

## Staff Report

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**Report To:** Accessibility Advisory Committee  
**Report From:** Jacklyn Iezzi, Junior Planner  
**Meeting Date:** May 24, 2022  
**Report Code:** CS-22-073  
**Subject:** Housekeeping Amendment to Zoning By-law (2010-078, as amended) – Zoning By-law Amendment (ZBA) No. 30

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### Recommendations:

THAT in consideration of Staff Report CS-22-073 respecting a Housekeeping Amendment to the City's Zoning By-law (2010-078, as amended), the Accessibility Advisory Committee advises City Council that they support the changes proposed through Zoning By-law Amendment No. 30 relating to matters of accessibility, specifically, updating the barrier-free parking regulations of the Zoning By-law (Section 5.19) to align with the terminology and requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

### Highlights:

- At its meeting on April 20, 2022, the City's Community Services Committee considered [Staff Report CS-22-045](#) respecting Zoning By-law Amendment No. 30, being the fourth City-initiated housekeeping amendment to the Zoning By-law.
- On May 9, 2022, through the adoption of the meeting minutes, City Council directed Staff to continue processing the housekeeping amendment in accordance with the legislated review process outlined in the *Planning Act* (Resolution No. R-220509-009).
- The purpose of this report is to consult with the Accessibility Advisory Committee on the elements of the draft housekeeping amendment that have implications for matters of accessibility.

- Specifically, the barrier-free parking regulations of the Zoning By-law (Section 5.19) are proposed to be updated to align with the terminology and requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

## **Strategic Plan Alignment:**

This report supports the delivery of Core Service. Amendments to the City's Zoning By-law are also subject to the legislated review process provided under the *Planning Act*.

## **Previous Report/Authority:**

Staff Report [CS-22-045](#).

## **Background:**

The [Zoning By-law](#) is one of several tools provided to municipalities under the Planning Act for implementing the policies of the Official Plan. A Zoning By-law controls the use of land within a community. It states specifically how land may be used, where buildings and other structures can be located, the types of permitted buildings, and how they may be used, among other matters.

Housekeeping changes or amendments are intended to keep a zoning by-law relevant to other policies or legislation, user-friendly, accurate, and manageable. The last housekeeping amendment to the City's Zoning By-law (2010-078, as amended) was undertaken by Staff in 2012 through By-law 2012-041 (Housekeeping Amendment No. 3).

Given the time that has elapsed since the last housekeeping amendment and through day-to-day usage of the document, Staff have identified several necessary changes to edit, clarify, and update the by-law.

On April 20, 2022, the City's Community Services Committee considered [Staff Report CS-22-045](#) respecting Zoning By-law Amendment (ZBA) No. 30, being the fourth City-initiated housekeeping amendment to the Zoning By-law (2010-078, as amended). On May 9, 2022, through the adoption of the meeting minutes, City Council directed Planning Staff to continue processing the housekeeping amendment in accordance with the legislated review process outlined in the *Planning Act* (Resolution No. R-220509-009).

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Staff Report CS-22-073: Housekeeping Amendment to Zoning By-law (2010-078, as amended) – Zoning By-law Amendment (ZBA) No. 30

ZBA No. 30 considers several changes to eight (8) sections of the by-law to clarify interpretation, improve readability, and correct certain omissions as generally achieved through:

- Amending, adding, and removing definitions (Section 4).
- Amending, adding, and removing general provisions (Section 5).
- Amending and removing Residential, Commercial and Mixed-Use, Industrial and Institutional zone regulations (Section 6 to 9).
- Amending site-specific provisions for technical clarity (Section 14) and,
- Amending Zone Maps 6 and 12 for technical clarity.

The purpose of this report is to consult with the Accessibility Advisory Committee on elements of the draft housekeeping amendment that have implications for matters of accessibility.

### **Draft Amendments:**

A summary of the draft amendments proposed through ZBA No. 30 is attached as Schedule 'A'. The bulk of housekeeping amendments are proposed to the General Provisions (Section 5) of the by-law.

Regarding matters of accessibility, the barrier-free parking regulations of the Zoning By-law (Section 5.19) are proposed to be updated to align with the terminology and requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

Specifically, Section 5.19.1 is proposed to be updated to provide Accessible Parking Requirements, and the existing table providing the minimum number of required accessible parking stalls is amended as follows:

<b>Total Required Parking Stalls</b>	<b>Minimum Number of Accessible Parking Stalls</b>
1 to 12	1
13 to 100	4% of the total required
101 to 200	1, plus 3% of the total required
201 to 1,000	2, plus 2% of the total required

Greater than 1,000	11, plus 1% of the total required
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As noted in the table above, the recommended ratios are consistent with the requirements of the AODA. The minimum number of accessible parking stalls will continue to be counted towards the minimum number of required off-street parking stalls. A new section is proposed within Section 5.19 to clarify where a lot contains a single detached dwelling, semi-detached dwelling, duplex, accessory apartment, or street-fronting townhouse, where parking stalls are accessed directly from a driveway, no accessible stalls are required. This clarification is consistent with the intent of the AODA Integrated Accessibility Standards and is practical, considering private driveways are sized adequately to contain a van-accessible stall.

Two (2) new subsections are also proposed within Section 5.19 of the by-law to clarify the calculation of the required number of van accessible (Type 'A') and Type 'B' stalls and to clarify required design standards for accessible stalls in accordance with AODA.

The calculation of the required number of van accessible (Type 'A') and Type 'B' stalls are proposed to be prescribed as follows:

- a) Where an even number of accessible stalls is required, an equal number of Type 'A' and Type 'B' accessible stalls must be provided.
- b) Where an odd number of accessible stalls is required, an equal number of Type 'A' and Type 'B' accessible stalls must be provided, but the additional accessible stall, the odd-numbered stall, may be either a Type 'A' or Type 'B' accessible stall.
- c) Despite (b), where only once accessible stall is required, it shall be a Type 'A' accessible stall.

A new table is proposed to prescribe the minimum required width and length of Type 'A' and Type 'B' stalls as follows:

Type	Minimum Width	Minimum Length
Type 'A' accessible stall	3.4 m	6.0 m
Type 'B' accessible stall	2.4 m	6.0 m

It is also proposed that accessible stalls and aisles be required to comply with the following design standards:

- a) The minimum vertical clearance of an accessible stall located within a parking structure is 2.1 m and 2.9 m for all other accessible stalls.
- b) An accessible permit parking sign that satisfies the requirements of the Highway Traffic Act must be provided. Type 'A' accessible stalls must have signage that identifies the stall as "van accessible".
- c) All accessible stalls must have a maximum gradient of five (5) percent (5%).
- d) An accessible aisle must be provided for each accessible stall and may be shared by a maximum of two (2) accessible stalls. Accessible aisles must have a minimum width of 1.5 m, extend the full length of the accessible stall, and be marked with high tonal contrast diagonal lines where the surface is asphalt, concrete, or other hard surface.

An illustration of Type 'A' and Type 'B' accessible stalls that meet the proposed minimum size requirements and have a shared 1.5 m accessible aisle in accordance with part (d) above is attached as Schedule 'B'.

To support the proposed amendments to Section 5.19 of the Zoning By-law, two (2) new definitions of 'Accessible Aisle' and 'Accessible Stall' are proposed to be added to Section 4 of the by-law as follows:

**'Accessible Aisle'** means a designated area immediately adjacent to one or two accessible stalls, which provides access to and from the accessible stalls.

**'Accessible Stall'** means a designated parking stall identified by prescribed pavement marking and signage which is reserved for the exclusive use of persons with disabilities.

## **Conclusion:**

In conclusion, the proposed amendments to Section 5.19 of the Zoning By-law will further integrate the requirements of the Accessibility for Ontarians with Disabilities Act (AODA) into the City's existing land use policy. By adding the abovementioned accessible design standards to the City Zoning By-law, there is an extra layer of assurance that AODA-compliant standards will be integrated into site plans and adhered to in all cases.

## **Financial Implications:**

None to the City.

## **Communication Strategy:**

The proposed housekeeping amendment to the City's Zoning By-law has been circulated for review and comment to internal Staff and external commenting agencies in accordance with the requirements of the *Planning Act*.

## **Consultation:**

Planning Staff are continuing to consult on the proposed housekeeping amendment. A public meeting to consider the application is scheduled for the regular Council meeting on May 30, 2022.

## **Attachments:**

Schedule 'A': Summary of Draft Amendments

Schedule 'B': Accessible Stalls & Accessible Aisle

## **Recommended by:**

Jacklyn Iezzi, BES, Junior Planner

Amy Cann, M. PL. MCIP, RPP, Manager of Planning & Heritage

Pam Coulter, BA, RPP, Director of Community Services

## **Submission approved by:**

Tim Simmonds, City Manager

For more information on this report, please contact Jacklyn Iezzi, Junior Planner at [planning@owensound.ca](mailto:planning@owensound.ca) or 519-376-4440 ext. 1250.

## SCHEDULE A

### SUMMARY OF PROPOSED AMENDMENTS

Item #	Section or Schedule	Proposed Modification	Rationale
	<b>Part 1: Definitions</b>		
(a)	Section 4.2	Revise the definition of 'Indoor Storage' as follows:  <b>'Storage, Indoor'</b> means the storage of goods, materials, merchandise, and equipment <b>inside a wholly enclosed building.</b> <del>or the display and sale of goods and materials</del>	Clarify the definition to solely permit the storage of goods and materials; prohibit the display and/or sale.
(b)	Section 4.2	Revise the definition of 'Personal Service Use' as follows: <b>'Personal Service Use'</b> means a building or part of a building in which persons are employed in providing services and otherwise administering to the individual and personal needs of persons, and shall include but not be limited to a barber, hairdresser, beautician, aesthetician, tailor, <b>seamstress,</b>	Add a body piercing establishment and a tattoo parlour as a permitted personal service use. Remove uses otherwise defined in the by-law such as a Clinic and Repair Store.

		dressmaker, shoemaker, tanning salon, photography studio, dry cleaner, depots for collecting dry cleaning and laundry, <b>body piercing establishment, tattoo parlour.</b> clinics, and service or repair shops. The sale of merchandise shall be permitted only as a secondary use to the personal service provided.	
(c)	Section 4.2	Revise the definition of ' <b>Laundromat</b> ' as follows: <b>'Laundromat'</b> means a commercial establishment where the service of laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning <b>and shall include a dry cleaning establishment.</b>	Clarify that dry cleaning is a permitted use within the definition of 'Laundromat'. Warranted as a result of the changes proposed to 'Personal Service Use' (See Part 1 b).
(d)	Section 4.2	Remove the definition of ' <b>Automotive Service Station</b> ' and revise the definition of ' <b>Vehicle Body/Repair Shop</b> ' as follows: <del>'Vehicle</del> <b>Automotive</b> Body/Repair Shop' means a lot or building or part thereof where motorized vehicle(s), <b>including but not limited to, automobiles,</b> recreational vehicles, travel trailers, and/or boats, may be subject to <del>major repairs,</del> parts or systems replacement, body work or painting, <b>and/or</b> <del>in addition to maintenance or mechanical repair essential to the operation.</del> <b>An Automotive Body/Repair Shop may</b>	Remove duplication in the by-law by grouping the definitions and add clarity by changing "vehicle" uses to "automotive" to ensure consistency in terminology throughout the By-law.



		<b>include</b> the accessory sale of automotive products, a gas bar, an automotive washing establishment, and/or an automotive rental establishment but shall not include any other vehicle or automotive use otherwise defined in this By-law.	
(e)	Section 4.2	<p>Revise the definition of '<b>Vehicle Sales Establishment</b>' as follows:</p> <p><del>'Vehicle</del> <b>Automotive</b> Sales Establishment' means a lot or building or part thereof where the main use is the display and sale of new or used motorized vehicles, recreational vehicles, travel trailers or boats and may include <del>accessory to the sale,</del> renting or leasing of motorized vehicles and/or the sale of automotive accessories and related products and/or maintenance or mechanical repair. <del>essential to the operation of a motor vehicle.</del></p>	Clarify the definition by changing "vehicle" uses to "automotive" to ensure consistency in terminology throughout the By-law.
(f)	Section 4.2	Remove the definition of ' <b>Vehicle Service Bay</b> '.	A 'Vehicle Service Bay' is not a permitted use anywhere in the by-law. The definition is not warranted.
(g)	Section 4.2	<p>Revise the definition of 'Lot Frontage' as follows:</p> <p><b>'Lot Frontage'</b> means the horizontal distance between the side lot lines such distance being measured at the intersection</p>	Clarify the definition by adding exterior side lots lines as an option for calculating lot frontage.

		of the minimum front yard setback with the <del>interior</del> side lot line(s).	
(h)	Section 4.2	Revise the definition of 'Light Industrial Use' as follows:  <b>'Industrial Use, Light'</b>	Clarify the definition by grouping it with other industrial uses in the by-law.
(i)	Section 4.2	Remove the definitions of 'Body Piercing Establishment' and 'Tattoo Parlour' in their entirety.	Avoids duplication as these uses are already included within the definition of 'Personal Service Use'.
(j)	Section 4.2	Remove the definition of 'Gallery' and revise the definition of 'Museums/Galleries' as follows:  <b>'Museums/Galleries'</b> shall mean a building or part thereof <del>an institution that is</del> established for the purpose of acquiring, conserving, studying, interpreting, assembling and/or exhibiting to the public for its instruction, <b>display</b> , and enjoyment, a collection of <b>art and/or</b> artefacts <b>such as paintings, sculptures, pottery, glass, and weaving</b> , <del>of cultural, historic or scientific interest and may include retail sales</del> <b>as an accessory use.</b> <del>a secondary use.</del>	Remove duplication in the by-law by grouping the definitions.

		<p>Revise the definition of '<b>Repair Store</b>' as follows:</p> <p><b>'Repair Stores'</b> means a building or part thereof used for the provision of maintenance or repair services for goods or equipment, excluding an Automotive Body/Repair Shop or any other automotive service/repair uses otherwise defined in this by-law. <del>motor vehicles, major recreational vehicles, farm or other heavy machinery and equipment.</del></p>	
(k)	Section 4.2	<p>Revise the definition of 'Converted Dwelling' as follows:</p> <p><b>'Dwelling, Converted'</b> means:</p> <ul style="list-style-type: none"> <li>i) a detached or attached dwelling originally designed to contain one dwelling unit, the interior of which has been altered to provide one or more additional dwelling units; or</li> <li>ii) <del>a building originally designed to contain a non residential use, the interior of which has been altered to provide one or more dwelling units;</del></li> </ul> <p>provided however that no dwelling or building shall be converted unless the gross floor area within the said dwelling or building which is to be used to calculate density has been used for a minimum period of 10 years in the manner</p>	<p>Clarify that a building originally constructed to contain a non-residential use (e.g., commercial) that has been altered to provide one or more dwelling units does not constitute a Converted Dwelling. Where a non-residential building or portion thereof is proposed to be modified to contain a residential use, this would be encompassed under other existing residential dwelling types (e.g., apartment).</p>

		for which the said dwelling or building was originally constructed.	
(l)	Section 4.2	<p>Add a new definition of 'Model Home' as follows:</p> <p><b>'Model Home'</b> means a single detached house, semi-detached house or townhouse used temporarily for the purpose of an office and/or show room and/or sale centre to promote the sale of residential units within a draft approved plan of subdivision under the Planning Act or a description under the Condominium Act, 1998 proposed for registration.</p>	See Part 2 (u).
(m)	Section 4.2	<p>Add a new definition of 'Accessible Aisle' as follows:</p> <p><b>'Accessible Aisle'</b> means a designated area immediately adjacent to one or two accessible stalls, which provides access to and from the accessible stalls.</p>	See Part 2 (m).
(n)	Section 4.2	<p>Add a new definition of 'Accessible Stall' as follows:</p> <p><b>'Accessible Stall'</b> means a designated parking stall identified by prescribed pavement markings and signage which is reserved for the exclusive use of persons with disabilities.</p>	See Part 2 (k).

(o)	Section 4.2	<p>Revise the definition of 'Studio' as follows:</p> <p><b>'Studio'</b> means building or part thereof used for the study or creation of media, <del>or an art form</del> <b>including but not limited to</b> such as music, acting, modeling, painting, sculpting, pottery, stained glass, jewelry, photography, television or radio, dance, marital arts, yoga or pilates, <b>but shall not include the manufacturing or assembly of raw or semi-processed goods.</b></p>	Warranted as a result of the proposed changes to the general provisions for home occupations (see Part 2 (p)).
(p)	Section 4.2	<p>Revise the definition of 'Catering Service' as follows:</p> <p><b>'Catering Service'</b> means a use, building or part thereof used for the preparation of <b>food or drink</b> <del>meals</del> in full or in part for consumption at a location other than the premises in which the <b>food or drink</b> <del>meal</del> is prepared.</p>	Clarify that a catering service may include the preparation of food or drink.
(q)	Section 4.2	<p>Revise the definition of 'Bed &amp; Breakfast House' as follows:</p> <p><b>'Bed &amp; Breakfast House'</b> means <b>a home occupation</b> <del>an owner-occupied dwelling,</del> maintained for public overnight accommodation for the travelling public on a temporary basis for monetary gain, but does not include any other establishment otherwise defined or classified herein.</p>	See Part 2 (q).

(r)	Section 4.2	<p>Add a new definition of 'Indirect Sales' as follows:</p> <p><b>'Indirect Sales'</b> means the sale of goods via mail order, telephone, fax, internet, digital platform or website, but shall not include a Retail Store.</p>	Warranted as a result of the proposed changes to the general provisions for home occupations (see part 2 (p)).
(s)	Section 4.2	<p>Add a new definition of 'Vehicle-for-Hire Service' as follows:</p> <p><b>'Vehicle-for-Hire Service'</b> means the use of a vehicle to provide a service for profit, including goods pick-up/delivery, ridesharing, and ride-hailing but shall not include a Transportation Depot.</p>	Warranted as a result of the proposed changes to the general provisions for home occupations (see part 2 (p)).
	<b>Part 2: General Provisions</b>		
(a)	Section 5.11 – Dwelling Units Below Grade	Remove in its entirety.	This section states that a dwelling unit may be located in a basement, provided that 50% of the floor area is located above finished grade. The provision severely limits the ability to create a second dwelling unit within the lower level of an existing dwelling, despite the requirements of the Ontario Building Code for

			clearance height and egress being met.
(b)	Section 5.17.3 – Group Homes	Remove in its entirety.	<p>This section permits Group Homes within all Residential Zones, and the C1, MC, and I Zone. It also requires that Group Homes be subject to the R4 Zone provisions and be distanced at least 200 m apart.</p> <p>These provisions do not account for potential land use change and the City has no method of tracking and/or enforcement of the required distance between Group Homes.</p>
(c)	Section 5.17.5 – Public Parks	<p>Modify as follows:</p> <p>“Where permitted by this By-law, a public park shall be subject to the provisions of the Open Space (OS) Zone. <b>In addition to the provisions of the OS Zone provided under Section 10.2 of this by-law, Public Parks shall have a minimum lot frontage of 12.0 m. [...]</b>”</p>	In accordance with Official Plan policy 7.4.2.3.
(d)	Section 5.17.7 – Body Piercing Establishments and Tattoo Parlours	Remove in its entirety.	This section requires that Body Piercing Establishments and Tattoo Parlours be a minimum of 100 m from any drinking establishment or adult entertainment facility and at least 200 m from an institutional

			<p>use, residential zone, or another body piercing establishment or tattoo parlour.</p> <p>These provisions do not account for potential land use change and the City has no method of tracking and/or enforcement of the required distance between uses. The provisions required businesses looking to establish within the River District (Downtown) to vary the by-law.</p>
(e)	Section 5.17.10 – Boarding or Lodging Houses	Remove in its entirety.	<p>This section requires that Boarding or Lodging Houses be subject to the R1 Zone provisions and that such uses be distanced a minimum of 250 m apart.</p> <p>The provisions do not account for potential land use change and the City has no method of tracking and/or enforcement of the required distance between uses.</p>
(f)	Section 5.17.4 – Places of Worship	<p>Modify as follows:</p> <p>Where permitted by this By-law, a place of worship shall be subject to the provisions of the Institutional (I) Zone, <b>unless located in the Core Commercial (C1) Zone.</b></p>	<p>Clarify that Places of Worship located in the Core Commercial (C1) Zone are subject to the C1 Zone provisions.</p>



(g)	Section 5.9 – Accessory Buildings and Structures	Modify to a table format.	Improves readability of the by-law.
(h)	Section 5.8 – Permitted Yard Encroachments	Modify to a table format.	Improves readability of the by-law.
(i)	Section 5.18.15 – Underground Parking Structures	Modify to encompass underground parking provisions.	Provisions were previously included under Section 5.9 (Accessory Buildings and Structures).
(j)	Section 5.20 – Bicycle Parking	Remove automotive dependent uses (i.e., automotive rental establishments, automotive washing establishments, transportation depots), from the requirement to provide bicycle parking.	The uses are automobile dependent and do not necessitate bicycle parking.
(k)	Section 5.19 – Barrier-free Parking Regulations	<p>Modify as follows:</p> <p><b>Accessible Parking Regulations</b></p> <p>Accessible stalls shall be provided in accordance with the requirements set out in Table 5.18.1. Accessible stalls shall be counted towards the minimum number of off-street parking spaces required by Section 5.17 of this By-law.</p> <p>Table 5.18.1 – Number of Required Accessible Stalls</p>	Regulations for accessible parking have been updated to align with the terminology and requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

		<table><tr><th>Total Required Parking Stalls</th><th>Minimum Number of Accessible Parking Stalls</th></tr><tr><td>1 to 12</td><td>1</td></tr><tr><td>13 to 100</td><td>4% of the total required</td></tr><tr><td>101 to 200</td><td>1, plus 3% of the total required</td></tr><tr><td>201 to 1,000</td><td>2, plus 2% of the total required</td></tr><tr><td>Greater than 1,000</td><td>11, plus 1% of the total required</td></tr></table> <p>Notwithstanding Table 5.18.1, where a lot contains a single detached dwelling, semi-detached dwelling, duplex, accessory apartment, or street-fronting townhouse where parking stalls are accessed directly from a driveway, no accessible stalls are required.</p>	Total Required Parking Stalls	Minimum Number of Accessible Parking Stalls	1 to 12	1	13 to 100	4% of the total required	101 to 200	1, plus 3% of the total required	201 to 1,000	2, plus 2% of the total required	Greater than 1,000	11, plus 1% of the total required	
Total Required Parking Stalls	Minimum Number of Accessible Parking Stalls														
1 to 12	1														
13 to 100	4% of the total required														
101 to 200	1, plus 3% of the total required														
201 to 1,000	2, plus 2% of the total required														
Greater than 1,000	11, plus 1% of the total required														
(I)	Section 5.19.X – Type A and Type B Accessible Space Calculations	<p>Add new section as follows:</p> <p>The calculation of the required number of Type A and Type B accessible stalls shall comply with the following provisions:</p> <p>a) Where an even number of accessible stalls is required by Section 5.18.1, an</p>	Added to align with AODA requirements.												

		<p>equal number of Type A and Type B accessible stalls must be provided;</p> <p>b) Where an odd number of accessible stalls is required by Section 5.18.1, an equal number of Type A and Type B accessible stalls must be provided, but the additional accessible stall, the odd-numbered stall, may be either a Type A or Type B accessible stall;</p> <p>c) Despite Section 5.18.2 (b), where only one accessible stall is required, it shall be a Type A accessible stall.</p>										
(m)	Section 5.19.X – Accessible Parking Design Standards	<p>Add new section as follows:</p> <p>5.18.3.1 Accessible parking stall dimensions shall comply with Table 5.18.3.1.</p> <p>Table 5.18.3.1 – Accessible parking stall dimensions</p> <table><tr><td>Type</td><td>Minimum width</td><td>Minimum length</td></tr><tr><td>Type A accessible stall</td><td>3.4 m</td><td>6.0 m</td></tr><tr><td>Type B accessible stall</td><td>2.4 m</td><td>6.0 m</td></tr></table> <p>5.18.3.2 Accessible stalls must comply with the following minimum vertical clearances:</p>	Type	Minimum width	Minimum length	Type A accessible stall	3.4 m	6.0 m	Type B accessible stall	2.4 m	6.0 m	Added to align with AODA requirements.
Type	Minimum width	Minimum length										
Type A accessible stall	3.4 m	6.0 m										
Type B accessible stall	2.4 m	6.0 m										

		<p>a) the minimum vertical clearance of an accessible stall located in a parking structure is 2.1 m; and,</p> <p>b) the minimum vertical clearance of all other accessible stalls is 2.9 m.</p> <p>5.18.3.3 An accessible aisle must be provided for each accessible stall and may be shared by a maximum of two accessible stalls. Accessible aisles must:</p> <p>a) have a minimum width of 1.5 m;</p> <p>b) extend the full length of the accessible stall; and,</p> <p>c) Be marked with high tonal contrast diagonal lines where the surface is asphalt, concrete, or other hard surface.</p> <p>5.18.3.4 All accessible stalls shall:</p> <p>a) Have an accessible permit parking sign that satisfies the requirements of the Highway Traffic Act</p> <p>b) Have a maximum gradient of 5%; and,</p> <p>c) Type A accessible stalls must have signage that identifies the stall as "van accessible".</p>	
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(n)	Section 5.18.10 – Size and Accessibility of Parking Stalls	Update the required parking stall dimensions to apply only to standard parking stalls. Remove reference to “barrier-free stalls”.	Design standards for accessible parking stalls, including minimum dimensions, are now proposed under a new section of the by-law.
(o)	Section 5.17.9 – Home Occupations	<p><b>One or more home occupations are permitted within a dwelling unit, subject to the following provisions:</b> <del>A home occupation shall be permitted as an accessory use to any residential use, in accordance with the following:</del></p> <ul style="list-style-type: none"> <li>a) <b>No home occupation shall result in a change to the residential character of the building in which it is located.</b> <del>The home occupation shall be conducted secondarily to the main use of the lot or building, or part thereof, which is residential, and shall not change the residential character of the dwelling unit;</del></li> <li>b) <b>Only 1 non-resident employee, partner, or associate of a home occupation is permitted per dwelling unit, regardless of the number of home occupations in the dwelling unit.</b> <del>The home occupation shall be operated solely by the occupants of the dwelling unit. A single employee who does not permanently reside within the same dwelling unit containing the home occupation shall only be permitted for uses identified in subsection (1.1) below;</del></li> <li>c) The home occupation shall not create or become a nuisance in regard to noise, odours, vibrations, traffic generated or parking;</li> <li>d) The home occupation shall not create or become a fire, health or building hazard;</li> </ul>	Clarify and add additional criteria that apply to home occupations.

		<p>e) <b>There shall be no outdoor display and sale area or outdoor storage area in conjunction with a home occupation.</b>  <del>open storage or materials or goods in support of the home occupation;</del></p> <p>f) There shall be no external display or advertising or the home occupation except in accordance with the City of Owen Sound Sign Bylaw;</p> <p>g) There shall be no more than one vehicle, which is either commercially licensed or otherwise used in conjunction with the home occupation, permitted on the premises;  <b>subject to the provision of Section 5.17.8 Commercial Motor Vehicles.</b></p> <p>h) <b>The home occupation shall not involve the shipping or receiving of goods or materials by commercial vehicles other than automobiles or delivery vans used by courier services.</b></p> <p>i) <del>In Residential Zones, the</del> The gross floor area (GFA) occupied by one or more home occupations including any <del>its</del> accessory buildings and structures, shall not occupy exclusively more than <del>25.0m<sup>2</sup> of the gross floor area of the dwelling unit or, 25% of the gross floor area of the dwelling unit to a</del> maximum of 40.0 m<sup>2</sup>, whichever is the greater.</p> <p>j) <del>A home occupation shall not occupy exclusively more than 50% of the gross floor area of any dwelling unit located in a commercial zone.</del></p>	
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		<p>k) There shall be no more than 4 cubic metres of storage of materials of a non toxic or non hazardous nature and such storage shall be wholly within the portion of the building containing the home occupation.</p> <p><del>l) Notwithstanding any statement in this By-law to the contrary, two home occupations otherwise permitted by this definition may be permitted within one dwelling unit provided the two home occupations cumulatively do not exceed the gross floor area requirements for home occupations as set out in this definition;</del></p> <p>m) An additional parking stall is provided for the home occupation in addition to those required by the By-law for other permitted uses on the property. Notwithstanding, if there is no parking requirement for the main use as determined Section 5.18 of this By-law then no additional parking is required.</p> <p><del>n) Uses that may be considered as a home occupation include:</del></p> <p style="padding-left: 40px;"><del>1. an office for an architect, stenographer, lawyer, medical practitioner, engineer, businessperson or other professional person or agent, service use, hawker, pedlar, door to door or other sales representative, skilled tradesworker such as a house builder, painter, electrician or plumber;</del></p>	
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		<p><del>2. the instruction of music, art or academic subjects provided facilities are limited to serve a maximum of three students at one time;</del></p> <p><del>3. a studio;</del></p> <p><del>4. a private home day care;</del></p> <p><del>5. a hair, barber, beauty, aesthetics, tailor, dressmaker, or shoemaker establishment containing no more than one chair and one operator;</del></p> <p><del>6. a home catering service which is limited to the preparation of meals in full or in part for consumption at a location other than the premises in which said food is prepared;</del></p> <p><del>7. grooming of dogs, cats or other household pets provided all pens and holding areas for pets are within completely enclosed buildings and there is no overnight accommodation of such pets; and</del></p> <p><del>8. any other use which conforms to the above criteria and which is approved by the Owen Sound Committee of Adjustment.</del></p> <p><del>Notwithstanding any of the home occupation uses listed above, retail sales and taxi dispatch office shall be prohibited.</del></p>	
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(p)	Section 5.17.9.X – Restricted Home Occupation Uses	<p>Add a new section as follows:</p> <p><b>5.17.9.X Restricted Home Occupation Uses</b></p> <ul style="list-style-type: none"> <li>a) No manufacturing activity involving the processing of raw or semi-processed materials shall be carried out in conjunction with a home occupation except for the fabrication of handmade goods or crafts associated with a studio, home catering service, or home sewing establishment. The assembly of fully processed goods is permitted.</li> <li>b) Retail sales are not permitted as a home occupation. Indirect sales shall be limited to items that are prepared within the area associated with the home occupation or which are accessory to the home occupation.</li> <li>c) A repair service shall be limited to the repair of personal effects and small household appliances such as electronic equipment. The repair of household appliances and equipment that have oil and grease-filled transmissions such as lawn care equipment, other power equipment, major appliances and vehicles is not permitted.</li> <li>d) A Vehicle-for-Hire Service is permitted as a home occupation subject to the provisions of Section 5.17.9 but shall</li> </ul>	<p>Instead of listing uses that may be permitted as a home occupation, a new section is proposed under the General Provisions of the by-law to regulate certain uses that are restricted or prohibited as a home occupation.</p>
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		<p>not include a transportation depot or taxi dispatch office.</p> <p>e) The grooming of dogs, cats, or other household pets is permitted as a home occupation provided all pens and holding areas for pets are within completely enclosed buildings and there is no overnight accommodation of such pets.</p>	
(q)	5.17.9.X – Regulations for Bed & Breakfast Establishments	<p>Add a new section as follows:</p> <p><b>5.17.9.X Regulations for Bed and Breakfast Establishments</b></p> <p>a) In addition to the home occupation regulations in Section 5.16.7, every bed and breakfast establishment shall be developed in accordance with the regulations for the zone in which the bed and breakfast establishment is located.</p> <p>b) Despite Section 5.17.9 (X), a bed and breakfast is not limited to a gross floor area of 25% of the dwelling unit, to a maximum of 40 m<sup>2</sup>.</p> <p>c) Despite Section 5.17.9 (X), a bed and breakfast is not limited to 3 clients at one time.</p> <p>d) Despite Section 5.17.9 (X), parking for the bed and breakfast shall be provided in accordance with Section 5.18 of this By-law.</p>	<p>A Bed &amp; Breakfast Establishment was previously listed as a standalone use within the Residential and Commercial Zones. The definition of Bed &amp; Breakfast is proposed to be updated to clarify that it is considered a home occupation and subject to the general provisions of the by-law and the regulations for the zone in which it is proposed to be located.</p>

(r)	5.17.9.X – Regulations for Private Home Daycares	<p>Add a new section as follows:</p> <p><b>5.17.9.X Regulations for Private Home Daycares</b></p> <p>a) Despite Section 5.17.9 (X), a private home day care is not limited to a gross floor area of 25% of the dwelling unit, to a maximum of 40 m<sup>2</sup>.</p> <p>b) Despite Section 5.17.9 (X), a private home day care may serve a maximum of 5 children on the property at any one time.</p>	Clarify that private home daycares are permitted as a home occupation and are not subject to maximum gross floor area requirements and may service 5 children on the property at any one time, as opposed to 3.
(s)	Section 5.23 – Lighting & Landscaping of Parking and Loading Areas	<p>Revise subsection (b) and (d) as follows:</p> <p>(b) Where a parking area containing 4 or more parking stalls or a loading space(s) abuts <b>any a residential use</b> or undeveloped land in <b>any a Residential Zone</b>, a minimum of 1.5 metres of land abutting the lot line, shall be used for no other purpose than a planting strip in accordance with the provisions of this subsection.</p> <p>(d) In a C1 Zone, where a parking area consisting of 4 or more parking stalls <b>is located</b> in any yard which abuts a lot in <b>any Zone a Residential Zone</b>, no parking shall be permitted within 7.5 metres of the Residential Zone unless a continuous privacy fence or solid vegetative screen having a</p>	Strengthen zoning provisions to require that parking areas containing more than four (4) stalls or loading areas abutting any use (i.e., commercial, industrial, residential) or undeveloped land in any zone require adequate buffering. The proposed revisions are in support of the Urban Design policies of the OP which generally encourage a high standard of building and landscape design, an attractive street edge, and adequate buffering between properties/land uses.

		minimum height of 1.5 metres is provided and maintained along the common lot line.	
(t)	Section 5.XX – Garbage, Refuse and Storage	<p>Add new section as follows:</p> <ul style="list-style-type: none"> <li>a) No garbage or refuse shall be stored on any lot in any zone except within the building or structure on such lot or in a container in an interior side yard or rear yard of such lot.</li> <li>b) Every garbage or refuse storage area required by this by-law, which is visible from an adjoining site, shall have a visual screening consisting of solid fencing. <ul style="list-style-type: none"> <li>i. Despite Sec 5.XX (b) an enclosed in-ground waste container is not required to have visual screening.</li> </ul> </li> <li>c) A dumpster or garbage container shall be regulated in the same manner as accessory buildings or structures except such structure shall not be subject to lot coverage regulations.</li> <li>d) Standard residential garbage containers that are less than 1 cubic metre in size are exempt from the provisions of Section 5.XX.</li> </ul>	The proposed additions encompass previous provisions for garbage enclosures that existed under Section 5.9 and support the Urban Design policies of the City’s OP.

(u)	Section 5.XX – Model Homes	<p>Add new section as follows:</p> <p>Where a model home agreement or a subdivision agreement permitting the construction of model homes has been executed by the owner and the city, more than one single detached house, semi-detached house or townhouse may be constructed on a lot prior to registration of the plan of subdivision under the Planning Act or a description under the Condominium Act, 1998, subject to the following provisions:</p> <ol style="list-style-type: none"> <li>1. The use must be permitted in the underlying zone in which the single detached house, semi-detached house or townhouse is to be located;</li> <li>2. The model home must not be occupied as a dwelling unit prior to the date of registration of the subdivision plan or condominium plan;</li> <li>3. The maximum number of model homes within one plan of subdivision under the Planning Act or a description under the Condominium Act, 1998 proposed for registration is equal to 10% of the total number of lots intended for single detached house, semi-detached house, or townhouse purposes within the plan or description for registration, to a maximum of 10 model homes;</li> </ol>	<p>The Zoning By-law does not currently include provisions for Model Homes. Minor variances have been required to permit the use.</p>
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		<p>4. The model home must comply with all other provisions of this by-law, as though constructed on the lot within the registered plan of subdivision under the Planning Act or the description under the Condominium Act, 1998; and,</p> <p>5. The model home must comply with all applicable terms and conditions of the model home agreement or subdivision agreement, as applicable.</p>	
	<b>Part 3: Residential Zones</b>		
(a)	Section 6.1	Modify permitted uses in Residential Zones to permit Group Homes.	Required to ensure consistency with the removal of Section 5.17.3.
(b)	Section 6.1	Remove reference to Section 5.17.10 (Boarding & Lodging)	Required to ensure consistency with the removal of Section 5.17.10.
(c)	Section 6.1 (i)	Modify to permit Accessory Apartments within an existing Single Detached Dwelling in the Low Density Residential (R1) Zone and remove the requirement for the dwelling to be owner occupied.	<p>The proposed modifications will allow as-of-right permissions for Accessory Apartments within an existing single detached dwelling in all Residential Zones. The R1 Zone was previously excluded.</p> <p>The requirement for the dwelling unit to be owner occupied is not consistent with Ontario Regulation</p>

			<p>299/19 provided under the <i>Planning Act</i>.</p> <p>Provisions for Accessory Apartments within a detached accessory structure, consistent with the City's 2021 OP, will be developed as part of the comprehensive zoning by-law update.</p>
(d)	Section 6.1, Section 6.6, Section 6.7	Remove a 'Bed & Breakfast House' as a permitted use within the R5 and MR Zone and remove the associated zoning provisions.	Changes proposed to the general provisions section of the by-law will permit a Bed & Breakfast as a home occupation with any dwelling unit, subject to the zone regulations in which the bed & breakfast establishment is proposed to be located.
(e)	Section 6.5 (f), Section 6.6 (f), Section 6.7 (f)	Revise the Minimum Interior Side Yard Setback for Townhouses in the R4, R5, and MR Zones as follows: "1.2 m on one side and 3.0 m on the other side <b>(0.0 m where there is a common party wall)</b> ".	Clarify that there is no required interior side yard setback for townhouse dwellings which share a common wall.
(f)	Section 6.3 (f), Section 6.4 (f), Section 6.5 (f), Section 6.6 (f)	Revise the Minimum Interior Side Yard Setback for Semi-Detached Dwellings in the R2, R3, R4, and R5 Zones as follows:	Clarify that there is no required interior side yard setback for semi-detached dwellings which share a common wall.

		1.2 m on one side and 0.9 m on the other side <b>(0.0 m where there is a common party wall)</b> <u>or</u> 0.9m on both sides where there is an attached garage or carport <b>(0.0 m where there is a common party wall)</b>	
(g)	Section 6.2 (i), Section 6.3 (i), Section 6.4 (i), Section 6.5 (i), Section 6.6 (i), Section 6.7 (i)	Remove minimum gross floor area (GFA) provisions for all residential uses.	Residential uses must satisfy the minimum required room sizes provided by the Ontario Building Code.
	<b>Part 4: Commercial and Mixed Use Zones</b>		
(a)	Section 7.1	Modify permitted uses in Commercial & Mixed Use Zones to remove Body Piercing Establishments and Tattoo Parlours.	Removes duplication in the by-law as Body Piercing Establishments and Tattoo Parlours are permitted as a 'Personal Service Use'.
(b)	Section 7.1	Add a Group Home as a permitted use in the Core Commercial (C1) and Mixed Use Commercial (MC) Zones, consistent with the removal of Section 5.17.3.	Required to ensure consistency with the removal of Section 5.17.3.
(c)	Section 7.1	Remove a 'Bed & Breakfast House' as a permitted use.	Changes proposed to the general provisions section of the by-law will



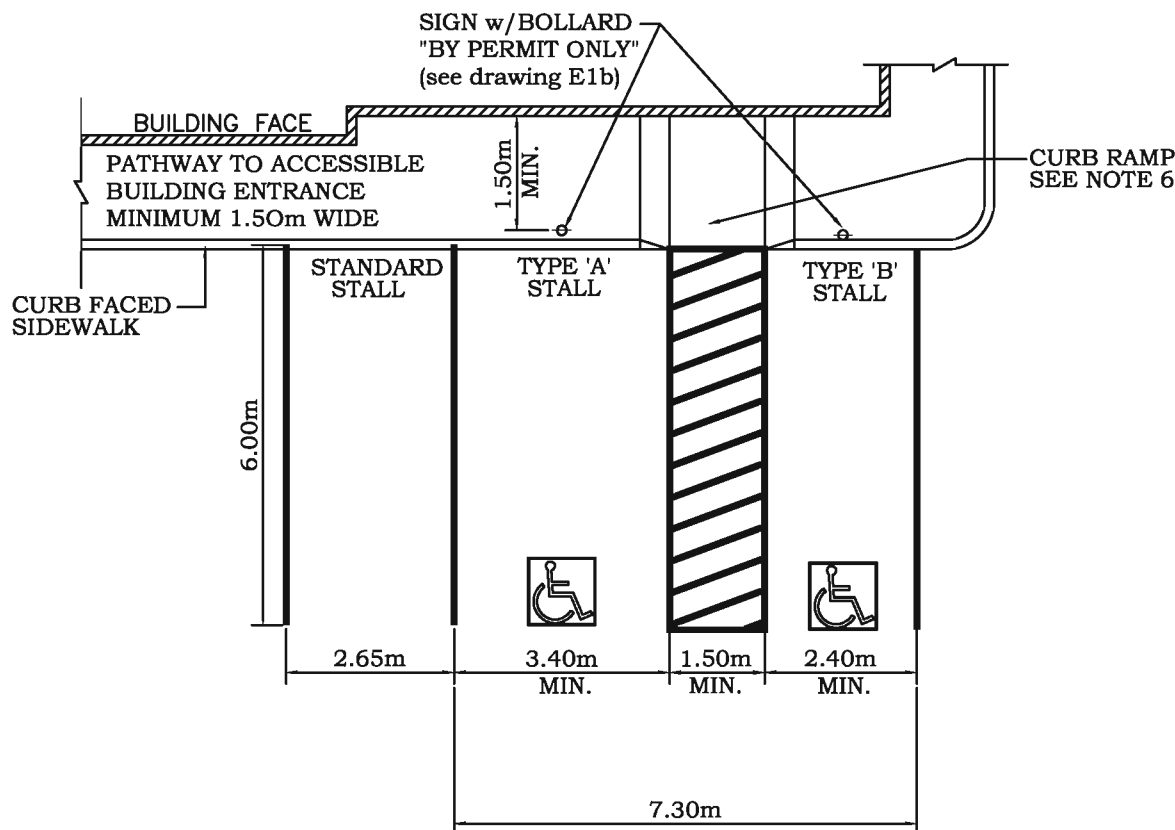
			permit a Bed & Breakfast as a home occupation with any dwelling unit, subject to the zone regulations in which the bed & breakfast establishment is proposed to be located.
(d)	Section 7.7 (e)	Revise the Rear Yard Setback for Commercial Uses in the MC Zone as follows: 1.5m (except in a case where a <b>rear</b> lot <b>line</b> abuts a Residential Zone the setback shall be 3.0m)	Clarify the zone provision by specifying the rear lot line.
(e)	Section 7.7 (f)	Revise the Interior Side Yard Setback for Commercial Uses in the MC Zone as follows: 1.5m (except in a case where <b>an interior</b> lot <b>line</b> abuts a Residential Zone the setback shall be 3.0m)	Clarify the zone provision by specifying the interior lot line.
(f)	Section 7.1	Add single-detached, semi-detached, and duplex dwellings as a permitted use in the MC Zone as existing on the date of the by-law coming into effect, consistent with the zoning provisions listed in Section 7.7.	The zone provisions listed in Section 7.7 and the permitted uses in Section 7.1 were conflicting.
(g)	Section 7.7	Clarify that a Converted Dwelling located in the MC Zone is subject to the zoning provisions of the MR Zone.	Zone provisions for Converted Dwellings were previously lumped in with provisions for single

			detached, semi-detached, and duplex dwellings as existing on the date of the by-law however, Converted Dwellings are a permitted use in the MC Zone as of right.
(h)	Section 7.2	Modify the Core Commercial (C1) Zone provisions to require a minimum building height of 6.0 m for Commercial Uses fronting onto 2 <sup>nd</sup> Avenue East, between 7 <sup>th</sup> Street East and 11 <sup>th</sup> Street East and those lots fronting onto 8 <sup>th</sup> , 9 <sup>th</sup> , and 10 <sup>th</sup> Streets East between 1 <sup>st</sup> Avenue East and 3 <sup>rd</sup> Avenue East	The proposed minimum required height of 6.0 m (2 storeys) in consistent with the existing built form and distinct heritage streetscape of the River District (Downtown).
(i)	Section 7.2 (i), Section 7.3 (i), Section 7.4 (i), Section 7.5 (i), Section 7.7 (i)	Remove minimum gross floor area (GFA) provisions for all residential uses.	Residential uses must satisfy the minimum required room sizes provided by the Ontario Building Code.
	<b>Part 5: Industrial Zones</b>		
(a)	Section 8.1	Modify the Permitted Uses in Industrial Zones to remove Body Piercing Establishments and Tattoo Parlours.	Removes duplication in the by-law as Body Piercing Establishments and Tattoo Parlours are permitted as a 'Personal Service Use'.

(b)	Section 8.1	Remove Financial Institutions and Places of Worship as permitted uses in Industrial Zones.	The uses are suited to Residential/Commercial/Institutional Zones and are not compatible with light and heavy industrial land uses.
(c)	Section 8.1 (i)	Added new section pertaining to Accessory Uses within an Industrial Mall.	These provisions previously existed under Section 5.9.
	<b>Part 6: Institutional Zones</b>		
(a)	Section 9.2	Modify Institutional Zone Regulations to remove "Places of Worship" as an exclusion.	This conflicted with Section 5.17.4.
	<b>Part 7: Special Provisions</b>		
(a)	Special Provision 14.43	Revise Special Provision 14.43 as follows: Notwithstanding the provisions of the <b>Medium Density Residential (R4)</b> General Residential (R5) Zone and for lands shown on Schedule A, Zoning Map 3,	Clarify the correct underlying zone provision.
(b)	Special Provision 14.67	Revise Special Provision 14.67, Section (iv), as follows:  (iv) Building setback (min): 7.0 m from a street line.	Clarify by specifying the applicable yards (interior and rear)

		1.0 m from <b>an interior</b> side <b>yard</b> and rear <b>yard</b> lot lines.	
(c)	Special Provision 14.54	Revise Special Provision 14.54 as follows:  Notwithstanding the provisions of the <b>General Industrial (M1) Zone</b> <del>Retail Commercial (C2) Zone</del> and for lands shown on Schedule A, Zoning Map 8,	Clarify the correct underlying zone provision.
(d)	Special Provision 14.56	Revise Special Provision 14.56, Section B (ii) as follows:  No person shall use any lot or erect, alter or use any building or structure for any permitted use identified above in 14.56 <b>subsection</b> (B) as <del>(1 a)</del> , <del>(2 b)</del> , <del>(3 c)</del> and <del>(4 d)</del> , except in accordance with the following:	
(e)	Special Provision 14.24, 14.32, 14.59, 14.66, 14.79	Revise 'Dwellings, Single Detached' to 'Dwelling, Single Detached'.	Clarify to permit only one Single Detached Dwelling, not multiple.
	14.102	Renumber Special Provision 14.102 to 14.122.	Clarify numbering of Special Provisions. Previously, two (2) Special Provision 14.102 existed.
	<b>Part 8: General Housekeeping (Maps, etc.)</b>		

(a)	Map 12	Reduce the area covered by Special Provision 14.69 to apply only to the Curling Club lands (651 19 <sup>th</sup> St E).	
(b)	Map 6	Revise Special Provision 14.102 to 14.122.	See Part 7 (f).



# 1 TYPICAL ACCESSIBLE PARKING STALLS

## NOTES:

- ACCESSIBLE PARKING SPACES MUST INCLUDE AN ACCESS AISLE THAT CAN BE SHARED BY TWO ACCESSIBLE PARKING SPACES. WHERE THERE IS ONLY ONE ACCESSIBLE PARKING SPACE, ONE ACCESS AISLE IS REQUIRED.
- ACCESS AISLES ARE REQUIRED TO INCLUDE HIGH TONAL CONTRAST DIAGONAL MARKINGS TO DISCOURAGE PARKING ON AISLES.
- THE TOTAL WIDTH OF A TYPE 'A' ACCESSIBLE PARKING STALL AND ACCESS AISLE IS INTENDED TO ACCOMMODATE THE COMBINED WIDTH OF A VAN, THE LENGTH OF A WHEELCHAIR RAMP AND THE WHEELCHAIR ITSELF.
- ACCESSIBLE PARKING STALLS ARE TO HAVE A MAXIMUM GRADIENT OF 1.5% AND A MAXIMUM CROSS SLOPE OF 1.0%
- LOCATION, NUMBER AND TYPE OF ACCESSIBLE PARKING STALLS TO BE AS REQUIRED BY THE ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT (AODA).
- THE CURB RAMP MUST:
  - HAVE A MINIMUM CLEAR WIDTH OF 1500mm, EXCLUSIVE OF ANY FLARED SIDES.
  - THE RUNNING SLOPE OF THE RAMP MUST BE A MAXIMUM OF 1:8 WHERE THE ELEVATION IS LESS THAN 75mm, OR BE A MAXIMUM OF 1:10 WHERE THE ELEVATION IS GREATER THAN 75mm BUT LESS THAN 200mm ELEVATION.
  - THE MAXIMUM CROSS SLOPE OF THE RAMP MUST BE NO MORE THAN 1:5.
  - THE MAXIMUM SLOPE ON THE FLARED SIDE OF THE RAMP MUST BE NO MORE THAN 1:10.