

Attachment 1: Draft Zoning By-law Amendment

Authority: Planning and Housing Committee Item [-], as adopted by City of Toronto Council on [-]

CITY OF TORONTO

BY-LAW [Clerks to insert By-law number]

To amend Zoning By-law 569-2013, as amended, with respect to low-carbon technologies.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.

Explanatory Comment: The provisions below replace references to the former *Green Energy Act* with appropriate and up-to-date references to the *Electricity Act*.

2. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 5.10.75.1(2), so that it reads:

(2) Relation of By-law to the Electricity Act

Despite any of the provisions of this By-law, the regulations in this By-law do not apply to:

- (A) any "renewable energy undertaking", as defined in the Planning Act, respecting which the Planning Act, R.S.O. 1990, c. P.13, as amended, stipulates that a zoning by-law does not apply;
- (B) any "renewable energy generation facility", "renewable energy project", "renewable energy testing facility", "renewable energy testing project", as defined in the Planning Act, R.S.O. 1990, c. P.13, as amended, for which the Electricity Act, 1998, S.O. 1998, Chapter 15 Schedule A, as amended, designates by regulation under the Electricity Act that restrictions established by a Municipal by-law are inoperative; and

- (C) any "renewable energy source, as defined in the Electricity Act, 1998, S.O. 1998, Chapter 15 Schedule A, as amended, which is designated by regulation under the Electricity Act and for which the Electricity Act stipulates that restrictions established by a Municipal by-law are inoperative; and
- (D) any goods, services and technologies designated by regulation under the Electricity Act, 1998, S.O. 1998, Chapter 15 Schedule A, as amended, and for which the Electricity Act stipulates that restrictions established by a municipal by-law are inoperative.

Explanatory Comment: The provision below amends the cladding permissions in the Residential Zone Category.

- 3. Zoning By-law 569-2013, as amended, is further amended by deleting the number "0.15" in regulation 10.5.40.60(4)(A) and replacing it with "0.3", so that regulation 10.5.40.60(4) reads:

(4) Exterior Main Wall Surface

In the Residential Zone category, cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building** may encroach into a required minimum **building setback** a maximum of 0.3 metres, if the added cladding is no closer to a **lot** line than 0.3 metres.

Explanatory Comment: The provision below amends the cladding permissions in the Commercial Local (CL) Zone.

- 4. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 30.20.40.60(4), so that it reads:

(4) Exterior Main Wall Surface

In the CL zone, cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding, may encroach into a required minimum **building setback** a maximum of 0.9 metres.

Explanatory Comment: The provision below amends the cladding permissions in the Commercial Residential (CR) Zone.

- 5. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 40.10.40.60(4), so that it reads:

(4) Exterior Main Wall Surface

In the CR zone, cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding, may encroach into a required minimum **building setback** a maximum of 0.9 metres.

Explanatory Comment: The provision below amends the cladding permissions in the Commercial Residential Employment (CRE) Zone.

6. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 50.10.40.60(4), so that it reads:

(4) Exterior Main Wall Surface

In the CRE zone, cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding, may encroach into a required minimum **building setback** a maximum of 0.9 metres.

Explanatory Comment: The provisions below amend the cladding permissions in the Employment Industrial Zone Category.

7. Zoning By-law 569-2013, as amended, is further amended by adding a new regulation 60.5.40.60(2) that reads:

(2) Exterior Main Wall Surface

In the Employment Industrial Zone category, cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding, may encroach into a required minimum **building setback** a maximum of 0.9 metres.

Explanatory Comment: The provisions below amend the cladding permissions in the Institutional Zone Category.

8. Zoning By-law 569-2013, as amended, is further amended by adding a new regulation 80.5.40.60(2) that reads:

(2) Exterior Main Wall Surface

In the Institutional Zone category, cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding, may encroach into a required minimum **building setback** a maximum of 0.9 metres.

Explanatory Comment: The provisions below introduce new cladding permissions in the Open Space Zone Category.

9. Zoning By-law 569-2013, as amended, is further amended by adding a new regulation 90.5.40.60(2) that reads:

(2) Exterior Main Wall Surface

In the Open Space Zone category, cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding, may encroach into a required minimum **building setback** a maximum of 0.9 metres.

Explanatory Comment: The provisions below introduce new cladding permissions in the Utility and Transportation Zone Category.

10. Zoning By-law 569-2013, as amended, is further amended by adding a clause regulation 100.10.40.60 and regulation (1) that reads:

100.10.40.60 Permitted Encroachments

(1) Exterior Main Wall Surface

In the UT zone, cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding, may encroach into a required minimum **building setback** a maximum of 0.9 metres.

Explanatory Comment: The provisions below clarify that the area used for exterior wall cladding should be excluded from the calculation of gross floor area for a residential building other than an apartment building in the Residential Zone Category.

11. Zoning By-law 569-2013, as amended, is further amended by deleting the word “and” at the end of regulation 10.5.40.40(3)(C), replacing the period with a semicolon and the word “and” at the end of regulation 10.5.40.40(3)(D), and adding a new regulation 10.5.40.40(3)(E), so that it reads:

- (E) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area for an apartment building in the Residential Zone Category.

12. Zoning By-law 569-2013, as amended, is further amended by deleting the word “and” at the end of regulation 10.5.40.40(4)(H), replacing the period with a

semicolon and the word "and" at the end of regulation 10.5.40.40(4)(I), and adding a new regulation 10.5.40.40(4)(J), so that it reads:

- (J) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area for an apartment building in the Residential Zone Category.

13. Zoning By-law 569-2013, as amended, is further amended by deleting the word "and" at the end of regulation 15.5.40.40(1)(H), replacing the period with a semicolon and the word "and" at the end of regulation 15.5.40.40(1)(I), and adding a new regulation 15.5.40.40(1)(J), so that it reads:

- (J) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area in the Commercial Zone Category.

14. Zoning By-law 569-2013, as amended, is further amended by deleting the word "and" at the end of regulation 30.5.40.40(1)(F), replacing the period with a semicolon and the word "and" at the end of regulation 30.5.40.40(1)(G), and adding a new regulation 30.5.40.40(1)(H), so that it reads:

- (H) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area for a non-residential of an apartment building in the Commercial Residential Zone Category.

15. Zoning By-law 569-2013, as amended, is further amended by deleting the word "and" at the end of regulation 40.5.40.40(1)(F), replacing the period with a semicolon and the word "and" at the end of regulation 40.5.40.40(1)(G), and adding a new regulation 40.5.40.40(1)(H), so that it reads:

- (H) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area for a mixed-use building in the Commercial Residential Zone Category.

16. Zoning By-law 569-2013, as amended, is further amended by deleting the word “and” at the end of regulation 40.5.40.40(3)(H), replacing the period with a semicolon and the word "and" at the end of regulation 40.5.40.40(3)(I), and adding a new regulation 40.5.40.40(3)(J), so that it reads:

- (J) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area for an apartment building in the Commercial Residential Zone Category.

17. Zoning By-law 569-2013, as amended, is further amended by deleting the word “and” at the end of regulation 40.5.40.40(5)(H), replacing the period with a semicolon and the word "and" at the end of regulation 40.5.40.40(5)(I), and adding a new regulation 40.5.40.40(5)(J), so that it reads:

- (J) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area for a townhouse in the Commercial Residential Zone Category.

18. Zoning By-law 569-2013, as amended, is further amended by deleting the word “and” at the end of regulation 40.5.40.40(9)(B), replacing the period with a semicolon and the word "and" at the end of regulation 40.5.40.40(9)(C), and adding a new regulation 40.5.40.40(9)(D), so that it reads:

- (D) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area for a non-residential of an apartment building in the Commercial Residential Employment Zone Category.

19. Zoning By-law 569-2013, as amended, is further amended by deleting the word “and” at the end of regulation 50.5.40.40(1)(F), replacing the period with a semicolon and the word "and" at the end of regulation 50.5.40.40(1)(G), and adding a new regulation 50.5.40.40(1)(H), so that it reads:

- (H) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area for a mixed-use building in the Commercial Residential Employment Zone Category.

20. Zoning By-law 569-2013, as amended, is further amended by deleting the word “and” at the end of regulation 50.5.40.40(3)(H), replacing the period with a semicolon and the word "and" at the end of regulation 50.5.40.40(3)(I), and adding a new regulation 50.5.40.40(3)(J), so that it reads:

- (J) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area for an apartment building in the Commercial Residential Employment Zone Category.

21. Zoning By-law 569-2013, as amended, is further amended by deleting the word “and” at the end of regulation 50.5.40.40(5)(H), replacing the period with a semicolon and the word "and" at the end of regulation 50.5.40.40(5)(I), and adding a new regulation 50.5.40.40(5)(J), so that it reads:

- (J) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area for a detached house, semi-detached house, townhouse, duplex, triplex, or fourplex in the Commercial Residential Employment Zone Category.

22. Zoning By-law 569-2013, as amended, is further amended by replacing the period with a semicolon at the end of regulation 50.5.40.40(9)(C), replacing the period with a semicolon and the word "and" at the end of regulation 50.5.40.40(9)(D), and adding a new regulation 50.5.40.40(9)(E), so that it reads:

- (E) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area in the Employment Industrial Zone Category.

23. Zoning By-law 569-2013, as amended, is further amended by deleting the word “and” at the end of regulation 60.5.40.40(1)(G), replacing the period with a semicolon and the word "and" at the end of regulation 60.5.40.40(1)(H), and adding a new regulation 60.5.40.40(1)(I), so that it reads:

- (l) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below clarify that exterior wall cladding should not be included in the calculation of gross floor area in the Institutional Zone Category.

- 24. Zoning By-law 569-2013, as amended, is further amended by deleting the word “and” at the end of regulation 80.5.40.40(1)(F), replacing the period with a semicolon and the word "and" at the end of regulation 60.5.40.40(1)(G), and adding a new regulation 80.5.40.40(1)(I), so that it reads:

- (l) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **building**, inclusive of vents, pipes, or utility equipment located beneath the cladding.

Explanatory Comment: The provisions below introduce new standards to the Open Space Zone Category stating that exterior wall cladding should not be included in the calculation of gross floor area.

- 25. Zoning By-law 569-2013, as amended, is further amended adding new regulation 90.5.40.40(2), so that it reads:

- (2) Gross Floor Area Calculations for a Building

In the Open Space Zone category, the **gross floor area** of a **building** may be reduced by:

- (A) cladding added to the original exterior surface of the **main wall** of a **building** or added to an addition or extension to a **lawfully existing building**.

Explanatory Comment: The provisions below introduce new standards for building- and ground-mounted heating, ventilation and air conditioning devices in the Residential Zone Category.

- 26. Zoning By-law 569-2013, as amended, is further amended by deleting regulation 10.5.40.60(8)(D).

- 27. Zoning By-law 569-2013, as amended, is further amended by replacing the semicolon and the word "and" at the end of regulation 10.5.40.60(8)(C) with a period, so that it reads:

- (C) antenna, or a pole used to hold an antenna, a maximum of 0.9 metres into any required minimum **rear yard setback** or minimum **side yard setback**.

- 28. Zoning By-law 569-2013, as amended, is further amended by deleting regulation 10.5.60.20(10).

29. Zoning By-law 569-2013, as amended, is further amended by deleting regulation 10.5.60.30(2).

30. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 10.5.75.1(6), so that it reads:

(6) Heating, Ventilation and Air Conditioning Devices

In the Residential Zone category, a heating, ventilation and air conditioning device that is:

(A) on a **building**:

- (i) may encroach into a required minimum **building setback** by a maximum of 0.9 metres if the device is no closer to a **lot line** than 0.3 metres;
- (ii) cannot be located above any pedestrian entrance to a **building**;
- (ii) may be located on the roof of a **residential building** and exceed the permitted maximum height for that **building** by 2.0 metres and must comply with the requirements in regulation 10.5.40.10(4)(A) and (B) ; and,
- (iii) may be located on a platform attached to a **residential building**.

(B) ground mounted:

- (i) may encroach into a required minimum **building setback** by a maximum of 0.9 metres if the device is no closer to a **lot line** than 0.3 metres; and
- (ii) must be within 2.0 metres of a **main wall** or a platform.

Explanatory Comment: The provisions below introduce new standards for building- and ground-mounted heating, ventilation and air conditioning devices for garden suites.

31. Zoning By-law 569-2013, as amended by replacing regulation 150.7.60.60(7), so that it reads:

(7) Equipment

Wall mounted equipment on an **ancillary building** containing a **garden suite**, such as vents, pipes, utility equipment, satellite dishes or antennae,

may encroach a maximum of 0.6 metres as follows, if the equipment is no closer to a lot line than 0.3 metres.

32. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 150.7.75.1(2), so that it reads:

(2) Heating, Ventilation and Air Conditioning Devices

A heating, ventilation and air conditioning device that is associated with a **garden suite**:

- (A) on an **ancillary building** containing a **garden suite**:
- (i) may encroach into a required **building setback** by a maximum of 0.9 metres if the device is no closer to a **lot line** than 0.3 metres;
 - (ii) may encroach into a required separation distance by a maximum of 0.9 metres if the device is no closer to a **lot line** than 0.3 metres;
 - (iii) may be located on the roof of a **building** and exceed the permitted maximum height for that **building** by 2.0 metres; and,
 - (iv) may be located on a platform.
- (B) ground mounted:
- (i) may encroach into a required **building setback** by a maximum of 0.9 metres if the device is no closer to a **lot line** than 0.3 metres;
 - (ii) may encroach into a required separation distance by a maximum of 0.9 metres if the device is no closer to a **lot line** than 0.3 metres; and,
 - (iii) must be within 2.0 metres of **main wall** or a platform.

Explanatory Comment: The provisions below introduce new standards for building- and ground-mounted heating, ventilation and air conditioning devices for laneway suites.

33. Zoning By-law 569-2013, as amended by replacing regulation 150.8.60.60(7), so that it reads:

(7) Equipment

Wall mounted equipment on an **ancillary building** containing a **laneway suite**, such as vents, pipes, utility equipment, satellite dishes or antennae, may encroach a maximum of 0.6 metres, if the equipment is no closer than 0.3 metres from the **lot line**.

34. Zoning By-law 569-2013, as amended, is further amended by adding new article 150.8.75, clause 150.8.75.1, and regulation 150.8.75.1(1) so that it reads:

150.8.75 Energy Regulations

150.8.75.1. General

(1) Heating, Ventilation and Air Conditioning Devices

A heating, ventilation and air conditioning device that is associated with a **laneway suite**:

- (A) on an **ancillary building** containing a **laneway suite**:
 - (i) may encroach into a required **building setback** by a maximum of 0.9 metres if the device is no closer to a **lot line** than 0.3 metres;
 - (ii) may encroach into a required **front yard setback** by a maximum of 0.9 metres if the device is no closer to a **lot line** than 0.3 metres;
 - (iii) may be located on the roof of a **building** and exceed the permitted maximum height for that **building** by 2.0 metres; and,
 - (iv) may be located on a platform.
- (B) ground mounted:
 - (i) may encroach into a required **building setback** by a maximum of 0.9 metres if the device is no closer to a **lot line** than 0.3 metres;
 - (ii) may encroach into a required separation distance by a maximum of 0.9 metres if the device is no closer to a **lot line** than 0.3 metres; and,
 - (iii) must be within 2.0 metres of a **main wall** or a platform.

Explanatory Comment: The provision below introduces new standards for energy storage systems in the Residential Zone Category.

35. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 10.5.75.1(7), so that it reads:

(7) Energy Storage System

In the Residential Zone category, an **energy storage system**, inclusive of any associated cabinetry or protective equipment, that is **ancillary** to a **building** on a **lot** may be in a **front yard**, **rear yard**, or **side yard** and:

- (A) may encroach into a required **building setback** by a maximum of 0.6 metres if the device is no closer to a **lot line** than 0.3 metres.

Explanatory Comment: The provisions below introduce new standards to permit solar energy systems in the Residential Zone Category to be projected above the maximum building height of a residential buildings other than an apartment building, non-residential buildings, and ancillary buildings or structures.

36. Zoning By-law 569-2013, as amended, is further amended by amending regulation 10.5.75.1(4)(ii) to add the words “or any ancillary building or structure” after the words “apartment building” at the end of regulations 10.5.75.1(4)(A)(ii)(a) and 10.5.75.1(4)(A)(ii)(b), so that it reads:

- (ii) no part of the device may be higher than;
- (a) 1.2 metres above the permitted maximum height for any **residential building** other than an **apartment building** or any **ancillary building** or **structure**; and,
- (b) 2.0 metres above the permitted maximum height for an **apartment building** or **non-residential building** or any **ancillary building** or **structure**.

Explanatory Comment: The provisions below introduce new standards to ground-mounted solar energy systems in the Residential Zone Category.

37. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.5.75.1(4)(B), so that it reads:

- (B) ground mounted:
- (i) may be located in a **rear yard** or **side yard** that does not abut a **street**;
- (ii) may not be closer than 1.0 metres to a **rear lot line** or **side lot line**;
- (iii) no part of the device may be higher than 2.5 metres;

- (iv) may not exceed an area of 40.0 square metres; and,
- (v) is included in:
 - (a) the overall calculation of lot coverage in regulation 10.5.60.70(1)(A); and
 - (b) the calculation of the area of the lot covered by ancillary buildings and structures in regulation 10.5.60.70(1)(B).

Explanatory Comment: The provisions below introduce new standards that permit lawful parking spaces to be removed and replaced by EV charging equipment. These provisions would apply to all zones.

38. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 200.5.10.1(13), so that it reads:

(13) Reduction of Parking Spaces for Electric Vehicle Infrastructure

Despite regulations 200.5.10.1(1) and 200.5.10.11(1)(C) and Table 200.5.10.1, electric vehicle supply equipment may occupy a required **parking space**, subject to the following requirements, unless authorized by a Section 45 Planning Act minor variance:

- (A) the electric vehicle supply equipment may not occupy a **parking space** required for a **dwelling unit** or a required accessible **parking space**;
- (B) the electric vehicle supply equipment must be wholly contained within the area originally constructed as a **lawful parking space**; and,
- (C) the electric vehicle supply equipment may not be within 0.3 metres of the side of a **parking space**, measured at right angles.

Explanatory Comment: The provisions below introduce new standards for solar parking canopies in the Residential Zone Category.

39. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 10.5.80.1(4), so that it reads:

(4) Solar Parking Canopies

In the Residential Zone category, a **solar parking canopy**:

- (A) despite any **building setback** required in this By-law, a **solar parking canopy** is permitted in any **front yard**, **side**

yard or rear yard and does not need to comply with a **building setback** provided it is located above a **parking space, drive aisle or bicycle parking space** in an outdoor area used for the parking or storing of 3 or more **vehicles**;

- (B) despite regulation (A) above, the edge of a **solar parking canopy** and any structural supports, such as columns, may encroach beyond the edge of a **parking space** and into any **front yard, side yard or rear yard**, by a maximum of 0.5 metres;
- (C) structural supports, such as columns, associated with a **solar parking canopy**, may not obstruct the side of a **parking space** provided any part of a fixed object is situated:
 - (i) more than 0.3 metres of the side of the **parking space**, measured at right angles; and
 - (ii) more than 1.0 metre from the front or rear of the **parking space**;
- (D) may not exceed a permitted maximum height of 4.0 metres when on a **lot** with a **residential building** other than an **apartment building**;
- (E) may not exceed a permitted maximum height of 6.0 metres when on a **lot** with an **apartment building**; and,
- (F) the area of a **solar parking canopy** is not included in the calculation of **lot coverage**.

Explanatory Comment: The provisions below introduce new standards for solar parking canopies in the Residential Apartment Zone Category.

40. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 15.5.80.1(3), so that it reads:

(3) Solar Parking Canopies

In the Residential Apartment Zone category, a **solar parking canopy**:

- (A) despite any **building setback** required in this By-law, a **solar parking canopy** is permitted in any **front yard, side yard or rear yard** and does not need to comply with a **building setback** provided it is located above a **parking space, drive aisle or bicycle parking space** in an outdoor area used for the parking or storing of 3 or more **vehicles**;

- (B) despite (A) above, the edge of a **solar parking canopy** and any structural supports, such as columns, may encroach beyond the edge of a **parking space** and into any **front yard, side yard** or **rear yard**, by a maximum of 0.5 metres;
- (C) structural supports, such as columns, associated with a **solar parking canopy**, may not obstruct the side of a **parking space** provided any part of a fixed object is situated:
 - (i) more than 0.3 metres of the side of the **parking space**, measured at right angles; and
 - (ii) more than 1.0 metre from the front or rear of the **parking space**;
- (D) may not exceed a permitted maximum height of 4.0 metres when on a **lot** with a **residential building** other than an **apartment building**;
- (E) may not exceed a permitted maximum height of 6.0 metres when on a **lot** with an **apartment building**; and,
- (F) the area of a **solar parking canopy** is not included in the calculation of **lot coverage**.

Explanatory Comment: The provisions below introduce new standards for solar parking canopies in the Commercial Zone Category.

41. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 30.5.80.1(2), so that it reads:

(2) Solar Parking Canopies

In the Commercial Zone category, a **solar parking canopy**:

- (A) despite any **building setback** required in this By-law, a **solar parking canopy** is permitted in any **front yard, side yard** or **rear yard** and does not need to comply with a **building setback** provided it is located above a **parking space, drive aisle** or **bicycle parking space** an outdoor area used for the parking or storing of 3 or more **vehicles**;
- (B) despite (A) above, the edge of a **solar parking canopy** and any structural supports, such as columns, may encroach beyond the edge of a **parking space** and into any **front yard, side yard** or **rear yard**, by a maximum of 0.5 metres;

- (C) structural supports, such as columns, associated with a **solar parking canopy**, may not obstruct the side of a **parking space** provided any part of a fixed object is situated:
 - (i) more than 0.3 metres of the side of the **parking space**, measured at right angles; and
 - (ii) more than 1.0 metre from the front or rear of the **parking space**;
- (D) may not exceed a permitted maximum height of 4.0 metres when on a **lot** with a **residential building** other than an **apartment building**;
- (E) may not exceed a permitted maximum height of 6.0 metres when on a **lot** with an **apartment building, mixed use building** or **non-residential building**; and,
- (F) the area of a **solar parking canopy** is not included in the calculation of **lot coverage**.

Explanatory Comment: The provisions below introduce new standards for solar parking canopies in the Commercial Residential Zone Category.

42. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 40.5.80.1(2), so that it reads:

(2) Solar Parking Canopies

In the Commercial Residential Zone category, a **solar parking canopy**:

- (A) despite any **building setback** required in this By-law, a **solar parking canopy** is permitted in any **front yard, side yard** or **rear yard** and does not need to comply with a **building setback** provided it is located above a **parking space, drive aisle** or **bicycle parking space** in an outdoor area used for the parking or storing of 3 or more **vehicles**;
- (B) despite (A) above, the edge of a **solar parking canopy** and any structural supports, such as columns, may encroach beyond the edge of a **parking space** and into any **front yard, side yard** or **rear yard**, by a maximum of 0.5 metres;
- (C) structural supports, such as columns, associated with a **solar parking canopy**, may not obstruct the side of a **parking space** provided any part of a fixed object is situated:

- (i) more than 0.3 metres of the side of the **parking space**, measured at right angles; and
 - (ii) more than 1.0 metre from the front or rear of the **parking space**;
- (D) may not exceed a permitted maximum height of 4.0 metres when on a **lot** with a **residential building** other than an **apartment building**;
 - (E) may not exceed a permitted maximum height of 6.0 metres when on a **lot** with an **apartment building, mixed use building** or **non-residential building**; and,
 - (F) the area of a **solar parking canopy** is not included in the calculation of **lot coverage**.

Explanatory Comment: The provisions below introduce new standards for solar parking canopies in the Commercial Residential Employment Zone Category.

43. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 50.5.80.1(2), so that it reads:

(2) Solar Parking Canopies

In the Commercial Residential Employment Zone category, a **solar parking canopy**:

- (A) despite any **building setback** required in this By-law, a **solar parking canopy** is permitted in any **front yard, side yard** or **rear yard** and does not need to comply with a **building setback** provided it is located above a **parking space, drive aisle** or **bicycle parking space** in an outdoor area used for the parking or storing of 3 or more **vehicles**;
- (B) despite (A) above, the edge of a canopy and any structural supports, such as columns, may encroach beyond the edge of a **parking space** and into any **front yard, side yard** or **rear yard**, by a maximum of 0.5 metres;
- (C) structural supports, such as columns, associated with a **solar parking canopy**, may not obstruct the side of a **parking space** provided any part of a fixed object is situated:
 - (i) more than 0.3 metres of the side of the **parking space**, measured at right angles; and

- (ii) more than 1.0 metre from the front or rear of the **parking space**;
- (D) may not exceed a permitted maximum height of 4.0 metres when on a **lot** with a **residential building** other than an **apartment building**;
- (E) may not exceed a permitted maximum height of 6.0 metres when on a **lot** with an **apartment building, mixed use building** or **non-residential building**; and,
- (F) the area of a **solar parking canopy** is not included in the calculation of **lot coverage**.

Explanatory Comment: The provisions below introduce new standards for solar parking canopies in the Employment Industrial Zone Category.

44. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 60.5.80.1(3), so that it reads:

(3) Solar Parking Canopies

In the Employment Industrial Zone category, a **solar parking canopy**:

- (A) despite any **building setback** required in this By-law, a **solar parking canopy** is permitted in any **front yard, side yard** or **rear yard** and does not need to comply with a **building setback** provided it is located above a **parking space, drive aisle** or **bicycle parking space** in an outdoor area used for the parking or storing of 3 or more **vehicles**;
- (B) despite (A) above, the edge of a canopy and any structural supports, such as columns, may encroach beyond the edge of a **parking space** and into any **front yard, side yard** or **rear yard**, by a maximum of 0.5 metres;
- (C) structural supports, such as columns, associated with a **solar parking canopy**, may not obstruct the side of a **parking space** provided any part of a fixed object is situated:
 - (i) more than 0.3 metres of the side of the **parking space**, measured at right angles; and
 - (ii) more than 1.0 metre from the front or rear of the **parking space**;
- (E) may not exceed a permitted maximum height of 6.0 metres; and,

- (F) the area of a **solar parking canopy** is not included in the calculation of **lot coverage**.

Explanatory Comment: The provisions below introduce new standards for solar parking canopies in the Institutional Zone Category.

45. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 80.5.80.1(2), so that it reads:

(2) Solar Parking Canopies

In the Institutional Zone category, a **solar parking canopy**:

- (A) Despite any **building setback** required in this By-law, , a **solar parking canopy** is permitted in any **front yard, side yard or rear yard** and does not need to comply with a **building setback** provided it is located above a **parking space, drive aisle or bicycle parking space** in an outdoor area used for the parking or storing of 3 or more **vehicles**;
- (B) despite (A) above, the edge of a canopy and any structural supports, such as columns, may encroach beyond the edge of a **parking space** and into any **front yard, side yard or rear yard**, by a maximum of 0.5 metres;
- (C) structural supports, such as columns, associated with a **solar parking canopy**, may not obstruct the side of a **parking space** provided any part of a fixed object is situated:
- (i) more than 0.3 metres of the side of the **parking space**, measured at right angles; and
- (ii) more than 1.0 metre from the front or rear of the **parking space**;
- (E) may not exceed a permitted maximum height of 6.0 metres; and,
- (F) the area of a **solar parking canopy** is not included in the calculation of **lot coverage**.

Explanatory Comment: The provisions below introduce new standards for solar parking canopies in the Open Space Zone Category.

46. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 90.5.80.1(2), so that it reads:

(2) Solar Parking Canopies

In the Open Space Zone category, a **solar parking canopy**:

- (A) despite any **building setback** required in this By-law, a **solar parking canopy** is permitted in any **front yard, side yard or rear yard** and does not need to comply with a **building setback** provided it is located above a **parking space, drive aisle or bicycle parking space** in an outdoor area used for the parking or storing of 3 or more **vehicles**;
- (B) despite (A) above, the edge of a canopy and any structural supports, such as columns, may encroach beyond the edge of a **parking space** and into any **front yard, side yard or rear yard**, by a maximum of 0.5 metres;
- (C) structural supports, such as columns, associated with a **solar parking canopy**, may not obstruct the side of a **parking space** provided any part of a fixed object is situated:
 - (i) more than 0.3 metres of the side of the **parking space**, measured at right angles; and
 - (ii) more than 1.0 metre from the front or rear of the **parking space**;
- (E) may not exceed a permitted maximum height of 6.0 metres; and,
- (F) the area of a **solar parking canopy** is not included in the calculation of **lot coverage**.

Explanatory Comment: The provisions below introduce new standards for solar parking canopies in the Utility and Transportation Zone Category.

47. Zoning By-law 569-2013, as amended, is further amended by adding new regulation 100.5.80.1(2), so that it reads:

(2) Solar Parking Canopies

In the Utility and Transportation Zone category, a **solar parking canopy**:

- (A) despite any **building setback** required in this By-law, a **solar parking canopy** is permitted in any **front yard, side yard or rear yard** and does not need to comply with a **building setback** provided it is located above a **parking space, drive aisle or bicycle parking space** in an outdoor area used for the parking or storing of 3 or more **vehicles**;

- (B) despite (A) above, the edge of a canopy and any structural supports, such as columns, may encroach beyond the edge of a **parking space** and into any **front yard, side yard** or **rear yard**, by a maximum of 0.5 metres;
- (C) structural supports, such as columns, associated with a **solar parking canopy**, may not obstruct the side of a **parking space** provided any part of a fixed object is situated:
 - (i) more than 0.3 metres of the side of the **parking space**, measured at right angles; and
 - (ii) more than 1.0 metre from the front or rear of the **parking space**;
- (E) may not exceed a permitted maximum height of 6.0 metres; and,
- (F) the area of a **solar parking canopy** is not included in the calculation of **lot coverage**.

Explanatory Comment: The provisions below introduce new definitions in Chapter 800 for “Energy Storage System” and “Solar Parking Canopies”.

48. Zoning By-law 569-2013, as amended, is further amended by adding new Regulation 800.50(234), so that it reads:

(234) Energy Storage System

means a stationary rechargeable system and any associated cabinetry or protective equipment that captures energy produced at one time for use at a later time and may discharge the energy to one or more uses on the same **lot** and or to the distribution grid.

49. Zoning By-law 569-2013, as amended, is further amended by adding new Regulation 800.50(791), so that it reads:

(791) Solar Parking Canopies

means a **structure** with a **solar energy** device attached to the roof surface and located over an outdoor area used for the parking or storing of 3 or more **vehicles**.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)