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## The Corporation of the Municipality of Clarington

### By-law 2026-XXX

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 ZBA2025-0015;

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

1. Section 14.6 “Special Exceptions – Urban Residential Type Three (R3) Zone” is hereby amended by adding thereto, the following new Special Exception Zone 14.6.85 as follows:

#### **14.6.85 Urban Residential Exception (R3-85) Zone**

Notwithstanding Sections 14.1, 14.3 a., b., c. iii), e., g., and h., those lands zoned R3-85, shall only be used for the permitted uses listed in the R3-85 zone and shall be subject to the following regulations and the applicable provisions not amended by the R3-85 zone:

a. Permitted Uses:

- i) Single detached dwelling
- ii) Semi-detached dwelling
- iii) Street townhouse dwelling
- iv) A home occupation use in accordance with the provisions of Section 3.11 of this By-law, save and except the retail sale of antiques, arts, crafts, or hobby items.

b. Regulations for single and semi-detached dwellings:

i) Lot Area (minimum)

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|-----------------------------|-------------------|
| a) Single detached dwelling | 245 square metres |
| b) Semi-detached dwelling   | 450 square metres |

ii) Lot Frontage (minimum)

a) Single detached dwelling

- |                  |           |
|------------------|-----------|
| i. Interior Lot  | 10 metres |
| ii. Exterior Lot | 12 metres |

b) Semi-detached dwelling

- |                  |           |
|------------------|-----------|
| i. Interior Lot  | 15 metres |
| ii. Exterior Lot | 18 metres |

iii) Yard Requirements (minimum)

a) Exterior Side Yard

- |                             |          |
|-----------------------------|----------|
| i. Single detached dwelling | 3 metres |
| ii. Semi detached dwelling  | 3 metres |

b) Interior Side Yard

- |                             |  |
|-----------------------------|--|
| i. Single detached dwelling | 1.2 metres on one side and 0.6 metres on the other side  |
| ii. Semi-detached Dwelling  | 1.2 metres on one side and nil where building has a common wall with any building on an adjacent lot |

iv) The following provisions apply to both single detached dwellings and semi-detached dwellings:

a) Lot coverage

- |   |
|---|
| i. 50 percent for the dwelling, 55 percent for all buildings and structures |
|---|

- b) Height of floor deck to unenclosed porch above finished grade (maximum) 1.5 metres
- c) A covered and unclosed porch/balcony having no habitable space above it shall be permitted subject to the following:
  - i. In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage;
  - ii. In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted, provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage;
- d) The primary dwelling façade shall be visually prominent and located closer to the street line than the garage door.
- e) Sight triangle setback 1.0 metre
- c. Regulations for street townhouse dwellings:
  - i) Lot Area (minimum) 150 square metres
  - ii) Lot Frontage (minimum)
    - a) Interior Lot 6 metres
    - b) Exterior Lot 9 metres
  - iii) Exterior Side Yard Requirements (minimum) 3 metres
  - iv) Lot Coverage (maximum) 50% percent for the dwelling, 55% for all buildings and structures
  - v) Driveway width (maximum) 3 metres
  - vi) Height of floor deck of unenclosed porch above finished grade (maximum) 1.5 metres
  - vii) A covered and unclosed porch/balcony having no habitable space above it shall be permitted subject to the following:
    - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 10 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage;

- b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 15 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage;
        - c) The primary dwelling façade shall be visually prominent and located closer to the street line than the garage door..
  - viii) Sight triangle setback 1.0 metre
- d. Fencing along a rear lot line adjacent to Darlington Provincial Park shall be solid fencing with no gates and have a minimum height of 1.8 metres.
- e. Special Provisions for the Removal of the (H) Holding Symbol
  - i) In addition to the general provisions of the Official Plan and Section 3.10 of this Zoning By-law, with respect to the removal of the (H) Holding symbol, Council shall only enact a by-law to remove the (H) Holding Symbol from the R3-85 Zone once the following provisions have been satisfied:
    - a) A final Traffic Impact Study to the satisfaction of the Municipality of Clarington;
    - b) A final Noise and Vibration Study to the satisfaction of the Municipality of Clarington.
    - c) A final traffic related air pollution study to the satisfaction of the Municipality of Clarington.
    - d) The Conservation Authority approves the floodplain mapping update which demonstrates the surrounding development is adequately floodproofed in accordance with all applicable Provincial and Conservation Authority policies and guidelines.
    - e) Safe access and egress to and from the subject lands are demonstrated to be achievable, and any roads required to achieve safe access are constructed prior to the issuance of any permits associated with residential development.
  - ii) Where a zone category has a compound zone with an Environmental Protection Zone:
    - a) Upon satisfactory determination of the zone boundaries by the appropriate authority, the Holding (“H”) symbol shall be removed. The final zone boundaries of the compound zones shall be incorporated into the Holding By-law Amendment for the affected lands.

2. Section 15.4 “Special Exceptions – Urban Residential Type Four (R4) Zone” is hereby amended by adding thereto, the following new Special Exception Zone 15.4.53 as follows:

**15.4.53 Urban Residential Exception R4-53 Zone**

Notwithstanding the provisions of Sections 15.1, 15.2 a., b., g., h., and i. those lands zoned R4-53 shall only be used for the permitted uses listed in the R4-53 zone and shall be subject to the following regulations and the applicable provisions not amended by the R4-53 zone:

- a. Permitted Residential Uses:
- i) Street townhouse dwelling, in accordance with Section 14.6.85 c. of this By-law
  - ii) Stacked townhouse dwelling
  - iii) Link townhouse dwelling
  - iv) An apartment building
  - v) Long term care facility
  - vi) Retirement Home
  - vii) A home occupation, in accordance with the provisions of Section 3.11B of this By-law.
- b. Non-residential uses shall not exceed 250 square metres of gross leasable floor area and shall be located on the ground floor of any residential use permitted in the R4-53 exception zone. Permitted non-residential uses shall include:
- i) Business, professional or administrative office
  - ii) Day nursery
  - iii) Dry cleaners distribution centre
  - iv) Eating establishment
  - v) Eating establishment, take-out
  - vi) Laundry
  - vii) Retail commercial establishment
  - viii) Service shop, personal
  - ix) Veterinary clinic
  - x) A convenience store
  - xi) A fruit and vegetable outlet
  - xii) Live/Work Unit associated with ground related residential dwellings in accordance with Section 3.13 of this By-law

c. For Stacked Townhouse Dwellings, Link Townhouse Dwellings, and Apartment buildings, the minimum Outdoor Amenity Area shall be 3 square metres per unit. The minimum required Outdoor Amenity area for each residential unit must be located within the same subdivision block where the residential unit is located.

d. Regulations for Stacked Townhouse Dwellings:

- i) Lot frontage (minimum) 13.5 metres
- ii) Yard requirements:
  - a) Front yard to an improved public street or private street  
4.5 metres (minimum) to 7.5 metres (maximum)
  - b) Exterior side yard to an improved public street or private street  
4.5 metres (minimum) to 7.5 metres (maximum)
  - c) Interior side yard (minimum) 4.5 metres
  - d) Interior side yard separation between buildings without common wall (minimum) 3.0 metres
  - e) Rear yard (min) 7.5 metres
  - f) Rear yard separation between buildings (minimum) 15 metres
  - g) Dwelling Unit Area (minimum) 85 square metres
  - h) Lot Coverage (maximum) 60 percent
  - i) Landscaped Open Space (minimum) 30 percent

e. Regulations for Link Townhouse Dwellings:

For the Purpose of establishing regulations for each Link Townhouse Dwelling unit, the following specific regulations shall apply as if each unit is located on a lot.

- i) Lot Area (minimum) 170 square metres
- ii) Lot Frontage (minimum) 5.5 metres
- iii) Lot Coverage (maximum) 60%
- iv) Landscaped Open Space (minimum) 30%

v) Yard Requirements (minimum):

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|---------------|--|
| a) Front Yard | 6 metres to garage or carport; 4.0 metres to dwelling; 2.0 metres to porch                               |
| b) Rear Yard  | 6 metres; Nil where a building has a common wall with any building on an adjacent lot in the same Zone   |
| c) Side Yard  | 1.5 metres; Nil where a building has a common wall with any building on an adjacent lot in the same Zone |

f. Special Provisions for the Removal of the (H) Holding Symbol

- i) In addition to the general provisions of the Official Plan and Section 3.10 of this Zoning By-law, with respect to the removal of the (H) Holding symbol, Council shall only enact a by-law to remove the (H) Holding Symbol from the R4-53 Zone once the following provisions have been satisfied:
- a) A final Traffic Impact Study to the satisfaction of the Municipality of Clarington;
  - b) A final Noise and Vibration Study to the satisfaction of the Municipality of Clarington.
  - c) A final traffic related air pollution study to the satisfaction of the Municipality of Clarington.
  - d) The Conservation Authority approves the floodplain mapping update which demonstrates the surrounding development is adequately floodproofed in accordance with all applicable Provincial and Conservation Authority policies and guidelines.
  - e) Safe access and egress to and from the subject lands are demonstrated to be achievable, and any roads required to achieve safe access are constructed prior to the issuance of any permits associated with residential development.
  - f) Site plan approval has been granted and there is an in-force and effect site plan agreement for the parcel of land from which the Hold is to be removed.
- ii) Where a zone category has a compound zone with an Environmental Protection Zone:
- a) Upon satisfactory determination of the zone boundaries by the appropriate authority, the Holding (“H”) symbol shall be removed. The final zone boundaries of the compound zones shall be incorporated into the Holding By-law Amendment for the affected lands.

3. Section 16A.7 “Site Specific Exceptions” is hereby amended by adding thereto, the

following new Special Exception Zone and renumbering the remaining sections:

### **16A.7.9 Residential Mixed-Use Exception (MU2-7) Zone**

Notwithstanding Sections 16A.3 note 2., 3., 4., 16A.5. b., 16A.6 b., c., those lands zoned MU2-7 shall be subject to the following zone regulations and applicable provisions not amended by the MU2-7 zone:

- a. In addition to the Permitted Uses in Column “MU2” of Table 16A.2, the following uses are permitted:
  - i) Link townhouse dwelling, provided that the number of link townhouse units do not exceed 10% of the total dwelling units within the MU2-7 zone; and subject to the zoning regulations in Section 15.4.53 e. of this By-law.
- b. In addition to the Permitted Uses in Table 16A.2 and above, the following destination-oriented commercial uses are also permitted:
  - i) A Conference Centre;
  - ii) Museum;
  - iii) A Banquet Hall; and
  - iv) A Brewery, Winery or Cidery; and,
  - v) Restaurant or retail establishments associated with one or more of the above uses.
- c. Notwithstanding the Zone Suffixes for the number of storeys, the minimum building height for a destination-oriented commercial use shall be 1 storey, provided the height is no less than 7.5 metres.
- d. For Stacked Townhouse Dwellings, Link Townhouse Dwellings, and Apartment buildings, the minimum Outdoor Amenity Area shall be 3 square metres per unit. The minimum required Outdoor Amenity area for each residential unit must be located within the same subdivision block where the residential unit is located.
- e. Notwithstanding Section 16A.4 “Regulations” Table 16A.4 “Regulations in the Mixed-Use Zone” for MU2, the minimum gross floor area, minimum length of the street façade, maximum size of non-residential units, and maximum amount of non-residential floorspace per property, shall not apply.
- f. The following non-residential gross floor area shall apply to all the lands zoned MU2-7, MU2-8, MU2-9, and MU2-10 zones in aggregate:
  - i) GFA (minimum): 4,000 square metres
  - ii) GFA (maximum): 10,000 square metres

- iii) No single storey destination-oriented or stand-alone commercial use shall exceed 1,500 square metres.
  - iv) No single commercial use shall exceed 300 square metres.
  - v) Hotel, Conference centre and banquet hall uses are not considered to contribute to non-residential gross floor area, except for hotel common areas serving the general public.
- g. Non-residential uses shall occupy a minimum of 30% of the building ground floor GFA for buildings facing the Collector Road in Schedule C of the Courtice Waterfront Secondary Plan.
- h. Special Provisions for the Removal of the (H) Holding Symbol
- i) In addition to the general provisions of the Official Plan and Section 3.10 of this Zoning By-law, with respect to the removal of the (H) Holding symbol, Council shall only enact a by-law to remove the (H) Holding Symbol from the MU2-7, MU2-8, MU2-9, and MU2-10 Zones once the following provisions have been satisfied:
    - a) A final Traffic Impact Study to the satisfaction of the Municipality of Clarington;
    - b) A final Noise and Vibration Study to the satisfaction of the Municipality of Clarington.
    - c) A final traffic related air pollution study to the satisfaction of the Municipality of Clarington.
    - d) The Conservation Authority approves the floodplain mapping update which demonstrates the surrounding development is adequately floodproofed in accordance with all applicable Provincial and Conservation Authority policies and guidelines.
    - e) Safe access and egress to and from the subject lands are demonstrated to be achievable, and any roads required to achieve safe access are constructed prior to the issuance of any permits associated with residential development.
    - f) Site plan approval has been granted and there is an in-force and effect site plan agreement for the parcel of land from which the Hold is to be removed.
  - ii) Where a zone category has a compound zone with an Environmental Protection Zone:
    - a) Upon satisfactory determination of the zone boundaries by the appropriate authority, the Holding (“H”) symbol shall be removed. The final zone boundaries of the compound zones shall be incorporated into the Holding By-law Amendment for the affected lands.

4. Section 16A.7 “Site Specific Exceptions” is hereby amended by adding thereto, the following new Special Exception Zone and renumbering the remaining sections:

**16A.7.10 Residential Mixed-Use Exception MU2-8 Zone**

Notwithstanding Sections 16A.3 note 2., 3., 4, 16A.5 b., 16A.6 b., c., those lands zoned MU2-8 shall be subject to the following zone regulations and the applicable provisions not amended by the MU2-8 zone:

- a. All uses and provisions applicable to the Residential Mixed-Use Exception (MU2-7) Zone, save and except for provision 16A.7.9 g.
  - b. Commercial uses shall occupy a minimum of 80% of the lot frontage to a primary public right-of-way facing Lake Ontario.
  - c. Notwithstanding the above, non-residential uses shall occupy a minimum of 50% of the lot frontage to all other non-primary public rights-of-way.
5. Section 16A.7 “Site Specific Exceptions” is hereby amended by adding thereto, the following new Special Exception Zone and renumbering the remaining sections:

**16A.7.11 Residential Mixed-Use Exception MU2-9 Zone**

Notwithstanding Sections 16A.3 note 2., 3., 4, 16A.5 b., 16A.6 b., c., those lands zoned MU2-9 shall be subject to the following zone regulations and the applicable provisions not amended by the MU2-9 zone:

- a. All uses and provisions applicable to the Residential Mixed-Use Exception (MU2-7) Zone, save and except for stand alone residential uses, and provision 16A.7.9 g.
  - b. Commercial uses shall occupy a minimum of 80% of the lot frontage to a primary public right-of-way facing Lake Ontario.
  - c. Notwithstanding the above, non-residential uses shall occupy a minimum of 50% of the lot frontage to all other non-primary public rights-of-way.
6. Section 16A.7 “Site Specific Exceptions” is hereby amended by adding thereto, the following new Special Exception Zone and renumbering the remaining sections:

**16A.7.12 Residential Mixed-Use Exception MU2-10**

Notwithstanding Sections 16A.3 note 2., 3., 4, 16A.5 b., 16A.6 b., c., those lands zoned MU2-10 shall be subject to the following zone regulations and the applicable provisions not amended by the MU2-10 zone:

- a. All uses and provisions applicable to the Residential Mixed-Use Exception (MU2-7) Zone, save and except for stand alone residential uses, and provision 16A.7.9 g.
- b. Commercial uses shall occupy a minimum of 50% of the lot frontage to a

primary public right-of-way facing Lake Ontario.

- c. Notwithstanding the above, non-residential uses shall occupy a minimum of 50% of the lot frontage to all other non-primary public rights-of-way.
7. Schedule '4' to By-law 84-63, as amended, is hereby further amended by changing the zones as illustrated on the attached Schedule 'A' hereto.
8. Schedule 'A' attached hereto shall form a 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 Sections 34 and 36 of the *Planning Act*.

Passed in Open Council this XX day of April, 2026.

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Adrian Foster, Mayor

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June Gallagher, Municipal Clerk



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|---|---|
| Zoning Change From '(H)M2' To '(H)EP'                 | Zoning Change From '(H)M2' To '(H)R4-53(S:3/6)/(H)EP' |
| Zoning Change From '(H)M2' To '(H)MU2-10(S:4/6)'      | Zoning Change From 'A' To '(H)EP'                     |
| Zoning Change From '(H)M2' To '(H)MU2-7(S:4/6)'       | Zoning Change From 'A' To '(H)MU2-10(S:4/6)'          |
| Zoning Change From '(H)M2' To '(H)MU2-7(S:4/6)/(H)EP' | Zoning Change From 'A' To '(H)MU2-7(S:4/6)'           |
| Zoning Change From '(H)M2' To '(H)MU2-8(S:3/6)'       | Zoning Change From 'A' To '(H)MU2-8(S:3/6)'           |
| Zoning Change From '(H)M2' To '(H)MU2-9(S:3/6)'       | Zoning Change From 'A' To '(H)MU2-9(S:3/6)'           |
| Zoning Change From '(H)M2' To '(H)R3-85(S:2/3)'       | Zoning Change From 'A' To '(H)R3-85(S:2/3)'           |
| Zoning Change From '(H)M2' To '(H)R4-53(S:3/4)'       | Zoning Change From 'A' To '(H)R4-53(S:3/4)'           |
| Zoning Change From '(H)M2' To '(H)R4-53(S:3/4)/(H)EP' | Zoning To Remain 'EP'                                 |
| Zoning Change From '(H)M2' To '(H)R4-53(S:3/6)'       |   |

