

Zoning Confirmation Report

Terms of Reference

1. Description

The purpose of the Zoning Confirmation Report (ZCR) is to identify all zoning compliance issues, if any, at the outset of a *Planning Act* application.

2. When Required

- All zoning by-law amendment applications; and
- All site plan control applications.

3. Contents

The Zoning Confirmation Report comprises two components depending on the type of application submitted:

Component 1 – Zoning Confirmation Report Checklist

Is required for all Site Plan Control applications and all Zoning By-law amendment applications. The intent of the ZCR Checklist is to determine whether a proposal meets the requirements of the Zoning By-law or whether relief is required before the application can be deemed complete. The applicant is required to fill out the ZCR Checklist that forms part of this Terms of Reference.

- ZCR Checklist - Refer to Annex 1

Component 2 – Zoning Confirmation Report Draft List of Requested Relief

Is required for all Zoning By-law amendment applications only and consists of a draft list of requested relief from the Zoning By-law. The intent is for the applicant to ensure that the requested relief is comprehensive, specific and consistent with the rest of the Zoning By-law.

- ZCR Draft List of Requested Relief - Refer to Annex 2

NOTE: The requirements of the two ZCR components may be modified by staff on a case-by-case basis to suit the development.

4. Roles and Responsibilities / Qualifications

A Zoning Confirmation Report must be signed by the applicant or an authorized representative of the applicant.



5. Annex 1 - Zoning Confirmation Report Checklist

A. Project Information			
Review Date:	May 7, 2025	Official Plan designation:	Corridor - Minor
Municipal Address(es):	615 Mikinak Road	Legal Description:	Block 105 of Registered Plan 4M-1559
Scope of Work:	Site Plan Control and Condominium for residential development		
Existing Zoning Code:	R4UC[2311]	By-law Number:	2008-250
Schedule 1 / 1A Area:	Area X	Overlays Applicable ¹ :	NA

¹ Mature Neighbourhoods Overlay, Floodplain Overlay, and/or Heritage Overlay.

B. Zoning Review			
For Zoning By-law Amendments, please use the proposed zone and subzone requirements, if different than existing.			
Proposed Zone/Subzone (Zoning By-law Amendments only):			
Zoning Provisions ¹	By-law Requirement or Applicable Section, Exception or Schedule Reference	Proposal	Compliant (Y/N)
Principal Land Use(s)			
Lot Width			
Lot Area			
Front Yard Set Back ²	SEE APPENDED ZONING TABLES		
Corner Side Yard Setback			
Interior Side Yard Setback			
Rear Yard Setback			
Lot Coverage Floor Space Index (F.S.I.)			
Building Height ³			
Accessory Buildings Section 55			

Projections into Height Limit Section 64			
Projections into Required Yards Section 65			
Required Parking Spaces Section 101 and 103			
Visitor Parking spaces Section 102			
Size of Space Section 105 and 106			
Driveway Width Section 107			
Aisle Width Section 107			
Location of Parking Section 109	SEE APPENDED ZONING TABLES		
Refuse Collection Section 110			
Bicycle Parking Rates Section 111			
Amenity Space Section 137			
Other applicable relevant Provision(s)			

¹ This template represents a small selection of applicable provisions. Please consider the lot's geography (i.e. corner/through lot, proximity to water, inside/outside Greenbelt) and proposed land use (i.e. drive through operation, outdoor commercial patio, Planned Unit Development, long semi) and consult the by-law to determine which other sections of the By-law must be met. This can be attached in a separate document.

² Note that different performance standards apply to low-rise residential development inside the Greenbelt. Please reference Section 144 for these standards, where applicable.

³ This includes maximum building height, minimum building height and stepback provisions, where they exist

E. Comments / Calculations



6. Annex 2 - Zoning Confirmation Report Draft List of Requested Relief from Zoning

As part of a Zoning By-law Amendment application, the applicant is required to identify all required relief from the Zoning By-law for the development that is the subject of the application. Below is an example of how the applicant should structure this component of the submission requirements for the Zoning Confirmation Report Draft List of Requested Relief.

- **The Draft List of Requested Relief from Zoning is a list of those items indicated as “not compliant” as identified through Component 1: Zoning Confirmation Report Checklist.** A template list is provided below, with examples.
- The list is required so that City staff can review the requested relief and determine if the application is complete and consistent. The onus is placed on the applicant to identify all needed relief for the proposed development.
- **A draft zoning schedule is required to be provided with Annex 2, if it is anticipated to be required.** A zoning schedule may be required when specific relief such as for height, setbacks, stepbacks or land uses need to be isolated to certain locations on the lot.

Draft List of Requested Relief from Zoning		
By-law Requirement or Applicable Section	Requirement	Proposed
Ex. Permitted land uses in GM2 (s. 188)	N/A	Museum ¹
Ex. Front yard setback (Table 187)	3 m	2.5 m
Ex. Parking Rate (s. 101)	20 spaces	12 spaces

¹ Only the non-compliant land use(s) needs to be listed in this column.

ZONING CONFIRMATION REPORT

Site: 615 Mikinak Road

Zone: R4UC[2311]

Table 1. Subzone, Planned Unit Development, Exception

Section	Provision		Required / Permitted	Proposed
161(1) & Table 162A	Permitted Uses / Principal Dwelling Types		- Planned Unit Development (PUD) - Townhouse	- PUD - Townhouse
Table 162A	Min. lot width (PUD)		NA	±134 m
Table 162A	Min. lot area (PUD)		1,400 m ²	±21,760 m ²
135(1)	Through Lots and Corner Through Lots in Residential Zones: (1) In the case of a residentially zoned through lot, or corner through lot, the minimum required front yard setback applies to both the front and rear lot lines, in accordance with the provisions of the Residential zone or zones in which such lot is located and the minimum required rear yard setback does not apply.		- Min. front yard setback: 4.5 m (per Table 162A) - Min. rear yard setback: 4.5 m (per required front yard setback)	FY: 4.55 m (Vedette) RY: 5.05 m
135(2)	Through Lots and Corner Through Lots in Residential Zones: (2) In the case of a corner through lot, the minimum required corner side yard setback applies to the street that is mostly perpendicular to the other two streets, in accordance with the provisions of the Residential zone or zones in which such lot is located.		This suggest the corner side yard setback should apply to the Vedette Way lot line, however, that is contrary to the definition for the front lot line, which defines the Vedette Way lot line as the front lot line. Accordingly, the front lot line is Vedette Way and the corner side yard setback applies to the Hemlock Road and Mikinak Road lot lines.	Hemlock Road and Mikinak Road lot lines represent the corner side lot lines
Table 162A	Min. corner side yard setback (PUD)		4.5 m	CSY1: 5 m (Hemlock) CSY2: 4.55 m (Mikinak)
Exception 2311	Max. front, rear, and side yard setbacks	For a townhouse within a PUD	6 m	FY: X 4.55 m (Vedette) RY: X 5.95 m CSY1: 5 m (Hemlock) CSY2: 4.55 m (Mikinak)
Table 162A	Max. building height (Townhouse)		10 m	Rear lane towns: 9.97 m <u>Non-compliant</u> <u>Back to back towns: 11.23 m</u>
Exception 2311	Min. separation distance between buildings within a PUD		3 m	3.1 m
Table 131(1)	Min. width of a private way		6 m	6.7 m
Table 131(2)	Min. setback for any wall of a residential use building to a private way		1.8 m	<u>Non-compliant</u> <u>1 m</u>
Table 131(3)	Min. setback for any garage or carport entrance from a private way		5.2 m	<u>Non-compliant</u> <u>1 m</u>
Table 131(5)(b)	Required visitor parking may be provided as parallel parking on a private way, provided the private way has a minimum width of 8.5 metres.		8.5 m	8 spaces to be provided along the 9.3 m wide portion of the private way
Table 131(6)(a)	In the case of a planned unit development consisting of detached, linked-detached, semi-detached, three-unit or townhouse dwellings, or any combination thereof, all lands located between the dwelling unit or oversize dwelling unit, the extension of the main wall of the dwelling unit or oversize dwelling unit, and the private way are to be landscaped with soft landscaping, other than the area used for a driveway leading to the dwelling unit's associated parking space, garage or carport.			Non-driveway space between building front walls and private way consist of soft landscaping with the exception of a 1 m wide walkway parallel to the private way for the back to back townhomes

		(walkway permitted per Table 131(6)(b))
Table 131(6)(b)	<p>In no case may any dwelling unit or oversize dwelling unit located within a Planned Unit Development that has its own driveway leading to its associated parking space, garage or carport have a driveway that is wider than the associated parking space, garage, or carport.</p> <p>Furthermore, the remaining area between the dwelling unit or oversize dwelling unit and the private way must be landscaped with soft landscaping, and a walkway extending from the private way back to the principal entranceway is prohibited. A path, that is mostly parallel to the street, that provides pedestrian access from the driveway to the principal entranceway of no more than 1.2 m is permitted.</p>	<p>Driveway widths match garage widths.</p> <p>Walkways associated with the back to back townhomes are between principal entranceways and driveways, are parallel to the private way, and are less than 1.2 m in width.</p>

Table 2. Parking

Section	Provision	Required / Permitted	Proposed
101(3) & Table 101	Min. required resident parking within Area X of Schedule 1A	<p>Townhouse:</p> <p>0.75 per dwelling unit minus the first 12 dwelling units</p> <p>$(111 - 12) (0.75) = 71$ resident spaces</p>	111 resident spaces within the garages of each respective dwelling unit
102 & Table 102	Min. required visitor parking within Area X of Schedule 1A	<p>Townhouse with garage and driveway:</p> <p>Exempt per 102(4)</p> <p>Townhouse with garage and without driveway:</p> <p>0.1 per dwelling unit minus the first 12 dwelling units</p> <p>$(51 - 12) (0.1) = 4$ visitor spaces</p>	<p>60 visitor spaces within the driveways of each respective dwelling unit</p> <p>8 visitor spaces (parallel spaces provided along the easterly private way)</p>
106(1) & (2)	Any motor vehicle parking space must be:	<p>Min. width: 2.6 m</p> <p>Max. width: 3.1 m</p> <p>Min. length (parallel): 6.7 m</p>	Parallel spaces: 2.6 m x 6.7 m
139(1)	<p>(1) Minimum soft landscaped area, required in Table 139(1), must meet all of the following regulations:</p> <p>(a) it is required at-grade in a front yard and, in the case of a corner side lot, in a corner side yard;</p> <p>(b) it must be aggregated;</p> <p>(c) it must abut the front lot line and the side lot line abutting the street, as the case may be; And</p> <p>(d) on a lot with a significant change in grade in the front yard or corner side yard, terracing and retaining walls necessary for the containment of soil for soft landscaping may count towards the required soft landscaped area.</p> <p>(e) Where the minimum required aggregated soft landscaped area of Table 139 (1) is provided and there remains land area in the front yard, or in the corner side yard as the case may be, lands within these yards may be developed with soft or hard landscaping such as a patio, but in no case may any hard landscaping be used for access or parking purposes.</p>		<p>≥40% of soft landscaping is provided in the front and corner side yards, and provision criteria a-e are complied with.</p> <p>It is noted that 139(1)(e) does not prohibit hardscape for pedestrian access (e.g., walkway) through a front or corner side yard see 139(4).</p>
Table 139(1)	Where the front / corner side yard setback is ≥ 3 m:		
	In the case of any lot with a width of 12 m or more, 40%		
139(2)(a) & Table 139(3)	<p>(a) A driveway is subject to the following:</p> <p>(ii) within Area A on Schedule 343, the maximum width is as per Table 139(3).</p>		<p>NA - No minimum lot width is required for a planned unit development which is not contemplated by Table 139(3).</p> <p>Further, these provisions are not intended to apply to driveways within PUDs accessed from private streets, and instead, are meant to apply only to driveways accessed from public streets (Section 139 is focused on the public realm</p>

		and associated streetscape character, not the private realm).
139(2)(c)	<p>(c) Any driveway, other than a shared driveway, must be separated from any interior side lot line by a landscaped strip not less than 0.15m in width, and consisting of:</p> <p>(i) soft landscaping, or</p> <p>(ii) pavers or interlock brick in a pattern distinct from that of the driveway.</p> <p>(iii) Where a semi-detached or townhouse dwelling is not severed, Section 139(2)(c) applies to individual driveways serving each unit, such that the driveways must be separated from each other by at least 0.3 m²</p>	NA - This provision is not intended to apply to driveways within PUDs accessed from private streets, and instead, is meant to apply only to driveways accessed from public streets (Section 139 is focused on the public realm and associated streetscape character, not the private realm).
139(4)	<p>(4) A walkway located in a front yard or corner side yard is permitted subject to the following:</p> <p>(a) Where it provides access between a right-of-way or driveway, and an entranceway to a dwelling or any other incidental or accessory use on the lot.</p> <p>(c) The width of a walkway may not exceed:</p> <p>(ii) In the case of any other residential use building, 1.2 m;</p> <p>(d) A walkway may traverse an area required for soft landscaping per Table 139(1) and may be included in the calculated area.</p> <p>(f) A maximum of one walkway per yard is permitted to extend to the right-of-way in the case of a detached, semi-detached, long semi-detached or townhouse dwelling.</p>	<p>Each rear lane townhouse will have a single walkway connecting its principal entranceway to the sidewalk of the adjacent public street.</p> <p>It is noted that 139(4)(f) is not intended to limit the number of walkways to one per yard in the case where a yard for a planned unit development has multiple townhouse units fronting the street.</p>

Table 3. Projections

Table 65(5)	<p>Permitted projections into yards:</p> <p>(5) Fire escapes, open stairways, stoop, landing, steps and ramps</p>	<p>(b) Other features:</p> <p>i) where at or below the floor level of the first floor:</p> <ol style="list-style-type: none"> 1. in the case of the interior side yard or rear yard: no limit, and 2. in the case of the front yard or corner side yard: no closer than 0.6m to a lot line, and <p>ii) other cases:</p> <ol style="list-style-type: none"> 1. In the case of any yard: 1.5 m, but not closer than 1 m to a lot line; except that, switchback stairs and landings may project 2.2 m into the rear yard where these are intended to provide a means of egress for dwelling units located on the second and higher storeys. 	<p>- Minimum setback from any lot line: 1.7 m</p>
Table 65(6)	<p>Permitted projections into yards:</p> <p>Covered or uncovered balcony, porch, deck, platform and verandah, with a maximum of two enclosed sides, excluding those covered by canopies and awnings</p>	<p>(a) uncovered, unenclosed features such as decks or platforms where the walking surface is not higher than 0.6 m above adjacent grade:</p> <ol style="list-style-type: none"> (i) in the interior side yard and rear yard: no limit (ii) in the front yard and corner side yard – the greater of 2 m or 50% of the required front yard or corner side yard [2.25m], but no closer than 1 m to a property line; and <p>(b) In the R1, R2, R3 and R4 Zones within Area A of Schedule 342:</p> <ol style="list-style-type: none"> (i)(6)(a) applies, and (v) Where a deck or balcony occurs above the first floor and is within 1.5 metres of an exterior side wall or interior side lot line of a residential-zoned lot, a 1.5 metre high opaque screen is to be provided facing the interior side lot line. <p>(c) In all other cases: 2 metres, but no closer than 1 metre from any lot line.</p>	<p>- Projection into a required yard: ±1.86 m</p> <p>- Minimum setback from any lot line: 2.7 m</p> <p>Non-compliant</p> <p>Certain proposed second floor balconies associated with the rear lane townhouse units do not include a 1.5 m high opaque screen where within 1.5 m of an exterior side wall of what will be a residential-zoned lot.</p>