

Section 301 – Home-Based Businesses and Home-Based Day Cares

Provisions	Notes
(1) A home-based business is permitted where a residential use is permitted, subject to: (a) it must not become a nuisance because of noise, odour, dust, fumes, vibration, radiation, glare, traffic, or parking generated; (b) it must not become a fire or building hazard or health risk; and (c) it must not interfere with utilities, radio, television or other telecommunications transmissions. (2) A home-based business is permitted in the following locations, subject to the provisions of this section: (a) residential unit; (b) rooming unit; (c) mobile home; (d) structure accessory to a residential unit in a zone that permits a residential use; and (e) a home-based business is not permitted outdoors in any provided yard, except for an outdoor play area serving a home-based day care. (3) Outdoor storage associated with a home-based business is not permitted. (4) Operators of home-based businesses must reside in the residential unit that the home-based business is associated with. (5) On-site non-resident employees of a home-based business are prohibited in rooming units or mobile homes. (6) In the case of a home-based business located within a residential unit or rooming unit that is accessed via a common entrance or hallway, no client or customer may be attended or served on-site. (7) A maximum of five clients may be served at one time in a home-based instructional facility. (8) Any number of home-based businesses are permitted. (9) The provisions in Section 612 – Parking for Heavy Vehicles Associated with a Residential Use apply.	Section 301 consolidates Sections 127, 128 and 129 from the current Zoning By-law 2008-250 into one section. Subsections (1)(a) to (c) – Carried forward from Section 127(1) in the current Zoning By-law, except that (1) has been modified to remove references to specific types of residential uses. Subsection (2) – Revised from Section 127(1) in the current Zoning By-law to reflect shift to form-based regulation of residential uses. Subsection (2)(e) – New provision stating explicitly that a home-based business is not permitted outdoors, as is implicitly the case in the current Zoning By-law. Subsections (3) to (9) – reordered for ease of use. Subsection (4) – Carried forward from Section 127(1)(e) in the current Zoning By-law except that references to types of residential units have been removed. Subsection (6) – Revised from Section 127(4) in the current Zoning By-law to only prohibit employees in rooming units. Subsection (7) – Carried forward from Section 127(2) in the current Zoning By-law with minor wording changes. Subsection (8) – Carried forward from Section 127(15) in the current Zoning By-law with an updated reference. Subsection (9) – Outdoor storage prohibitions previously covered by Section 127(10) in the current Zoning By-law is now covered by subsection 301(3), and parking of heavy vehicles in relation to a residential use is addressed in the new Section 612. Subsection (10)(a) – New provision to clarify that maximum floor areas do not apply, as Section 129 in the current Zoning By-law permitted these uses within residential units with no size limit. Subsection (10)(b) – Revised from Section 129(d) to limit the location of uses. Subsection (10)(c) – New provision that restricts day cares in zones that permit uses that could be harmful to sensitive uses. Subsection (10)(d) – Carried forward from Section 129(e) and (f). Subsection (10)(e) – New provision that requires outdoor play areas along busy streets to be located at the rear
Home-Based Day Cares (10) Home-based businesses consisting of a day care are subject to the following additional provisions: (a) a home-based business consisting of a day care is not subject to the maximum floor areas set out in subsections (14) and (15); (b) a home-based day care is not permitted in a garage or accessory building; (c) a home-based day care is not permitted in: (i) any urban industrial zone: IH – Heavy Industrial Zone, IL – Industrial and Logistics Zone, IM – Mixed Industrial Zone; (ii) any rural industrial zone: RG – Rural General Industrial Zone, RH – Rural Heavy Industrial Zone, RIL – Rural Industrial and Logistics Zone; (iii) the RC – Rural Commercial Zone; or (iv) the ME – Mineral Aggregate Extraction Zone. (d) A maximum of five clients may be served in a home-based day care: (i) despite clause (8)(d), a home-based day care may have up to six clients where such day care is permitted to have six persons under the <i>Childcare and Early Years Act</i>.	

(e) An outdoor play area associated with a home-based day care may not be located: (i) in a yard abutting a street shown on Schedule A10 – Outdoor Play Areas and Day Cares; (ii) on a lot abutting a street shown on Schedule A10 – Outdoor Play Areas and Day Cares in an interior side yard or exterior side yard; and (iii) despite sub clauses (10)(e)(i) and (ii), an outdoor play area may be located in a yard, excluding the front yard, abutting a street shown on Schedule A10 – Outdoor Play Areas and Day Cares, or on a lot abutting a street shown on Schedule A10 – Outdoor Play Areas and Day Cares in an interior side yard or exterior side yard if a 2 metre high solid screen is located between the play area and a street shown on Schedule A10 – Outdoor Play Areas and Day Cares.	of the building, to reduce exposure to traffic-related air pollution.
Home-Based Food Business	Subsection (11) – New provision that permits home-based businesses that produce “low risk” foods. Subsection (9)(c) would not permit on-site dining or on-site employees in association with the home-based food business. In alignment with the provincial government’s direction in supporting home-based food businesses, Ottawa Public Health is in support of new provisions in the draft Zoning By-law to allow more flexibility for entrepreneurs to make and sell low-risk food items prepared in their homes. Subsection (12)(c) was modified to delete reference to home-based food businesses. Ontario Food Premises Regulation, under the <i>Health Protection and Promotion Act</i>, requires that a person give notice to the medical officer of health of an intention to operate a food premises. A business license is not required. Subsections (14) and (15) – Revised from Section 127 in the current Zoning By-law with revisions to modestly increase the number of on-site non-resident employees and increase the maximum area of a home-based business. Provisions relating to the Village Enterprise Overlay have been incorporated into subsection (15).
(11) A home-based food business is subject to the following additional provisions: (a) a home-based food business is not permitted in a rooming house, an accessory building or structure, or in any yard; (b) a home-based food business is limited to the preparation of low-risk foods in accordance with the standards in the Food Premises Regulation (Ontario Regulation 493/17) for low-risk foods; and (c) on-site dining and on-site employees are not permitted in association with a home-based food business.	
Licensing	
(12) Businesses that require a business, not professional, license under the City of Ottawa’s licensing bylaws are not permitted as home-based businesses. (13) Despite subsection (12) taxicab and limousine drivers, but not brokers, are permitted up to a maximum of two taxis or limousines.	
Urban Zones	
(14) In Area A – Downtown Core Transect, Area B – Inner Urban Transect, Area C – Outer Urban Transect, Area D – Greenbelt Transect and Area E – Suburban Transects on Schedule A1 – Transects the following applies: (a) the maximum number of non-resident, on-site employees per residential unit, including accessory buildings, is: (i) in the H1, H2 and H3 – Hub Zones, MS1 and MS2 – Mainstreet Corridor Zones, and CM1 and CM2 – Minor Corridor Zones: three. (ii) in all other zones: two. (b) the maximum area accessible to employees, clients or customers is: (i) in a residential unit, including an attached garage: 49 per cent of the gross floor area of the residential unit; and (ii) in a detached garage or accessory building: cumulative maximum of 55 square metres excluding residential units. (c) on-site sales are limited to items that are made on the premises, and sales accessory to a service provided on-site.	
Rural Zones	
(15) The following apply in Area F – Rural Transect of Schedule A1 – Transects: (a) the maximum number of non-resident, on-site employees per residential unit, including accessory buildings, is:	

- (i) in an RC – Rural Commercial Zone, RU – Rural Countryside Zone, AG – Agricultural Zone, or ME – Mineral Extraction Zone, and where the Village Residential Enterprise Overlay applies: four.
 - (ii) in all other zones: two.
- (b) the maximum area accessible to employees, clients or customers:
- (i) on a lot that is less than 0.8 hectares in area in any zone:
 - 1. in a residential unit, including an attached garage: 49 per cent of the gross floor area of the residential unit; and
 - 2. in a detached garage or accessory building that is a minimum of 0.6 m from a lot line, cumulative maximum excluding residential units: 55 square metres.
 - (ii) in a detached garage or accessory building subject to the Village Residential Enterprise Overlay, cumulative maximum excluding residential units: 75 square metres.
 - (iii) in a rooming unit or mobile home: not permitted.
 - (iv) on a lot that is 0.8 hectares in area or greater in any zone:
 - 1. in a residential unit, including an attached garage: 49 per cent of the gross floor area of the residential unit;
 - 2. in a detached garage or building accessory to a residential unit, cumulative maximum excluding residential units: 150 square metres; and
 - 3. in a rooming unit or mobile home: not permitted.
- (c) outdoor storage:
- (i) in a RR – Rural Residential Zone:
 - 1. not permitted to include storage of hazardous chemicals and explosives; and
 - 2. 2 per cent of lot area and must be screened from view with an opaque screen or fence that is a minimum of 1.5 metres in height.
 - (ii) in an RU – Rural Countryside Zone, AG – Agricultural Zone, or ME – Mineral Extraction Zone:
 - 1. not permitted to include storage of hazardous chemicals and explosives; and
 - 2. 5 per cent of lot area or 100 square metres, whichever is lesser, and must be screened from view.
 - (iii) in all other zones: not permitted.
- (d) on-site sales:
- (i) in a RU – Rural Countryside Zone, AG – Agricultural Zone, ME – Mineral Extraction Zone, V1, V2, V3, V4 and V5 – Village Residential Zones, or on a lot subject to the Village Residential Enterprise Overlay:
 - 1. permitted indoors or outdoors; and
 - 2. limited to items that are made on the premises, locally made items, antiques or similar dealers, and sales accessory to a service provided on-site.
 - (ii) in all other zones:
 - 1. permitted indoor only; and
 - 2. limited to items that are made on the premises, and sales accessory to a service provided on-site.

Section 302 – Short-Term Rental

Provisions		Notes
(1)	A short-term rental is permitted in any zone where a dwelling unit is permitted, as a secondary use within the operator’s principal residence.	Subsections (1) to (4) – Carried forward from Section 121A in the current Zoning By-law 2008-250 with minor wording changes.
(2)	A short-term rental is permitted within a dwelling unit or oversize dwelling unit in any zone where a dwelling unit is permitted, or within an existing mobile home in an MH – Mobile Home Park Zone or RC – Rural Countryside Zone.	
(3)	Despite subsection (2), the following applies: (a) a short-term rental is prohibited in the AG4, AG5, AG6, AG7 and AG8 – Agricultural subzones; and (b) a short-term rental is only permitted in a dwelling unit or coach house where the dwelling unit or coach house is exclusively and separately occupied as a principal residence, and the short-term rental may only be operated by the exclusive resident of the dwelling unit or coach house.	
(4)	A short-term rental cannot change the external residential appearance of the dwelling unit or contribute to adverse effects such as, but not limited to, those from excessive traffic, parking or noise.	

Section 303 – Cottage Rental

Provisions		Notes
(1)	A cottage rental is permitted within a principal dwelling unit, oversize dwelling unit, additional dwelling unit or coach house in any RU – Rural Countryside Zone, RR – Rural Residential Zone, RC – Rural Commercial Zone, or AG – Agricultural Zone, excluding the AG4, AG5, AG6, AG7 and AG8 – Agricultural subzones.	Subsections (1) to (3) – Carried forward from Section 121B in the current Zoning By-law 2008-250.
(2)	A cottage rental cannot change the external residential appearance of the dwelling unit or contribute to adverse impacts such as, but not limited to, those from excessive traffic, parking or noise.	
(3)	A maximum of one cottage rental is permitted on a lot.	

Section 304 – Outdoor Play Areas Associated with Day Cares

Provisions		Notes
(1)	An outdoor play area associated with a day care, excluding a home-based day care may not be located: (a) in a yard abutting a street shown on Schedule A10 – Outdoor Play Areas and Day Cares; (b) on a lot abutting a street shown on Schedule A10 – Outdoor Play Areas and Day Cares in an interior side yard or exterior side yard; and (c) despite clauses (1)(a) and (b), an outdoor play area may be located in a yard abutting a street shown on Schedule A10 – Outdoor Play Areas and Day Cares, or on a lot abutting a street shown on Schedule A10 – Outdoor Play Areas and Day Cares in an interior side yard or exterior side yard if a 2-metre high solid screen is located between the play area and a street shown on Schedule A10 – Outdoor Play Areas and Day Cares.	Subsection (1) – New provision concerning outdoor play areas associated with a day care facility, to address Policy 4.6.4(4) of the Official Plan concerning the location of outdoor play areas for children. It is proposed to delete the current provisions in Section 304 relating to adult entertainment parlours and introduce a new Section 304 that includes provisions for Day Cares. Adult entertainment parlours are not a permitted use in any zone and may only be permitted through a site-specific zoning by-law amendment. The definition for adult entertainment parlour will remain in Section 199 – Definitions as this land use is used in exceptions to permit it on a site-specific basis. The land use term for adult entertainment parlour is proposed to be revised to adult entertainment establishment in response to comments received and to align with how other land use terms are named. Section 304 – Provisions for Day Cares is a new section that requires outdoor play areas along busy streets to be located at the rear of the building, to protect the health of children by reducing their exposure to traffic-related air pollution. An exception is provided if a minimum 2-metre opaque screen is located between the play area and a street shown on Schedule A10 – Outdoor Play Areas and Day.

Section 305 – Bicycle and Motor Vehicle Training Facility

Provisions		Notes
(1)	An instructional facility, limited to an outdoor bicycle and motor vehicle training facility, is permitted in all zones that are not a residential zone, subject to the following requirements: (a) an outdoor motor vehicle training facility must be a minimum of 300 metres from a residential zone or a lot containing a dwelling unit; and (b) the facility may be located in a parking lot such that it temporarily prevents the use of a portion of the provided parking spaces, aisles or driveways of another use on the same lot, provided that the motor vehicle or bicycle training course does not obstruct access to a fire route.	Subsection (1) – Carried forward from Section 98 in the current Zoning By-law 2008-250 with minor wording changes.

Section 306 – Cannabis Production Facility

Provisions		Notes
(1)	An indoor or outdoor cannabis production facility: (a) must not have any outdoor storage; (b) is not permitted in a dwelling; (c) that is contained entirely within a building may not become a nuisance because of odour or fumes; (d) that includes cultivation in an outdoor area or in a greenhouse may not be located within 300 metres of a residential use or an INZ – Institutional Zone or RI – Rural Institutional Zone; (e) despite clause (1)(d) above, a cannabis production facility that includes outdoor cultivation areas or greenhouses may be located within 300 metres of a RI – Rural Institutional Zone or INZ – Institutional Zone if the only permitted uses in these zones are an environmental preserve and educational area, emergency service, municipal service centre, office, storage yard, or warehouse; and (f) established in compliance with this Section is not considered to be non-complying with clauses (1)(d) and (e) above by the subsequent erection of a residential or institutional use building on another lot.	Subsection (1) – Carried forward from Section 97 in the current Zoning By-law 2008-250.

Section 307– Car-Sharing Services

Provisions		Notes
(1)	Car-sharing services are permitted in all zones except for AG – Agricultural Zone, DR – Development Reserve Zone, EP – Environmental Protection Zone, GBR – Greenbelt Rural Zone, GBF – Greenbelt Facility Zone, ME – Mineral Extraction Zone, and RU – Rural Countryside Zone.	Subsection (1) – Revised from Section 94(1) in the current Zoning By-law 2008-250 to expand permissions for car sharing services to all residential zones. Subsection (2) – Revised from Section 94(2) in the current Zoning By-law to include parking space. Subsection (3) – New provision to ensure that visitor parking spaces remain available for their intended purpose. Subsections (4) and (5) – Carried forward from Section 94(4) in the current Zoning By-law with minor wording and structure changes.
(2)	Car-sharing spaces are permitted to occupy a provided parking space in any principal use or accessory use parking space, parking lot or parking garage.	
(3)	Despite subsection (2), visitor parking spaces must not be used for car-sharing spaces.	
(4)	Where car-sharing spaces are provided, they must be visibly identified as car-sharing spaces.	
(5)	Further to subsection (4), signage used to identify car-sharing spaces is permitted subject to the applicable provisions of the Permanent Signs on Private Property By-law as amended.	

Section 308 – Drive-Through Facilities

Provisions			Notes
(1)	Where a drive-through facility is permitted, off-street motor vehicle queueing spaces must be provided for each service bay, wash bay, window, kiosk, bank machine or booth at the rates set out in Table 308.		Subsection (1) – Carried forward from Section 112(1) in the current Zoning By-law 2008-250 with minor organizational changes. Subsection (2) – New provision that clarifies that a space at the use is included in the required number of queueing spaces as it was not specified in the current Zoning By-law. Subsection (3) – Revised from Table 112 in the current Zoning By-law as a written provision that applies to all drive throughs. Subsection (4) – Carried forward from Section 112(2) in the current Zoning By-law. Subsection (5) - New provision to ensure that residential buildings are not near a drive-through window or order board, where there may be negative impacts due to noise and exhaust. Subsections (6) – New provision that requires a buffer from residential uses and ensures that there are sufficient permeable surfaces for stormwater purposes, given that drive-through operations tend to have considerable amounts of pavement as a result of providing queueing lanes, parking spaces, and drive aisles. Subsection (7) – New provision that helps ensure buildings are accessible from the street to avoid customers being forced to cross queue lanes. Subsection (8) – New provision that limits drive through facilities to a maximum of two queueing lanes. Subsection (9) – Revised from Section 112(4) in the current Zoning By-law to require screening when a drive-through abuts a residential, commercial or mixed-use building instead of when abutting a residential zone.
Table 308 – Minimum Required Number of Queueing Spaces for Drive-Through Facilities			
Land Use	Spaces Required		
(a) Conveyor and Automatic Car Wash	10 for each wash bay		
(b) Restaurant	(i) No order board	4 spaces for each service window	
	(ii) With order board	7 for each order board and 4 for each pick-up window	
(c) For any other use	3 spaces		
(2)	A queueing space provided at a service bay, wash bay, order board, window, kiosk, bank machine or booth counts towards the requirement in Table 308.		
(3)	One queueing space must be provided after each drive-through facility.		
(4)	All queueing spaces must be:		
	(a)	at least 3 metres wide; and	
	(b)	at least 5.7 metres long.	
(5)	No queueing lane, drive-through window or order board may be located within a required yard abutting a residential zone.		
(6)	A soft landscaped buffer with a minimum width of 3.5 metres must be provided between any drive-through facility and a front lot line, an exterior side lot line, or any lot line abutting a residential zone.		
(7)	Drive-through queueing lanes are prohibited within a required front yard.		
(8)	No more than two queueing lanes may be provided for each building containing a drive-through facility, except for a car wash.		
(9)	All drive-through queueing lanes in a yard abutting a lot containing a residential or mixed-use building must be screened from view by an opaque screen at least 1.5 metres high.		

Section 309 – Food Production

Provisions	Notes
(1) The following provisions apply to food production: (a) soils used for food production must be free of contaminants; and (b) seeds and fertilizers must be stored inside a building or structure.	The proposed provisions for Food Production will broaden permissions and permit indoor and outdoor food production in Urban areas of the city and in Villages. The provisions will implement policies in Section 4.11 of the Official Plan regarding food production. The definition of “food production” in the draft Zoning By-law will not permit the raising of livestock, in accordance with the Official Plan policies. In Draft 2, technical edits were made to this section to improve clarity. Additionally, the maximum height of a building containing indoor food production that is located in a required interior side yard or rear yard or in a parking lot in an N5 or N6 – Neighbourhood Zone was limited to 8 metres when the property abuts a N1, N2, N3 and N4 – Neighbourhood Zone. In all other cases the maximum height is 12 metres.
Outdoor Gardens (2) Food production in outdoor gardens or planter boxes, including in market gardens and community gardens, is permitted in all zones except for ME - Mineral Extraction Zone, EP - Environmental Protection Zone, RG - Rural General Industrial Zone, RH - Rural Heavy Industrial Zone, RIL - Rural Industrial and Logistics Zone, IH - Heavy Industrial Zone and IM - Mixed Industrial Zone, subject to the following limitations: (a) permitted in any yard, or on a roof of a building; and (b) not permitted on the roof of an accessory structure.	
Greenhouses (3) Food production in a greenhouse is permitted in all zones except for ME - Mineral Extraction Zone and EP - Environmental Protection Zone, and is subject to the following: (a) the maximum size is 55 square metres as measured from the outside walls; (b) the provisions of the applicable zone for a principal use building apply; (c) despite clause (3)(b) above, may be located in a required interior side yard or rear yard, where a minimum of 20 per cent of the yard is landscaped with soft landscaping, and subject to the following: (i) the minimum setback from a lot line is 1.2 metres; (ii) the minimum setback from another building or structure on the lot is 1.2 metres as measured from roof eave; and (iii) the maximum height is 3.6 metres. (d) may be located on the roof of a building and may project above the height limit in accordance with the provisions for greenhouses in Section 203 – Permitted Projections Above the Height Limit and clause (3)(a) and sub clause (3)(c)(iii) do not apply; and (e) the provisions in subsection (3) do not apply in zones where an agricultural use is permitted.	
Indoor Food Production (4) Indoor food production less than 200 square metres in floor area is permitted in N5 and N6 - Neighbourhood Zones, in Rural Zones where a residential use is permitted and in any zone within Part 9 – Mixed Use Zones, Part 10 – Industrial and Transportation Zones, Part 11 – Institutional, Recreation and Greenspace Zones, Part 12 – Special District Zones and Part 14 – Greenbelt, Reserve and Protection Zones, other than an ME - Mineral Extraction Zone, EP - Environmental Protection Zone or GRN - Greenspace Zone, subject to the following: (a) the provisions of the applicable zone for a principal use building apply; (b) in an INZ – Institutional Zone, indoor food production is permitted provided it is located on a lot with one or more of the uses listed in subsection 1101(1); (c) despite clause (4)(a), indoor food production may be located in a building in a required interior side yard or rear yard or in a parking lot, subject to the following: (i) the maximum permitted floor area is 110 square metres; (ii) the maximum height: (1) where located on a lot abutting a N1, N2, N3 and N4 – Neighbourhood Zones is 8 metres; and (2) in all other cases is 12 metres.	

- (iii) the minimum setback from a lot line abutting a Neighbourhood Zone is 3 metres and the minimum setback in all other cases is 1.2 metres; and
 - (iv) waste collection bins must be located within a building or enclosed and screened from view according to the provisions of Section 217.
- (d) packaging and sale of produce grown on-site is permitted subject to the area of the packaging and sales area occupying a maximum of 25 per cent of the total floor area; and
- (e) despite clause (4)(d), produce sales are permitted in an unenclosed accessory produce stand in accordance with the following:
 - (i) permitted only in a front or exterior side yard;
 - (ii) the minimum setback from a lot line is 1 metre;
 - (iii) the minimum setback from a building is 1.2 metres; and
 - (iv) the maximum area is 10 square metres.
- (5) Indoor food production that is 200 square metres or larger in floor area is considered a light industrial use and is subject to the following:
 - (a) the provisions of the applicable zone for a principal use building apply; and
 - (b) on-site sales and display are limited to 25 per cent of the total floor area of the use.
- (6) Despite subsection (5) indoor food production that is 200 square metres or larger in floor area is not considered a light industrial use in the H1, H2 and H3 – Hub Zones, MS2 – Mainstreet Zone 2 and is permitted in those zones subject to subsection (7).
- (7) Indoor food production that is 200 square metres or larger in floor area is permitted in the IH – Heavy Industrial Zone, IL – Industrial and Logistics Zone, IM – Mixed Industrial Zone, H1, H2 and H3 – Hub Zones, MS2 – Mainstreet Zone 2, and NMU – Neighbourhood Mixed-Use Zones as a permitted projection above the height limit in accordance with the provisions in Section 203 – Permitted Projections Above the Height Limit.

Section 310 – Micro-Distribution Facility

Provisions	Notes
(1) A micro-distribution facility is subject to the following provisions: (a) where a micro-distribution facility is located in a stand-alone building as a single occupancy, the building is not subject to the minimum or maximum building height provisions in that zone and the maximum gross floor area is 150 square metres; (b) where located in a building with another use, unless specified in the zone where permitted, the maximum gross floor area is 200 square metres; and (c) despite clauses (1)(a) and (b), the size maximums do not apply to a post office, authorized under the <i>Canada Post Corporation Act</i>, as amended.	This section replaces the Click and Collect Facility provisions in Section 81 of the current Zoning By-law 2008-250. The provisions in relating to parking, location, and minimum amount of transparent glazing were not carried forward. Subsections (1)(a) and (b) – New provisions that limit the size of micro-distribution facilities to ensure the scale is limited and that larger warehousing and logistics uses are concentrated in Industrial Zones. Subsection (1)(c) – New provision. As post office is no longer a standalone use, this provision permits post offices to be any size unless there is a gross floor area limit in a zone.

Section 311 – Outdoor Commercial Patios

Provisions		Notes
(1)	An outdoor commercial patio is permitted in any zone other than a Residential Zone, where associated with a permitted use: (a) an outdoor commercial patio is not required to be on the same lot as its associated primary use but must be located within the same city block as or directly across the street from the associated use.	Subsections (1) to (4) – Carried forward from Section 85(1) to (4) in the current Zoning By-law 2008-250 with minor wording changes. References to minimum parking rates in Section 85(5) in the current Zoning By-law have been deleted in accordance with new parking strategy. Given the impacts of a patio located at grade and above grade are not meaningfully different, Section 85(6) in the current Zoning By-law that prohibited patios over 2 metres above grade has been removed.
(2)	An outdoor commercial patio is prohibited in association with any adult entertainment establishment.	
(3)	Where an outdoor commercial patio is within 30 metres of a Residential Zone, it is not permitted to be served by an amplified system, directly or indirectly, for music or entertainment purposes: (a) where an outdoor commercial patio is within 30 metres of a Residential Zone and is not physically separated by a building, it must be screened from that zone by a structure, screen or wall that is at least 2 metres in height.	
(4)	Outdoor commercial patios must not encroach on or eliminate an accessible parking space as defined under the Traffic and Parking By-law.	

Section 312 – Payday Loan Establishment

Provisions		Notes
(1)	The following applies to a payday loan establishment: (a) a minimum separation distance of 1000 metres is required between any lots containing a payday loan establishment; (b) a minimum separation distance of 500 metres is required between a lot that contains a payday loan establishment and a lot containing a casino or racetrack; (c) a minimum separation distance of 300 metres is required between a lot that contains a payday loan establishment and a lot that contains a school or a post-secondary educational facility; (d) a payday loan establishment must be located in a building that contains other commercial uses; and (e) a payday loan establishment must not be located in a building containing residential uses.	Subsection (1) – Carried forward from Section 78 in the current Zoning By-law 2008-250.

Section 313 – Personal Brewing Facilities

Provisions		Notes
(1)	A personal brewing facility is permitted in any zone where a retail store is a permitted use.	Subsections (1) and (2) – Carried forward from Subsection 89 in the current Zoning By-law 2008-250.
(2)	In addition to the provisions of the zone in which it is located, a personal brewing facility must comply with the following provisions:	
(a)	it must be operated in conjunction with the retail sale of beer or wine-making products;	
(b)	it must not deal in any distilled spirits;	
(c)	the beer or wine must be made from prepared concentrates or juices; and	
(d)	the combined size of the brewing and bottling area and the associated retail sales operation must not exceed 200 square metres of gross floor area.	

Section 314 – Flood Relief Provisions

Provisions	Notes
(1) The following provisions apply to lots subject to the provisions of Section 501 – Flood Plain Overlay or Section 404 – Setbacks from Surface Water Features for buildings that are being reconstructed as a result of flooding or buildings that are being relocated to a less flood-prone location that meets or is as close as possible to the setbacks specified in Section 404 – Setbacks, and do not exceed the maximum permitted size for additions specified in clauses (1)(b), (c) and (d). (a) despite the provisions of Section 501 and Section 404 and the yard setbacks and maximum building height provisions of the underlying zone, reconstruction of a dwelling and associated permitted projections and accessory buildings in existence as of May 1, 2017 is permitted in accordance with the location and building envelope approved in permits issued by the Conservation Authority; (b) for buildings and structures subject to subsections 501(1), (2) and (3), the gross floor area of the replacement dwelling, and associated permitted projections and accessory buildings must not exceed the gross floor area of the buildings and the area of the permitted projections in existence as of May 1, 2017; (c) despite clause (1)(b), an addition to a building subject to subsections 501(1), (2) and (3) is permitted subject to it not exceeding an amount equal to 20 per cent of the gross floor area of the building or 20 metres square whichever is less; (d) despite clause (1)(b), an accessory building or structure subject to subsections 501(1), (2) and (3), or an addition to an accessory building or structure subject to subsection 501(1), (2) or (3), is permitted subject to the accessory building or structure not exceeding a gross floor area of 50 square metres and a height of one storey; (e) decks and other permitted projections associated with the replacement building are subject to Section 204 – Permitted Projections into Yards, and Section 404 – Setbacks does not apply to the deck or permitted projection; (f) accessory buildings and structures are subject to Section 202 – Accessory Uses, Buildings and Structures, and Section 404 – Setbacks does not apply to the accessory building or structure; and (g) a dwelling must be flood-proofed according to standards required by the Conservation Authority.	New Section carried forward from Zoning By-law 2008-250. Has been modified to apply where the flood plain overlay applies, and where they are within the setback from a surface water feature.

Section 315 – Propane and Natural Gas Provisions

Provisions		Notes
(1)	Facilities relating to the handling and transfer of propane and natural gas, including tanks and associated compressors, pumps and other similar facilities must not be located in any required front, side, corner side or rear yard, nor closer than 30 metres to any lot line abutting a Residential Zone.	Subsections (1) and (2) – Carried forward from subsection 66 in the current Zoning By-law 2008-250.
(2)	Despite subsection (1), the minimum of 30 metres may be reduced to a minimum of 6 metres where it can be demonstrated that appropriate noise abatement measures have been undertaken to ensure that noise levels at the boundary of the Residential Zone do not create a nuisance for uses in that abutting Residential Zone.	

Section 316 – Rapid Transit Network

Provisions		Notes
(1)	A rapid transit network and related construction, staging and repair works to support a rapid transit network are permitted in all zones.	Subsections (1) to (3) – These provisions have been carried forward from Section 87 in the current Zoning By-law 2008-250, except that the permitted uses have been updated with new land use terms.
(2)	The provisions of this By-law do not apply to a rapid transit network and to land used for the construction, staging and repair works to support a rapid transit network.	
(3)	Despite subsections (1) and (2), in addition to the uses permitted in the applicable zone, the following uses are permitted within a rapid transit network station, provided they are not located in an EP – Environmental Protection Zone or within a Flood Plain Overlay: • micro-distribution facility • personal service business • restaurant • retail store	

Section 317 – Snow Disposal Facility

Provisions		Notes
(1)	Where listed as a permitted use, a snow disposal facility must be located at least 200 metres from a Residential Zone.	Subsections (1) and (2) – Carried forward from Section 90 in the current Zoning By-law 2008-250.
(2)	Despite subsection (1), the minimum required 200 metre setback may be reduced to a minimum of 100 metres provided that noise attenuation measures are introduced to mitigate the noise level of the snow disposal facility so that it does not become a nuisance to surrounding dwellings.	

Section 318 – Storefront Industry

Provisions		Notes
(1)	No storefront industry may: (a) become a nuisance because of noise, odour, dust, fumes, vibration, radiation or glare; (b) become a fire or building hazard or health risk; or (c) interfere with radio, television or other telecommunications transmissions.	Subsections (1) and (2) – Carried forward from Subsections 99(1) and (2) in the current Zoning By-law 2008-250. References to parking requirements have been removed from this section.
(2)	A storefront industry: (a) must be entirely contained within a building, except for a permitted outdoor commercial patio; and (b) may not have outdoor storage.	
(3)	Where storefront industry is a permitted use, its total gross floor area, including its ancillary restaurant, retail food store or retail store component, must not exceed 350 square metres except in the VM – Village Mixed-Use Zones, the total gross floor area must not exceed 200 square metres.	Subsection (3) – Revised from Subsection 99(3) in the current Zoning By-law to remove references to urban zones.
(4)	In the following zones, the combination of industrial use with a main, accessory or ancillary display and sales area, retail store, retail food store or restaurant use is not considered a storefront industry: RG – Rural General Industrial Zone, RH – Rural Heavy Industrial Zone, RIL – Rural Industrial and Logistics Zone, IH – Heavy Industrial Zone; IM – Mixed Industrial Zone and IL – Industrial and Logistics Zone.	Subsection (4) – Carried forward from Subsection 99(5) in the current Zoning By-law with updated zone codes.

Section 319 – Waste Processing and Transfer Facility in the Rural Area

Provisions	Notes
(1) The following applies to Waste Processing and Transfer Facilities in Area F – Rural Transect as shown on Schedule A1 – Transects: (a) waste processing and transfer facility is only permitted in the RH – Rural Heavy Industrial Zone and the RIL3, RIL4 and RIL5 – Rural Industrial and Logistics subzones; (b) the minimum lot area for waste processing and transfer facility is 2 hectares; (c) a minimum separation distance of 300 metres is required between a building containing a waste processing and transfer facility and any building for which the principal use is residential or institutional, located on a lot zoned RR – Rural Residential Zone, RU – Rural Countryside Zone, V1, V2, V3, V4 and V5 – Village Residential Zone, VM – Village Mixed Use Zone or RI – Rural Institutional Zone; (d) a minimum separation distance of 300 metres is required between a building containing a waste processing and transfer facility and any building for which the principal use is residential or institutional, located on a residentially-zoned or institutionally-zoned lot located within Area D – Greenbelt Transect and Area E – Suburban Transect on Schedule A1 – Transects; (e) construction of any building for which the principal use will be residential or institutional on a lot zoned RR - Rural Residential Zone, RU – Rural Countryside Zone, V1, V2, V3, V4 and V5 – Village Residential Zone, VM – Village Mixed Use Zone or RI - Rural Institutional Zone in proximity to existing waste processing and transfer facilities must also comply with the minimum separation distance of 300 metres; (f) despite the required minimum separation distance, no waste processing and transfer facility is deemed to be non-complying by the subsequent erection of a residential use or institutional use building on another lot; (g) waste processing and transfer facilities and waste processing and transfer facilities, non-putrescible, are restricted to having either direct access to a designated truck route or access through an RIL – Rural Industrial and Logistics Zone, RG – Rural General Industrial Zone or RH – Rural Heavy Industrial Zone zoned industrial subdivision leading directly to a designated truck route; (h) development of a waste processing transfer facility or a waste processing transfer facility, non-putrescible must not be developed without the approval of the Ministry of Environment; (i) waste processing and transfer facility and waste processing and transfer facility, non-putrescible must not be used as a solid waste disposal facility; and (j) outdoor storage of putrescible waste is prohibited.	Subsection (1) – Carried forward from Section 95 in the current Zoning By-law with updated schedule references. Section 199 – Definitions includes two definitions relating to waste processing and transfer facilities: “waste processing and transfer facility, non-putrescible” and “waste processing and transfer facility” (which includes a facility where putrescible and non-putrescible waste is sorted). The provisions in this section have been modified to remove “(putrescible)” as a modifier of “waste transfer and processing facility” as the addition of “putrescible” is redundant, given that “waste processing and transfer facility” includes facilities that sort putrescible waste. The RIL3, RIL4 and RIL5 – Rural Industrial and Logistics subzones were added in subsection(1)(a) as these zones have been applied to lands where a waste processing and transfer facility is currently a permitted use (in the RH – Rural Heavy Industrial Zone under the current Zoning By-law 2008-250.)

Section 320 – Kennels

Provisions		Notes
(1) Where a kennel is a listed permitted use: (a) a kennel in an AG – Agricultural Zone or RU – Rural Countryside Zone or RC – Rural Commercial Zone must comply with the provisions of Table 320; (b) a kennel may be located in the same building as a dwelling unit, subject to the provisions of Table 320; (c) a kennel structure associated with a kennel is considered to be a building for zoning purposes; (d) parking provided for a kennel in an AG – Agricultural Zone or RU – Rural Countryside Zone must be no closer than 6 metres to any lot line; (e) location of dog runs is restricted to locations in an interior side yard, rear yard or interior yard abutting an interior side or rear yard; (f) maximum height of a kennel is the same as an accessory building, but in no case may the kennel contain anything other than single-level dog runs; and (g) minimum separation distances: (i) no building or structure or portion thereof used for kennel purposes may be located closer to any residential use building on another lot than: 1. 215 metres for a kennel with more than four dog runs; or 2. 100 metres for a kennel with four or fewer dog runs. (ii) despite subclause (i) above, the minimum separation area between kennel building and structures and residential use buildings on another lot may be reduced to 50 metres in the case of a kennel, provided that noise attenuation measures are introduced to mitigate the noise level of all indoor and outdoor kennel facilities so that they do not become a nuisance to surrounding dwellings; and (iii) despite the required minimum separation distances, no kennel established under these provisions is deemed to be non-complying by the subsequent erection of a residential use building on another lot. (2) Kennels must comply with the provisions of Table 320.		Subsections (1) to (2) – Carried forward from Section 84 in the current Zoning By-law 2008-250 with minor wording and organizational changes. Subsection (1)(g) has been revised to allow the separation distance to be reduced to 50 metres provided noise attenuation measures are introduced where there are less than four dog runs. The current provision allows sound attenuation for more intensive kennel operations, while not offering the same option for less intensive kennel operations. The proposed edit would allow a reduced separation distance for kennels, provided there is sound attenuation, that have four dog runs or less, in addition to more than four dog runs.
Table 320 – Kennel Provisions for AG, RU and RC Zones		
Zoning Mechanism		Provisions
(a) Minimum lot area (ha)	(i) With 4 or fewer dog runs	0.8
	(ii) All other cases	4
(b) Minimum lot width (m)	(i) With 4 or fewer dog runs	80
	(ii) All other cases	120
(c) Minimum setback of a kennel or any structure or portion thereof used for the kennel operation (m)	(i) From a front lot line or a side lot line	15
	(ii) From a rear lot line	12

Section 321 – Hydronic Heaters

Provisions		Notes
(1) A hydronic heater is: (a) not permitted on a lot within: (i) Area A – Downtown Core Transect, Area B – Inner Urban Transect, Area C – Outer Urban Transect and Area E – Suburban Transects on Schedule A1 – Transects; and (ii) the V1, V2, V3, V4 and V5 – Village Residential Zones and the VM – Village Mixed-Use Zone. (b) only permitted on a lot with an area equal to or greater than 8000 square metres, except in the AG – Agriculture Zone; (c) required to be setback a minimum of: (i) 30 metres from a lot line abutting a public street; (ii) 15 metres from any other lot line; and (iii) 60 metres from a residential use building located on another lot. (d) required to have a chimney or stack which projects at least 3.66 metres above ground level; and (e) despite clause (1)(d), where a hydronic heater is within 92 metres of a residential use building located on another lot, the hydronic heater must have a chimney or stack which projects at least 4.88 metres above ground level.		Subsection (1) – Carried forward from Section 83 in the current Zoning By-law 2008-250.

Section 322 – On-Farm Diversified and Agriculture-Related Uses

Provisions	Notes
On-Farm Diversified Uses (1) An on-farm diversified use is permitted if the principal use on the lot is agricultural and located where agricultural uses are also permitted, subject to the following provisions: (a) on-farm diversified uses are limited to 2 per cent of the total lot area, to a maximum of 1 hectare; (b) the maximum area in clause (1)(a) includes: (i) buildings, structures and outdoor storage associated with home-based businesses and agriculture-related storage and sorting; (ii) the total area of buildings and structures built after November 8, 2017 associated with the on-farm diversified use, and 50 per cent of the area of buildings or structures built prior to November 8, 2017 that have been converted to an on-farm diversified use; (iii) the area of laneways and septic systems that were developed on or after November 8, 2017; (iv) parking areas, outdoor storage areas, and landscaped areas that are associated with an on-farm diversified use; and (v) despite the above, the area of agri-tourism uses associated with activities such as wagon rides or corn mazes on lands producing harvestable crops are not included in the area calculations. (c) in addition to clause (1)(a), the total floor area of buildings or enclosed structures occupied by on-farm diversified uses may not exceed 20 per cent of the total land area permitted for on-farm diversified uses on the lot, to a maximum of 600 square metres, except where otherwise stated: (i) the total floor area occupied by on-farm diversified uses, limited to place of assembly, instructional facility and restaurant uses, whether located in new or existing buildings, may not exceed 150 square metres; (ii) the total cumulative floor area of all on-farm diversified uses on a lot may not exceed 600 square metres, with a maximum of 300 square metres for floor area built after November 8, 2017; and (iii) floor area used for processing that may incorporate inputs grown off-site does not need to be counted towards the maximum total floor area and is subject only to the maximum areas under clause (1)(b) above. (d) any outdoor storage or parking areas associated with an on-farm diversified use must be screened from view from a public street or a residential use on an abutting lot, and must not be located within 10 metres of any lot line; and, (e) a maximum of three heavy vehicles associated with an on-farm diversified use, including recreational vehicles, are permitted. Agriculture-related Storage and Sorting (2) An agriculture-related use relating to storage and sorting is subject to the following provisions: (a) where not combined with an on-farm diversified use, the maximum area of all agriculture-related storage and sorting uses is 1 hectare; (b) the minimum lot area for an agriculture-related use is as per the zone; (c) the maximum area of agriculture-related uses includes any buildings, structures, outdoor storage areas, parking areas, and well and septic systems that are associated with the use; (d) in an ME – Mineral Extraction Zone or a lot within the Mineral Resource Separation Overlay, agriculture-related storage and sorting is only permitted on a lot of 10 hectares or greater; and	Subsections (1) and (2) – Carried forward from Sections 79A and 79B in the current Zoning By-law 2008-250, except that the two sections have been merged under one section, and Agriculture-related uses now specifically refer to storage and sorting activities. There is a clarification that the on-farm diversified uses are to occur where agricultural uses are permitted and not in areas or in zones that do not permit agricultural uses.

(e) in an RU – Rural Countryside Zone, agriculture-related storage and sorting is only permitted on a lot of 2 hectares or greater.