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To: Mayor and Members of Council
From: Ryan Windle, Director of Planning and Development Services Department
Date: December 3, 2021
File No.: ZBA 2021-0002
Re: PDS-064-21 - Update to Zoning By-law Amendment

Further to releasing Staff Report PDS-064-21, Staff have had design meetings with the proponents which have resulted in minor changes to the original By-law attached to the report.

These 5 changes are minor and are agreed upon by the proponent as well as staff, they are summarized below:

	Original By-law (Attachment 1)	Updated By-law (Attachment 1)
Angular Plane	7.5 Metres from the property line plus a 45-degree angular plane from a height of 10.5 metres above the 7.5 metre setback line	Angular Plane - A 45-degree angular plane from a height of 10.5 metres above the property line
Minimum Planting Strip Abutting an Urban Residential Zone	7.5 metres	6 metres
From Parent "MU3" Zone Minimum distance between a parking space and a building where a walkway is located beside the building (metres)	2.5 metres	1.85 metres

	Original By-law (Attachment 1)	Updated By-law (Attachment 1)
From Parent “MU3” Zone Buildings six storeys or taller shall setback all floors above the fourth storey that face a public street (metres)	3 metres	1.5 metres
Added for Clarity	-	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.



Ryan Windle, MCIP, RPP, AICP
Director
Planning and Development Services

Corporation of the Municipality of Clarington

By-law Number 2021-_____

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 ZBA2021-0002;

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

1. Notwithstanding the respective provisions of Section 16A.4, those lands zoned MU3-3 on the Schedules to this By-law, shall be subject to the following:
 1. Regulations
 - i. Angular Plane
 - a) A 45-degree angular plane from a height of 10.5 metres above the property line
 - ii. Sight Triangle Setback (minimum)
 - a) 6 Metres
 - iii. Height (maximum)
 - a) 40 metres
 - iv. Number of Storeys
 - a) Minimum: 6 Storeys
 - b) Maximum: 12 Storeys
 - v. Location of residential entrance(s) No requirement
 - vi. Non-residential entrance(s) may be located in the front or side yard of a building.
 - vii. Minimum Planting Strip abutting an Urban Residential Zone

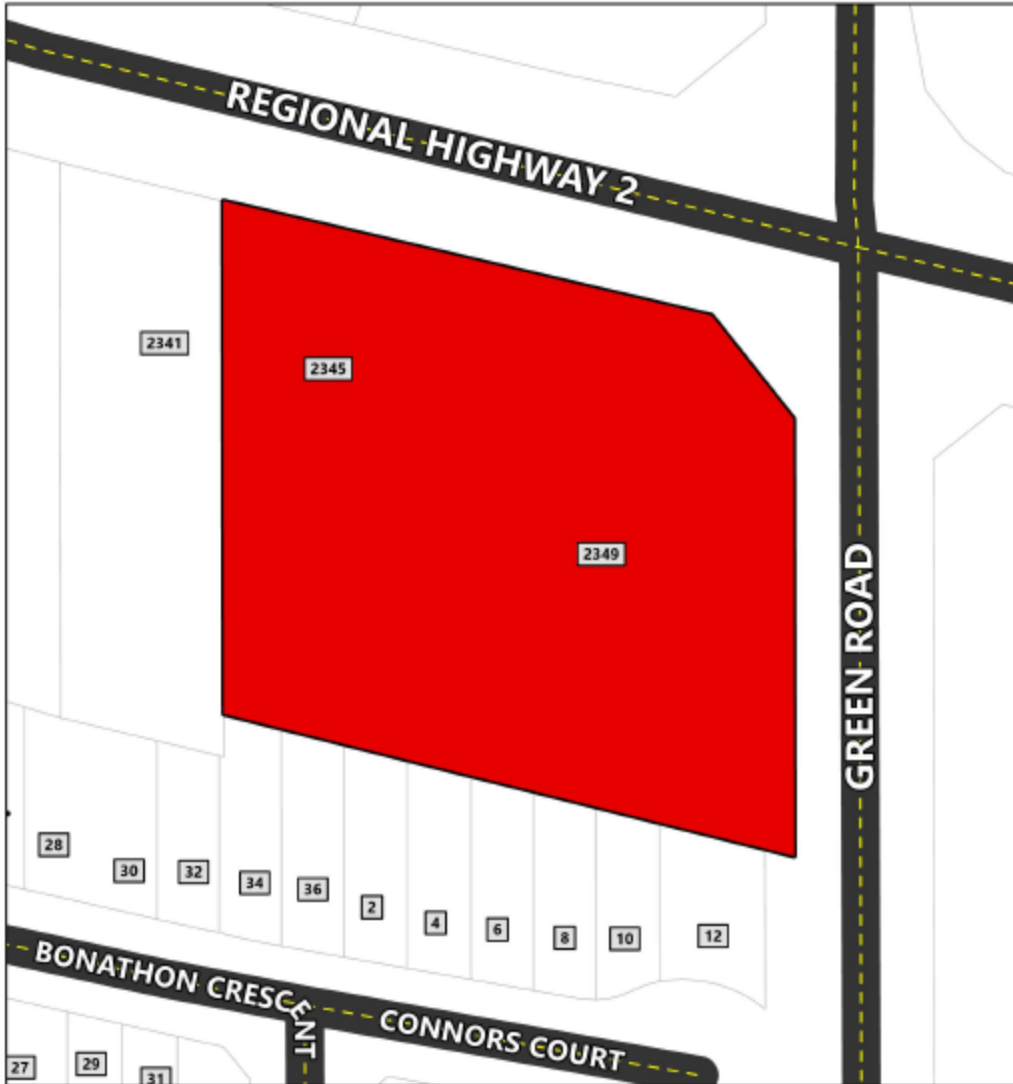
- a) 6 metres
 - viii. Shared Outdoor Amenity Area, Located at Grade (minimum)
 - a) Minimum 3 square metres per dwelling unit
 - ix. Minimum distance between a parking space and a building where a walkway is located beside the building (metres)
 - a) 1.85 metres
 - x. Buildings six storeys or taller shall setback all floors above the fourth storey that face a public street (metres)
 - a) 1.5 metres
 - xi. 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.
2. Schedule '3' to By-law 84-63, as amended, is hereby further amended by changing the zone designation from "Agricultural (A) Zone" and "Holding – Urban Residential Exception ((H) R4-29" to "Holding – Urban Centre Mixed Use Exception (MU3-3)" Zone" as illustrated on the attached Schedule 'A' hereto.
3. Schedule 'A' attached hereto shall form a part of this By-law.
4. This By-law shall come into effect on the date of the passing hereof, subject to the provisions of Section 34 and 36 of the *Planning Act*.

By-Law passed in open session this _____ day of _____, 2021.

Adrian Foster, Mayor

June Gallagher, Municipal Clerk

This is Schedule "A" to By-law 2021- , passed this day of , 2021 A.D.



Zoning Change From 'A/(H)R4-29' to '(H) MU3-3'

