



Planning & Design Inc.




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Phase 1: Residential Zones - Discussion Paper

**Prepared for: City of Burlington
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1 Introduction



1.1 What is a Zoning By-law?

A municipal Zoning By-law is one piece of the land use planning framework in Ontario. The Planning Act provides the authority to regulate land use in Ontario. Provincial land use documents in Ontario, such as the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, outline the rules and direction for land use at the Provincial level. A local Official Plan, such as the Burlington Official Plan, is, in turn, required to be consistent with and conform to the Provincial policies, as well as Regional Policies. Provincial policies typically provide more general direction for land uses whereas Official Plans provide greater detail and a vision for a specific municipality. A Zoning by-law implements the direction of the Official Plan and provides detailed land use permissions for individual properties. Ontario's land use planning framework structure is illustrated in **Figure 1**.



Figure 1: Ontario's Land Use Structure

A Zoning By-law contains specific requirements for parcels of land including but not limited to:

- Permitted uses;
- Permitted building types;
- Building height;
- Where buildings and structures can be located on a lot – i.e., front, side and rear yard setbacks;
- Lot standards such as minimum lot area and frontage; and
- Parking standards.

1.2 Why does it matter to you?

The new Zoning By-law will implement the vision of the Burlington Official Plan, influencing the look and feel of the City.

As residents and stakeholders in and around the City, you have an important role to play in shaping the future of the City. As experts of your community, you can provide insights to help inform and influence a variety of aspects of the Zoning By-law such as urban design standards, provisions related to parking, as well as building types and density.

1.3 Why is the By-law Being Updated?

The City of Burlington recently adopted a new Burlington Official Plan. Thus, the City is undertaking a project to update the Zoning By-law to implement the vision and policies of the Burlington Official Plan. The update of the Zoning By-law is a requirement under the Planning Act, but also provides an opportunity to modernise the Zoning By-law and streamline the development review process.

While three different Zoning By-laws exist within the City of Burlington, only Zoning By-law 2020 is being considered in this Study, as the other two Zoning By-laws fall outside of the scope of this project, as described in Section 3 of this report. Any reference to the existing Zoning By-law in this Report refers to Zoning By-law 2020 for the City of Burlington.

1.4 Goals for New Zoning By-law Project

Overall goals for the new Zoning By-law Project, include that the new Zoning By-law:

- **Be a user friendly Zoning By-law.** The new Zoning By-law should be facilitating a streamlined process for residents and the development community. This can be accomplished by using simple language, clear organisation, and formatting including illustrations, where appropriate.
- **Be a flexible Zoning By-law.** This can be accomplished by reducing restrictive regulations, reducing the number of zones and broadening permitted uses in the Zoning By-law.
- **Be an easy to interpret by-law.** This can be accomplished by being a very clear and easy to understand Zoning By-law. The number of provisions that depend on others can be limited in the Zoning By-law. For example, side yard setback requirements based on lot frontage are more difficult to enforce.
- **Be a catalyst for development.** The new Zoning By-law should encourage investment and redevelopment. This can be achieved through the items noted above but also by pre-zoning areas for residential development, providing a

broader range of permissions in fewer number of zones and providing more flexible provisions.

1.5 Project Scope and Schedule

The new Zoning By-law will be completed in a series of phases, with the Residential Zones being the focus of Phase 1. Subsequent phases will cover one or more of the following sections:

- Uptown Zones
- Downtown Zones
- Mixed Use Zones
- Commercial Zones
- Employment Zones
- Rural Zones
- North Aldershot Zones
- Natural Heritage Zones
- Parks and Open Space Zones
- Other Zones

Phase 1 of the overall project, addressing the Residential Zones, is planned to be completed mid 2025, per the schedule shown in **Figure 2**. This report forms part of the Background and Analysis stage of the project.

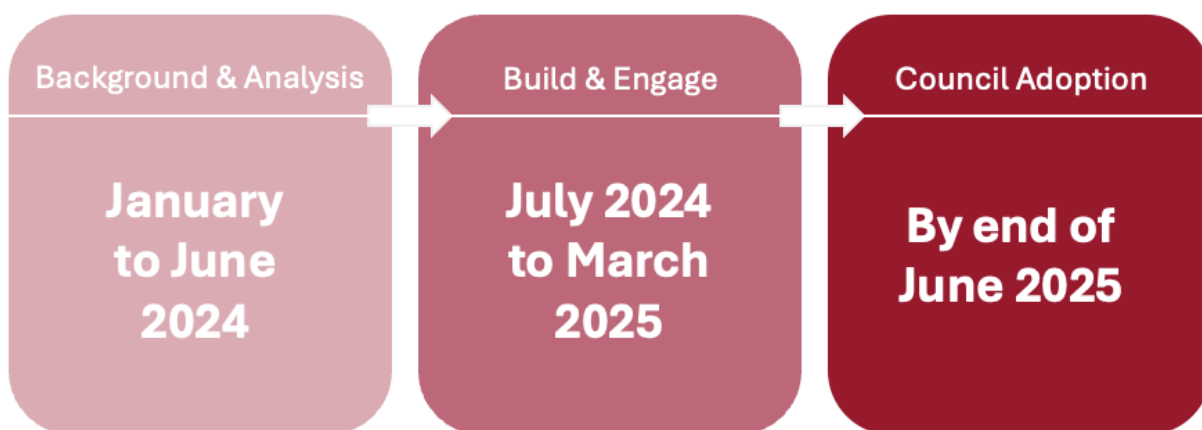


Figure 2: Residential Zones project schedule

1.6 Purpose of this discussion paper

This Discussion Paper reviews background information and analysis relevant to the preparation of new Residential Zones. It reviews the City's existing Zoning By-law, as

well as other pertinent information, including a review of relevant policy, a best practice review, a discussion on alternative approaches to the breakdown and organization of zones and an analysis of frequent minor variances. From this background, the report identifies a preferred structure and layout for the new Residential Zoning By-law.

1.7 Structure of the paper

The contents of this Discussion Paper are outlined below:

- Chapter 1: provides an overview of the Study and purpose of this report;
- Chapter 2: discusses Provincial legislation and policy, as well as Regional policy that is applicable to the residential zones;
- Chapter 3: discusses Burlington Official Plan policies for residential designations;
- Chapter 4: discusses the City's current Residential Zones;
- Chapter 5: discusses approaches to organisation and break down of zones;
- Chapter 6: describes the desired Structure and Organisation of a Zoning By-law;
- Chapter 7: reviews the City's current Definitions in the existing Zoning By-law;
- Chapter 8: reviews the existing Zoning By-law's General Provisions;
- Chapter 9: contains a best practice review of residential zone provisions;
- Chapter 10: describes trends from the minor variance analysis;
- Chapter 11: discusses recommendations stemming from the Housing Strategy;
- Chapter 12: discusses project objectives not already addressed elsewhere in the report;
- Chapter 13: describes a proposed framework for the New Residential Zoning By-law; and
- Chapter 14: discusses next steps.

2. Provincial Legislation and Policy & Regional Policy



Over the past few years, there has been a shift in legislation and policy in order to tackle the current housing crisis. This shift has included numerous bills by the Province that have amended the Planning Act among others as well as changes in Regional and City policy including the City's Housing Plan, the City's Housing Strategy and the City's application to the Housing Accelerator Fund.

2.1 The Planning Act

The authority to regulate land use in Ontario is established by the Planning Act. Recent updates to the Planning Act need to be considered as part of the New Residential Zoning By-law Project for the City of Burlington. These updates are as follows.

Bill 108, *More Homes, More Choices Act*

Bill 108, *More Homes, More Choices Act*, 2019, was approved and received Royal Assent on June 6, 2019 and implemented changes to a number of Acts, including the *Planning Act*. Changes to the *Planning Act* relate to inclusionary zoning policies, timelines for making a decision on development applications and parkland dedication. In addition, the Bill permitted up to 2 residential units in a house, however, this was subsequently revised by Bill 23, and is discussed further under Bill 23, to follow. Other than the change to the permitted number of additional residential units, none of these changes introduced by Bill 108 are relevant to the scope of Phase 1 of the New Zoning By-law Project.

Bill 109, *More Homes for Everyone Act*

The Bill 109, *More Homes for Everyone Act*, 2022 was approved and received Royal Assent on April 14, 2022 and implemented changes to a number of Acts, including the *Planning Act*. Changes to the *Planning Act* address new powers for the Minister, development application fund refunds, community benefits charges and changes to site plan approval. None of these are relevant to the scope of Phase 1 of the New Zoning By-law Project.

Bill 97, *Helping Homebuyers, Protecting Tenants Act, 2023*

Bill 97, *Helping Homebuyers, Protecting Tenants Act*, 2023 was approved and received Royal Assent on July 6, 2023 and implemented changes to a number of acts including but not limited to the *Building Code Act*, *Ministry of Municipal Affairs and Housing Act*,

and the *Planning Act*. Changes to the *Planning Act* include a new definition of an area of employment, a new description of development within a Site Plan Control area, new powers for the Minister and changes to planning application timelines and refunds. None of these are relevant to the scope of Phase 1 of the New Zoning By-law Project.

Bill 23 More Homes Built Faster Act, 2022

Bill 23, *More Homes Built Faster Act, 2022*, was approved and received Royal Assent on November 28, 2022 and implemented changes to a number of acts including the *Planning Act*. Changes to the *Planning Act* include that municipalities must update their Zoning By-laws as they relate to minimum heights and densities in Major Transit Station Areas, changes to appeal rights, inclusionary zoning, new powers for the Minister, community benefits charges, changes to Site Plan Control, the removal of a requirement for a public meeting for Draft Plan of Subdivision applications, changes to parkland dedication/cash-in-lieu and removal of planning responsibilities from some upper-tier municipalities. Importantly, the Bill also introduced a change requiring municipalities to permit a minimum of three residential units per lot with municipal services. With the exception of the final item, which will have to be addressed in the new Zoning By-law, none of the other changes introduced by Bill 23 are relevant to the scope of Phase 1 of the New Residential Zoning By-law Project.

Bill 185 Cutting Red Tape to Build More Homes Act, 2024

Bill 185 Cutting Red Tape to Build More Homes Act, 2024 was approved and received Royal Assent on June 6, 2024. Changes to the *Planning Act* relevant to this project include changes to the authority of the Minister to regulate second and third residential units. The City is currently undertaking an Official Plan Amendment process to permit up to 3 additional residential units (4 units in total) within every detached dwelling.

2.2 Provincial Policy Statement 2020

The Province issued a new Provincial Policy Statement on February 28, 2020 (PPS 2020), which came into effect on May 1, 2020. Changes address settlement area boundary expansions and employment conversions, employment uses, housing, climate change, municipal services, extension of the planning horizon, consultation and cultural heritage.

The only changes relevant to the scope of Phase 1 of the Burlington New Zoning By-law Project on Residential Zones, are those related to housing. The PPS introduced a broad definition of “housing options”, which includes both traditional housing forms and other forms of housing, including affordable housing and housing for people with special needs. The update for the PPS also expanded the definition of residential intensification. The new Zoning By-law Project will need to align with the objectives of the Provincial Policy Statement as it relates to facilitating housing options and supporting appropriate opportunities for residential intensification in the City’s residential neighbourhoods areas.

The Province has released a new draft Provincial Policy Statement in the spring of 2024 but it has not yet been approved.

2.3 Growth Plan 2020

A new Growth Plan took effect on May 16th, 2019, and was subsequently amended May 1, 2020. Changes introduced in the Growth Plan address intensification, Major Transit Station Areas, employment areas, density in designated greenfield areas, settlement area boundary expansions, changes to the planning horizon and changes to consultation/engagement with Indigenous communities.

The Growth Plan's intensification target requires a minimum of 50% of all residential development occurring in Halton to be within the existing Built Boundary. The Zoning By-law will have to permit residential housing forms that support the objective of intensification.

The Growth Plan sets a density target of 50 residents and jobs per hectare for designated greenfield areas in the Region of Halton, which would apply to new, previously undeveloped areas. The new Zoning By-law will need to facilitate greenfield development that achieves this density.

2.4 Halton Region Official Plan

In the time since the Burlington Official Plan was approved in 2020 by the Region of Halton, there has been a couple of updates to the Halton Region Official Plan. These include an amendment to define a regional urban structure (ROPA 48, 2021) and an amendment to implement the integrated growth management strategy (ROPA 49, 2022). The amendments related to urban structure and growth management may require further updates to the Burlington Official Plan. Work has begun on the Burlington Official Plan, 2020, Targeted Realignment Exercise, which is part of an overall strategy to align the policies of Burlington's Official Plan, 2020 (BOP, 2020) with the recent and ongoing changes to the Provincial and Regional policy frameworks that have taken place since the Regional approval of the Burlington Official Plan, 2020 in November 2020.

Note, as of July 1, 2025, the Halton Region will no longer have planning authority, and the Halton Region Official Plan will become part of the City's Official Plan.

3. Burlington Official Plan



The City of Burlington’s Official Plan (“BOP”) was adopted by Council in 2018 and approved with modifications by the Region of Halton in 2020. The focus of Phase 1 of the New Zoning By-law Project focuses on the Residential Zones within the Residential Neighbourhoods Areas designation of the BOP. The Residential Neighbourhoods Areas designation is addressed in Section 8.3 of the BOP and shown on Schedule C, in **Figure 3**.

Per the policies of section 8.3 of the BOP, the Residential Neighbourhood Areas designation is divided into three land use designations: Residential-Low Density, Residential-Medium Density and Residential-High Density, also illustrated in **Figure 3**.

Table 1 identifies the permitted uses, density and height requirements in these three designations. For reference, the term “Non-Ground Oriented Dwelling” used in the **Table 1** is defined in the Burlington Official Plan as “a dwelling unit which is designed to be accessible primarily by indirect access through an elevator. Buildings containing non-ground oriented housing units usually exceed three (3) storeys in height.”

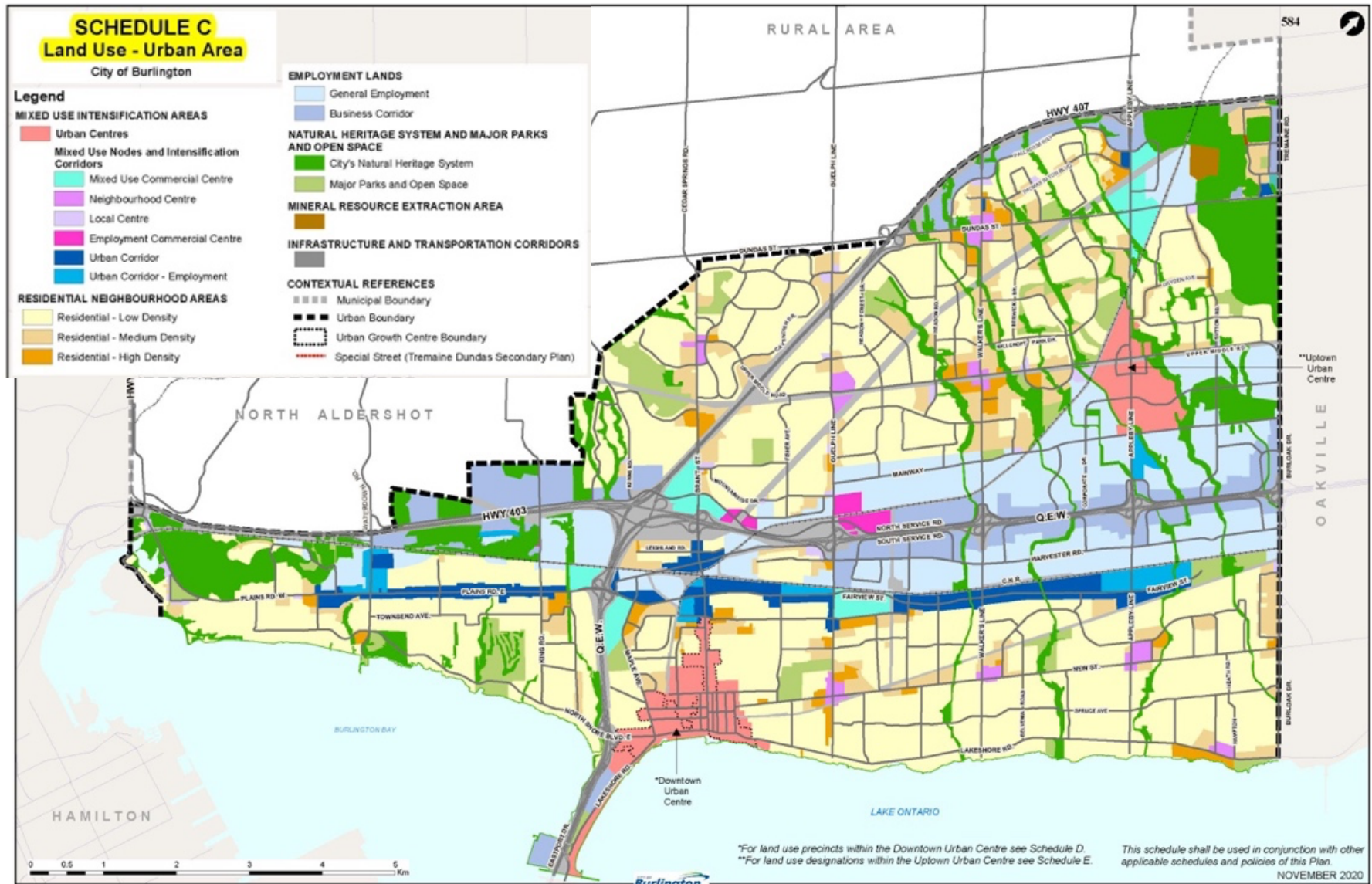


Figure 3: Land Use – Urban Area Schedule of Burlington Official Plan

Table 1: Residential Designations

	Residential- Low Density			Residential- Medium Density	Residential- High Density	
	All Other Communities	Alton Community	Orchard Community	All Communities	All Other Communities	Alton Community
Permitted Uses	- Single-detached - Semi detached dwellings	- Single-detached - Semi-detached units -Townhouses -Townhouses, street - Duplexes - Three-plexes - Four-plexes		- Single-detached - Semi-detached dwellings - Townhouses - Townhouses, street - Townhouses, stacked - Townhouses, back-to-back - Low-rise residential buildings (Non-ground oriented buildings permitted only at the periphery of existing neighbourhoods)	- Townhouses - Townhouses, street - Townhouses, stacked - Townhouses, back-to-back - Townhouses, stacked back-to-back - Townhouses, attached housing - Apartments	
	Assisted and special needs housing such as group homes, retirement homes and long-term care facilities, home occupations and cottage industries.					
Maximum Density (units per net hectare)	25	30		26-75	76-185 (can be increased through ZBA)	
Maximum height (storeys)	As established in Zoning By-Law			- 3 for ground-oriented dwellings - 4 non-ground-oriented dwellings.	As established in Zoning By-Law	10 storeys

Some policies in Section 8.3 of the BOP speak directly to the Orchard and Alton Communities. The Orchard community is bound by Upper Middle Road to the south, Bronte Creek Valley to the east, Dundas Street and the CN rail line to the north and Appleby Line to the west. The Alton Community is bound by Dundas Street to the south, Highway No. 407 to the north and west and Bronte Creek to the east. The relevant policies for the Alton and Orchard Communities are also included in **Table 1**.

The Neighbourhood Residential Area Designation, also permits and provides specific policies related to home occupations and cottage industries, the conversion of existing detached dwellings to small scale offices, retail and service commercial uses and day cares. Further discussion with the City is required to determine which of these uses should be permitted within the Residential Zones or be included in another Zone. For example, while it is typical for home occupations to be permitted in a residential zone, retail uses are recommended to be separately zoned.

Neighbourhood Character Areas

The policies of the Residential Neighbourhoods Areas designation also establish Neighbourhood Character Areas which apply to particular neighbourhoods. As per BOP policy 8.3.6(1), the intent for Neighbourhood Character Areas' is to:

- "Ensur[e] that development within Neighbourhood Character Areas is consistent with and respectful of the neighbourhood character."
- "Manage change in Neighbourhood Character Areas through appropriate development applications."
- "Maintain and improve the urban forest in Neighbourhood Character Areas through the enhancement and/or replacement of trees."

Within the Neighbourhood Character Areas, only single-detached dwellings are permitted (per existing policy BOP 8.3.6(2)d). The policies further require, in section 3.8.6(2)d) and e) of the BOP, that in Neighbourhood Character Areas development should respect the existing neighbourhood character "by incorporating built form and design elements, architectural features, building separations, lot coverage, scale, floor area ratio, and landscape qualities and characteristics that are prevalent in the Neighbourhood Character Area", and that the Urban Forestry policies of section 4.3 of the BOP apply owing to the contribution of mature trees to these areas.

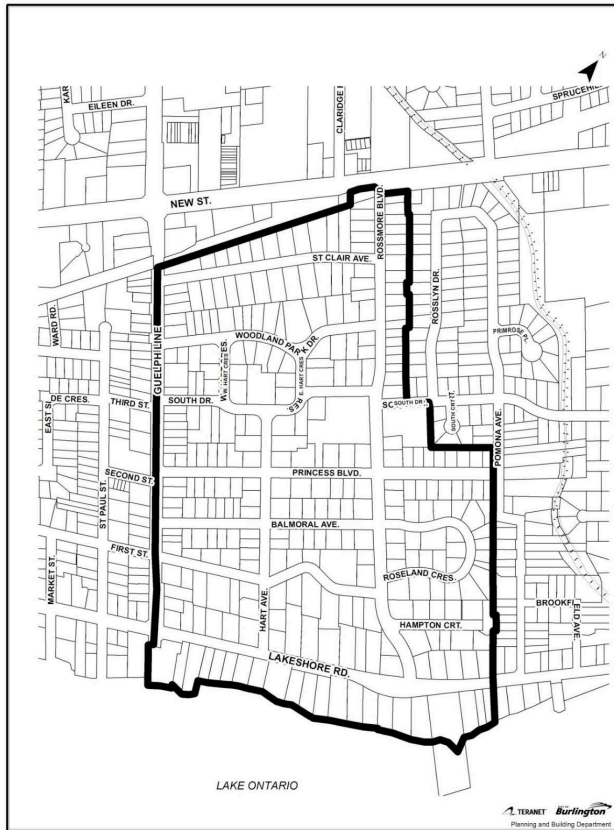
The Character Areas are mapped in the Zoning By-law, and include three areas, the Roseland Character Area, Indian Point Character Area and Shoreacres Character Area (see **Figure 4,5 & 6**). Additional policies apply to two of these areas, as follows:

8.3.6(3) SITE-SPECIFIC POLICIES

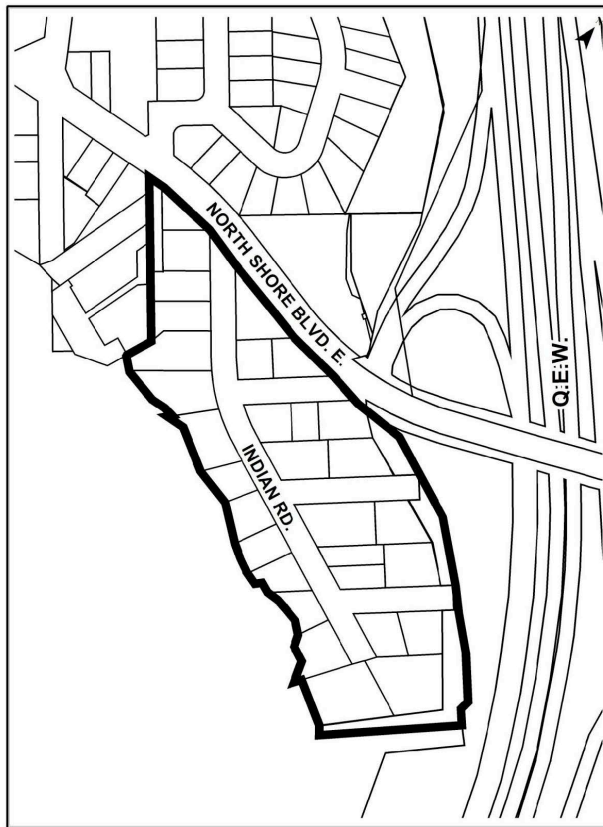
"a) Indian Point is a distinct historic Neighbourhood Character Area characterized by its lakeside location; few streets; large and mature tree

Figures 4, 5 & 6: Location of Character Areas in the City of Burlington

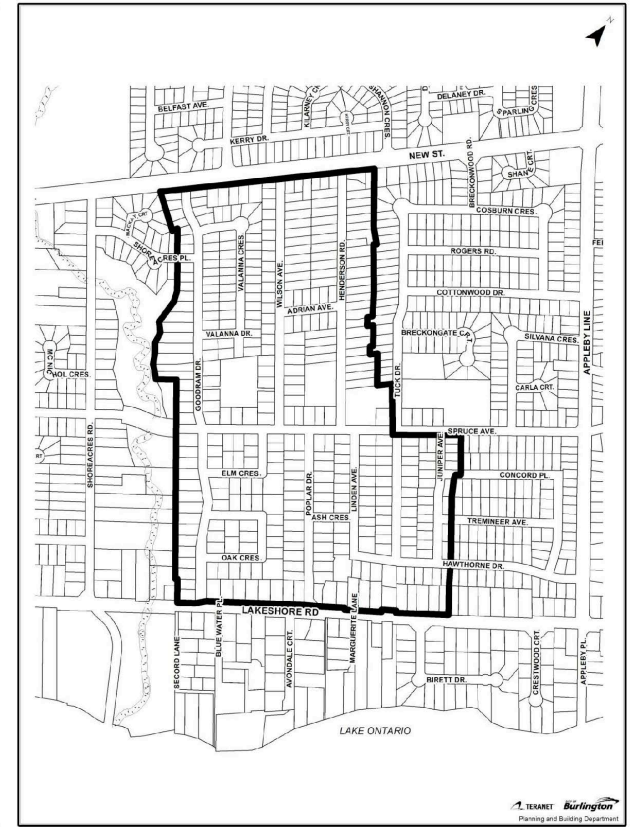
(a) Roseland Character Area



(b) Indian Point Character Area



(c) Shoreacres Character Area



canopy; spacious properties separated by large open spaces between houses and a variety of architectural styles. New development shall protect and enhance these neighbourhood character elements.

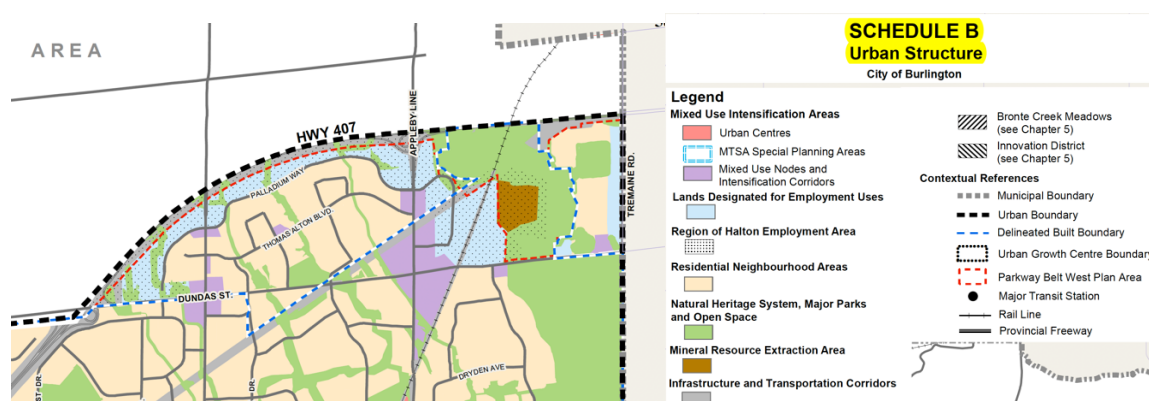
b) Roseland is a distinct Neighbourhood Character Area defined by its gardenlike setting with large and mature trees, strong historic character, and homes with varied and unique architectural styles. Lots are spacious with dwellings that are well proportioned in relation to the property size and having a scale that is compatible with adjacent dwellings and which reinforces the open space character. Streets within the Neighbourhood Character Area contain wide landscaped boulevards and street lamps that complement the neighbourhood character of the private properties. New development shall protect and enhance these neighbourhood character elements.”

The Residential Zones in the New Zoning By-law are required to conform to the policies discussed in this section.

Built Boundary

Most of the Residential Neighbourhood Areas are within the Delineated Built Boundary. In **Figure 7**, the blue dashed line is the Built Boundary. The area outside of the Built Boundary generally north of Dundas Street, west of Appleby Line, is built. This is part of the Alton Community. The area to the north of Dundas Street and west of Tremaine Road is the only undeveloped area outside of the Built Boundary and within the designated greenfield area. It is currently zoned Development in the existing Zoning By-law. However, a private application has been submitted for this area and a Zoning By-law Amendment for this area has been approved in principle, therefore this area is not addressed in detail in this report.

Figure 7: Areas outside the Built Boundary



Additional Dwelling Units

The City of Burlington has committed to permitting up to 3 Additional Dwelling Units in all detached dwellings, such that the maximum number of dwellings a Detached Dwelling can include is 4-units-as-of-right (1 primary unit + 3 Additional Dwelling Units). Concurrent with this Zoning By-law Project, the City will be undertaking an Official Plan Amendment to facilitate that permission. This work is part of a larger project called the "Official Plan Amendment to Increase Housing Options Project" which will seek to implement 4 units as of right and other actions of the Housing Strategy.

The New Zoning By-law will include permissions to conform to Official Plan updates related to Additional Dwelling Units. One of the results of this change, will be that the terms duplex, triplex and fourplex may become obsolete, owing to the overlap with a Detached Dwelling with Additional Dwelling Units.

4. Existing Zoning By-law: Residential Sections



4.1 Overall Structure of Residential Zones

The existing City of Burlington Zoning By-law contains 23 Residential Zones within “Section 2 – Residential Zones”. These include:

- Low Density Residential: **R1 TO R5**, which permits detached dwellings (R1-R3), semi-detached dwellings (R4), and Cluster Homes (R5).
- Medium Density Residential: **RM1 TO RM5**, with the different Zones permitting different forms of housing, ranging from detached dwellings to townhouses.
- High Density Residential: **RH1 TO RH5**, which permits Apartments and different forms of townhouses.
- Orchard Community Residential: **RO1 TO RO4**, with the different Zones permitting different forms of housing, ranging from detached dwellings to Apartments. These Zones apply in the Orchard Community, the boundaries of which are described under **Section 3** of this report.
- Alton Community Residential: **RAL1 TO RAL4**, with the RAL1 and RAL2 permitting detached dwellings and semi-detached dwellings, and the RAL3 and RAL4 permitting a range of housing from semi-detached dwellings to Apartment Buildings. These Zones apply in the Alton Community, the boundaries of which are described under **Section 3** of this report.

The R1 to R3 categories are then further divided into subcategories, R1.1, R1.2 etc., which set different standards based on the lot size.

A full list of permitted uses, by Zone, is found in **Table 2**. In addition to the permitted uses in **Table 2**, some Zones also permit Lodge, Fraternity, Private Club, Community Institutions and most permit Additional Residential Units.

Tables **3** to **7** break down the main provisions for the different Zones. Only the Lot Area, Lot Width, Front Yard, Side Yard and Street Side Yard are addressed in this table. However, where the provisions are detailed or varies based on a feature, such as a side yard or the presence of a garage, it is simply listed as “varies”, as it was impractical to place all provisions in the tables.

Table 2: Permitted uses in Existing Residential Zones

Use	Low Density Zones					Medium Density Zones					High Density Zones					Orchard Community Zones				Alton Community Zones			
	R1	R2	R3	R4	R5	RM1	RM2	RM3	RM4	RM5	RH1	RH2	RH3	RH4	RH5	RO1	RO2	RO3	RO4	RAL1	RAL2	RAL3	RAL4
Detached Dwelling	X	X	X			X (2)	X (2)	X (2)	X							X	X	X		X	X		
Semi-Detached Dwelling				X		X	X (3)	X (3)	X							X	X	X		X	X	X (12)	X (12)
Duplex Building						X	X (3)	X (3)								X	X	X	X				
Duplex Dwelling																						X (13)	X (13)
Triplex Building						X	X (3)	X (3)															
Triplex Dwelling																	X	X	X			X (13)	X (13)
Fourplex building							X	X (4)									X	X	X			X (14)	X (14)
Fourplex Dwelling																	X	X	X			X (14)	X (14)
Townhouse Building							X	X (4)															
Townhouse Dwelling																	X		X			X	X (15)
Apartment Building								X			X	X	X	X	X				X			X (17)	X
Stacked Townhouse											X	X		X	X								
Stacked Townhouse Building								X															
Stacked Townhouse Dwelling																	X		X			X (16)	X (16)
Back-to-Back Townhouse											X (9)	X (9)		X (9)	X (9)								
Back-to-Back Townhouse Building								X															
Street Townhouse											X	X		X	X								
Street Townhouse Building								X (5)		X													
Street Townhouse Dwelling																	X	X	X			X	X (15)
Retirement Home						X (4)	X	X (4)			X	X	X	X	X				X			X (18)	X
Day Care Centre																X (10)	X (10)	X (10)	X (11)	X (19)	X (19)	X (19)	X (19)
Community Institution						X (e,f)	X (e,f)	X (e,f)															
Community Institution per RM3 zone											X												
Lodge, Fraternity Private Club						X (6,7)	X (6,7)	X (6,7)			X												
Cluster Homes					X																		
Additional Residential Units	X (1)	X (1)	X (1)	X (1)	X (1)	X (1)	X (1)	X (1)	X (1)	X (1)	X (1)	X (1)		X (1)	X (1)	X (1)	X (1)	X (1)	X (1)	X (1)	X (1)	X (1)	X (1)

Footnotes

- (1) Subject to Part 1, Section 2.21, Subsection (u)
- (2) Subject to R3.4 Zone regulations
- (3) Subject to RM1 Zone regulations
- (4) Subject to RM2 Zone regulations
- (5) Subject to RM5 Zone regulations
- (6) Subject to RM3 Zone regulations
- (7) Permitted only on lands abutting a street having a deemed width of 26 m or greater
- (8) Subject to Part 1, Section 2.21, Subsection (u)
- (9) Subject to RM3 zone regulations, with the exception of the maximum density, which shall be 65 units per hectare.
- (10) Permitted only on a street having a deemed width of 20 m or greater and subject to the RO1 zone regulation for a detached dwelling.
- (11) Subject to the RO4 regulations for "All Other Dwellings"

(12) Subject to RAL2 Regulations

“(13) Subject to RM1 Zone regulations, except as follows:

Lot width for a triplex dwelling unit: 6.5m

Front and street side yard setback: 3 m dwelling, 6 m garage

Notwithstanding Part 1, Subsection 2.24, the maximum driveway width shall be 3 m.

In addition to a driveway with a maximum width of 3 m, a walkway with a maximum width of 1.5 m shall be permitted”

“(14) Subject to RM2 zone regulation, except as follows:

Front and street side yard setback: 3 m, 6 m garage

Notwithstanding Part 1, Subsection 2.24, the maximum driveway width shall be 3 m.

In addition to a driveway with a maximum width of 3 m, a walkway with a maximum width of 1.5 m shall be permitted”

“(15) Subject to RAL3 regulations, except as follows:

Yard abutting an RA1 and RAL2 zone for townhouses: 12 m

Maximum density for street townhouses shall not apply.”

“(16) Subject to RM3 regulations, except as follows:

Front and street side yard setback: 3 m dwelling, 6 m garage

Yard abutting an RAL1 and RAL2 zone: 12 m

Notwithstanding Part 1, Subsection 2.24, the maximum driveway width shall be 3 m

Lots west of Walker’s Line: The width of a garage shall not exceed 50% of total front face of the Dwelling. Driveways shall not be wider than the width of the garage.”

(17) Subject to RM3 zone regulations except as follows: Building height: 4 storeys maximum

(18) Subject to RM2 zone regulations, except that the building height shall be 3 storeys maximum

(19) Permitted only fronting on a street having a deemed width of 26 m or greater and subject to the RAL1 zone regulations for a detached dwelling. No parking shall be permitted within 3 m of a residential property in a residential zone.”

Table 3: Lot and buildings standards for Existing Low Density Zones

	Low Density Zones												
	R1.1	R1.2	R2.1	R2.2	R2.3	R2.4	R3.1	R3.2	R3.3	R3.4 RM1 RM2 RM3	R4	RM1 RM2 RM3	R5
	Single	Single	Single	Single	Single	Single	Single	Single	Single	Single	Semi	Semi	Cluster
Lot Width (m)	30	24	18	18	18	16	15	15	13	12	9.5	9	12
Lot Area (m2)	1850	925	700	700	680	600	500	425	400	400	400	270 per unit	2000
Front Yard (m)	9	9	Varies	11	7.5	6	6	6	6	6	6	6	7.5
Rear Yard (m)	9	9	10	10	9	9	9	9	12	7.5	9	9	Varies
Side Yard (m)	Varies*	Varies*	Varies*	Varies*	Varies*	Varies*	Varies*	Varies*	Varies*	Varies*	Varies*	Varies*	Varies*
Street Side Yard (m)	9	9	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	6	4	7.5

Varies by, for example, presence of garage/carport and/or lot width.

Table 4: Lot and buildings standards for Existing Medium Density Zones

	Medium Density Zones											
	RM1 RM2 RM3	RM1 RM2 RM3	RM1 RM2 RM3	RM2 RM3	RM2 RM3	RM3 RH1 RH2 RH4 RH5	RM3	RM3	RM3	RM4	RM4	RM5
	Duplex	Triplex	RETIREMENT	FOURPLEX	TOWN	BACK	STACK	APT	DETACHED	SEMI	STREET	
Lot Width (m)	9	6	30	18	45	45	30	30	10	8.5	6.8	
Lot Area (m2)	270	200 per unit	2000	700	4000	4000	4000	4000	300	250	200	
Front Yard (m)	6	6	7.5	6	7.5	7.5	7.5	7.5	6	6	6	
Rear Yard (m)	7.5	7.5	Varies	9	9	9	9	9	9	9	9	
Side Yard (m)	Varies	Varies	Varies	3	4.5	4.5	4.5	4.5	Varies	Varies	1.2; interior side yard 0	
Street Side Yard (m)	4	4	Varies	6	6	6	6	6	4	4	4	

Table 5: Lot and buildings standards for Existing High Density Zones

	High Density Zones																			
	RH1				RH2				RH3				RH4				RH5			
	STACK	STREET	APT	RETIREMENT	STACK	STREET	APT	RETIREMENT	RETIREMENT	APT	STACK	STREET	RETIREMENT	APT	STACK	STREET	RETIREMENT	STACK	APT	STREET
Lot Width (m)	30	5.5	30	30	45	5.5	45	45	30	30	30	5.5	45	45	45	5.5	45	45	45	5.5
Lot Area (m2)	2000	165	2000	2000	2000	165	2000	2000	1000	1000	1000	165	2000	2000	2000	165	2000	2000	2000	165
Front Yard (m)	7.5	6	7.5	7.5	Varies	6	Varies	Varies	6 max.	6 max.	6 max.	6	Varies	Varies	Varies	6	Varies	Varies	Varies	6
Rear Yard (m)	9	7.5	9	9	Varies	7.5	Varies	Varies	7.5	7.5	7.5	7.5	Varies	Varies	Varies	7.5	Varies	Varies	Varies	7.5
Side Yard (m)	4.5	1.2; interior side 0	4.5	4.5	Varies	1.2; interior 0	Varies	Varies	3	3	3	1.2; interior 0	Varies	Varies	Varies	1.2; interior 0	Varies	Varies	Varies	1.2; interior 0
Street Side Yard (m)	7.5	4	7.5	7.5	Varies	4	Varies	Varies	6 max.	6 max.	6 max.	4	Varies	Varies	Varies	4	Varies	Varies	Varies	4

Table 6: Lot and buildings standards for Existing Orchard Community Zones

	Orchard Community Zones																			
	RO1			RO2									RO3						RO4	
	DETACHED	SEMI	DUPLEX	DETACHED	SEMI	DUPLEX	TRIPLEX	FOURPLEX	TOWN	STACK	STREET	DETACHED	SEMI	DUPLEX	TRIPLEX	FOURPLEX	STREET	STREET	OTHER	
Lot Width (m)	9	6.5	9	7.5	6.5 per unit	9	5.5 per unit	18	40	30	4.8	Varies	Varies	9	18	18	Varies	5	9	
Lot Area (m2)	295	195	270	250	200	270	165	720	1200	900	145	245	175	270	540	720	140	145	270	
Front Yard (m)	3 dwelling; 5.5 garage	3 dwelling; 5.5 garage	3 dwelling; 5.5 garage	Varies	3	3	3	3	3	3	3	Varies	Varies	Varies	Varies	Varies	Varies	3	3	
Rear Yard (m)	7	7	7	6	6	6	6	6	6	6	6	7	7	7	7	7	7	6	6	
Side Yard (m)	1.2 m one side, 0.6 other side	1.2; interior side yard 0	1.2	1.2 abutting dwelling; abutting garage 0.6	1.2; interior side 0	1.2	1.2; interior side 0	1.2	1.2	1.2	1.2; interior side 0	1.2 one side, 0.6 other side	1.2; interior side 0	1.2	1.2; interior side 0	1.2	1.2; interior side 0	Varies	Varies	
Street Side Yard (m)	3 dwelling; 5.5 garage	3 dwelling; 5.5 garage	3 dwelling; 5.5 garage	3	3	3	3	3	3	3	3	Varies	Varies	Varies	Varies	Varies	Varies	3	3	

Table 7: Existing Alton Community Zones

	Alton Community Zones							
	RAL1		RAL2		RAL3		RAL4	RAL4
	DETACHED	SEMI	DETACHED	SEMI	TOWN	STREET	APT or RETIREMENT	APT or RETIREMENT
Lot Width (m)	11	6.5	9	6.5	45	6.5	45	45
Lot Area (m2)	272	165	225	165	4000	145	2000	2000
Front Yard (m)	3 dwelling; 6 garage	3 dwelling; 6 garage	3 dwelling; 6 garage	3 dwelling; 6 garage	3 dwelling; 6 garage	3	Varies	Varies
Rear Yard (m)	7	7	7	7	6	7	Varies	Varies
Side Yard(m)	1.2 one side, 0.6 other side	1.2 one side, Interior side yard 0	1.2 one side, 0.6 other side	1.2 one side, Interior side yard 0	4.5	1.2 one side, Interior side yard 0	Varies	Varies
Street Side Yard (m)	3 dwelling; 6 garage	3 dwelling; 6 garage	3 dwelling; 6 garage	3 dwelling; 6 garage	3 dwelling; 6 garage	3	Varies	Varies

There are 16 sets of unique provisions for detached dwellings in the different Zones, the lot size and frontage requirements vary from 245 square metres and 7.5 metres respectively for the RO3 Zone to 1850 square metres and 30 metres respectively for the R1.1 Zone.

For the other low density building types, there are 8 different sets of standards for Semi-detached dwellings across different Zones, 4 for duplexes and 3 each of triplexes and fourplexes.

Townhouses provisions are broken down into four categories:

- townhouse,
- stacked townhouse,
- street townhouse, and
- Back to Back townhouses.

Other than Back to Back townhouses, where all five Zones that permit this housing form are subject to the same provisions, (with the exception of the overall density), the other forms of townhouses have different provisions for the different Zones in which they are permitted. For example, 3 Zones permit townhouses with unique standards, 10 Zones permit street townhouses with unique standards and 7 Zones permit stacked townhouses with unique standards.

Further, 7 Zones permit both Apartment Homes and Retirement Homes. Owing to the detailed provisions for the different Zones, it becomes very convoluted to compare standards for these uses across Zones. It is noted that Retirement Homes are listed as a permitted use in a number of Zones whereas Long-Term Care Facilities are addressed under the General Provisions Section.

4.2 Existing Subsections of the Residential Section

The following section provides additional comments on the “Part 2 – Residential Zones”, organised by subsection.

4.2.1 Subsection 1: General Provisions

The first section to “Part 2 – Residential Zones”, called “1. General Provisions”, mostly refers to provisions found elsewhere in the by-law, e.g. “**Accessory Buildings and Structures** Refer to Part 1, Subsection 2.2”. This is duplicative and unnecessary since these provisions would apply anyways. It is recommended that these sections be deleted. Where the provision in subsection 1 “General Provisions” is unique to the Residential Zones, it should still be found in the overall General provisions /Parking Sections of the by-law, but only be applied to the appropriate Residential Zones, as opposed to within the Residential Section.

4.2.2 Subsection 2: Prohibited Uses

The second part of “Part 2 – Residential Zones”, which addresses “Prohibited uses”, provides restrictions related to parking of certain types of vehicles. It is also recommended that this matter be addressed in the General Provisions section of the overall by-law.

4.2.3 Subsection 3: R Zone Permitted Uses Low Density

This section addresses the permitted uses in the R1 to R5 Zones. Reference to the General Provisions section related Additional Residential Units is duplicative and not needed. In addition, further review with the City on the prevalence of “Cluster Homes” in the R5 Zone will determine if this uncommon use is still relevant to the new Zoning By-law.

4.2.4 Subsection 4: R1, R2, R3 Zone Regulations

The provisions for the R1, R2 and R3 Zones are quite detailed. Opportunities to simplify the by-law include:

- Not regulating side yard by width of lot (i.e. 10% percent of actual width), by storey, or based on whether there is a garage or carport,
- Not regulating lot coverage based on whether there is an attached garage or by storey,
- Moving parking requirements to a standalone parking section and not repeating general provisions,
- Considering need for dwelling depth standard if coverage and yard setbacks apply, and
- Addressing garage provisions under general provisions.

4.2.5 Subsection 5: R4 Regulations

Subsection 5 of the Zoning By-law addresses the provisions for semi detached dwellings in the R4 Zone. The same comments apply as per other sections about not regulating side yard by presence of a garage and not repeating provisions found elsewhere in the by-law, including under the main General provisions section.

4.2.6 Subsection 6: R5 Regulations

Subsection 6 addresses the provisions for Cluster Homes. The need for the provisions for Cluster Homes will be further discussed with the City, as mentioned. This Zone is unique in providing fence provisions, which are not typically addressed in a Zoning by-law.

4.2.7 Subsection 7: RM Zone Permitted Uses (Medium Density)

Subsection 7 includes a permitted use table for the Medium Density Zones. While a number of the Medium Density Zones permit detached dwellings and semi-detached dwellings, it is somewhat confusing that the RM4 Zone only permits detached and semi-detached dwellings, which are typically considered low density built forms.

4.2.8 Subsection 8, 9, 10, 11 & 12: RM1, RM2, RM3, RM4 & RM5 Zone Regulations

This section addressed the provisions for the RM1-RM5 Zones. The same comments apply as per other sections about not regulating side yard by presence of a garage and not repeating provisions found elsewhere in the by-law that would already apply.

Subsections,8-12, also include setbacks to creek blocks, pipeline easements and railways, which may be better placed in the general provisions section.

For the back-to-back townhouse regulations, the by-law provisions only contemplate development in a condominium format, however, back-to-back townhouses are frequently developed in a freehold manner and provisions could be introduced that address that form. The definition of back-to-back townhouse would have to be updated as well to facilitate this form.

4.2.9 Subsection 13 & 14: RH Zone Permitted Uses (High Density) & Regulations For Apartments, Stacked Townhouses, Retirement Homes

Subsection 13 includes a permitted use table for the High Density Zones. Subsection 14 provides the regulation for Apartments, stacked townhouses and Retirement Homes. These Zones are considered together to understand how the Zones differ from one another.

The RH1 Zone, which permits the broadest range of uses (Apartments and townhouses etc.), only permits heights up to 6 storeys. The RH1 Zone provisions differ somewhat to the RH3 Zone, which permits a height of 24m, similar to 6 storeys, but the RH3 Zone's permissions are restricted to Apartments and Retirement Homes only.

The RH2, RH4 and RH5 have very similar permissions and differ mainly in terms of height, with the RH2 permitting a maximum of 18 storeys, the RH4 a maximum of 12 storeys and the RH5 having no maximum height.

As discussed for other Zones, parking matters should be addressed elsewhere in the by-law, not in the Residential Zone Section.

4.2.10 Subsection 15: Regulations for Street Townhouses

There are no specific comments for subsection 15.

4.2.11 Subsection 16: RO Zone Permitted Uses (Orchard Community)

Subsection 16 provides the permitted use table for Zones RO1, RO2, RO3 and RO4 for the Orchard Community.

It's confusing that the Orchard Community Zones refer to dwellings whereas the other Zones refer to buildings. For example, the RM1, RM2 and RM3 Zones permit "triplex Buildings" and the RO1, RO2, RO3, RAL2 and RAI3 Zones permit "triplex dwellings".

Day Cares are permitted in these Zones; however, it would be clearer if the General provisions section were updated to permit Day Cares in all Residential Zones.

4.2.12 Subsection 17: RO1 Zone Regulations

The regulations for detached dwellings and Semi-detached dwellings in the RO1 Zone are addressed in subsection 17. In general, the provisions for these are more modern and allow for a denser built form than permitted in the R1-R3 categories, likely owing to the fact that the Orchard Community is a more recently developed. This Zone is unique in that it contains provisions for built form related to development permitted by draft plans of subdivision. These provisions relate to garage projections and lot widths that ensure variability within a given area. An example is provided below:

"Within a section of a plan of subdivision (i.e.: a grouping of three or more contiguous lots fronting the same street, bounded by other streets, subdivision boundary, zone boundary, or other section) the following shall apply:

- (i) At least one third of the dwelling units shall have attached garages which shall not project more than 1.5 m beyond the second storey.
- (ii) One third of the dwelling units may have attached garages which project a maximum of 6.5 m beyond the second storey.
- (iii) All other dwelling units may have attached garages which project a maximum of 3.5 m beyond the second storey.
- (iv) Not more than 8 contiguous lots shall be 9 m or less in width."

The subsection also addresses encroachments which are better to be addressed in the General provisions section.

4.2.13 Subsection 18: RO2 Zone Regulations

The regulations for uses permitted in the RO2 Zone are addressed in subsection 18. Like with the RO1 Zone, some of the permissions for the RO2 Zone are more modern and allow for a denser built form than permitted in some of the other Zone categories. Interestingly, office and convenience stores are permitted in the RO2 Zone, which is not typically seen in a Residential Zone.

Further discussion with the City will be needed to determine if there is a desire for non-residential uses, convenience stores etc. to be permitted within Residential Zones in the new Zoning by-law, or to be zoned within a separate zone.

4.2.14 Subsubsection 19: RO3 Zone Regulations

The regulations for uses permitted in the RO3 Zone are addressed in subsection 19. This Zone provides detailed lot width requirements for shorter lots less than 30 metres deep, not seen elsewhere, as well as rear lane access to detached garages. This Zone also has specific built form requirements related to draft plan of subdivisions, like the RO1 Zone, and addresses encroachments.

4.2.15 Subsubsection 20: RO4 Zone Regulations

The regulations for uses permitted in the RO4 Zone are addressed in subsection 20. This Zone is unique as provisions are provided for street townhouses, and then one single set of provisions is provided for duplex dwellings, triplex dwellings, fourplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings and retirement homes under “Other”. This is atypical, normally the same provisions would not apply to all these housing forms. In addition, a number of atypical uses are permitted as accessory uses in the Zone, including convenience store, auditorium, computer sales & service, etc.

4.2.16 Subsubsection 21: RAL Zone Permitted Uses (Alton Community) and Subsections 22, 23, 24 & 25 RAL1, RAL2, RAL3 & RAL4 Zone Regulations

Subsection 1 provides the permitted use table for Zones RAL1, RAL2, RAL3, RAL4 Zones for the Alton Community and Subsections 22-25 provide the regulations. They are reviewed together here as there is overlap.

The RAL1 and RAL2 Zones permit detached dwellings and Semi-detached dwellings. The detached dwellings’ provisions differ primarily with regards to lot width 11 vs 9 metres, while the Semi-detached dwellings’ provision are very similar between the two Zones.

The RAL3 and RAL4 Zones permit medium density uses; however, for the RAL3 Zone, only the townhouses and street townhouses have unique provisions, the other uses are subject to the provisions of other zones, with some modifications. The same is true for the RAL4 Zone which provides one set of provisions for Apartment Buildings and Retirement Homes, and otherwise refers to other zones for the other permitted uses. Like some other Zones, some of the RAL Zones include provisions that are better suited for the General Provisions section of the by-law, and some include some unique provisions, related to driveways, walkways, and outside storage, not commonly seen in the other Zones.

5. Options for Organisation of Zones



There are various approaches in how a Zoning By-law can be structured with regards to the breakdown of zones, each with its own strengths and weaknesses. The purpose of this chapter is to outline the different structural approaches that the City of Burlington could consider in implementing the new Residential Zoning By-law.

There is no one size fits all approach, and this subsection will outline the benefits of each structural approach. It should be noted that these approaches are not mutually exclusive, and some zoning by-laws apply multiple approaches.

5.1.1 Approach 1: Traditional By-law

Traditional Zoning By-laws are generally grouped into major zone categories such as: residential, commercial, and industrial. Each different zone includes different permitted uses, densities, and lot standards that dictate the built form. A common approach within Traditional By-laws is creating multiple residential zones organized by the lot size and frontage, which can result in a large number of residential zones with similar permissions. Further, multiple residential zones can also result in the duplication of provisions creating lengthy zoning by-laws, while limiting housing diversity and flexibility within the zones. This approach is generally how the current Burlington Zoning By-law is structured.

5.1.2 Approach 2: Official Plan Categories

This approach aligns the Zoning By-law organization with the Official Plan's land use designations or Secondary Plan designations, ensuring that the zoning implements the Official Plan's intent.

This approach enables zones, such as residential, to include multiple building types that are permitted within the Official Plan, resulting in a greater diversity in permitted uses while minimizing duplication among multiple zones. It also creates a clear relationship in how the Official Plan policies are implemented in the Zoning By-law, allowing for a seamless transition in reading the Official Plan and the Zoning By-law and reducing confusion for readers.

5.1.3 Approach 3: Form Based Code

The Form Based Code approach prioritizes the design and the built form aspects of zoning permissions. This approach incorporates specific controls and zoning permissions related to the built form, shape, and features of a building, while applying a more flexible approach to permitted uses. Permitted uses are controlled through the

built form permissions, where uses that are compatible with that built form are permitted, and similarly relies on the built form to discourage uses that are not compatible with that built form. This approach can be effective in reinforcing the existing character or unique attributes of special character areas. Compatibility between different zones is achieved through building design and orientation rather than separating land uses.

The approach is not common within Ontario, and is seen more commonly within the United States. It provides a unique organization structure that uses graphics and figures to illustrate zoning requirements. In particular, the use of graphics can be utilized to ensure technical provisions are easy to interpret. For example, as shown in **Figure 8**, a regulating plan is used to delineate the building types by block, similar to a zoning map, but with applicable built form and public space standards. In addition, the approach is flexible and can be used for different building types, such as townhouse buildings, apartment buildings or workplace buildings as well as different public spaces such as commercial streets, urban avenues and residential streets, also shown in **Figure 8**.

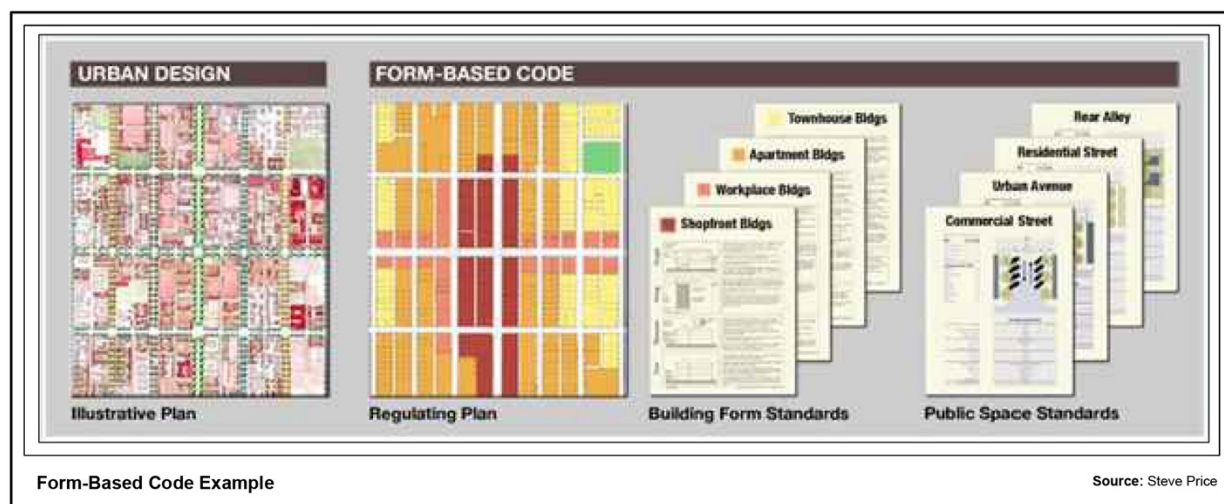


Figure 8: Form Based Code Example

In addition to building types, the Form Based Code approach can also use visuals to demonstrate the various details such as:

- Lot sizes;
- Frontage;
- Yard requirements;
- Step backs;
- Angular plane for determining height;
- Porch encroachment; and
- Garage width.

An Ontario example is shown in **Figure 9**.

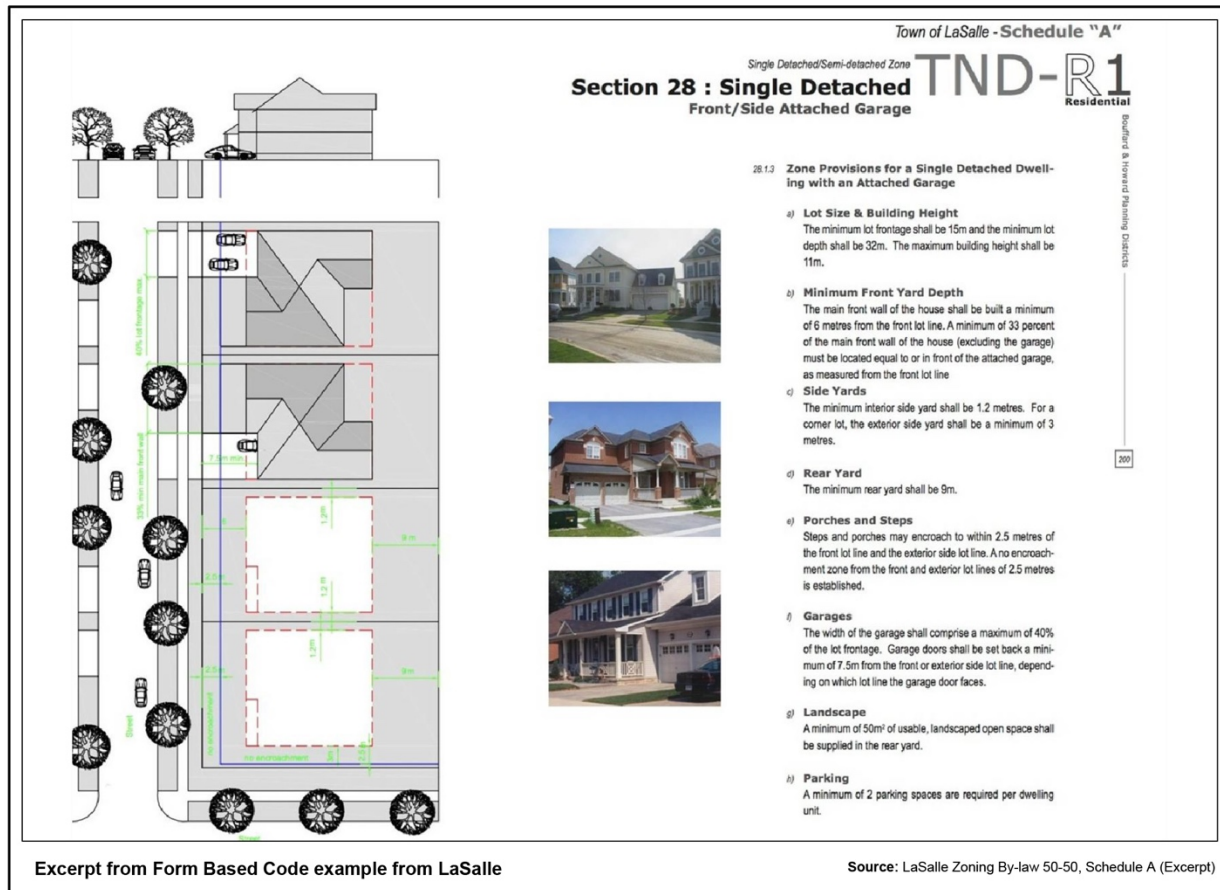


Figure 9: Excerpt from Form Based Code example from LaSalle

A strong benefit of the form based code approach is it generally pre-zones properties and areas for a specific built form and provides specific regulations to ensure the buildings are compatible with adjacent properties. However, it is a prescriptive approach to the built form and lot standards which could result in a greater number of variances. It can also be an onerous task to determine the appropriate built form for each area and neighbourhood.

5.1.4 Approach 4: Land Use Categories

The Land Use Categories approach is similar to the Official Plan approach in that it uses land use categories such as a low-rise residential zone. This approach enables multiple forms of housing to be grouped within a single land use category such as low-rise residential permitting single detached, semi-detached, and townhouse dwellings. This approach is seen within the City of Pickering's Seaton Zoning By-law.

Incorporating multiple land use permissions within one category reduces overlap and duplication, while providing the flexibility for accommodating a range of housing options within one zone. However, a drawback is where in a certain area a limited range of

housing types/densities is desirable, resulting in a zone for one built form or use. An example would be one zone for an older stable neighbourhood with large lots, where the city wishes to protect the character of large lots.

5.1.5 Approach 5: Overlay Zones

Overlay Zones is another approach and tool that can be used to assist in organizing zones and specific zoning regulations. Overlay layers can be utilized to regulate specific matters in combination with other zones. For example, a height overlay is often applied to a broad geographic area and prescribes specific building height regulations for that area that apply in addition to the provisions contained in the base zoning.

Figure 10 illustrates an example of a height overlay within the City of Toronto's Zoning By-law.

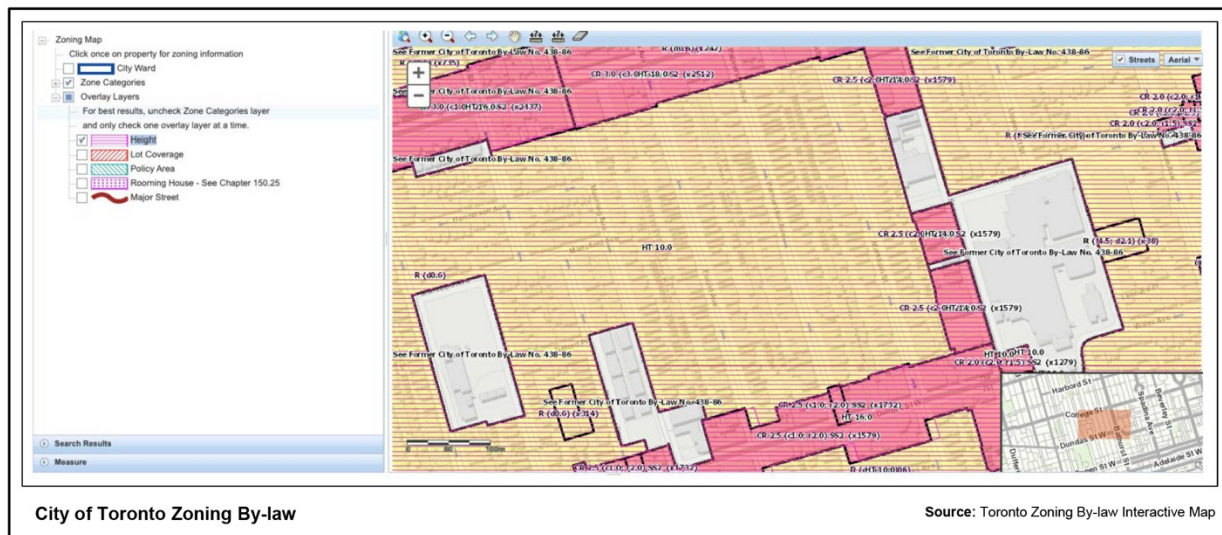


Figure 10: Excerpt from City of Toronto Zoning By-law – Height Overlay

5.1.6 Approach 6: Standard Sub-Categories

Sub-categories can be applied to identify different provisions that apply to different areas of a similar zone. This is illustrated within the Town of Grimsby's By-law where it sought to differentiate the different permitted lot coverages based on the existing built forms to protect the neighbourhood character. In this example, a sub-category was added to a zone symbol as shown in **Figure 11**. For example, zone symbol RD3.35, indicates a Residential Detached 3 Zone with a maximum 35% lot coverage requirement; whereas the zone symbol RD3.25 includes the same permissions as RD3.35 but with a maximum lot coverage of 25%.

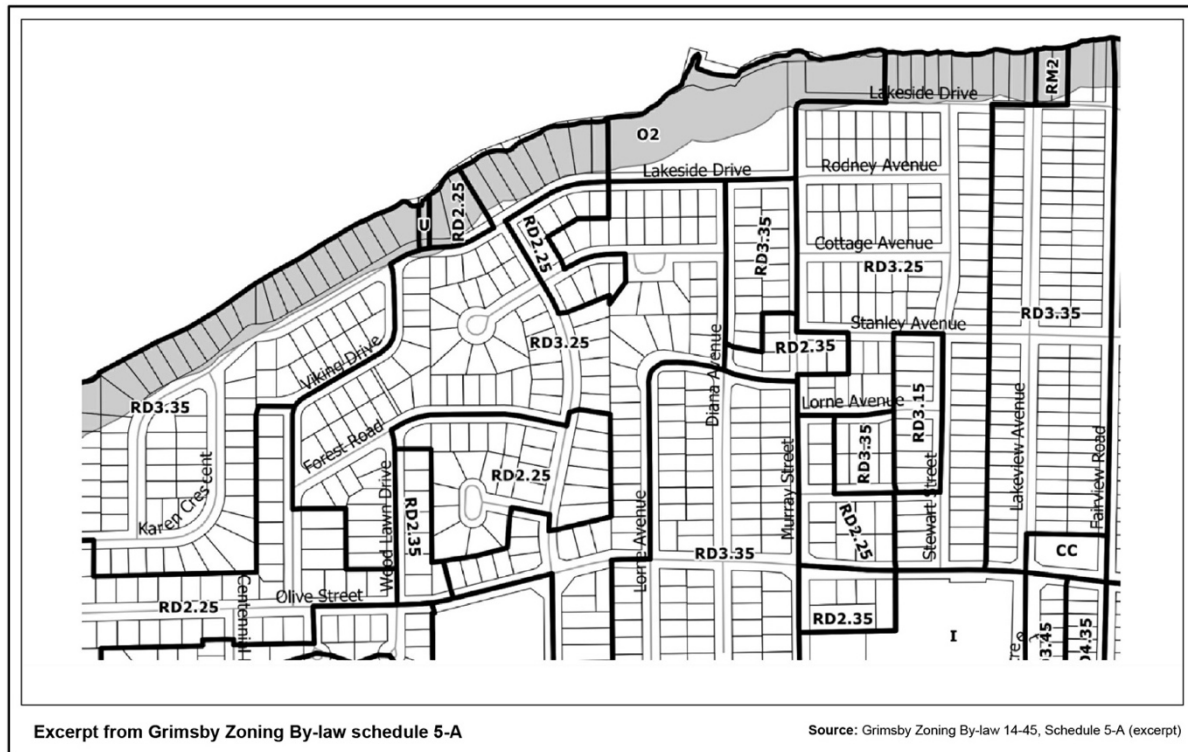


Figure 11: Excerpt from Grimsby Zoning By-law schedule 5-A

This approach is also utilized in the City of Toronto's Zoning By-law, where zoning symbols provide additional details related to density/lot coverage in addition to the base zone. For example, zone symbol R (d0.6) (x737), indicates a Residential Zone with a permission for a density of 0.6 times the lot coverage and a sub-category that sets out additional zoning provisions that apply to that area (See **Figure 12**).

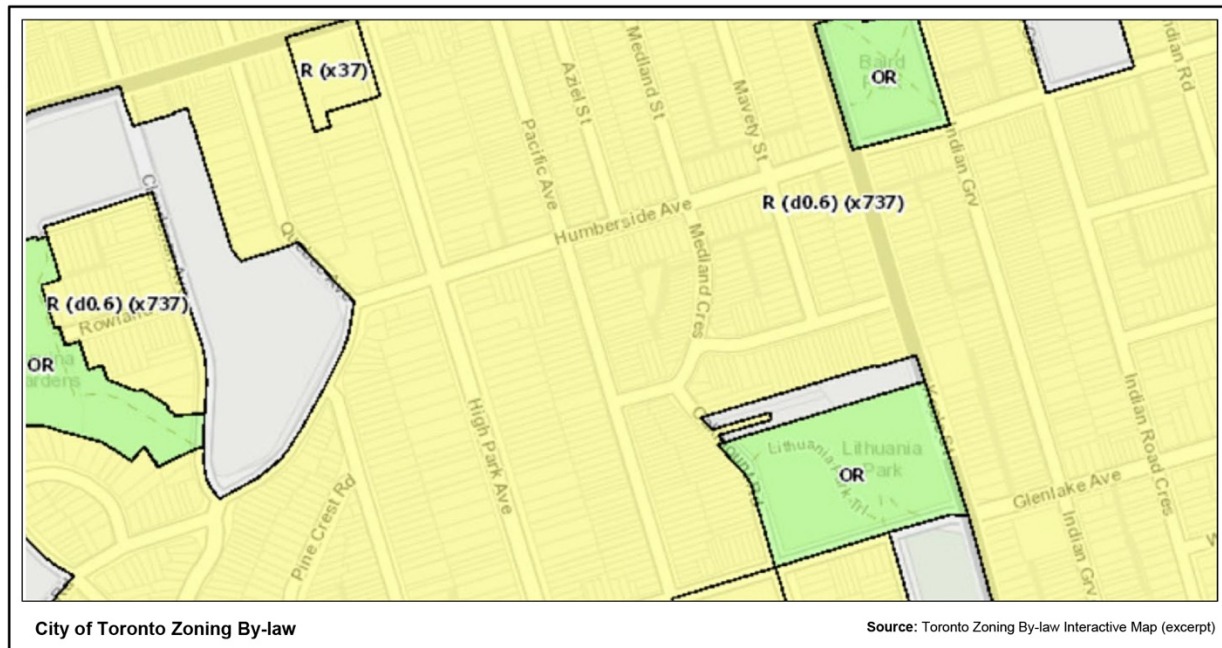


Figure 12: City of Toronto Zoning By-law (Excerpt)

This approach allows for a reduction in the number of zones, similar to the overlay and reduces duplication across multiple zones, while enabling more specific information to be shown on the zone schedule. The only difference from the overlay approach is how the information is shown within the Zoning By-law schedules. A drawback is that it may provide additional information that is contained in multiple locations within the Zoning By-law (in the case of the Toronto x 737 example), leading to a more complex By-law for the reader to locate all the relevant information.

5.1.7 Another approach to regulation: Community Planning Permit By-laws (CPP)

A CPP By-law is a tool separate from a Zoning By-law. Thus, it is not really an approach to a zone breakdown, but an alternate to a Zoning By-law.

A CPP By-law combines Zoning By-law Amendments, Minor Variances, and Site Plan applications into a single application and approval process. By combining these processes, a CPP By-law allows for considerable flexibility in the application of development standards and land use permissions, providing more certainty to the public and stakeholders on the future use of land.

A CPPS would replace all or a portion of the existing Zoning By-law within the CPPS Area and enable the City to provide greater direction regarding aspects of development that are typically outside of zoning, such as landscaping requirements, urban design criteria, heritage character and community benefits. In comparison, under a traditional

approach to planning applications, these processes are completed in parallel or consecutively as part of multiple development applications.

Additionally, a CPP By-law provides the City the ability to impose conditions on the issuance of a development permit, to ensure future development protects environmentally significant areas and other community assets. Projects that go through a CPPS may have outcomes that align more closely with the community's vision, as they are subject to greater controls.

A CPP By-law provides the ability to fine-tune development proposals by controlling site layout details and establishing development agreements beyond the regular Site Plan Control process. A CPP By-law may include details on site alteration, grading, tree removal, natural feature protection, shoreline controls, and floodplain and natural hazard limitations.

A CPP By-law allows for small deviations to the by-law standards, through pre-established thresholds, to be approved by staff while other greater deviations are approved by Planning Committee or Council. Because of this approval process, the CPP By-law is intended to streamline the development approvals process.

Information on CPP By-laws is included here to provide context to how a CPP By-law, which is being employed elsewhere in the City, compares and relates to Zoning by-laws as a regulatory tool.

5.1.8 Summary

The above sub-sections outline different applicable approaches to the structure of a Zoning By-law with the benefits and constraints. These tools helped inform the recommendations set out in Section 13.2 of this report.

6. Considerations for Zoning By-law Layout and Formatting



This Chapter outlines options for overall layout and formatting of the City's new Zoning By-law. The considerations are based on consultation completed to date by City staff and their review of other municipalities' background documents in support of their new zoning by-law projects, including Guelph, Kingston, Markham, Oakville, Vaughan and Edmonton.

The following provides considerations for layout and formatting the New Zoning By-law:

- Use portrait orientation.
- Bold defined terms.
- Include a hyperlinked table of contents.
- Use tables for permitted uses and zone regulations, where feasible.
- Metric symbols are to be separated from a preceding number with a space (e.g., 6 m front yard).
- Use a unified design theme for the document, including the use of consistent headers, colour scheme, diagrams, and other formatting.
 - Use colour to differentiate between chapters of the by-law and provide connections to the mapping of zones. For example, the City of Guelph Zoning By-law 20790 uses a yellow header for the Residential Zones chapter and the residential zones are shown in shades of yellow on the mapping.
- Use diagrams and illustrations throughout the document, particularly to help the reader understand complex concepts.
- Use simpler language and commonly understood terms to make the by-law easier to understand by most people.
- Establish a consistent way to number provisions throughout the document, including site specific exceptions (i.e., multi-level list(s)). Bullet points should not be used.
- Use amending by-law numbers to identify that a section has been changed by the zoning by-law amendment.
- The new Zoning By-law must be an accessible document, in compliance with the Accessibility for Ontarians with Disabilities Act (AODA).

The following, in **Table 8**, is a summary of preliminary issues that have been identified by City staff related to layout and organization of zoning by-laws. The column to the left

indicates the topic, issue or concern raised by the City, with a suggested approach on the right.

Table 8: Suggested approach related to Structure and Organisation of the Zoning By-law

Item	Proposed Approach
<p>The current process of updating the office consolidation of the Zoning By-law (both digital and hard copies) is difficult. Consider how changes to the format and organization of the new by-law can streamline this process in the future.</p>	<p>Upon further discussion with the City, it was identified that the majority of this issue is related to internal process rather than the existing zoning by-law itself. However, it was identified that simplification of how the site specific exceptions are recorded could simplify the update process.</p> <p>Figure 13 shows the current format of the site specific exceptions. Figure 14 shows a simpler format of site specifics that has been utilised on previous projects. It is unclear how much time this table format would save when it comes to introducing new site specific exceptions,</p> <p>Otherwise, the new by-law can be prepared in a simplified and easy to follow manner, with an uncomplicated numbering system, limited cross-referencing of sections and consistent terminology, which can help streamline updates. Further, as discussed in Section 1.3 of this Report, the intent of this project is to create a more flexible by-law which should lead to fewer site specific zoning by-law amendments.</p>
<p>Include a separate chapter for regulations related to parking, bicycle parking, and loading.</p>	<p>The existing provisions related to parking, bicycle parking and loading should be separated out from the general provisions, into a standalone Parking and Loading Section.</p>
<p>Include a separate chapter for temporary use provisions. In the office consolidation of the current Zoning By-law 2020,</p>	<p>No temporary uses were identified in the existing Residential Zones. A</p>

temporary use by-laws have been incorporated into the sections they are temporarily amending which is difficult to track.	placeholder section for new temporary uses can be prepared.
Locate the definitions chapter near the beginning of the document.	The definitions will be located at the beginning of the New residential Zoning By-law.
Zone categories should mirror the land use designations in the Burlington Official Plan, 2020, where appropriate. More than one zone may be needed to implement a designation.	The Zone structure is further discussed in Section 13 of this Report and will closely follow the Burlington Official Plan designations.
Exception zones should include municipal addresses and amending by-law number for convenience purposes.	Municipal addresses can be added to the site specific exceptions where the information can be provided by the City.
Allow for technical and editorial revisions without the need for an amendment.	A provision allowing technical and editorial edits can be added to the Administration section of the New Zoning By-law.
Use terminology that is consistent with the Burlington Official Plan, 2020, draft Burlington Community Planning Permit By-law, and Ontario Building Code, as appropriate.	The analysis of definition updates will consider these documents.
Assign each holding symbol a number that can be shown on the mapping and used to identify the applicable conditions that must be satisfied prior to holding removal.	Holding Zones can be numbered.
Where appropriate, ensure alignment between the draft Community Planning Permit By-law for the City's Major Transit Station Areas and the new Zoning By-law (e.g., use of terms and definitions, parking regulations, general provisions, etc.) to facilitate consistent implementation.	Upon further discussion with the City, comparison with the Community Planning Permit By-law is planned for later in the Study.

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Figure 13: Current Organization of the Site Specific Exceptions in Zoning By-law.

Exception 2	Zone DW	Map 9A	Amendment	Enacted
1.	Additional Permitted Use:	Motor Vehicle Service Station		
2.	Regulations for a car wash:			
(a)	A car wash will be maintained and operated in a separate building located adjacent to the south-west boundary;			
(b)	The south-westerly 3.5 m, except for that part encumbered by a building, will be used for landscaping purposes only;			
(c)	Yard abutting Lakeshore Road: 18 m			
Except as amended herein, all other provisions of this By-law, as amended, shall apply.				48

Figure 14: Proposed Site Specific Organisation (example)

Zoning By-law

Town of Grimsby Zoning By-law Review

Section 11: Institutional

Site Specific	By-law #	Address	Zone	Additional Permitted Uses	Sole Permitted Uses	Excluded Uses	Lot, Building and Structure Exceptions
71	90-5		I		Place of worship Secondary School		Minimum parking spaces: Place of worship: 165 spaces Secondary School: 296 spaces
88	92-36	132 Lake St	I		Place of worship		No building except for an accessory building within 100 metres of the lot line abutting the sewage treatment plant Parking requirement: 1 space per 6 fixed seats or 1 space per 10 m ² of gross floor area
182	02-81	Victoria Avenue & Adelaide Street	I	Gift shop, Coffee shop			Minimum side yard setback: 1.8 m.
207	05-78	16 Patton Street	I				Minimum lot frontage: 9 m.
209	05-92	160 Livingston Avenue	I	Works yard			Minimum yard abutting a residential zone: 30.5 m. for a works yard
292	14-70	308 Lake Street	I				Maximum gross floor area – 600 square metres
372	22-18	Lot 39 - Central Avenue, Plan 30M-115* *(The site specific number has been corrected from 356 to 372)	I				a) Permitted use of a Parking Area solely in conjunction with a permitted hospice use located on Part 2, Plan 30R-1 2012; b) For a parking lot, a privacy fence with a maximum height of 2.0 metres is required on lot lines abutting a residential use; c) Minimum of 4.5 metres to parking area abutting residential.

7. Review of Definitions



A detailed analysis of existing residential related definitions is being undertaken. This analysis will form the basis of the next step of the project when draft sections of the zoning by-law will be prepared.

The approach to the review of the definitions includes the following:

- Remove regulations from definitions;
- Include broader definitions;
- Consider alignment with Building Code and Official Plan definitions;
- Only define terms used in the zoning by-law;
- Do not define common terms;
- Simplify for clarity/easy interpretation;
- Remove outdated terms; and
- Use illustrations to help explain a definition.

In addition, the following table, **Table 8**, identifies some preliminary issues City Staff have noted with the Definition Section. The column to the left indicates the issue or consideration raised by the City Staff, with a suggested approach on the right.

Table 8: Suggested approach related to definitions

Item	Suggested Approach
Identify words that are defined with italics or bold text throughout the Zoning By-law.	In the New Zoning By-law, defined words will be bolded.
Use illustrations to help clarify definitions.	Appropriate illustrations can be considered further in the next Phase of this Study.
Regulations should not be included within definitions.	Any regulations found within a definition can be moved out to the General provisions section or Residential Zone section, as appropriate.
Broad, inclusive definitions of uses are easier to understand and implement compared to more detailed, specific definitions of uses (e.g., multiple types of	This has a more limited implication for residential uses, but consideration for simplifying housing forms, particularly special housing forms that serve a specific need, such as Group Homes or

restaurants could be consolidated into one definition for restaurant).	other assisted housing, may be consolidated to allow for more flexibility.
Definitions should not conflict with Building Code definitions and should be aligned with Building Code definitions where possible.	Consideration of the existing definitions against the Building Code is being undertaken.
Ensure permitted uses within zones are defined to facilitate consistent interpretation.	Most terms are currently defined. Definitions can be added, as needed during Phase 2 of this Study.
Eliminate definitions and regulations for uses that are no longer relevant (e.g., Video Game/Pinball Machine Arcade).	Only definitions for terms used in the Phase 1 of the Draft Zoning By-law will be included.

8. Review of General Conditions and Provisions



The “Part 1 General Conditions and Provisions” Section includes a General Conditions subsection which generally addresses Administration matters and a General Provisions subsection which addresses General Provisions, addressing topics typically seen in General Provisions sections of Zoning By-laws.

The following table, **Table 9**, identifies some preliminary issues and considerations about the General Conditions and Provisions Section that are related to Residential Zones. The column to the left indicates the issue and concern raised by the City Staff, with a suggested approach on the right.

Table 9: Suggested Approach to General Conditions and Provisions

Item	Suggested Approach
Part 1 – General Conditions and Provisions should be updated to be more user-friendly, including better organization and more illustrations.	The General Conditions and Provisions section will be streamlined to only those matters relevant to the Residential Zones. It is recommended that the section be split into two sections, General Conditions to be renamed Administration, and General Provisions. Illustrations are generally recommended to be provided with definitions and relevant general provisions, where it helps in the understanding and interpreting of a general provision.
Review legal non-conforming provisions (Part 1, Section 1.6 Compliance with this By-law) and consider if there are opportunities to build in more flexibility and/or clarity. For example: <ul style="list-style-type: none"> ○ Consider revising Part 1, Section 1.6.1(b) to allow for the enlargement of a legal non-conforming building without the need to comply with all applicable provisions, provided it does 	The provision can be updated such that the enlargement of a legal non-conforming building without the need to comply with all applicable provisions, provided it does not further increase the extent of non-compliance. A provision can be added that recognizes lots of record that are deficient in lot size or frontage.

Item	Suggested Approach
not further increase the extent of non-compliance.	
Confirm the staff/department responsible for enforcement of the Zoning By-law (Part 1, Section 1.12 Administration, Enforcement, and Penalties).	This section can be updated to reference the appropriate department/staff, as directed by the City.
Consider adding regulations for hybrid structures/accessory structures (e.g., cabana with a huge roof) (Part 1, Section 2.2 Accessory Building and Structures and Unitary Equipment).	An issue has been identified that sometimes accessory structures are sought or built that meet the floor area requirement of 50 square metres, but that have a significantly larger roof that extends beyond the walls or posts where that area is measured per the definition of floor area. To address this issue, it is recommended that section 2.2.1b of the General Provisions section which addresses Accessory Buildings and Structures accessory to residential uses, be updated to include a maximum area covered by a roof area.
Align regulations for accessory buildings with recent changes to the Ontario Building Code where buildings under 15 m ² in size are exempt from the need for a building permit (Part 1, Section 2.2.1 (a) and (b)).	Currently two sets of regulations are addressed in section 2.2.1, those for accessory buildings and structures smaller and greater than 10 square metres. This can be updated to 15 square metres.
Review balcony regulations (Part 1, Section 2.3.3).	Section 2.3.3a) of the existing zoning by-law identifies that “Balconies located above the first storey on a wall facing the side and rear yard of detached dwellings are not permitted.” An issue has been identified that this provision is often incorrectly interpreted to restrict rear balconies above a walk out basement, even though these would be balconies at the first storey, not second storey. There is an opportunity to provide clarity on this issue, however, it is recommended that the change be primarily made to the

Item	Suggested Approach
	<p>definitions, to clarify what is the first storey, so there is no confusion in the case of a walkout basement.</p> <p>Separate from confusion around balconies above walk out basements, if there is a desire for balconies at a second storey to be permitted, Section 2.3.3) could be updated, though it is recommended that the balcony size be capped.</p>
<p>Review Group Home regulations, specifically the 400 m separation distance and consider whether it should be removed (Part 1, Section 2.21 (g)).</p>	<p>The 400 metre separation distance required between certain service type uses (i.e. Group Home, Correctional Group Home, Emergency Shelter, Correctional Facility, Residential Social Services) should be deleted. This is consistent with updates to other zoning by-laws in Ontario and past court cases.</p>
<p>Review requirements for temporary structures (e.g., shipping containers and tents) and consider opportunities to make these requirements less restrictive (Part 1, Section 2.22(c)).</p>	<p>Upon further review with the City, it has been identified that 7 days is too short for operations of a circus, carnival, or carousal. While these uses are unlikely in a residential zone, the permission can be increased to 14 days.</p> <p>Further, no provisions appear to permit temporary containers/movable storage structures for moving. A provision could be added to section 2.22: “Temporary Structure” to permit a temporary storage container on a residential property for the purposes of moving. A provision similar to the following can be considered:</p> <p>“A movable storage structure or a shipping container is permitted in the driveway of a residential property for the purpose of the temporary loading or unloading of household items during the process of moving and for a period not exceeding ten (10) days provided it does</p>

Item	Suggested Approach
	not exceed a maximum height of 3.0 m and a maximum length of 6.1 m. In no case shall a movable storage structure or shipping container encroach onto a public sidewalk, or a public right of way, or create a site line obstruction.”
<p>Comments related to parking (Part 1, Section 2.25 Off-Street Parking and Loading Requirements and 2.26 General Parking Provisions):</p> <ul style="list-style-type: none"> ○ Review off-street parking requirements in relation to trends seen with recent pre-consultation and development applications that seek parking reductions. 	<p>For apartments, the existing zoning by-law sets the parking rate at 1.25, inclusive of visitor spaces, for Primary and Secondary Growth Areas as identified in the Burlington Official Plan, and the following rate everywhere else:</p> <p>1 occupant spaces per one-bedroom unit 1.25 occupant spaces per two-bedroom unit 1.5 occupant spaces per three or more bedroom unit 0.25 visitor spaces per unit 1 additional space per 75 units for the use of maintenance vehicles servicing the site.</p> <p>In general, it is not as common to see rates based on number of units. It is recommended that this be simplified. Requiring a higher rate of parking for three bedroom units could serve as deterrent for building these units, which are often underrepresented and a needed unit type. Based on what is seen in other municipalities with newer zoning by-laws, these parking rates are high.</p>
<ul style="list-style-type: none"> ○ Consider reducing parking requirements for Home-Based Businesses to facilitate businesses operating out of attached garages (current requirement of two parking spaces often means one parking space needs to be provided in the garage). 	<p>Home-Based Businesses do not require additional parking per section 2.25 of the existing by-law, however, the City has identified that the prohibition of home-based business and cottage industries in an attached garage may prevent these uses from establishing. The City could remove this requirement. It is assumed the intent behind the restriction was to</p>

Item	Suggested Approach
	<p>prevent the removal of one of the required parking spaces, however, removing the garage restriction does not necessarily mean less parking will be provided on site, since many low density residential lots can accommodate two parking spaces on the driveway. It would be the smaller lots that have one required space on the driveway and another in the garage which would be affected by this change. In such cases, a minor variance would be required to permit the use, which would allow the City to review the subject property to assess if a reduced parking would be justified.</p>
<ul style="list-style-type: none"> ○ Review whether regulations for below-grade parking structures ensure sufficient space for drainage and for trees and vegetation to grow (Section 2.26(5)). 	<p>Below-grade parking is currently required to be set back 3 metres from a lot line. This rate is considered appropriate for drainage and vegetation and already exceeds the setback required in other municipalities.</p>
<ul style="list-style-type: none"> ○ Consider including minimum requirements for electric vehicle parking spaces/charging stations. 	<p>Electric vehicle parking requirements in the draft Community Planning Permit By-law can be considered for inclusion within the New Residential Zoning By-law.</p>
<ul style="list-style-type: none"> ○ Consider including requirements for stacked parking systems. 	<p>Currently stacked parking spaces are not permitted in the Zoning By-law because there is a requirement for parking spaces to be “accessible without obstructions at all times for parking and removal of a motor vehicle without the necessity of moving any other vehicle or obstruction.”</p> <p>The City can consider adding a provision that notwithstanding that requirement, stacked parking space are not considered obstructed parking spaces, and are thus permitted.</p>
<ul style="list-style-type: none"> ○ For non-residential uses, specify parking requirements as the number 	<p>Only limited non-residential uses will be addressed in the Residential Zoning By-</p>

Item	Suggested Approach
of spaces required per 100 m ² GFA where possible (instead of per employee, per persons capacity, etc.).	law, but rates can be updated for these uses as directed by the City.
Consider adding flexibility for existing developments to make accessibility improvements (e.g., ramps) to existing buildings.	Section 2.34 addresses barrier-free accessibility ramps. There is room for adding flexibility by reducing the setback to all non-street lot lines currently set at 1 m. The setback could be reduced to 0.5, to match setback requirement to a street lot line, particularly where the ramp and ramp barriers are less than a certain height.
Consider adding requirements for green roofs on flat roof surfaces.	This is best suited to be addressed in Urban Design guidelines.
Limited on-street parking in areas with close-set driveways.	<p>It has been identified that certain newer developed areas in the City of Burlington have the issue of insufficient on-street parking, owing to the limited distance between driveways. There are limited opportunities to fix as-built situations such as these.</p> <p>Permitting widening of driveways to accommodate more off-street parking, would further limit opportunities for landscaping, lack of which was also raised as concern. However, there is no option to move driveways to provide more opportunity for on-street parking.</p> <p>One option would be not to permit any additional curb cuts or curb cut widenings, to preserve on-street parking that does exist. Even if this is put in the by-law through a minimum separation distance between driveways requirement, or minimum frontage, provisions could still be varied through Zoning By-law amendments and minor variances.</p>

9. Best Practice Review



9.1 Best Practices

The purpose of this section is to identify provisions that other existing Zoning By-laws address. The municipal zoning by-laws reviewed were chosen based on the following factors:

- Geography- generally within southern Ontario, with a similar overarching land use planning framework;
- Approval date- to review more recent zoning by-laws;
- Composition and size- to review zoning by-laws of similar sized municipalities to Burlington; and
- Clarity- to consider zoning by-laws that had been noted in other planning reviews as being clear, concise and well-organized

The zoning by-laws reviewed include:

- City of Burlington, Ontario (By-law 2020 October 2023 Consolidation), to allow for baseline understanding and comparison;
- Town of Oakville, Ontario (By-law 2014-014, June 27, 2023 Consolidation);
- City of London Ontario (By-law No. Z. 1);
- City of Guelph Ontario (By-law (2023)-20790, April 18, 2023 consolidation),
- City of St. Catharines Ontario (By-law No.- 2013-283, Including all amendments up to and including Amendment No. 88, passed September 25, 2023); and
- City of Vaughan Ontario (By-law 001-2021, March 2024 Consolidation).

The best practice review focused on:

- Understanding the range of permitted residential uses and how zones are separated;
- Understanding trends in standards regulating how development can occur on a lot;
- Taking a more in-depth review of approaches to regulating amenity area, density and floor area, lot coverage, and rear yards on corner lots; and
- Parking regulations.

The key findings and directions of this best practice review are summarized in the following subsections,

9.2 Residential Permissions and Zone Divisions

With respect to residential permissions, all of the by-laws include a wide range of built form typologies. Most by-laws include single detached dwelling, semi-detached dwelling, townhouse dwelling, and apartment dwelling as permitted uses. Some of the by-laws further categorize and define dwelling types, including duplex, triplex, fourplex, quadruplex, cluster townhouse, block townhouse, street townhouse, back-to-back townhouse, stacked townhouse, and multi-unit residential building. All of the by-laws include specific regulations for accessory dwelling units, however it is important to note that most municipal regulations for accessory dwelling units are out of date, as a result of changing Provincial legislation.

With respect to the division of zones, all of the by-laws reviewed generally divide zones based on intensity of use, grouping low density residential uses and forms into a series of sub-zones; medium density residential uses and forms into a series of sub-zones; and, high density residential uses and forms into a series of sub-zones. This structure resulted in some of the by-laws having upwards of six to eight sub-zones within the 'parent' zone category, where each zone regulated one specific built form. Generally, the by-laws with fewer sub-zones and a wider variety of permitted uses within each sub-zone provide more flexibility for a variety of built forms within each zone.

Based on the best practice review, the City may want to consider the following:

- Eliminate multiple subsections and subzones in order to provide more flexibility and adaptability as development trends change;
- Look for ways to consolidate similar built form types and zones in order to ensure a level of clarity in permissions while providing flexibility for the uses;
- Look for ways to permit Additional Dwelling Units (ADUs) broadly, in as many zones and built forms as possible and in accordance with Provincial requirements and Council direction, to maximize opportunity for this type of gentle density throughout existing neighbourhoods;
- Consider limiting the proportion of detached dwellings permitted within medium density zones to ensure that the widest range of medium density uses are developed within medium density areas;
- Consider permitting multiple housing types in a zone with different lot provisions for each housing type;
- Consider consolidating zones to reduce the variation in lot frontage and lot area;
- Look for additional ways to permit lower intensity medium density uses, such as townhouses, within lower density zones to provide opportunities for compatible infill and gentle density in existing residential neighbourhoods; and,

- Look for opportunities to update definitions of specific uses where there is overlap or similar intent of the use.

The following considerations may have implications beyond the Residential Zones and may need to be considered by the City more broadly as part of other phases of the Comprehensive Zoning By-law Review project:

- Consider introducing a defined term/ regulatory framework that captures group homes and lodging homes similarly as “shared housing”;
- Continue to explore a policy and regulatory approach to short-term rentals; and
- Consider how permissions for uses permitted in all zones and accessory uses regulated under the general provisions may apply in a new structure and format.

9.3 Regulated Elements

The best practice review looked at the following regulated elements (noting that not all by-laws regulated all of the elements noted below):

- Lot area;
- Lot frontage;
- Front yard;
- Flankage yard;
- Side yards;
- Separation distance between buildings;
- Rear yard;
- Height (in storeys);
- Height (in metres);
- Dwelling depth;
- Floor area ratio (FAR);
- Density (units per hectare);
- Landscaping coverage;
- Floor plate;
- Landscape strip;
- Angular plane;
- Active entrances;
- Building setbacks;
- Tower setbacks;
- Building length;
- Buffer strip;
- Principle entrance;
- Podium height; and
- Accessory buildings and structures, swimming pools, and patios/decks/porches.

Key findings and considerations include the following:

- With respect to standards for yards and lot area, Burlington’s current regulations are generally in line with how other municipalities regulate these elements;
- Burlington has a number of design guidelines which identify specific separation distances, floor plates, podium heights, and building lengths, among other things, for various built forms, in addition to some policy direction contained within the Burlington Official Plan. Some municipalities regulate these design elements through zoning, while others do not.
- Including explicitly clear exceptions for 0.0 metre rear yards for back-to-back townhouses;
- While regulations for height and density are generally dictated by overarching Official Plan policy, the City’s zoning by-law uses a mix of height in metres and height in storeys and it is not consistent across zones. It may be beneficial for the City to consider an approach where only height (in metres) or height (in storeys) were regulated in zoning in order to keep things consistent and clear. Some municipalities reviewed have also applied a similar approach where either height (in storeys) or height (in metres) was regulated (but not both);
- Regulating dwelling depth does not appear to be a typical practice for most other jurisdictions reviewed.

9.4 Trends in Specific Regulated Elements

Findings and considerations as they relate to approaches to regulating amenity area, density and floor area, lot coverage, and rear yards on corner lots are summarized below.

Amenity Area

- Amenity area is defined slightly differently in all jurisdictions. Some definitions are explicit in whether the amenity is private or common and what outdoor elements constitute amenity.
- Some by-laws indicate a specific proportion of contiguous outdoor amenity area required at-grade, as well as what proportion of outdoor amenity can be provided as a rooftop patio.
- The calculation of amenity area required for a development can range based on built form, however, the general average appears to be anywhere between 5m² per dwelling unit and 20 m² per dwelling unit. The higher numbers are typical for townhouse forms rather than apartment forms.
- When compared with the regulations set out in other by-laws, Burlington’s regulations are slightly higher. The City may want to consider an approach similar to that of Guelph and Vaughan where minimums are established by built form and regulated on the basis of proportion of private vs. common and indoor vs. outdoor.

Maximum Density/ Floor Area Ratio (FAR)

- Most of the municipalities reviewed regulate density on a units per hectare (UPH) basis, with Vaughan and Oakville being the exceptions.
- FAR is regulated in some zones in the City of Burlington's current by-law (for retirement buildings and some buildings within the R1, R2, RF, RM3, RO4, RH and RAL Zones). Aside from this example, only Oakville regulates FAR for residential uses.,
- As indicated previously, regulations are generally dictated by overarching Burlington Official Plan policy, and other guidelines. The City may want to consider which metric is most appropriate to control the intensity of use on a site (height, units per hectare, FAR or some combination thereof).

Maximum Lot Coverage

- Regulations for this standard are generally consistent among those jurisdictions reviewed although, in general, some municipalities are eliminating this requirement.

Rear Yards on Corner Lots

- Oakville includes a regulation that permits the reduction of a rear yard to 3.5 metres for a corner lot where an interior side yard of 3.0 metres is required. This is the most similar requirement to that of Burlington's current by-law of all the jurisdictions reviewed,
- London, Guelph and St. Catharines all include either general provisions or footnotes to the applicable zone regulation that allow instances where front and rear side yards may be different than the standard in the case of exterior side yards on corner lots,
- Vaughan does not appear to include any exception, this may be by virtue of how interior and exterior side yards are defined and regulated in relation to other yards,
- Burlington may want to consider revising the regulation to provide a bit more flexibility in a reduced rear yard to 3.5 metres, consistent with Oakville's practice.

9.5 Parking

- Rates for single detached dwellings are somewhat consistent with other jurisdictions reviewed and but could be reduced.
- Rates for townhouse dwellings are somewhat consistent with other jurisdictions reviewed and could be reduced.
- There is no consistent approach to regulating parking for apartment buildings. Some specifically parse out visitor rates, while others include the visitor rate in a lump overall rate. The City of Burlington's parking regulations for apartment buildings are interim rates within Primary and Secondary Growth areas, while all other areas require 1 occupant spaces per one-bedroom unit, 1.25 occupant

spaces per two-bedroom unit, 1.5 occupant spaces per three or more bedroom unit, 0.25 visitor spaces per unit, and 1 additional space per 75 units for the use of maintenance vehicles servicing the site.

Table 10 provides a parking comparison.

Table 10: Minimum Parking Rates by Municipality

	Burlington	Oakville	London	Guelph	St. Catharines	Vaughan	Considerations for Burlington
Detached Dwelling	2 spaces per unit; one of which may be provided in an attached or detached garage detached, semi-detached and duplex, on a parcel of tied land fronting onto a common element condominium road: 1.5 spaces per unit where 1 space shall be located on the parcel of tied land and 0.5 space per unit for visitor parking shall be located within the common element condominium block which contains the condominium roadway.	2.0 per dwelling unit	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit	2 per dwelling unit	Some municipalities require 2 spaces. Burlington’s current regulation is generally consistent with these trends, or could consider reducing to 1 space.
Semi-Detached Dwelling	2 spaces per unit; one of which may be provided in an attached or detached garage detached, semi-detached and duplex, on a parcel of tied land fronting onto a common element condominium road: 1.5 spaces per unit where 1 space shall be located on the parcel of tied land and 0.5 space per unit for visitor parking shall be located within the common element	2.0 per dwelling unit	1 per dwelling unit	1 per unit	1 per dwelling unit	2 per dwelling unit	Could consider reducing the rate.

	Burlington	Oakville	London	Guelph	St. Catharines	Vaughan	Considerations for Burlington
	condominium block which contains the condominium roadway.						
Duplex Dwelling	2 spaces per unit; one of which may be provided in an attached or detached garage detached, semi-detached and duplex, on a parcel of tied land fronting onto a common element condominium road: 1.5 spaces per unit where 1 space shall be located on the parcel of tied land and 0.5 space per unit for visitor parking shall be located within the common element condominium block which contains the condominium roadway.	2.0 per dwelling unit	0.5 per dwelling unit	1 per dwelling unit	1 per dwelling unit	N/A	Maintain existing rate. This should be considered in conjunction with other recommendations related to harmonizing uses and defined terms.
Street Townhouse Dwelling	2 spaces per unit	2.0 per dwelling unit	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit	2 per dwelling unit	Could consider reducing the rate.
Street Fourplex Dwelling	2 occupant spaces per unit, 0.25 visitor spaces per unit	N/A	0.5 per unit	N/A	N/A	N/A	This should be considered in conjunction with other recommendations related to harmonizing uses and defined terms.

	Burlington	Oakville	London	Guelph	St. Catharines	Vaughan	Considerations for Burlington
Triplex Dwelling	1 occupant space per unit, 0.33 visitor spaces per unit	N/A	0.5 per unit	N/A	1 per dwelling	N/A	This should be considered in conjunction with other recommendations related to harmonizing uses and defined terms.
Street Triplex Dwelling	2 spaces per unit A triplex dwelling on a parcel of tied land fronting onto a common element condominium road: 1.5 spaces per unit where 1 space shall be located on the parcel of tied land and 0.5 space per unit for visitor parking shall be located within the common element condominium block which contains the condominium roadway	N/A	N/A	N/A	N/A	N/A	This should be considered in conjunction with other recommendations related to harmonizing uses and defined terms.
Fourplex Dwelling	2 spaces per unit	N/A	0.5 per unit	N/A	1 per dwelling unit	N/A	This should be considered in conjunction with other recommendations related to harmonizing uses and defined terms.

	Burlington	Oakville	London	Guelph	St. Catharines	Vaughan	Considerations for Burlington
Cluster Home	2 occupant spaces per unit, 0.25 visitor spaces per unit	N/A	N/A	N/A	N/A	N/A	This should be considered in conjunction with other recommendations related to harmonizing uses and defined terms.
Stacked Townhouse Dwelling	1 occupant space per unit, 0.25 visitor spaces per unit	1.5 per dwelling unit	0.5 per unit	1 space per dwelling unit, plus 0.2 visitor spaces per dwelling unit	N/A	N/A	This rate is generally consistent with those jurisdictions reviewed, maintain existing rate, however this should be considered in conjunction with other recommendations related to harmonizing uses and defined terms.
Back-to-Back Townhouse Dwelling	2 occupant spaces per unit, 0.25 visitor spaces per unit	2.0 per dwelling	N/A	1 space per dwelling unit, plus 0.2 visitor spaces	N/A	N/A	Could consider reducing rate.

	Burlington	Oakville	London	Guelph	St. Catharines	Vaughan	Considerations for Burlington
				per dwelling unit			
Block Townhouse	2 occupant spaces per unit, 0.25 visitor spaces per unit	2.0 per dwelling unit	N/A	1 per dwelling unit	N/A	2 per dwelling unit	Could consider reducing rate.
Apartment Building	<p>Within a Primary Growth Area as identified on Schedule B-1 of the Burlington Official Plan (2020), as approved by Halton Region on November 30, 2020, and as may be further amended:</p> <p>1.25 spaces per unit inclusive of visitor parking.</p> <p>This is an interim rate and is subject to further study to be undertaken by the City. An application to reduce this parking rate will be required to be supported by a parking justification study deemed acceptable by the City.</p> <p>Within a Secondary Growth Area as identified on Schedule B-1 of the Burlington Official Plan (2020), as</p>	<p>a) 1.0 per dwelling unit where the unit has less than 75.0m² net floor area</p> <p>b) 1.5 per dwelling for all other units</p>	0.5 per dwelling unit	<p>for the first 20 units: 1.5 per dwelling unit, and for each unit in excess of 20: 1.25 per dwelling unit</p>	<p>1.25 per dwelling unit</p> <p>Within a Mixed-Use Building: 1 per dwelling unit</p>	1 per dwelling unit + 0.2 visitor parking per dwelling	Could consider not regulating by number of bedrooms in dwelling unit.

	Burlington	Oakville	London	Guelph	St. Catharines	Vaughan	Considerations for Burlington
	<p>approved by the Halton Region on November 30, 2020, and as may be further amended:</p> <p>1.25 spaces per unit inclusive of visitor parking.</p> <p>For all areas outside of Primary and Secondary Growth Area as identified on Schedule B-1 of the Burlington Official Plan (2020), as approved by Halton Region on November 30, 2020, and as may be further amended:</p> <p>1 occupant spaces per one-bedroom unit 1.25 occupant spaces per two-bedroom unit 1.5 occupant spaces per three or more bedroom unit 0.25 visitor spaces per unit 1 additional space per 75 units for the use of maintenance vehicles servicing the site.</p>						

9.6 Case Study of Edmonton’s By-law

The City of Edmonton’s new Zoning By-law, which came into force and effect on January 1, 2024. The new Zoning By-law is an initiative by the City to develop a more user-friendly document that streamlines and simplifies development regulations and processes. The initiative included a city-wide rezoning exercise, reducing the number of zones from 46 to 24. A key objective of the new Zoning By-law is to introduce more flexibility when it comes to residential development, including promoting gentle intensification and affordable housing. Given the jurisdictional differences and the work the City of Edmonton has done to provide a wider range of residential uses throughout the city, the project team reviewed Edmonton’s new Zoning By-law to understand lessons learned.

With respect to the division of zones, the new Zoning By-law is comprised of six residential sub-zones, including: Small Scale Residential Zone (RS); Small Scale Flex Residential Zone (RSF); Small-Medium Scale Transition Residential Zone (RSM); Medium Scale Residential Zone (RM); Large Scale Residential Zone (RL); and, Rural Residential Zone (RR). In comparison, the previous Zoning By-law included 16 residential zones. In addition, the new Zoning By-law replaced and integrated the Mature Neighbourhood Overlay (MNO) and associated regulations with the Small Scale Residential Zone (RS). The purpose of the MNO was to provide additional regulations to encourage a pedestrian-focused and contextual design for Edmonton’s mature neighbourhoods.

Each sub-zone includes a purpose statement, a list of permitted uses, additional regulations for specific uses, site and building regulations, design regulations, and general regulations. The purpose statement sets out the density parameters, the housing typology and non-residential permitted uses. Depending on the sub-zone, building heights range from three to 20 storeys, with the exception of development within the Rural Residential Zone (RR), which only allows rural residential development. Notably, all sub-zones allow a mix of residential, commercial, community, urban agricultural/ agricultural, and sign uses. Allowing for a mix of uses through all sub-zones, enables the development of new businesses in key locations without a rezoning application.

With respect to residential permissions, Edmonton’s new Zoning By-law includes a wide range of housing options, which are captured under the new definition of ‘residential.’ The new Zoning By-law defines ‘residential’ as a development where a building or part of a building is designed for people to live in. To be considered ‘residential’ the building must contain one or more dwellings or one or more sleeping unit. In addition, the following uses are considered ‘residential’ under the new Zoning By-law: Backyard Housing, Duplex Housing, Lodging Houses, Multi-unit Housing, Row Housing, Secondary Suites, Semi-detached Housing, Single Detached Housing, and Supportive

Housing. Additional regulations are provided for specific uses, providing further direction on the type of housing permitted within each sub-zone, including design regulations.

One of the specific development regulations that has been updated in the new Zoning By-law relates to Garden Suites. Under the new Zoning By-law, Garden Suites are no longer required to be accessory to a primary dwelling. Further, the by-law allows for more than one backyard housing dwelling in a rear yard as long as the massing requirements in the by-law are being met. This opens up increased housing options, equalizing the development potential across residential zones.

The changes noted above, eliminate some of the exclusionary zoning practices pertaining to housing development in Edmonton, promoting gentle intensification and a greater range of housing options. The Small Scale Residential Zone (RS) and the Small Scale Flex Residential Zone (RSF) are two zones that promote a range of small scale housing forms. This is achieved by combining some of the residential zones under the previous by-law, which reduces some of the regulatory complexities that existed and equalizing development potential across Edmonton's neighbourhoods.

Based on the review of Edmonton's new Zoning By-law, the City may want to consider:

- Consolidating residential sub-zones to introduce a broader range of housing types to provide more housing choices and opportunities for gentle intensification throughout the residential zones;
- The impact of maximum building heights and massing to support a range of housing forms within the existing lower-density residential zones; and,
- Ways to eliminate exclusionary zoning through the consolidation of definitions of similar built form types to promote a level of clarity in permissions while providing flexibility for the uses. A possible option is to utilize one all-encompassing definition of 'residential', or dividing the definition(s) of residential by scale/intensity ('small scale residential', which could include single-detached, semi-detached, standard townhouse, triplex and fourplex; and, 'large scale residential', which could include higher intensity townhouse forms, and any dwelling type with five or more units).

9.7 Summary

The City's Comprehensive Zoning By-law Process provides an opportunity to incorporate best practices seen across municipalities reviewed, as well as the built form provisions identified in the City's various design guidelines to provide for a balanced and flexible approach to regulating residential uses.

10. Minor Variance and Zoning By-law Amendment Analysis



The City conducted a review of past minor variances from 2017 to 2023 to understand if there are any particularly problematic provisions in the existing Residential Zones that should be updated. Most of the minor variances, approximately 90% were for the Low Density Zones. The following table, **Table 10**, pulls out some of the more frequent minor variances and any recommendations.

Table 11: Suggested Approach related to minor variance analysis

Variance	Current Permission	Suggested Approach
Variances related to front yard setbacks for porches.	Only some of the Zones permit an encroachment of 1.5 metres into the front yard, otherwise the front yard setback for the Zone applies.	This encroachment permission should be broadened to permit more flexibility and reduce the number of variances needed.
	With the variance categories for porches, accessory buildings, accessory structures, decks, and balconies, there are sub-categories for variances which allowed these features to be located in yards where the by-law specifically states they are not permitted.	
Side yard setback.	Existing side yard requirements vary by Zone, width of lot and presence of garage etc. Note, 72 variances relate to R2.1 Zone and 55 to the R3.2 Zone.	Simplify side yard requirements not to be based on lot width or presence of garage.
Front yard setback	Existing front yard requirements vary based on Zone. 88 of minor variances are for R2.1 Zone which requires a front yard 11 m.	Consider reduction in front yard for this Zone. It is understood that the area subject to this zone used to require only a 6 metre setback. 11

Variance	Current Permission	Suggested Approach
		seems excessive, especially if it does not relate to established character.
Lot coverage	Requirement varies from 17-35% by number of storeys, whether it is a designated area and whether there is an attached garage. 25% for two storey buildings in designated areas, which has the greatest number of variances.	Consider raising the maximum lot coverage and not regulating it by number of storeys and whether there is an attached garage.
Rear yard setback	Rear yard requirement varies by Zone. The most common of the rear yard variances (24) are for the R2.1 Zone which requires a 10 m setback.	Consider reducing the rear yard requirement. 10 m is larger than typical. Often set at 7.5m.
Floor Area Ratio	0.45:1 in designated areas 0.4:1 in the Shoreacres Character Area	Consider removing FAR and addressing as a coverage requirement.
Dwelling Depth	18 m maximum	Consider increasing maximum depth, particularly for R2.1 Zone, which had majority of minor variances.
Balcony	Only permitted on the front wall of a dwelling above the first storey.	Could consider permitting in rear yard.

The limited number of site specific zoning by-law amendments reviewed by the City for the years 2017-2023 did not identify any meaningful insights to address through this project owing to the smaller sample size.

11. Housing Strategy



The City of Burlington recently undertook a Housing Strategy. The Housing Strategy creates a road map and acts as a guiding document for housing needs in the City of Burlington. It will help the City work towards meeting the housing needs of the community and move it closer to reaching the Vision for housing in Burlington. The Housing Strategy identifies 12 recommended Actions that the City and other strategic decision-makers can take to increase housing options across the City. Of note, is Action 6 of the report, to “build upon the policies of the Official Plan, 2020 and the findings of the Housing Strategy Project to inform the Comprehensive Zoning By-law (CZBL) project, to assist in broadening the range and mix of housing in the City and to explore tools to streamline processes.” For further information, the housing strategy can be found here:

<https://www.getinvolvedburlington.ca/19458/widgets/77428/documents/82332>.

Some highlights stemming from the Housing Needs and Opportunities Report that was prepared as background to the Housing Study have relevance to the Zoning By-law Update. For example, the report noted that “The current practice of splitting the medium density Zones limits provision of medium density housing form. There is an opportunity for broader range and mix of medium density housing by combining some of the Zones and broadening the use permissions.” The same Report also recommended “implement[ing] a flexible regulatory approach to high density Zones, and utilising Urban Design Guidelines to regulate built form where appropriate to reduce the number zoning by-law amendments related to Urban Design.”

In addition, the appendices for this same report identified recommendations to be considered by the City. The following recommendations relate to matters within the scope of this project and are included below for information.

1. Consider opportunities to expand permissions or provide more flexibility within the Low Density Residential Designation and associated Zones (R1, R2, R3) to allow for the development of compatible higher intensity ground-oriented forms of development, such as townhouses, without the need for a ZBA. This would require a revision to the OP 2020 to allow for this flexibility. This is part of the work being considered by the Official Plan Amendment to Increase Housing Options Project and will inform the development of the Residential Zone provisions. Such a revision would streamline and expedite approvals, which would bring housing on faster and reduce the costs borne by the end-user as a result of process and red tape associated with the ZBA process.
2. The Comprehensive Zoning By-law Law team may wish to consider the extent to which matters of urban design are implemented through zoning. It is

recommended that the Comprehensive Zoning By-law Law be prepared in such a way as to allow for flexible consideration of alternate building design to accommodate a range of household sizes and/or the functionality of a building (As an example of rigid implementation, Mississauga implements stepbacks at each portion of the tower, causing nearly every development application to go through a Zoning By-law Amendment process. Such an approach is not recommended for the City of Burlington).

3. It is recommended that the requirement for at-grade commercial “active” uses for retirement and/or long-term care facilities be reconsidered, in consideration of the form and function of a building required to accommodate the needs of people at later stages of life. Consider providing a more flexible regulatory framework for long-term care facilities, such as reduced parking regulations where appropriate, which would help to create more opportunities to optimize land used to accommodate residents and expand opportunities to age in place while continuing to have a specific level of care and need addressed.
4. Evidence of “people zoning” should be removed, in favour of a more holistic approach that acts to reduce stigmatization and discrimination. Consolidate requirements for group homes and correctional group homes, given that their land use impacts are the same. Adopt a single terminology. For example, the Town of Milton has adopted the term “shared housing”.
5. Remove the requirement for boarding houses, group homes and correctional group homes to only be permitted on properties along arterial or collector roads.
6. Consider expanding the permitted locations of emergency shelters and residential social services to more than arterial or collector roads unless there is justifiable reason from a land use planning perspective that this is not appropriate.
7. Ensure regulations are flexibility to allow tiny homes either as-of-right (preferred) or through minor variance.
8. Recognize modular housing as permanent housing to expand opportunities for this form of building to accommodate housing options beyond those who are in need of emergency housing.

12. Other Project Objectives



The city has identified several project objectives. **Table 11** summarises these and identifies recommendations for them.

Table 11

Project Objective	Recommendation
To define the uses permitted in specific locations within the lands designated Residential Neighbourhood Areas in the BOP, 2020 and the specific development regulations relating to those uses;	The work in this Report forms the basis for developing Zones that will define uses permitted and related regulations for the Residential Zones permitted in the Residential Neighbourhood Areas in the Burlington Official Plan.
To establish zoning regulations that will permit assisted and special needs housing in all residential neighbourhoods, subject to reasonable planning standards and design criteria;	Social Services, Group Homes, Correctional Group Homes, Emergency Shelter, Correctional Facilities, Residential Social Services are currently addressed in section 2.1 (General provisions). There is an opportunity to simplify the permissions for these types of uses, particularly removing setbacks between locations, and perhaps consolidating some of the uses.
To permit public service facilities and institutional uses and establish implementing zoning regulations in order to achieve a high degree of compatibility with surrounding areas;	Schools, Long-Term Care Facilities, hospital, Public Health Care, Places of Worship, Day Cares, Utilities are already addressed in section 2.1 (General provisions) and would be permitted as-of-right through the existing provisions.
To undertake a review of the Zoning By-law to support the implementation of urban forestry objectives, including for example the integration of trees into parking lots and other impervious areas through the implementation of Landscape Areas in the Zoning.	Further consideration is required to align with the City's ongoing work on Urban Design Guidelines.

To implement the urban design objectives and policies of BOP, 2020 through zoning regulations as required and with regard to any relevant urban design guidelines;	Further consideration is required to align with the City's ongoing work on Urban Design Guidelines.
To establish a maximum height of development on lands designated Residential – Low Density and Residential – High Density;	Maximum heights will be incorporated into the Residential Zones, in conformity with the policies set out within the designations.
To review performance standards for additional residential units on residential lots containing a detached, semi-detached or row house;	Permission for additional residential units will be incorporated into the Zoning By-law. Section 2.21 u) which addresses Additional Residential Units, will be updated to both reflect the new Zone structure introduced in the new Zoning By-law and reflect the provincial requirements and Council direction.
To undertake a review of the Zoning By-law to support the implementation of four units-as-of-right on residential lots;	This permission will be worked into the updated zoning by-law through an update to Section 2.2.1 u) which currently addressed Additional Residential Units.
To include accessibility updates that utilize plain language and foster a positive user experience including updated illustrations and graphics to support interpretation;	Simplification of terms and opportunities for illustrations are being addressed in the review of definitions.
To update the standards and definitions to eliminate redundant / repetitive provisions, and create regulations that reflect modern land use planning and urban design practices;	Different approaches to clarify and modernise the by-law are addressed throughout this report.
To update zone regulations to conform to land use permissions in BOP, 2020, and accurately reflect the intent of the land use designations and policies contained therein;	This is discussed in further detail in Section 12 of this Report.

13. Proposed Framework



The following sections outline a framework that will form the basis of the preparation of the draft zoning by-law in the next phase of the report.

13.1 Structure of the New Zoning By-law

The overall organization of the New Zoning by-law should include the following sections:

- Section 1** This section will include items currently addressed in “General Conditions” Section of Part 1 of the existing Zoning By-law. It could be renamed Administration, which is a more common name for this section.
- Section 2** This section will address definitions. The definitions section (Section 16) in the existing Zoning By-law will form the basis for Section 2, bringing forward only those terms used in the New Residential Zoning By-law.
- Section 3** This section will address any existing General Provision from Part 1 of the existing Zoning By-law section that area relevant to Residential Zones.
- Section 4** This section will address Parking and Loading. The existing parking and loading provisions in the existing Zoning By-law will form the basis for this section, bringing forward only those provisions relevant to the Residential Zones in New Zoning By-law.
- Section 5** The section will address the Residential Zones. Specific details on the organisation of this section is described in the next subsection of this report.
- Section 6** This section will address exceptions to the Residential Zones. This section could include all the existing exceptions that apply in the Residential Zones in the existing Zoning By-law. Alternatively, exceptions could be addressed as a subsection at the end of each zone section.
- Section 7** This section will carry forward any existing Holding provisions that apply to residential zones.

Section 8 This section will address any temporary permissions granted, carrying forward any existing temporary permissions that apply in the Residential Zones currently.

Section 9 This section will include the mapping schedules.

All of these sections will be planned and formatted in a way to simplify readability by the user. This includes by:

- Having a consistent and simplified numbering system;
- Formatting all defined terms in Bold; and
- Including illustrations where appropriate.

13.2 Structure of Residential Zones

There are currently a large number of residential zones in the City of Burlington's existing Zoning By-law, and within these, a large variety of permissions related to the different residential built forms and lot standards.

A key consideration as part of this process will be adding flexibility to the zoning by-law while maintaining enough regulation to recognise the character of the already developed areas.

As a starting point, the new Residential Zones will be broken down into one of the three categories Low Density, Medium Density and High Density Residential.

For the Low Density Residential, there is value in keeping some division of subcategories of zones to recognise the existing built form that exists, but not 16 different sets of standards for detached dwellings. Low density zones could be reorganised, such that there is a set of provisions for different lot frontages, broken down into the following: 9m, 12m, 15m, 18m, 24, and 30m. These zones could be addressed as sub-categories of a Low Density Zone, in the manner similar to how the R1.1, R1.2 etc. zones are laid out currently. Alternatively, subcategories could be applied through the mapping. For example, The minimum lot frontage, which would vary by area, would be described on the zoning maps. For example, a given area may be identified as R1, F9, which would identify the R1 zone applies, with a minimum frontage requirement of 9 metres.

In addition, the Orchard Community Zones low density zones would have to be carried forward, because they have a wider range of permitted use, including medium density house forms (in conformity with the area specific Orchard Community policies in the Burlington Official Plan). This zone is a more flexible zone, since it permits a greater range of ground oriented uses and could be applied in other locations, though policy updates may be needed to permit this.

It is noted that the three character areas are zoned, R1.2 (Roseland) and R2.1 (Shoreacres and Indian Point). The latter is not unique to the character areas, it applies outside of the areas as well. As the zones are consolidated, the zoning for these areas will need to be reviewed in detail, to ensure that any zoning continues to support the policies in the Burlington Official Plan that apply.

For the Medium Density Zones, these can all be consolidated into one Zone, consistent with the policies of the Residential-Medium Density designation. Since the built form standards are the same across the different zones, i.e. the triplex provisions are the same for the RM1, RM2 and RM3, it is a simple process to combine the Zones into one. This would permit all the medium density built forms in all locations where the any of the existing Medium Density Zones, which enhances the opportunity for infill and intensification. A caveat may be however, to restrict the detached dwellings and semi-detached dwellings in the Medium Density Zone, to encourage greater densities.

For the High Density Residential, there is also an opportunity to streamline the zones into one. The Residential - High Density designation does not restrict height, it defers to the Zoning By-law and only 4 of the 5 High Density Residential Zones restrict height; at 6, 18, 12 storeys and 24 metres respectively, with the RH5 Zones having no maximum height. Having a single high density zone permitting townhouses and apartment buildings could streamline the by-law if a maximum height could be addressed through a height overlay, to maintain a different height requirement in different areas zoned High Density.

There are no considerations for the one residential area outside of the Built Boundary since private applications are currently addressing this area. Any resulting zoning can be consolidated into the zoning by-law, at the appropriate time.

In terms of the layout of the zones, tables will be used, like in the existing Zoning By-law, to lay out permitted use and lot and built form requirements. Other techniques to streamline the information include:

- Remove duplication of sections. For example, there is no need to reference a General Provision section within the Residential Zone section. The General Provision will apply regardless, and it makes for a simpler to read document without un-needed cross-references.
- Move provisions that apply to multiple zones to the General Provisions section. Items like parking, landscape buffering, etc. can be addressed in the General Provisions section or the Parking and Loading Section.
- Use of consistent terminology. Consistent terminology will be used, i.e. townhouse dwelling vs. townhouse building.
- Define height by storey or metres consistently, not switching back and forth.

- Simplification of standards. As discussed in different sections of this report, simplification of the zone standards can be accomplished by:
 - 1 Not regulating yards or coverage by storey, presence of a garage or lot width,
 - 2 Not overregulating built form, such as relying on setbacks vs. coverage or floor area, and
 - 3 Striking a balance between what higher density built form provisions are addressed in the zoning by-law and Urban Design Guidelines.

- Simplification of categories of use. As discussed elsewhere in this report, certain uses may be able to be combined, such as the different types of group homes. Further consideration will be had on whether there is a need for duplex, triplex and fourplex provisions given the intent to increase the permission for Additional Dwelling Units to align with Provincial Policy.

14. Next Steps



Step 1 of the Residential Zones project concludes with the presentation of this discussion paper to Council. Work will then begin on the next steps in the project including providing engagement opportunities for external stakeholders, including the public and the development industry and preparation of the first draft of the by-law.

The options and approaches set out within this report will be considered and evaluated as part of Step 2 of the New Residential Zoning By-law Project, as draft sections of the by-law are prepared.



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