dwelling Unit (Attached)** One additional dwelling unit (attached) may be permitted in association with a single detached dwelling, semi-detached dwelling unit or street townhouse dwelling unit in accordance with the regulations specified by the zone category in which an additional dwelling unit (attached) is permitted, and the dwelling type in which the additional dwelling unit (attached) is located, and ~~in addition~~ subject to and as amended by the following: a) one additional dwelling unit (attached) shall only be located in the same building as a single detached dwelling, semi-detached dwelling, or street townhouse dwelling; b) an additional dwelling unit~~(s)~~ (attached) shall be connected to full municipal services; Unless otherwise provided for in this By-law, in any zone where a single detached dwelling with one additional dwelling unit (attached) is permitted, a new dwelling with two dwelling units shall also be permitted and considered a single detached dwelling with an additional dwelling unit (attached) in accordance with regulations specified by the zone category and in this section.	4.12.1 – allows up to 2 units, in accordance with regulations of the zone.
4.12.2 Two Additional Dwelling Units (Attached) Two additional dwelling units (attached) may be permitted in association with a single detached dwelling, a semi-detached dwelling unit or a street townhouse dwelling unit in accordance with the regulations specified by the zone category and applying to single detached dwellings, semi-detached dwellings, or street townhouse dwellings in which the two additional dwelling units (attached) are located and in addition to and as amended by the following: a) two additional dwelling units (attached) shall be connected to full municipal services; b) a maximum of one pedestrian entrance to the principal building shall be located on each street line façade, except where more pedestrian entrances are existing; c) no more than two additional dwelling units (attached) are permitted on a lot; d) the minimum lot area shall be 395 square metres or in accordance with Table 7-2, whichever is greater; e) the minimum lot width shall be 13.1 metres or in accordance with Table 7-2, whichever is greater; f) the minimum landscaped area shall be 20%; Unless otherwise provided for in this By-law, in any zone where two additional dwelling units (attached) are permitted, a dwelling with three (3) dwelling units shall also be permitted and considered a single detached dwelling	**DELETE AND REPLACE** **4.12.2 Two or Three Additional Dwelling Units (Attached)** Two (2) or three (3) additional dwelling units (attached) may be permitted in association with a single detached dwelling, semi-detached dwelling unit or street townhouse dwelling unit in accordance with the regulations specified by the zone category in which additional dwelling unit(s) (attached) are permitted, and the dwelling type in which additional dwelling unit(s) (attached) are located, and subject to and as amended by the following: a) additional dwelling unit(s) (attached) shall only be located in the same building as a single detached dwelling, semi-detached dwelling, or street townhouse dwelling; b) additional dwelling unit(s) (attached) shall be connected to full municipal services; c) a minimum of one pedestrian entrance to the principal building is required to face a street line; d) a maximum of two pedestrian entrances shall be permitted to face each street line, except where more pedestrian entrances are existing; e) an unobstructed walkway that is a minimum 1.1 metres in width, shall be provided from a street to the principal entrance of each new dwelling unit, where the principal entrance is not located on a street-line facade.	4.12.2- regulations that related to a 3- or 4-unit dwelling. Allows up to 2 entrances to face each street, more are permitted perpendicular to the street.

DRAFT AMENDMENTS to Zoning By-law 2019-051

Existing Section/Regulation	Proposed Amendment	Rationale
with two additional dwelling units (attached) in accordance with regulations specified by the zone category and in this section.	f) where a lot is located farther than 800 metres from a Light Rail Transit (LRT) Station as shown on Appendix E, and outside the Central Neighbourhood Area as shown on Appendix C – Central Neighbourhood Area the minimum lot area shall be 360 square metres or in accordance with Table 7-2, 7-3 or 7-4, as may be applicable for the principal dwelling type in which the additional dwelling unit (attached) is located, whichever is greater; g) where a lot is located farther than 800 metres from a Light Rail Transit (LRT) Station as shown on Appendix E, and outside the Central Neighbourhood Area as shown on Appendix C – Central Neighbourhood Area the minimum lot width shall be 10.5 metres or in accordance with Table 7-2, 7-3 or 7-4, as may be applicable for the principal dwelling type in which the additional dwelling unit (attached) is located, whichever is greater; h) the minimum front yard landscaped area shall be 30%, excluding surface walkways, patios, decks, playgrounds or pathways; i) the minimum rear yard landscaped area shall be 30%; j) Unless otherwise provided for in this By-law, in any zone where a single detached dwelling with two (2) or three (3) additional dwelling units (attached) are permitted, a new dwelling with three (3) or four (4) dwelling units shall also be permitted and considered a single detached dwelling with additional dwelling units (attached) in accordance with regulations specified by the zone category and in this section.	Minimum lot width of 10.5 m and area of 360 m2 are proposed to be required in suburban areas where, there are 3 or 4 units on a lot (and three parking spaces are required), and/or there is an Additional Dwelling Detached. Where the lot width or area of the zone is greater than 10.5 m or 360 m2 (such as RES-1 and RES-2 zones) these widths will prevail. Based on staff's assessment of lot functionality, as well as review of variances supported, the minimum lot width of the zone may be sufficient for lots within 800 m of an LRT station and in the central city where only 1 or 2 parking spaces may be required, and subject to a building design and built form that achieves the other regulations.
Section 4 – General Regulations **4.12.3 Additional Dwelling Units (Detached)** One additional dwelling unit (detached) may be permitted in association with a single detached dwelling, semi-detached dwelling unit or street townhouse dwelling unit in accordance with the regulations specified by the zone category in which an additional dwelling unit (attached) is permitted, and as amended by the following: a) for the purposes of Section 4.12.3, the area that is designed to be a separate lot for a street townhouse dwelling or semi-detached dwelling shall be considered to be a lot; b) an additional dwelling unit (detached) shall only be permitted on the same lot as a single detached dwelling, semi-detached dwelling or street townhouse dwelling, with or without one additional dwelling unit (attached); c) an additional dwelling unit (detached) shall not be permitted on the same lot as a single detached dwelling with two additional dwelling units (attached); d) an additional dwelling unit (detached) shall not be severed from the lot containing the single detached dwelling, semi-detached dwelling or street townhouse dwelling; e) the additional dwelling unit (detached) shall be connected to full municipal services; f) no more than one additional dwelling unit (detached) is permitted on a lot; g) the gross floor area of the additional dwelling unit (detached) shall not exceed fifty percent of the building floor area of the single detached dwelling, semi-detached dwelling unit or street townhouse dwelling unit on the same lot, or 80 square metres, whichever is less; h) the minimum lot area shall be 395.0 square metres or in accordance with applicable regulations included in Table 7-2, 7-3 or 7-4, whichever is greater; i) the minimum lot width shall be 13.1 metres or in accordance with applicable regulations included in Table 7-2, 7-3 or 7-4, whichever is greater; j) a building containing an additional dwelling unit (detached) shall be located a minimum of 0.6 metres from a rear lot line and interior side lot line; k) an additional dwelling unit (detached) shall not be located in the front yard or exterior side yard; l) for an additional dwelling unit (detached), the maximum building height shall be: a. 4.5 metres for a hip, gable, shed, or gambrel roof, measured to the midpoint between the eaves and the peak of the roof, excluding the eaves of any projections;	**Section 4 – General Regulations** **DELETE AND REPLACE** **4.12.3 Additional Dwelling (Detached)** An additional dwelling (detached) with one (1) or two (2) additional dwelling units (detached) may be permitted in association with a single detached dwelling, semi-detached dwelling unit or street townhouse dwelling unit in accordance with the regulations specified by the zone category in which an additional dwelling unit (detached) is permitted, and as amended by the following: a) for the purposes of Section 4.12.3, the area that is designed to be a separate lot for a street townhouse dwelling or semi-detached dwelling shall be considered to be a lot; b) an additional dwelling (detached) shall only be permitted on the same lot as a single detached dwelling, semi-detached dwelling or street townhouse; c) an additional dwelling (detached) shall not be severed from the lot containing the single detached dwelling, semi-detached dwelling unit or street townhouse dwelling unit; d) additional dwelling units (detached) shall be connected to full municipal services; e) the ground floor area of the additional dwelling (detached) shall not exceed 80 square metres, and shall comply with the maximum lot coverage included in Table 7-2, 7-3 or 7-4; f) where a lot is located farther than 800 metres from a Light Rail Transit (LRT) Station as shown on Appendix E, and outside the Central Neighbourhood Area as shown on Appendix C – Central Neighbourhood Area the minimum lot area shall be 360 square metres or in accordance with Table 7-2, 7-3 or 7-4 as may be applicable for the principal dwelling type with which the additional dwelling unit (detached) is associated, whichever is greater;	Regulations allow for 2 units in an ADU (detached). Remove requirement for 50% of the gross floor area of the principal dwelling and rely on lot coverage (15%) and 80m2. Minimum lot width of 10.5 m and area of 360 m2 are proposed to be required in suburban areas where, there are 3 or 4 units on a lot (and three parking spaces are required), and/or there is an Additional Dwelling Detached. Where the lot width or area of the zone is greater than 10.5 m or 360 m2 (such as RES-1 and RES-2 zones) these widths will prevail.

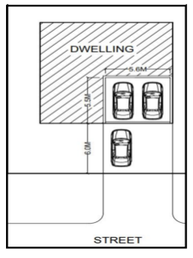
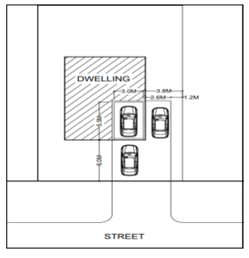
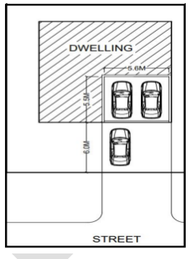
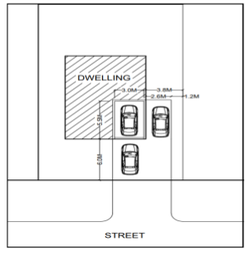
DRAFT AMENDMENTS to Zoning By-law 2019-051

Existing Section/Regulation	Proposed Amendment	Rationale
b. 4.5 metres for a mansard roof, measured to the deck line; c. 3 metres for a flat roof, measured to the peak of the roof;  m) for a shed roof where the peak of the roof is more than 4.5 metres from the highest elevation of the finished ground, the highest exterior wall shall not face a rear lot line or side lot line closer than 4.5 metres, except where the lot line is a street line or lane; n) an unobstructed walkway that is a minimum 1.1 metres in width shall be provided from a street to the additional dwelling unit (detached). The walkway shall not be located within a required parking space; o) Despite Section 5.3.3 a) ii), where three parking spaces are required in accordance with Table 5-3, three parking spaces may be tandem parking spaces; and, p) Despite Section 5.6, where a lot is within 800 metres of a Light Trail Transit (LRT) station as shown on Appendix E, no parking space shall be required for the additional dwelling unit (detached).	g) where a lot is located farther than 800 metres from a Light Rail Transit (LRT) Station as shown on Appendix E, and outside the Central Neighbourhood Area as shown on Appendix C – Central Neighbourhood Area the minimum lot width shall be 10.5 metres in accordance with Table 7-2, 7-3 or 7-4, as may be applicable for the principal dwelling type with which the additional dwelling unit (detached) is associated, whichever is greater; h) the maximum building height for an additional dwelling (detached) shall be: i) 4.5 metres for a hip, gable, shed, or gambrel roof, measured to the midpoint between the eaves and the peak of the roof, excluding the eaves of any projections; i) for a shed roof the lower exterior wall shall face a rear lot line or the nearest side lot line, except where the lot line is a street line or lane; ii) 4.5 metres for a mansard roof, measured to the deck line; iii) 3 metres for a flat roof, measured to the peak of the roof. i) despite subsection h), the maximum building height for an additional dwelling (detached) where the principal dwelling has a height equal to or greater than 9.1 metres shall be: i) 6.0 metres for a hip, gable, shed, or gambrel roof, measured to the midpoint between the eaves and the peak of the roof, excluding the eaves of any projections; i) for a shed roof the lower exterior wall shall face a rear lot line or the nearest side lot line, except where the lot line is a street line or lane; ii) 6.0 metres for a mansard roof, measured to the deck line; iii) 4.5 metres for a flat roof, measured to the peak of the roof.  j) an additional dwelling (detached) which has a maximum height of 4.5 metres shall have a minimum setback of 0.6 metres from a rear lot line and interior side lot line. k) an additional dwelling (detached) which exceeds a height of 4.5 metres shall have a minimum setback of 0.9 metres from a rear lot line and interior side lot line; and notwithstanding the foregoing, where an interior side or rear lot line abuts a lane the minimum setback shall be 0.6 metres. l) an additional dwelling (detached) shall not be located in the front yard; and shall not be located in the area created by extending 5 metres from and parallel to any wall of rear façade of the principal dwelling. ADD DIAGRAM m) an additional dwelling (detached) may be located in an exterior side yard, and must be setback in accordance with the required exterior side yard setback of the principal dwelling in the applicable zone; n) an unobstructed walkway that is a minimum 1.1 metres in width, shall be provided from a street to the principal entrance of each additional dwelling unit (detached). p) the minimum rear yard landscaped area shall be 30%.	Based on staff's assessment of lot functionality, as well as review of variances supported, the minimum lot width of the zone will be sufficient for lots within 800 m of an LRT station and in the central city where only 1 or 2 parking spaces may be required, and subject to a building design and built form that achieves the other regulations. Allowing up to 6.0 metres height where the principal dwelling is at least 9.1 m. Permits a second floor or raised basement in a building that is still subordinate to the principal dwelling. 9.1 m aligns with Central Neighbourhood regulations which allow 9 m maximum height in central city when adjacent houses are less than 6 m. Regulations will permit ADU's to the scale of images below.  

DRAFT AMENDMENTS to Zoning By-law 2019-051

Existing Section/Regulation	Proposed Amendment	Rationale
	o) For a lot containing 3 or four dwelling units, the minimum front yard landscaped area shall be 30%, excluding surface walkways, patios, decks, playgrounds or pathways;	
4.12.3.1 Minimum Side Yard setback of Principal Building: On a lot containing an additional dwelling unit (detached): a) the principal building shall comply with the following: a. where the principal building is a single detached dwelling, with or without an additional dwelling unit (attached), the minimum side yard setback on each side of the principal building shall be 1.2 metres; b. where the principal building is a semi-detached dwelling unit or street townhouse unit with or without an additional dwelling unit (attached), the minimum side yard setback of the principal building shall be 2.5 metres on one side; b) The principal building shall comply with the setback provisions required for the dwelling for front, side and rear yards in all other cases. c) Subsection 4.12.3.1 a) shall not apply if the additional dwelling unit (detached) has direct access from street or lane at the rear or exterior side yard.	**DELETE**	Regulations of the zone apply to the principal dwelling
4.12.4 Four to Ten dwelling units on a lot Four to ten dwelling units on a lot without any non-residential use except permitted home occupation uses shall be permitted in accordance with the regulations specified by the zone category for the dwelling(s) and shall have: a) a minimum of 20% street line façade opening which includes at least one (1) pedestrian entrance to the principal building; b) a minimum 20% of the front yard landscaped, excluding surface walkways, patios, decks, playgrounds or pathways; c) a minimum driveway width of 2.6 metres; d) despite section 4.12.4 c), where a driveway is immediately adjacent to any building or structure on a lot, the driveway including any curbing shall be a minimum of 3.0 metres wide.	**4.12.4 ~~Four~~ Five to Ten dwelling units on a lot** Five ~~Four~~ to ten dwelling units on a lot, without any non-residential use except permitted home occupation uses shall be permitted in accordance with the regulations specified by the zone category for the dwelling(s) and shall have: a) a minimum of 20% street line façade openings which includes at least one (1) pedestrian entrance to the principal building; b) a minimum 20% of the front yard landscaped, excluding surface walkways, patios, decks, playgrounds or pathways; c) a minimum driveway width of 2.6 metres; d) despite section 4.12.4 c), where a driveway is immediately adjacent to any building or structure on a lot, the driveway including any curbing shall be a minimum of 3.0 metres wide.	Change to align with proposed change to multiple dwelling definition – applies only to RES zones.

DRAFT AMENDMENTS to Zoning By-law 2019-051

Existing Section/Regulation	Proposed Amendment	Rationale
Section 5 – Parking, Loading, and Stacking **5.3 Parking Space and Parking Lot Provisions** a) Where a parking lot is situated on a lot and abuts a residential zone, a visual barrier shall be provided and maintained between the parking lot and such abutting residential lot line in accordance with Section 4.18 herein. b) All parking lots shall be provided with adequate means of ingress and egress to and from a street or lane in a forward motion and shall be arranged so as not to interfere with the normal public use of a street or lane. c) Parking spaces, drive aisles, driveways, and parking lots shall be provided and maintained with stable surfaces such as asphalt, concrete, or other hard-surfaced material as approved by the Director of Planning or designate. d) All required visitor parking spaces shall be clearly identified, demarcated, and reserved at all times e) Where a parking lot is provided for a development that does not require site plan approval pursuant to Section 41 of the Planning Act, following regulations shall apply: i) The parking lot shall be setback a minimum of 1.5 metres from side lot lines and rear lot lines; and, ii) The minimum drive aisle width shall be 6 metres.	**5.3 Parking Space and Parking Lot Provisions** a) Where a parking lot is situated on a lot and abuts a residential zone, a visual barrier shall be provided and maintained between the parking lot and such abutting residential lot line in accordance with Section 4.18 herein. b) All parking lots shall be provided with adequate means of ingress and egress to and from a street or lane in a forward motion, and shall be arranged so as not to interfere with the normal public use of a street or lane. c) Parking spaces, drive aisles, driveways, and parking lots shall be provided and maintained with stable surfaces such as asphalt, concrete, or other hard-surfaced material as approved by the Director of Planning or designate. d) All required visitor parking spaces shall be clearly identified, demarcated, and reserved at all times e) Where a parking lot is provided for a development that does not require site plan approval pursuant to Section 41 of the Planning Act, following regulations shall apply: i) a parking lot shall be setback a minimum of 1.5 metres from interior side lot lines and rear lot line. Notwithstanding the foregoing, a parking lot may be located as close to an interior side lot line as the driveway which provides access to the parking lot, and only for the interior side lot line on the same side of the lot as the driveway; and, ii) The minimum drive aisle width shall be 6 metres; and iii) Parking spaces and drive aisles shall not be located within the front yard or an exterior side yard. In no case shall any parking spaces be located within 3 metres of the front lot line, exterior side lot line or a street line.	A driveway may be located up to the property line when it does not lead to an attached garage. The parking design is awkward when the parking area is setback but the drive aisle is not. Better to be the same. The proposed continues to provide the side and rear for snow storage, and a fence will still be required. Adding regulation that only permits a parking lot in the rear yard or interior side yard
Section 5 – Parking, Loading, and Stacking **5.3.3 Location of Parking Spaces for Residential Uses** a) On a lot containing a single detached dwelling, semi-detached dwelling, street townhouse dwelling, additional dwelling unit(s) (attached), additional dwelling unit (detached), small residential care facility, lodging house having less than 9 residents, or home occupation: i) Parking spaces shall be located a minimum distance of 6 metres from a street line; ii) Despite Subsection i), where two or more parking spaces are required, one parking space may locate on the driveway within 6 metres of the front lot line or exterior side lot line and may be a tandem parking space; and, **Illustration 5-1: One Tandem Parking Space – Option A**  **Illustration 5-2: One Tandem Parking Space – Option B**  iii) Despite Subsection ii) where three parking spaces are required on a lot, one parking space may locate on the driveway within 6 metres of the front lot line or exterior side lot line and three parking spaces may be tandem parking spaces; and iv) Not more than one parking space for a home occupation may be located in a rear yard, except in the case of a corner lot, a through lot, or a lot abutting a lane.	**Section 5 – Parking, Loading, and Stacking** **5.3.3 Location of Parking Spaces for Residential Uses** a) On a lot containing a single detached dwelling, semi-detached dwelling, street townhouse dwelling, additional dwelling unit(s) (attached), additional dwelling unit(s) (detached), small residential care facility, lodging house having less than 9 residents, or home occupation: i) Parking spaces located within a building shall be ~~located~~ setback a minimum distance of 6 metres from a street line. ii) ~~Despite Subsection i), where two or more parking spaces are required, one parking space may locate on the driveway within 6 metres of the front lot line or exterior side lot line and may be a tandem parking space~~ up to three (3) required parking spaces may be a tandem parking spaces; ~~and~~, **Illustration 5-1: One Tandem Parking Space – Option A**  **Illustration 5-2: One Tandem Parking Space – Option B**  DELETE ILLUSTRATIONS iii) One parking space located on a driveway shall be setback a minimum distance of 0.5 metres from a street line; ~~Despite Subsection ii) where three parking spaces are required on a lot, one parking space may locate on the driveway within 6 metres of the front lot line or exterior side lot line and three parking spaces may be tandem parking spaces; and~~ iv) Not more than one parking space for a home occupation may be located in a rear yard, except in the case of a corner lot, a through lot, or a lot abutting a lane; iv) where three or more dwelling units are located on a lot, parking may be located in a parking lot in accordance with the regulations of sections 5.3, 5.3.1, and 5.3.3 b) i); and v) where three of more dwelling units are located on a lot, and despite regulations in Table 5-2 and 5-3, a driveway located in the rear yard may be permitted have a maximum width of up to 8 metres.	One parking must be setback 0.5 m from a street, and parking spaces located within a building continue to be located a minimum distance of 6.0 m from a street line. Permitting parking in a parking lot where 3 or 4 units

DRAFT AMENDMENTS to Zoning By-law 2019-051

<table>
<tr><th>Existing Section/Regulation</th><th>Proposed Amendment</th><th>Rationale</th></tr>
<tr><td></td><td></td><td></td></tr>
<tr><td>Section 5 Parking, Loading, and Stacking
5.4 DRIVEWAY AND GARAGE PROVISIONS FOR RESIDENTIAL USES
a) For all residential uses other than large residential care facilities, multiple dwellings containing 4 or more dwelling units, and mixed-use buildings, a required parking space shall have direct access from a street or lane via a driveway.</td><td>5.4 DRIVEWAY AND GARAGE PROVISIONS FOR RESIDENTIAL USES
a) For all residential uses other than large residential care facilities, multiple dwellings ~~containing 4 or more dwelling units~~, and mixed-use buildings, a required parking space shall have direct access from a street or lane via a driveway.</td><td>Wording no longer needed because multiple dwellings are proposed to relate to a minimum of 5 units.</td></tr>
<tr><td>Section 5 Parking, Loading, and Stacking
5.5 BICYCLE PARKING STALL PROVISIONS
a) Class A bicycle parking stalls shall only be required for buildings or portions of buildings that were not existing on the effective date of the By-law.
b) Class A bicycle parking stalls shall be located within a building, structure, and/or bicycle locker.
c) Bicycle parking stalls shall be a minimum of 1.8 metres in length, a minimum of 0.6 metres in width, and overhead clearance in covered spaces shall be a minimum of 2.1 metres. Despite the above, where a bicycle parking stall provides for vertical storage of a bicycle, the minimum length may be reduced to 1.2 metres.
d) Despite Subsections a) and c), where a Class A bicycle parking stall is located within a bicycle locker, overhead clearance shall not be required.
e) Bicycle parking stalls shall abut an access aisle which shall be a minimum of 1.5 metres in width.</td><td>NEW
f) Notwithstanding subsection c) and e), Class C Bicycle Parking Stalls are not required to provide overhead clearance and are not required to abut an access aisle.</td><td>More flexible regulations for Class C bike parking than Class A.
Primarily looking for weather protected and secure.</td></tr>
<tr><td></td><td>Section 5.6 MINIMUM AND MAXIMUM PARKING SPACE PROVISIONS

NEW- add as footnote 5 to Table 5-5
<table><tr><td>Single-Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse Dwelling:</td><td>Minimum parking spaces:</td><td>n/a</td><td>n/a</td><td>1 per dwelling unit</td></tr><tr><td>Additional Dwelling Unit (Attached) and Additional Dwelling Unit (Detached)</td><td>Minimum parking spaces:</td><td>n/a</td><td>n/a</td><td>1 per dwelling unit (5)</td></tr></table>
Additional Regulations for Minimum and Maximum Parking Requirements Table 5-5
(Subsections 1 – 4 no change)

(5) Parking and bicycle parking for additional dwelling unit(s) (attached) and/or additional dwelling unit(s) (detached) shall be provided at a minimum rate as specified within Table 5-5-1.

Table 5-5-1: Regulations for Minimum Parking Requirements for Lots containing Additional Dwelling Unit(s) (Attached) and/or Additional Dwelling Unit(s) (Detached)
<table><tr><td></td><td></td><td>Lands within 800 metres of a Light Trail Transit (LRT) Station (Appendix E)</td><td>Lands farther than 800 metres of a Light Rail Transit (LRT) Station as shown on Appendix E, and within the Central Neighbourhood Area (Appendix C)</td><td>Lands farther than 800 metres from a Light Rail Transit (LRT) Station as shown on Appendix E, and outside the Central Neighbourhood Area (Appendix C)</td></tr><tr><td>Additional Dwelling Unit (attached) and Additional Dwelling Unit (Detached)</td><td>Minimum parking spaces</td><td>No minimum</td><td>0.3 per dwelling unit</td><td>0.6 per dwelling unit</td></tr><tr><td></td><td>Minimum Class C Bicycle Parking Stalls:</td><td>0.5 per dwelling unit without a private garage, where there are a minimum of 3 dwelling units on a lot.</td><td>0.5 per dwelling unit without a private garage, where there are a minimum of 3 dwelling units on a lot.</td><td>0.5 per dwelling unit without a private garage, where there are a minimum of 3 dwelling units on a lot.</td></tr></table></td><td>In MTSA – no parking for ADUs

In central city 3rd and 4th ADU not required to have parking (0.3 sp/unit – will always round up to 1 space for any number of ADU’s)

Across city 4th ADU not required to have parking (0.6 sp/unit- will result in 1 space for 1 ADU, 2 spaces for 2 or 3 ADU (1.2 and 1.8))</td></tr>
</table>

DRAFT AMENDMENTS to Zoning By-law 2019-051

Existing Section/Regulation

SECTION 7 – Residential Zones (RES)

7.2 PERMITTED USES

Table 7-1: Permitted Uses within the Residential Zones

Use	RES-1	RES-2	RES-3	RES-4	RES-5	RES-6	RES-7
Residential Uses							
Single Detached Dwelling	✓	✓	✓	✓	✓		
Additional Dwelling Units (Attached)(1)	✓	✓	✓	✓	✓		
Additional Dwelling Units (Detached)(2)	✓	✓	✓	✓	✓		
Semi-Detached Dwelling			✓	✓	✓		
Townhouse Dwelling – Street				✓(3)	✓(4)		
Townhouse Dwelling – Cluster					✓(4)	✓	
Multiple Dwelling(7)				✓(3)	✓	✓	✓
Lodging House				✓	✓	✓	✓
Continuing Care Community					✓	✓	✓
Hospice		✓	✓	✓	✓	✓	✓
Residential Care Facility, Small		✓	✓	✓	✓	✓	✓
Residential Care Facility, Large					✓	✓	✓
Non-Residential Uses							
Artisan's Establishment (5)						✓	✓
Community Facility (5)						✓	✓
Convenience Retail (5)						✓	✓
Day Care Facility (5)						✓	✓
Financial Establishment (5)							✓
Health Office (5)							✓
Home Occupation (6)	✓	✓	✓	✓	✓	✓	✓
Office (5)						✓	✓
Personal Services (5)							✓
Studio (5)						✓	✓

Additional Regulations for Permitted Uses Table 7-1

(1) Shall be permitted in accordance with 4.12.1 and 4.12.2.
(2) Shall be permitted in accordance with 4.12.3.
(3) The maximum number of dwelling units in a dwelling shall be 4.
(4) The maximum number of dwelling units in a dwelling shall be 8.
(5) Permitted non-residential uses must be located within a multiple dwelling (despite the definition of multiple dwelling in Section 3) and are limited in size in accordance with the regulations in Table 7-6.
(6) Shall be permitted in accordance with 4.7.
(7) 4 to 10 dwelling units on a lot provided without any non-residential use except permitted home occupation uses shall be permitted in accordance with the regulations in Table 7-5 or Table 7-6 as applicable and Section 4.12.4

Proposed Amendment

Table 7-1: Permitted Uses within the Residential Zones

Use	RES-1	RES-2	RES-3	RES-4	RES-5	RES-6	RES-7
Residential Uses							
Single Detached Dwelling	✓	✓	✓	✓	✓		
Additional Dwelling Units (Attached)(1)	✓	✓	✓	✓	✓		
Additional Dwelling Units (Detached)(2)	✓	✓	✓	✓	✓		
Semi-Detached Dwelling			✓	✓	✓		
Townhouse Dwelling – Street				✓(3)	✓(4)		
Townhouse Dwelling – Cluster					✓(4)	✓	
Multiple Dwelling(7)				✓(3)	✓	✓	✓
Lodging House				✓	✓	✓	✓
Continuing Care Community					✓	✓	✓
Hospice		✓	✓	✓	✓	✓	✓
Residential Care Facility, Small		✓	✓	✓	✓	✓	✓
Residential Care Facility, Large					✓	✓	✓
Non-Residential Uses							
Artisan's Establishment (5)						✓	✓
Community Facility (5)						✓	✓
Convenience Retail (5)						✓	✓
Day Care Facility (5)						✓	✓
Financial Establishment (5)							✓
Health Office (5)							✓
Home Occupation (6)	✓	✓	✓	✓	✓	✓	✓
Office (5)						✓	✓
Personal Services (5)							✓
Studio (5)						✓	✓

DELETE MULTIPLE DWELLING AS PERMITTED USE IN RES-4 ZONE.

Additional Regulations for Permitted Uses Table 7-1

(1) Shall be permitted in accordance with 4.12, 4.12.1 and 4.12.2
(2) Shall be permitted in accordance with 4.12.3.
(3) The maximum number of dwelling units in a dwelling shall be 4.
(4) The maximum number of dwelling units in a dwelling shall be 8.
(5) Permitted non-residential uses must be located within a multiple dwelling (despite the definition of multiple dwelling in Section 3) and are limited in size in accordance with the regulations in Table 7-6.
(6) Shall be permitted in accordance with 4.7.
(7) 45 to 10 dwelling units on a lot provided without any non-residential use except permitted home occupation uses shall be permitted in accordance with the regulations in Table 7-5 or Table 7-6 as applicable and Section 4.12.4

Rationale

Deleting multiple dwelling as a permitted use in RES-4 as 4 units will be permitted as ADU's with more flexibility than the existing zoning for a multiple dwelling.

DRAFT AMENDMENTS to Zoning By-law 2019-051

Existing Section/Regulation

SECTION 7 – Residential Zones (RES)

Table 7-6: For Multiple Dwellings and Non-Residential Uses

Table 7-6: For Multiple Dwellings and Non-Residential Uses

Regulation	RES-1	RES-2	RES-3	RES-4 (6)	RES-5 (6)	RES-6 (6)	RES-7 (6)
Minimum *Lot Area*				495m^2	495m^2		
Minimum *Lot Width*				15.0m	19.0m(1)	30.0m	30.0m
Minimum *Front Yard* or *Exterior Yard Setback*				4.5m (8)	4.5m (8)	3.0m	3.0m
Minimum *Interior Side Yard Setback*				3.0m	3.0m	4.5m	4.5m (5)
Minimum *Rear Yard Setback*				7.5m	7.5m	7.5m	7.5m (5)
Minimum *Landscaped Area*				20%	20%	20%	20%
Minimum *Floor Space Ratio*						0.6 (2)(7)	2.0 (2)(7)
Maximum *Floor Space Ratio*				0.6	0.6	2.0 (2)	4.0 (2)
Minimum *building height*						11.0 m	14.0 m
Maximum *Building Height*				11.0m (9)	11.0m (9)	25.0m	(5)
Maximum number of *storeys*				3	3	8	
Minimum number of *dwelling units*						5	5
Maximum number of *dwelling units*				4			
Private Patio Area				(3)	(3)	(3)	(3)
Maximum *Gross Floor Area* of Individual Non-Residential Use						600m^2(4)	600m^2(4)

Additional Regulations for Multiple Dwellings and Non-Residential Uses Table 7-6

(1) A multiple dwelling with 4 dwelling units shall have a minimum lot width of 15.0 metres.
(2) Combined total Floor Space Ratio of all uses on the lot.
(3) For multiple dwellings, each dwelling unit located at ground floor level shall have a patio area adjacent to the dwelling unit with direct access to such dwelling unit.
(4) The total gross floor area of all non-residential uses shall not exceed 25% of the total gross floor area on a lot.
(5) The maximum building height shall be 25 metres within 15 metres of a lot with a (RES-6) Medium Rise Residential Six Zone.
(6) The regulations within Table 7-6 shall not apply to an existing multiple dwelling on an existing lot.
(7) Individual buildings will not be required to achieve the minimum floor space ratio where there is an approved Urban Design Brief that includes a Master Site Plan that demonstrates the overall development can achieve the minimum floor space ratio.
(8) For lands identified in Appendix D – Established Neighbourhoods Area, the minimum and maximum front yard shall be in accordance with Section 7.6.
(9) For lands identified in Appendix C – Central Neighborhoods, the maximum building height shall be in accordance with Section 7.5.

(312) – Within the lands zoned RES-3 and RES-4 and shown as affected by this provision on Zoning Grid Schedules 209, 210, 249, and 250 of Appendix A, the following shall apply for single detached dwelling:
a) the minimum corner lot width shall be 12 metres;
b) the minimum front yard setback shall be 4.5 metres and no part of any building used to accommodate off-street parking shall be located closer than 5.7 metres to the front lot line;
c) the minimum interior side yard setback shall be 0.6 metres on one side, 1.2 metres on the other, and in the case of a corner lot the 1.2 metres setback shall be applied to the exterior side yard;
d) the minimum exterior side yard setback shall be 3 metres;
e) the minimum rear yard setback shall be 7 metres;
f) the maximum building height shall be 11.5 metres; and,

Proposed Amendment

Table 7-6: For Multiple Dwellings and Non-Residential Uses

Regulation	RES-1	RES-2	RES-3	RES-4 (6)	RES-5 (6)	RES-6 (6)	RES-7 (6)
Minimum *Lot Area*				495m^2	495m^2		
Minimum *Lot Width*				15.0m	19.0m(1)	30.0m	30.0m
Minimum *Front Yard* or *Exterior Yard Setback*				4.5m (8)	4.5m (8)	3.0m	3.0m
Minimum *Interior Side Yard Setback*				3.0m	3.0m	4.5m	4.5m (5)
Minimum *Rear Yard Setback*				7.5m	7.5m	7.5m	7.5m (5)
Minimum *Landscaped Area*				20%	20%	20%	20%
Minimum *Floor Space Ratio*						0.6 (2)(7)	2.0 (2)(7)
Maximum *Floor Space Ratio*				0.6	0.6	2.0 (2)	4.0 (2)
Minimum *building height*						11.0 m	14.0 m
Maximum *Building Height*				11.0m (9)	11.0m (9)	25.0m	(5)
Maximum number of *storeys*				3	3	8	
Minimum number of *dwelling units*						5	5
Maximum number of *dwelling units*				4			
Private Patio Area				(3)	(3)	(3)	(3)
Maximum *Gross Floor Area* of Individual Non-Residential Use						600m^2(4)	600m^2(4)

DELETE CONTENT OF RES-4 COLUMN

Additional Regulations for Multiple Dwellings and Non-Residential Uses Table 7-6

~~(1) A multiple dwelling with 4 dwelling units shall have a minimum lot width of 15.0 metres.~~
(2) Combined total Floor Space Ratio of all uses on the lot.
(3) For multiple dwellings, each dwelling unit located at ground floor level shall have a patio area adjacent to the dwelling unit with direct access to such dwelling unit.
(4) The total gross floor area of all non-residential uses shall not exceed 25% of the total gross floor area on a lot.
(5) The maximum building height shall be 25 metres within 15 metres of a lot with a (RES-6) Medium Rise Residential Six Zone.
(6) The regulations within Table 7-6 shall not apply to an existing multiple dwelling on an existing lot.
(7) Individual buildings will not be required to achieve the minimum floor space ratio where there is an approved Urban Design Brief that includes a Master Site Plan that demonstrates the overall development can achieve the minimum floor space ratio.
(8) For lands identified in Appendix D – Established Neighbourhoods Area, the minimum and maximum front yard shall be in accordance with Section 7.6.
(9) For lands identified in Appendix C – Central Neighborhoods, the maximum building height shall be in accordance with Section 7.5.

(312) – Within the lands zoned RES-3 and RES-4 and shown as affected by this provision on Zoning Grid Schedules 209, 210, 249, and 250 of Appendix A, the following shall apply for single detached dwelling:
a) the minimum corner lot width shall be 12 metres;
b) the minimum front yard setback shall be 4.5 metres and no part of any building used to accommodate off-street parking shall be located closer than 5.7 metres to the front lot line, and the minimum setback to one parking space located on a driveway shall be 0.2 metres;
c) the minimum interior side yard setback shall be 0.6 metres on one side, 1.2 metres on the other, and in the case of a corner lot the 1.2 metres setback shall be applied to the exterior side yard;
d) the minimum exterior side yard setback shall be 3 metres;
e) the minimum rear yard setback shall be 7 metres;

Rationale

Deleting multiple dwelling as a permitted use in RES-4 as 4 units will be permitted as ADU's with more flexibility than the existing zoning for a multiple dwelling.

Permitting a reduced setback to parking to accommodate for the reduced garage setback of special regulation.

DRAFT AMENDMENTS to Zoning By-law 2019-051

Existing Section/Regulation	Proposed Amendment	Rationale
g) encroachments may be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line	f) the maximum building height shall be 11.5 metres; and, g) encroachments may be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line	
(313) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 210, 249, and 250 of Appendix A, the following shall apply: For single detached dwelling: a) the minimum corner lot width shall be 12 metres; b) the minimum front yard setback shall be 4.5 metres and no part of any building used to accommodate off-street parking shall be located closer than 5.7 metres to the front lot line; c) the minimum interior side yard setback shall be 0.6 metres on one side, 1.2 metres on the other, and in the case of a corner lot the 1.2 metres setback shall be applied to the exterior side yard; d) the minimum exterior side yard setback shall be 3 metres; e) the minimum rear yard setback shall be 7 metres; f) the maximum building height shall be 11.5 metres; and, g) encroachments may be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line. For street townhouse dwelling: a) the minimum lot width shall be 6 metres; b) the minimum corner lot width shall be 9.5 metres; c) the minimum front yard setback shall be 4.5 metres and no part of any building used to accommodate off-street parking shall be located closer than 5.7 metres to the front lot line; d) the minimum interior side yard setback shall be 0.6 metres (end units); e) the minimum exterior side yard setback shall be 3 metres; f) the minimum rear yard setback shall be 7 metres; …	(313) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 210, 249, and 250 of Appendix A, the following shall apply: For single detached dwelling: a) the minimum corner lot width shall be 12 metres; b) the minimum front yard setback shall be 4.5 metres and no part of any building used to accommodate off-street parking shall be located closer than 5.7 metres to the front lot line, and the minimum setback to one parking space located on a driveway shall be 0.2 metres; c) the minimum interior side yard setback shall be 0.6 metres on one side, 1.2 metres on the other, and in the case of a corner lot the 1.2 metres setback shall be applied to the exterior side yard; d) the minimum exterior side yard setback shall be 3 metres; e) the minimum rear yard setback shall be 7 metres; f) the maximum building height shall be 11.5 metres; and, g) encroachments may be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line. For street townhouse dwelling: a) the minimum lot width shall be 6 metres; b) the minimum corner lot width shall be 9.5 metres; c) the minimum front yard setback shall be 4.5 metres and no part of any building used to accommodate off-street parking shall be located closer than 5.7 metres to the front lot line, and the minimum setback to one parking space located on a driveway shall be 0.2 metres; d) the minimum interior side yard setback shall be 0.6 metres (end units); e) the minimum exterior side yard setback shall be 3 metres; f) the minimum rear yard setback shall be 7 metres; …	Permitting a reduced setback to parking to accommodate for the reduced garage setback of special regulation.

DRAFT