

Planning Services Report

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Report To: Planning and Development Committee

Date of Meeting: June 4, 2018

Report Number: PSD-050-18 **Resolution:** PD-121-18

File Number: ZBA2016-0008 **By-law Number:** 2018-059

Report Subject: Implementation of the Courtice Main Street Secondary Plan - Zoning By-law

Recommendations:

1. That Report PSD-050-18 be received;
2. That the Zoning By-law Amendment be approved and the By-Law as contained in Attachment 1 to Report PSD-050-18 be passed;
3. That notwithstanding Section 45(1.3) of the Planning Act, Council permits the submission of minor variance applications to the Committee of Adjustment, as required;
4. That once all conditions contained in the By-law with respect to the removal of the (H) Holding Symbol for each site are satisfied, the By-law authorizing the removal of the (H) Holding Symbol be approved;
5. That the Durham Regional Planning and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PSD-050-18 and Council's decision; and
6. That all interested parties listed in Report PSD-050-18 and any delegations be advised of Council's decision.

The purpose of this zoning is to implement the policies of the Courtice Main Street Secondary Plan for the lands east of the Farewell Creek. The proposed zoning will allow stacked townhouse apartments and mixed-use buildings (apartments with stores and restaurants on the first floor) of various heights along Durham Highway 2. The greatest intensity of residential and commercial uses are within the Town Centre at Trulls Road. The result will be a mixed-use corridor with a commercial centre at the southeast corner of Durham Highway 2 and Trulls Road.

1. Courtice Main Street Secondary Plan

- 1.1 The Courtice Main Street (CMS) Secondary Plan was developed to help create a strong identity for Courtice by promoting a mixed-use, transit-oriented corridor with the Urban Centre located at Durham Highway 2 and Trulls Road (formerly known as the “Town Centre”). The Urban Centre is envisioned to be the focal point of community activity.
- 1.2 The CMS Secondary Plan extends along Durham Highway 2 from Townline Road in the west to Courtice Road in the east (see Attachment 1). It also includes additional properties along Trulls Road which are a part of the Urban Centre for Courtice.
- 1.3 The CMS Secondary Plan contains a variety of complementary policies designed to shape the long-term vision for the Courtice Main Street area. These policies can be summarized by the following principles:
 - **Intensification** of people and building areas. This is in keeping with the density targets set out in the Durham Regional Official Plan which will support the creation of a walkable environment and a future rapid transit system;
 - **A mix of land uses** (residential and commercial) together on the same property and even within the same building. This will help to reduce land consumption and combine complimentary land needs such as parking;
 - **Attractive streetscapes.** This includes the thoughtful design of gateways, greenway features, pedestrian nodes, bike facilities, sidewalks, street trees, planted boulevards, lighting and street furniture, signage and specialty paving; and
 - **High quality urban design** of buildings and sites which all contribute to a positive image of the Courtice Main Street.
- 1.4 The CMS Secondary Plan includes a list of tools that will support the implementation of the Secondary Plan’s policies. These tools are:
 - Zoning regulations that must be followed when developing land and constructing new buildings;
 - A Community Improvement Plan (CIP) to provide a set of financial incentives that will help to implement the vision for the Courtice Main Street area (completed 2016); and

- A detailed Urban Design Plan for the Urban Centre which will demonstrate how all of the properties in the Urban Centre will be developed over time (completed 2018).
- 1.5 Future capital works by the Municipality and the Region of Durham and private investment in redeveloping properties are essential components of implementing the Secondary Plan.

2. Background on Zoning By-Law Update

- 2.1 On October 3, 2016, a Public Meeting was held to present a draft copy of the new zoning regulations for the first phase of the CMS Secondary Plan (east of the Farewell Creek). A number of stakeholders shared their comments on the proposed zoning and the future development of the Durham Highway 2 corridor through Courtice. These comments are summarized here:
 - Enhance the walkability of Courtice Main Street. Make it a place that people can walk to;
 - Provide municipal infrastructure, specifically sanitary sewers, so that redevelopment can begin;
 - Create an identity for Courtice;
 - Give us the opportunity to shop locally;
 - Higher density residential growth is needed in the community but only if it is well designed;
 - Ensure an attractive streetscape along Durham Highway 2;
 - Increase the maximum permitted height in some areas up to 8 stories;
 - Reduced parking requirements will allow flexibility in the design of new developments;
 - The proposed minimum densities will require underground or structured parking which is expensive; and
 - Consider broadening the way land uses are defined to avoid the problem of missing any.
- 2.2 The general tone of the comments received were supportive of the new zoning and the opportunities that it would provide for redevelopment to take place.
- 2.3 Since the Public Meeting in October, 2016, a number of factors have contributed to delaying the release of the Courtice Main Street Zoning By-law until now. These factors included:
 - Ongoing discussions with developers for proposals within the Courtice Urban Centre at Durham Highway 2 and Trulls Road. (Mixed-use developments by Goldmanco and Provenzano);

- Completing the Clarington Official Plan Review from Council adoption of Amendment 107 in November, 2016, to Regional approval in June of 2017 and Ontario Municipal Board approval in May 2018;
 - Ontario Municipal Board hearing for the Bonnydon lands located in the Courtice Urban Centre; and
 - Facilitating development locations in other parts of the CMS Secondary Plan area such as High Street Courtice (Courtice Uplands) site.
- 2.4 Since the Public Meeting in October of 2016, the Clarington Official Plan has been updated. These new policies were required to bring the Clarington Official Plan into conformity with the Regional Official Plan and Provincial policies. These policies include accommodating increased height and density within Urban Centres and along Regional Corridors. The CMS Secondary Plan was previously planned to account for these Regional policies and to implement them as closely as possible given the physical constraints of existing neighbourhoods and natural features within the area.

3. Modifications to the Zoning Regulations since the Public Meeting

Minimum heights increased to four stories

- 3.1 Durham Highway 2 will have a wide road allowance with some future widening occurring to implement bus rapid transit as separated right-of-way. This wide road allowance makes it difficult to create a “sense of enclosure” that is comfortable for people to enjoy a public space. It is generally understood that a ratio of 1:3 or less is best for an urban environment. With the wide right-of-way on Durham Highway 2, the CMS would only have a ratio of 1:6 at two storeys. Four storeys is the minimum needed for a 1:3.
- 3.2 Development of the Courtice Main Street area is expected to provide alternative housing forms that are not already widely offered in the community. The preferred built form in the Courtice Main Street area includes mid-rise apartment buildings and mixed-use buildings which include a mix of commercial and residential units. Stacked townhouses will also be permitted but they must also meet the four storey minimum height.
- 3.3 This diversity of housing form will assist in meeting the housing needs of the community. This form of housing is needed for those who are either unable to afford living in a detached home or prefer the accessibility and flexibility of living in a multi-unit building with close access to transit.

Heights increased in the Urban Centre

- 3.4 As part of OPA 107 the Official Plan now identifies the appropriate minimum and maximum heights in Urban Centres as a range between 4 and 12 stories. Heights have been increased to allow development of between 6 to 12 stories in the middle of the Urban Centre. The heights around the edge of the Urban Centre will remain at 4 to 6 stories to provide a transition down to the surrounding medium-density areas.

Building podiums

- 3.5 In order for taller buildings to maintain an appropriate scale with their surroundings a step back has been introduced for all buildings that are six stories or more in height. These buildings will be required to setback all floors above the fourth floor to create a podium base. This is expected to have the effect of protecting views, reducing shadow impacts and reducing the visual impact of the building from the public street.

Minimum floor space index have been removed from the list of regulations

- 3.6 Staff have reviewed the development potential through the CMS Secondary Plan and set height limits that will encourage development that will lead to increased density while remaining in scale with the surrounding neighbourhoods. This approach will allow for incremental development over time that will be market-supported, context-sensitive and will allow development to grow towards the Region's and Clarington's long-term density targets.

Minimum lot frontage has been reduced from 80 metres to 50 metres

- 3.7 Vehicle entrances to properties along Durham Highway 2 will be limited to ensure traffic safety. Properties will need to coordinate their entrances onto Durham Highway 2 and accommodate private laneway connections between neighbouring properties in order to satisfy the Durham Region entrance requirements. Based on modelling completed by the Planning Services Department, minimum lot frontage of 50 metres will provide the smallest development site that will still balance traffic safety and make it easier to assemble multiple lots for redevelopment.

Minimum lot area has been added

- 3.8 In conjunction with the minimum lot frontage regulation, adding a minimum lot area regulation will ensure that future development sites are of a size that would be sufficient to accommodate the functional (i.e. parking) and locational (i.e. setbacks from neighbours) needs of multi-storey buildings. The lot frontage and area requirements will create consolidated parcels for new development.

Limits on non-residential floor space have been added

- 3.9 To implement the Regional Corridor policies of the Clarington Official Plan, the maximum size of non-residential units has been limited to a maximum floor area of 600 square metres (6,460 square feet). To avoid undermining the intended function of

Urban Centres as the focus for retail and service uses, non-residential developments along the Regional Corridor are restricted to a maximum floor area of 3,000 square metres (32,290 square feet) per property. These limits only apply to the Regional Corridor and not to the Urban Centre.

- 3.10 Within the Urban Centre there is no limits on the size of non-residential units nor is there a limit on the total floor area. This allows the Urban Centre to accommodate large-format retailers, including supermarkets.

Minimum landscaped open space has been increased

- 3.11 A review of the landscaped open space requirements led to the conclusion that it was possible to increase the minimum requirements from 10% to 15%. This will provide for increased green space and residential amenity areas within each development.

Loading space size has increased

- 3.12 Taking into account various sized service and delivery vehicles the loading requirements have been increased from 3 metres wide by 7.5 metres long to 4 metres wide by 9 metres long.

Minimum parking requirements have increased

- 3.13 In order to support the conversion of the Courtice Main Street corridor to a transit-supportive area, the previous draft of the Courtice Main Street Zoning By-law included reduced parking ratios for both residential (0.75 per dwelling including visitor parking) and non-residential use (1:40 square metres). The parking ratios for residential use have been slightly increased (1.0 per apartment dwelling including visitor parking). The parking ratios for non-residential uses are now limited to banks, business and professional offices, retail commercial establishments and personal service shops. It is recognized that the reduction in the minimums provides flexibility and that many projects will continue to have the same or greater ratios to meet the requirements of their tenants.

Minimum distance between a parking space and a building has been added

- 3.14 Parking spaces placed perpendicular with a sidewalk can lead to cars encroaching over the sidewalk. As a result, a 3 metre setback has been added in order to preserve sufficient space on the sidewalk for pedestrians, street trees, street furniture, and other amenities.

Future Municipal Site

- 3.15 The Municipality will acquire and consolidate a number of properties for a future Library and urban square. These lands are zoned with a compound zoning, allowing the continuation of the uses under the existing zoning and also the future municipal use.

4. Future Review and Modifications

- 4.1 The proposed zoning regulations present some major changes in creating Mixed-Use Zones. As a result, it will be necessary for staff to monitor and evaluate the implementation of these zoning tools to ensure that they achieve their intended outcome. It is recommended that minor variances be permitted to any of the performance standards, it is requested that Council grant permission for the submission of these applications to the Committee of Adjustment.
- 4.2 In the meantime, the new zoning regulations will provide prospective developers and the public with the confidence that Clarington is committed to redeveloping the CMS Secondary Plan as a mixed-use, transit-oriented corridor with the Urban Centre as the centre of community activity. Existing businesses will be given the opportunity to continue to operate in their current form or to redevelop in accordance with the new regulations.

5. Existing Buildings

- 5.1 Most properties in the Courtice Main Street contain an existing building. It is not the intent of these new zoning provisions to have these buildings convert to a new use. Before a new use will be permitted, property owners will have to demonstrate that they conform with the regulations set out in the by-law and the Secondary Plan such as:
 - Minimum building height and location;
 - Driveway access and joint access between properties;
 - Setback from environmentally protected areas; and
 - Municipal servicing.

6. Public Notice and Submissions

- 6.1 Notice for this meeting was given to all “Interested Parties” who had previously provided comments or expressed an interest with the new zoning regulations for the Courtice Main Street area. The notice was also mailed to each landowner whose property will be rezoned. In addition, the notice was posted on the Municipal website and in the Planning Services E-Update newsletter.

7. Agency Comments

Regional Municipality of Durham

- 7.1 When originally approved, the CMS Secondary Plan contemplated a width of 36 metres for the Durham Highway 2 right-of-way. Since that approval, Durham Region has prepared a Regional Transportation Master Plan (Regional TMP) that identifies the future right-of-way width for Durham Highway 2 as 45 metres. This increased width is to accommodate future bus-rapid-transit service. As a result, the Region has requested that the minimum front yard setback be increased from 2 metres to 4.5 metres.
- 7.2 The properties within the CMS Secondary Plan area along Durham Highway 2 have limited development potential. Properties on the north side of Durham Highway 2 are constrained by the Black Creek to the north. Properties on the south side of Durham Highway 2 are constrained by existing, low density residential neighbourhoods to the south. To further increase the width of the Highway 2 corridor by an additional 9 metres (36 metres to 45 metres) would limit potential redevelopment and jeopardize the viability of the bus-rapid-transit network that is being sought by the increased widening.
- 7.3 It is Staff's opinion that maintaining the proposed minimum front yard setback of 2 metres will not inhibit the Region's objective of transforming Durham Highway 2 through Courtice into a major transit spine. The setbacks are established from the road allowance and the Region has the opportunity to take widening through site plan approval. In addition, incorporating the Regions request for additional width will likely result in less density thereby inhibiting the viability of the future rapid transit service.

8. Conclusion

- 8.1 The attached zoning by-law amendment is intended to facilitate redevelopment along the Courtice Main Street in accordance with the vision established in the Secondary Plan.
- 8.2 It is respectfully recommended that the attached zoning regulations for the Courtice Main Street area be approved.

9. Strategic Plan Application

The proposed rezoning facilitates the creation of jobs and businesses, provides for walkable mixed use neighbourhoods and helps support a variety of affordable housing types.



Submitted by:

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Reviewed by:

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Attachments:

Attachment 1 – Courtice Main Street Secondary Plan Land Use Map

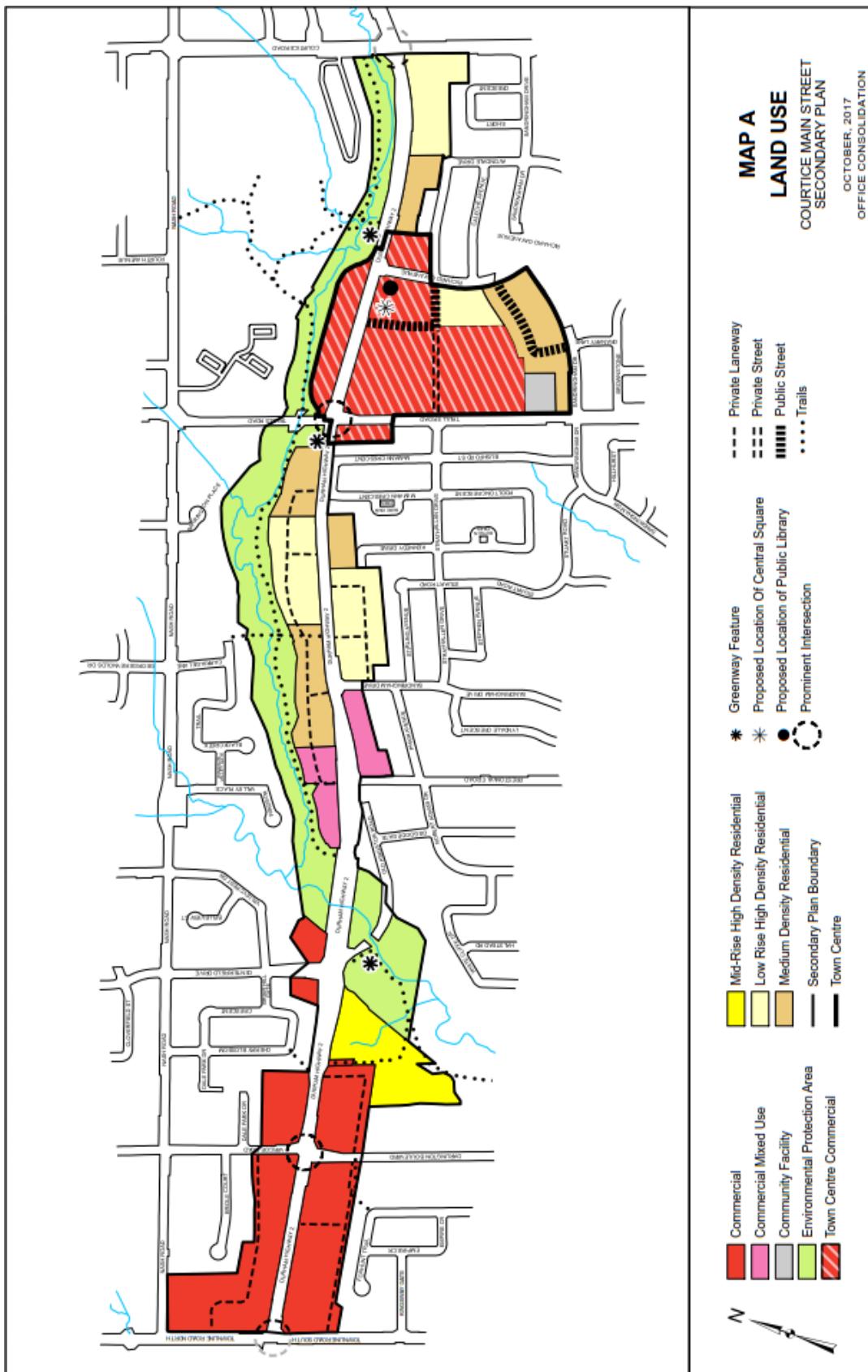
Attachment 2 – Final Zoning Map 1

Attachment 3 – Final Zoning Map 2

Attachment 4 – Zoning By-law

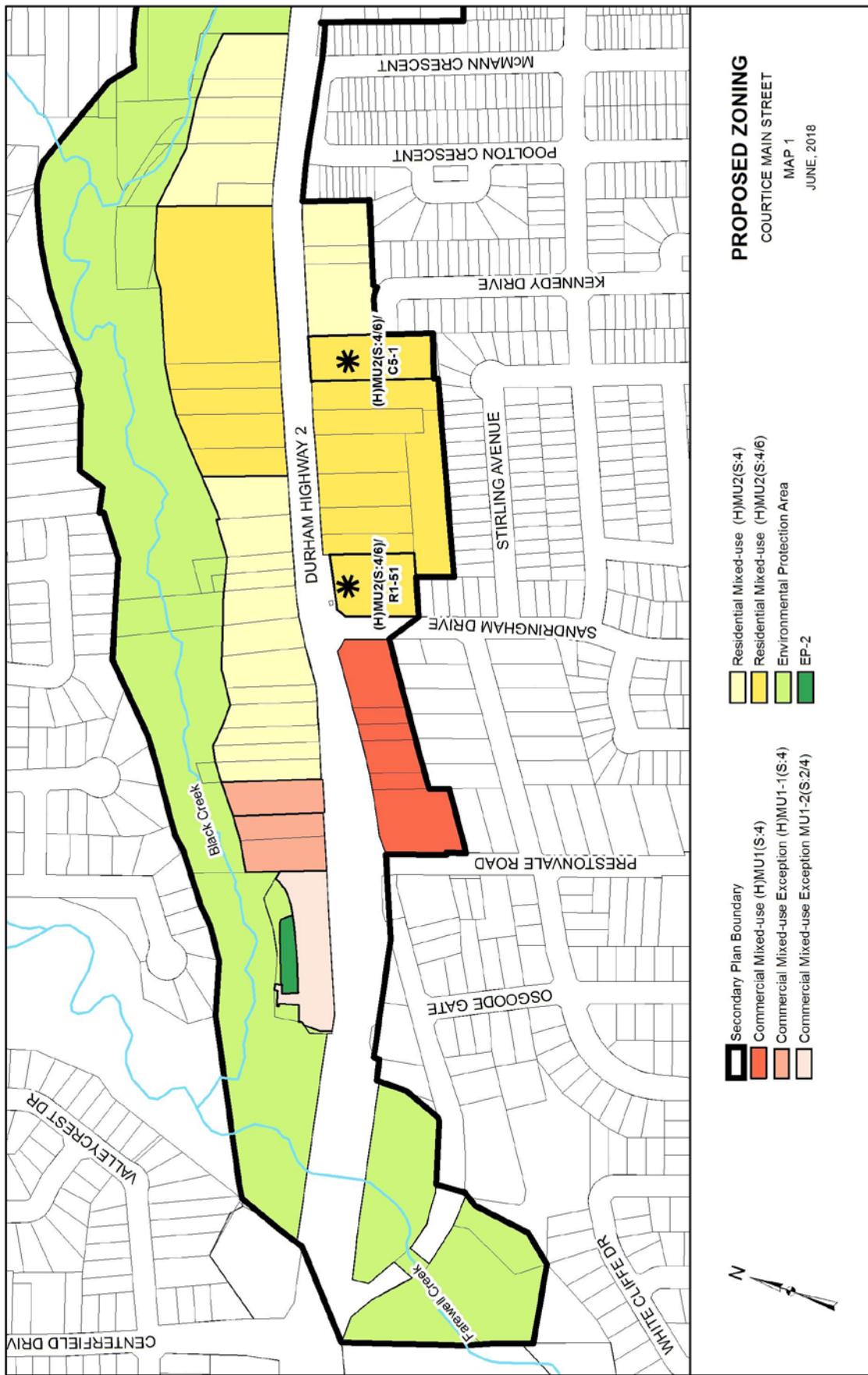
List of interested parties to be notified of Council's decision is on file in the Planning Services Department.

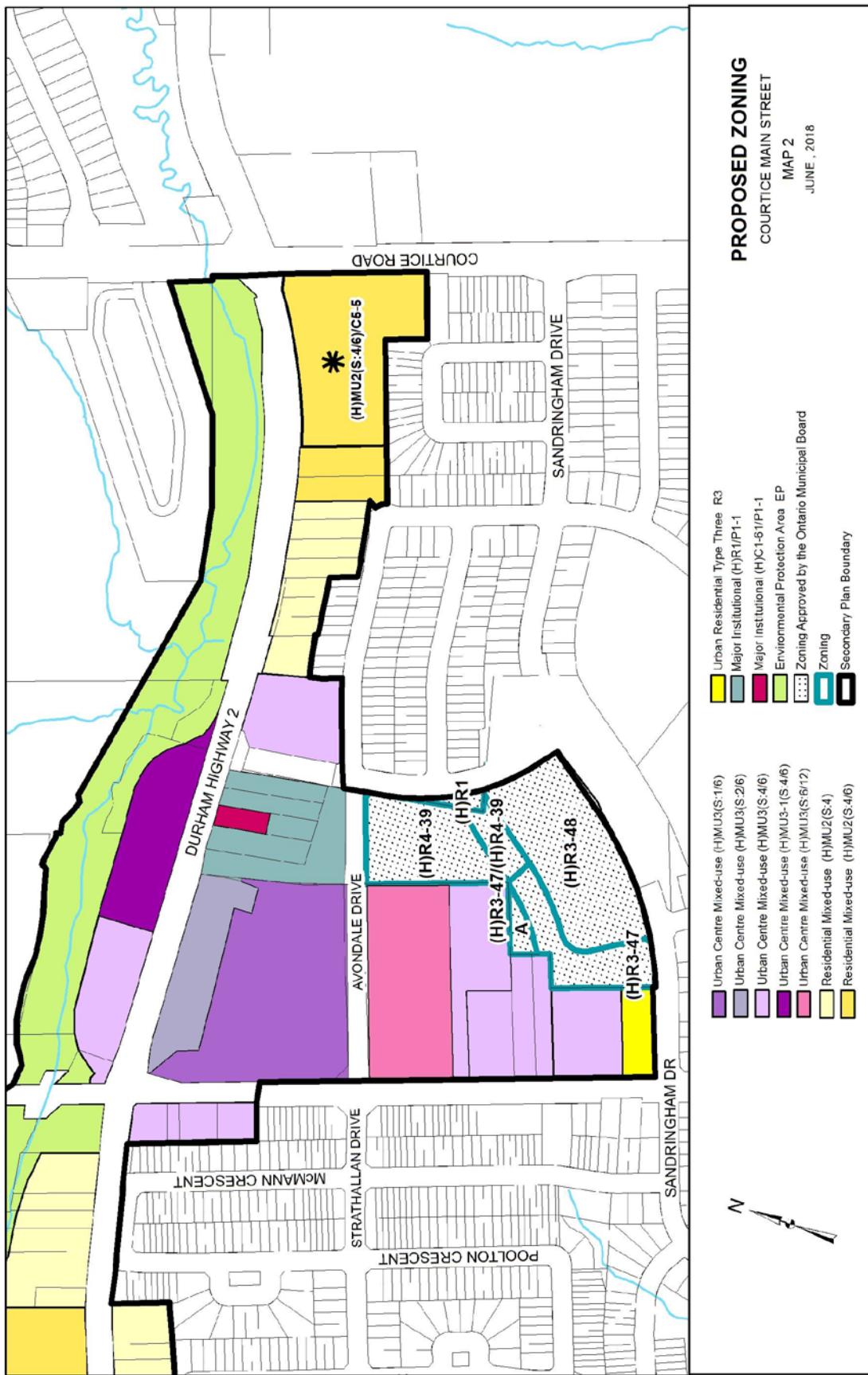
Municipality of Clarington



Municipality of Clarington

Attachment 2 to Report PSD-050-18





Corporation of the Municipality of Clarington

By-law Number 2018-_____

being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington

Whereas the Council of the Corporation of the Municipality of Clarington deems it advisable to amend By-law 84-63, as amended, of the Corporation of the Municipality of Clarington for ZBA 2016-0008;

Now Therefore Be It Resolved That, the Council of the Corporation of the Municipality of Clarington enacts as follows:

1. Section 2, 3, 16 and 26 of By-law 84-63 are amended as set out in of this By-law.
2. The following definition is added:

Mixed-Use Building

Shall mean a building containing apartment dwellings and at least one non-residential use.

3. The following General Provisions are added:

3.11b Home Occupation (Multi-Residential)

a. Permitted Uses

- i) adult home care;
- ii) business, professional or administrative office;
- iii) caterer;
- iv) children's home care;
- v) home craft business;
- vi) instructional services; and
- vii) personal service shop.

b. Regulations

The following regulations apply to dwelling units wherein a home occupation is permitted:

- i) There shall be no display, other than a sign erected in conformity with the By-laws of the Municipality.
- ii) Not more than twenty-five (25) percent of the total floor area of the dwelling unit shall be used for the purposes of the home occupation use.
- iii) No additional parking shall be required.
- iv) There shall be no outside storage of goods or materials associated with a home occupational use.
- v) Instructional services may accommodate a maximum of one student at a time.

4. Sections 26.4, 26.5 and 26.6 are deleted and replaced with:

26.4 Certain Words

In this By-law words used in the present tense include future; words in the singular number include the plural; words in the plural include the singular number; and the word "used" includes "arranged, designed, or intended to be used"; the word "shall" is mandatory and not directory.

26.5 Zone Suffixes

On occasion, the zone symbol on the schedules may be followed by one or more letters and numbers enclosed in brackets. The information provided in the brackets indicates the maximum number of units permitted within the boundary of the zone limits. The maximum total numbers of units permitted is indicated by the letter "T" followed by a number. For example, "R1 (T: 0.65)" indicates that a maximum of 65 units may be developed.

The suffix "S" indicates the minimum and maximum number of stories permitted for buildings constructed within this zone boundary on the lot. For example, the category **MU1(S:2/4)** indicates a minimum of 2 stories and a maximum of 4 stories may be constructed on a lot with this zoning.

26.6 Compound Zones

Notwithstanding any other zone provision of this By-law, where two or more zone symbols are shown on a map to this by-law divided by an oblique line "/", the total of the lands within that lot may be used for any use permitted in either one of the zones included in the compound zone symbol subject to the regulations applicable to said zone.

Where two or more zones in a compound zone permit the same use and the regulations contained in each zone for that use are different, the least restrictive regulation shall apply.

5. Section 16A – MIXED-USE (MU) ZONE, is deleted and replaced with the following:

This By-law establishes the following zones and places all lands subject to this By-law in one or more of the following zones:

Zone Category	Symbol
Mixed-Use	
Commercial Mixed-Use	MU1
Residential Mixed-Use	MU2
Urban Centre Mixed-Use	MU3

16A Mixed Use (MU) Zone

16A.1 Zones

- Commercial Mixed Use (MU1)
- Residential Mixed Use (MU2)
- Urban Centre Mixed Use (MU3)

16A.2 Permitted Uses

Uses permitted in the Mixed Use Zones are denoted by the symbol “✓” in the column applicable to that zone and the corresponding row for a specific permitted use in the Permitted Uses table.

TABLE 16A.2: PERMITTED USES IN THE MIXED-USE ZONE

	MU1	MU2	MU3
RESIDENTIAL USES			
Apartment Building		✓	✓
Mixed-Use Building	✓ ¹	✓ ¹	✓ ¹
Stacked Townhouse Dwelling	✓	✓	✓
Home Occupation (Multi-Residential)	✓	✓	✓
Long Term Care Facility	✓	✓	✓
Retirement Home	✓	✓	✓
Existing Single Detached Dwelling	✓ ²	✓ ²	✓ ²
RETAIL USES			
Artisan Studio	✓ ³	✓ ³	✓
Convenience Store	✓ ³	✓ ³	✓

Retail Commercial Establishment	✓ 3	✓ 3	✓
Supermarket			✓
PERSONAL AND PROFESSIONAL SERVICES			
Business, Administrative or Professional Office	✓ 3	✓ 3	✓
Eating Establishment	✓ 3	✓ 3	✓
Eating Establishment, Take-out	✓ 3	✓ 3	✓
Financial Office	✓ 3	✓ 3	✓
Fitness Centre	✓ 3	✓ 3	✓
Day Nursery	✓ 3	✓ 3	✓
Dry Cleaning Distribution Centre	✓ 3	✓ 3	✓
Hotel	✓ 3	✓ 3	✓
Laundry	✓ 3	✓ 3	✓
Medical or Dental Clinic	✓ 3	✓ 3	✓
Printing or Publishing Establishment	✓ 3	✓ 3	✓
School, Commercial	✓ 3	✓ 3	✓
Service Shop, Personal	✓ 3	✓ 3	✓
Service Shop, Light	✓ 3	✓ 3	✓
Veterinarian Clinic	✓ 3	✓ 3	✓
GATHERING PLACES AND COMMUNITY USES			
Place of Entertainment	✓ 3	✓ 3	✓
Place of Worship	✓ 3	✓ 3	✓
Private Club	✓ 3	✓ 3	✓

16A.3 Additional Regulations for Permitted Uses

1. Non-residential units must be located on the first floor (ground floor) and within the business establishment street façade when located within a mixed-use building. Non-residential units may also be permitted elsewhere in a mixed-use building provided that the ground floor is fully occupied with non-residential uses.
2. Existing single detached dwellings shall be subject to the regulations contained in Section 12.2.
3. Non-residential uses are only permitted within a mixed-use building in the MU1 and MU2 zones.
4. Building which existed on the date of the passing of this By-law may only be converted to a new or additional use if they conform to all regulations of the respective MU zone.

16A.4 Regulations

The regulations for lots in the Mixed Use Zones are set out in the Regulations table.

TABLE 16A.4 REGULATIONS IN THE MIXED-USE ZONE				
Lot Dimensions		MU1	MU2	MU3
Minimum Lot Area (Ha)		0.25	0.25	0.25
Minimum Lot Frontage (metres)		50	50	50
Building Location		MU1	MU2	MU3
Front Yard	Minimum (metres)	2.0	2.0	2.0
	Maximum (metres) for the minimum building height	5.0	5.0	5.0
Exterior Side Yard (for corner lots)	Minimum (metres)	2.0	2.0	2.0
	Maximum (metres)	5.0	5.0	5.0
Interior Side Yard	Minimum (metres)	1.5	1.5	1.5
	Minimum abutting an Urban Residential Zone (metres)	5.0	5.0	5.0
Rear Yard	Minimum (metres)	1.5	1.5	1.5
	Minimum abutting an Urban Residential Zone (metres)	10.0	10.0	10.0
Building Massing (excluding accessory buildings and structures)		MU1	MU2	MU3
Number of storeys (subject to Section 26.5 - Zone Suffixes)	Minimum	As shown on the Zoning Map Schedule	As shown on the Zoning Map Schedule	As shown on the Zoning Map Schedule
	Maximum	As shown on the Zoning Map Schedule	As shown on the Zoning Map Schedule	As shown on the Zoning Map Schedule
Minimum gross floor area		Above the first floor, each storey shall contain a gross floor area equal to or greater than 50% of the gross floor area of the floor immediately beneath it.		

Minimum length of the street façade	Along Durham Highway 2	70%	70%	70%
	Along any other public or private street	30%	30%	30%
Buildings six storeys or taller shall setback all floors above the fourth storey that face a public street (metres)		3.0	3.0	3.0
Building Elements	MU1	MU2	MU3	
Amount of transparent glazing within the business establishment street façade		50%	50%	50%
Location of Entrance	Residential Entrance	Within a street façade; or Along the side of the building but no more than half the width of the building from a street façade.		
	Non-Residential Entrance	At least one public entrance for each business located on the first floor shall be located within a street façade.		
Maximum size of non-residential units (square metres)		600	600	No limit
Maximum amount of non-residential floor space per property (square metres)		3,000	3,000	No limit
Landscape Requirements	MU1	MU2	MU3	
Landscaped Open Space (minimum)		15%	15%	15%
Minimum planting strip abutting an Urban Residential zone (metres)		3.0	3.0	3.0
Parking and Loading	MU1	MU2	MU3	
Minimum number of loading spaces (4 metres x 9 metres)		1	1	1
Minimum distance between a parking space and a building where a walkway is located beside the building (metres)		2.5	2.5	2.5
Minimum number of parking spaces based on the gross floor area of bank, professional office, retail commercial establishments and personal service shop		1 for every 40 m ²	1 for every 40 m ²	1 for every 40 m ²
Minimum number of parking spaces per apartment dwelling unit (including visitor parking spaces)		1.0	1.0	1.0

16A.5 Additional Regulations in the Mixed-Use Zone

- a. Notwithstanding Section 3.7a. no new uses may be established on a lot that contains less than the minimum required lot area and frontage.
- b. The front yard and exterior side yard setbacks only apply to the buildings, or portion of buildings, which are being counted towards compliance with the minimum length of the street façade.
- c. The parking requirements of any MU zone may be accommodated on lands zoned MU within 150 metres of the subject property.

16A.6 Holding Symbol

The holding symbol will be removed once the Municipality is satisfied with the following items:

- a. Access
 - i) Conformity with the respective road authority's entrance requirements;
 - ii) Accommodating access between adjoining properties;
 - iii) The entrance location will not inhibit redevelopment on other lots in the same block; and
- b. Environmental Protection
 - i) For properties located on the north side of Durham Highway 2, an Environmental Impact Study must be completed in accordance with the Clarington Official Plan and the recommendations incorporated into the approved Site Plan.
- c. Servicing
 - i) The uses to be permitted will be serviced by Municipal water and sanitary sewers.

16A.7 Site Specific Exceptions

Section 16A.7.1 Urban Centre Mixed Use Exception “MU3-1 (S:4/6)”

Notwithstanding the respective provisions of Table 16A.4 those lands zoned MU3-1 (S:4/6), on the Schedules to this By-law, shall be subject to the following:

- a. Regulations
 - i) Minimum length of the street façade along Durham Highway 2
40%
 - ii) Location of Residential Entrance
No requirement

Section 16A.7.2 Commercial Mixed-Use Exception “MU1-1 (S:4)” Zone

Notwithstanding the respective provisions of Section 16A, those lands zoned “MU1-1 (S:4)” on the Schedules to this By-law shall, in addition to all other uses and regulations of the MU zone, be subject to the following requirements:

Permitted Uses

- i) A business, professional or administrative offices may be located within the building which existed on the date of the passing of this By-law; and
 - ii) A medical or dental clinic may be located within the building which existed on the date of the passing of this By-law.
- a. Regulations
- i) All permitted uses listed in 16A.10.2 a., must be located within a building which existing on the date of the passing of this By-law.
 - ii) Where the zone symbol shown on a Schedule to this By-law is preceded by the letter (H), the use of the lands shall be limited to the existing single detached dwelling. The (H) Holding Symbol may be removed upon Council being satisfied that the property has received Site Plan approval by June 30, 2019.

Section 16A.7.3 Commercial Mixed-Use Exception “MU1-2 (S:4)” Zone

Notwithstanding the respective provisions of Section 16A, those lands zoned “MU1-2 (S:4)” on the Schedules to this By-law shall, in addition to all other uses and regulations of the MU zone, be subject to the following requirements:

- a. Permitted Residential Uses
 - i) Dwelling units existing at the date of the passing of this by-law.
- b. Permitted Non-Residential Uses
 - i) Business, professional or administrative offices;
 - ii) Commercial school;
 - iii) Convenience store;
 - iv) Day nursery;
 - v) Dry Cleaning Distribution Centre;
 - vi) Eating Establishment;
 - vii) Eating Establishment, Take-out;
 - viii) Financial Office;
 - ix) Hotel;
 - x) Laundry;
 - xi) Medical or Dental Clinic;
 - xii) Motel;
 - xiii) Personal Service Shop;
 - xiv) Place of Entertainment;
 - xv) Place of Worship;
 - xvi) Private Club;
 - xvii) Retail/Commercial Establishment;
 - xviii) Tavern;
 - xix) Veterinarian Clinic; and

- xx) Stationary Refreshment Vehicle provided the property was identified in a Stationary Refreshment Vehicle license issued by the Municipality prior to September 21, 2015 and the property has continuously been identified in an annual stationary Refreshment Vehicle license issued by the Municipality since that date.
- c. Regulations
- i) All permitted uses listed in 16A.10.3 a. and 16A.10.3 b., with the exception of a Stationary Refreshment Vehicle, must be located within one of the two buildings which existing on the date of the passing of this By-law.
6. Section 15A Major Institutional (P1) Zone is hereby amended by adding, the following new Special Exception zone 15A.3 as follows:
- 15A.3 Special Exceptions – Major Institutional (P1) Zone
- 15A.3.1 Major Institutional Exception (P1-1) Zone
- Notwithstanding Section 15A.1 those lands zoned P1-1 as shown on the Schedules to this By-law shall be subject to the following uses and regulations:
- a. Permitted Uses
 - i) Library
 - a. Regulations

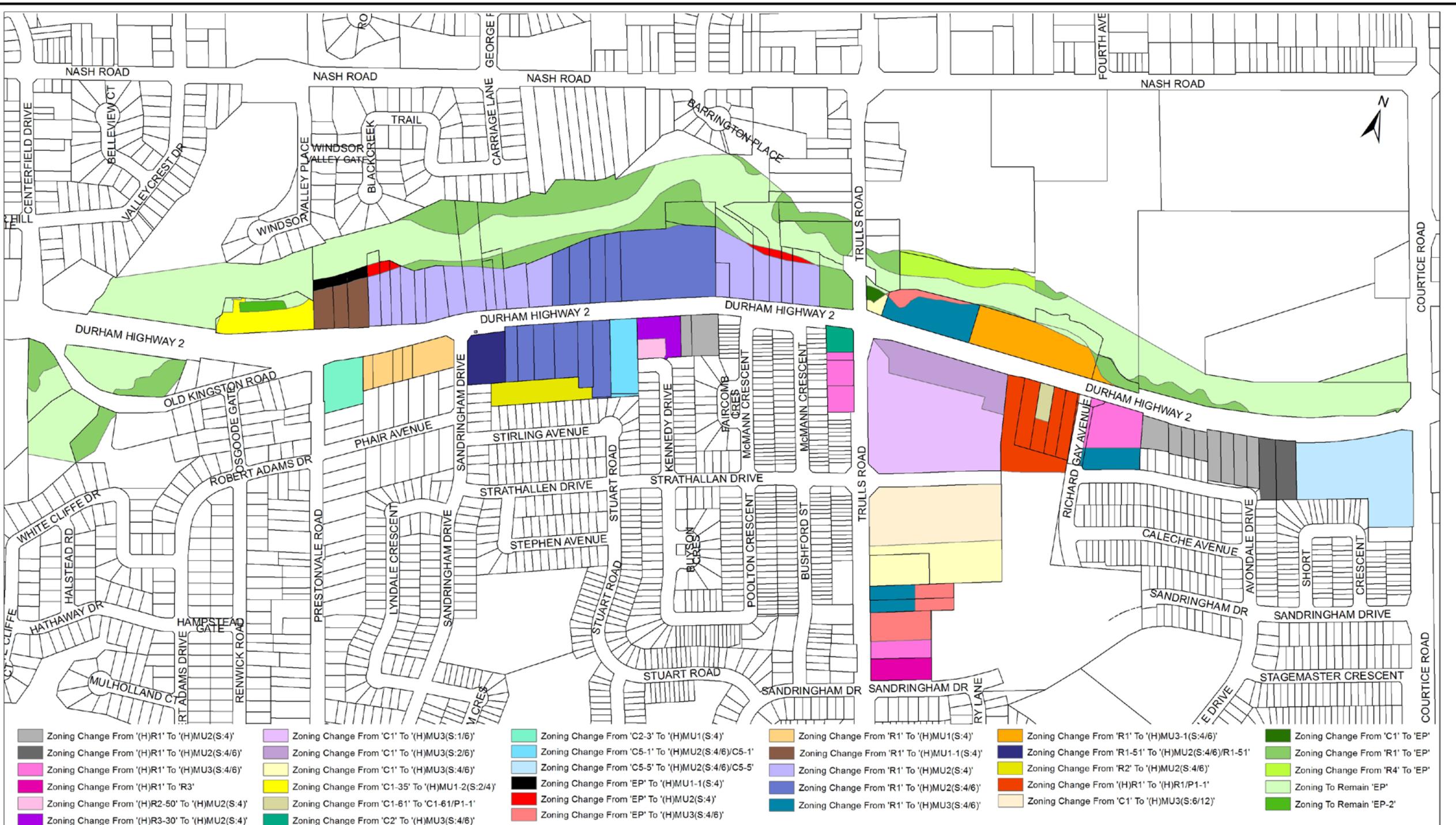
i) Lot Area (minimum)	0.25 Ha
ii) Lot Frontage (minimum)	50 metres
iii) Yard Requirements (minimum)	
a. Front Yard (metres)	Minimum 2.0 Maximum 5.0
b. Exterior Side Yard	Minimum 2.0 Maximum 5.0
c. Interior Side Yard	1.5
d. Rear Yard	1.5
7. Schedule '4' to By-law 84-63, as amended, is hereby further amended by changing the zone designation as indicated on the attached Schedule "A".
8. Schedule 'A' attached hereto shall form part of this By-law.
9. This By-law shall come into effect on the date of the passing hereof, subject to the provisions of Section 34 of the Planning Act.

By-Law passed in open session this _____ day of _____, 2018

Adrian Foster, Mayor

C. Anne Greentree, Municipal Clerk

This is Schedule "A" to By-law 2018-, passed this day of , 2018 A.D.



Adrian Foster, Mayor

Courtice • ZBA 2016-0008 • Schedule 4

C. Anne Greentree, Municipal Clerk