

The Corporation of the Municipality of Clarington

By-law Number 2023 - \_\_\_\_\_

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 of the Corporation of the Municipality of Clarington for ZBA 2023-XXXX;

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

1. Section 2 “DEFINITIONS”

Notwithstanding the definitions in Section 2, for the purpose of this amendment, the following definitions shall apply:

“Front Yard” – shall mean Prince William Boulevard.

“Park, Private” – Shall mean any open space or recreational area, owned, and operated or maintained in whole or in part by a private organization, and may include therein swimming pools, boating facilities, picnic areas, gardens, and other similar recreational activities. Parks may be permitted in strata form and can include privately-owned publicly accessible open spaces.

“Privately Owned Publicly Accessible Spaces (POPS)” – POPS are a specific type of open space which the public are invited to use but remain privately owned and maintained.

2. Schedule “A” of By-law 84-63, as amended, is hereby further amended by changing the zone designation from:

*“Agricultural (A) Zone”, “Agricultural Exception (A-82) Zone”, and “Office Commercial Holding – (H)OC Zone” to “Mixed Use 3 (MU3) Zone as illustrated in the attached Schedule “A” hereto.*

3. Notwithstanding Section 3.16 e) the following shall apply:

- Minimum parking for a Mixed Use Building – 0.77 parking spaces per dwelling unit, inclusive of visitor parking spaces;
- Minimum parking for Non-Residential Uses – 1 space per 67.5 square metres of Gross Floor Area;

4. Notwithstanding the Permitted Uses under Table and Section 16A.2, those lands zoned MU3-XX, inclusive of the lands within the hatched area on Schedule A of this By-law shall also allow the following uses:

- i) Park (public and/or private)
- ii) Privately Owned Publicly Accessible Spaces
- iii) Parking Areas
- iv) Live-Work Units

5. Notwithstanding Section 16A.3.1, Mixed-Use Buildings can contain non-residential units on floors other than the first floor (ground floor), regardless of if the ground floor of the mixed-use building is fully occupied with non-residential uses.

6. Notwithstanding Section 16A.4 those lands zoned MU3-XX on Schedule A of this By-law, shall be subject to the following regulations:

a. The maximum number of storeys shall be as per the zone suffix as shown on Schedule A, as shown on this By-law;

b. The minimum number of storeys shall be one (1) storey;

c. The following minimum Yard Requirements shall apply;

- |                                                          |            |
|----------------------------------------------------------|------------|
| i) Front yard maximum                                    | nil        |
| ii) Exterior side yard (for corner lots) maximum         | nil        |
| iii) Front Yard to Prince William Boulevard (Building B) | 1.0 metres |
| iv) Yard Requirements to underground parking (minimum)   |            |
| i. Front yard                                            | 0.0 metres |
| ii. All other yards                                      | 0.0 metres |

d. Minimum gross floor area shall not apply;

e. Minimum length of the street façade shall not apply;

f. Notwithstanding the regulation concerning setbacks for buildings taller than six storeys, the tower of a building with a podium shall be setback 0.0 metres from the podium.

g. Amount of transparent glazing within the business establishment street façade shall not apply;

h. Notwithstanding the regulation concerning the location of an entrance, a primary or secondary entrance shall be from a public street;

i. Notwithstanding the provision of 16A.4, the minimum number of parking spaces based on the gross floor area of a bank, professional office, retail commercial establishments,

personal service shops and any other non-residential use, shall be 1 space for every 67 square metres.

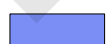

7. Section 16A.5 shall not apply.
8. Schedule '3' to By-law 84-63, is amended by changing the zone designation from "Agricultural (A) Zone", "Agricultural (A-82)" and "Office Commercial [(H)OC] Zone" to "Urban Centre Mixed Use Exception [MU3-XX (S:XX)] Zone", as illustrated on the attached Schedule 'A' hereto.
9. Schedule 'A' attached hereto shall form part of this By-law.
10. 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.

By-law passed in open session this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Adrian Foster, Mayor

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June Gallagher, Municipal Clerk



-  Zoning Change from 'A', 'A-81' and '(H)OC' to 'MU3-XX (S:40)'
-  See Section 4 of this By-law

