

PART 16

OTHER SPECIALIZED ZONES

Other Specialized **Zones**

In certain instances, special circumstances dictate that variances be allowed to the permitted **Uses** or regulations of the generic land use **Zones** specified in Sections 5-15. In these cases, other specific Restricted Defined Areas (Specialized **Zones**) have been established.

Where these other Restricted Defined Areas (Specialized **Zones**) exist, the provisions of the Zoning **By-law** shall apply except where specifically precluded by the **Uses** and regulations for the Restricted Defined Area outlined in Part 16 of Schedule “B”.

The following other Restricted Defined Area (Specialized **Zones**) are herein set out:

SECTION 5.5 – RETIREMENT RESIDENTIAL (RR) ZONES

5.5.1 **PERMITTED USES**

5.5.1 a) Definitions

Notwithstanding the provisions of Section 3 of this **By-law**, within any RR.1 or RR.2 **Zone** the following definitions shall apply:

- i. **“Block”** means an area of land within a **Lot** and described as a part in accordance with a deposited reference plan and having access to a public **Street** or highway by means of a private **Street**.
- ii. **“Private Street”** means a primary means of access to a block by way of a private right-of-way or right of access contained either in an easement or lease.

5.5.1 b) The definition for **“Setback”** in Section 3 shall not apply to Section 5.5.

The following are permitted **Uses** within the Retirement Residential (RR) **Zones**:

5.5.1.1 Retirement Residential (RR.1) Zone

- **Single Detached Dwelling**
- **Semi-detached Dwelling**
- **Duplex Dwelling**
- **Townhouse**

5.5.1.2 Retirement Residential (RR.2) Zone

5.5.1.2.1 Residential Uses

- **Apartment Building**
- **Duplex Dwelling**
- **Home for the Aged** or residential care facility to a maximum of 120 beds
- **Nursing Home**
- **Semi-detached Dwelling**
- **Townhouse**
- **Accessory Use** in accordance with Section 4.23

5.5.1.2.2 Non-Residential **Uses** – Group A

- **Convenience Store**
- **Dry Cleaning Outlet**
- **Financial Establishment**
- **Laundry**
- **Medical Office**
- **Office**
- **Personal Service Establishment**
- **Restaurant**
- **Restaurant (take-out)**
- **Tavern**
- **Accessory Uses** in accordance with Section 4.23

5.5.1.2.3 Non-Residential **Uses** – Group B

- **Art Gallery**
- **Club**
- **Commercial Entertainment**
- **Commercial School**
- **Library**
- **Museum**
- **Recreation Centre**
- **Religious Establishment**
- **School**
- **Accessory Uses** in accordance with Section 4.23

5.5.2 REGULATIONS

5.5.2.1 Retirement Residential **Zone** 1 – (RR.1)

Within the Retirement Residential **Zone** 1 (RR.1), no land shall be **Used** and no **Building** shall be erected or **Used** except in conformity with the applicable regulations contained in Section 4 – General Provisions and in accordance with the following:

5.5.2.1.1 **Single Detached Dwelling, Semi-detached Dwelling, Duplex Dwelling, Townhouse**

R.1-3

- 5.5.2.1.1.1 Minimum Block Width
18 metres.
- 5.5.2.1.1.2 Maximum **Dwelling Units**
668 **Dwelling Units**.
- 5.5.2.1.1.3 Minimum **Ground Floor Area** (per **Dwelling Unit**)
Single Detached Dwelling located closer than 30 metres to an R1.A or R1.B **Zone** – 111.5 square metres.
- Single Detached Dwelling** not located closer than 30 metres to any R.1A or R.1B **Zone** – 80 square metres.
- Semi-Detached, Duplex Dwelling, Townhouse Dwelling** – 69.5 square metres.
- 5.5.2.1.1.4 Minimum **Front Yard**
a) From a public **Street** – 7.5 metres
b) From a private **Street** – 7.5 metres from the nearest curb or sidewalk. Despite the foregoing, the **Setback** may be reduced to 4.5 metres from the nearest curb or sidewalk, where the legal off-**Street Parking Space** is located a minimum distance of 7.5 metres from the nearest curb or sidewalk.
- 5.5.2.1.1.5 Maximum **Building Height**
2 **Storeys**.
- 5.5.2.1.1.6 Maximum Block Coverage
No more than 35% of the **Lot** or block area shall be covered by **Buildings** or **Structures**.
- 5.5.2.1.1.7 Minimum **Private Amenity Area**
A **Private Amenity Area** shall be provided for each dwelling and such area shall:
- 5.5.2.1.1.7.1 Be a **Yard** for the Private **Use** of occupants of the **Dwelling Unit** for which such **Private Amenity Area** is required.
- 5.5.2.1.1.7.2 Be adjacent to the wall of the **Dwelling Unit** and have access to a **Habitable Room** or to a hall.
- 5.5.2.1.1.7.3 Have a minimum depth (from the wall of the **Dwelling Unit**) of 3 metres.
- 5.5.2.1.1.7.4 Have a minimum area of 28 square metres.

5.5.2.1.1.7.5 Not form part of the separation distance required by Section 5.5.2.1.1.9.

5.5.2.1.1.8 Minimum Off-Street Parking For Each **Dwelling Unit**

5.5.2.1.1.8.1 **Single Detached Dwelling, Semi-detached Dwelling, Duplex Dwelling** – 1 space

Townhouse – 1.5 spaces

5.5.2.1.1.8.2 Except for a **Driveway** leading to a private individual **Parking Space**, no part of any **Driveway** or **Parking Area** shall be located within 3 metres of any **Building** entrance or any window of a **Habitable Room**.

5.5.2.1.1.8.3 No outdoor parking shall be located within 3 metres of any **Lot Line** or within 7.5 metres of any R.1A or R.1B **Zone**.

5.5.2.1.1.8.4 In any **Townhouse** development containing more than 8 dwellings, if access to required off-street **Parking Space** is by one **Driveway** only, such **Driveway** shall have a minimum width of 6 metres throughout its length.

5.5.2.1.1.9 Separation Distances

Despite the provisions of Section 4.4, two or more **Buildings** may be located on one block provided that:

5.5.2.1.1.9.1 Separation Distance Requirements for **Single Detached, Semi-Detached** or **Duplex Dwellings**

a) No **Building** shall be located closer to any R.1A or R.1B **Zone** than a distance of 7.5 metres.

b) The distance between any two **Buildings** on the same block shall in no case be less than:

i. 2.4 metres, where a 1 or 1.5 **Storey Dwelling Unit** abuts a 1 or 1.5 **Storey Dwelling Unit**.

ii. 2.7 metres, where a 1 or 1.5 **Storey Dwelling Unit** abuts a 2 **Storey Dwelling Unit**.

iii. 3.0 metres, where a 2 **Storey Dwelling Unit** abuts a 2 **Storey Dwelling Unit**.

c) Despite the foregoing, no part of a **Private Amenity Area** shall be located within 6 metres of a rear wall of another

Building.

- d) Despite the foregoing, the minimum distance between ***Private Amenity Areas*** shall be 9 metres, where one ***Private Amenity Area*** faces another ***Private Amenity Area***, or 3 metres where the ***Private Amenity Areas*** are side by side and aligned parallel to each other.

5.5.2.1.1.9.2

Separation Distance Requirements for ***Townhouses***

- a) The distance between any two ***Buildings*** on the same block shall in no case be less than 6 metres.
- b) Despite the foregoing, no part of any ***Private Amenity Area*** shall be located within 6 metres of a wall in another ***Building***.
- c) Notwithstanding the foregoing, the minimum distance between the ***Private Amenity Areas*** of two separate ***Buildings*** shall be 9 metres, where one ***Private Amenity Area*** faces another ***Private Amenity Area*** or 3 metres where the ***Private Amenity Areas*** are side by side and aligned parallel to each other.

5.5.2.1.1.10

Frontage on a ***Street***

Despite Section 4.1, access from a block, ***Building*** or ***Street*** in the RR.1 ***Zone*** to a public ***Street*** may be provided by way of a private ***Street***.

5.5.2.1.2

Accessory ***Building*** or ***Structure***

In accordance with Section 4.5.

5.5.2.2

Retirement Residential ***Zone 2 – (RR.2)***

Within the Retirement Residential ***Zone 2 – (RR.2)***, no land shall be ***Used*** and no ***Building*** shall be erected or ***Used*** except in conformity with the applicable regulations contained in Section 4 of the General Provisions and in conformity with the following additional regulations:

5.5.2.2.1

Maximum ***Dwelling Units***

552 ***Dwelling Units*** of which 120 may be utilized for a ***Home for the Aged*** or residential care facility comprising 120 beds.

5.5.2.2.2

Semi-Detached Dwellings, Duplex Dwelling, Townhouse

All the regulations of the RR.1 ***Zone*** specified by Section 5.5.2.2.1, with the exception of Section 5.5.2.2.1.2, shall apply.

- 5.5.2.2.3 Apartment Dwelling, **Home for the Aged**, Residential Care Facility
Subject to all of the regulations of Section 5.4.2 which are applicable, the Residential Apartment (R.4A) **Zone**, with the following exceptions and additions:
- 5.5.2.2.3.1 Minimum **Building Separation**
One-half the total **Building Height** and in no case less than 7.5 metres.
- 5.5.2.2.3.2 Maximum **Building Height**
6 Storeys.
- 5.5.2.2.3.3 Minimum **Common Amenity Area**
A **Common Amenity Area** shall be provided in accordance with the following:
- 5.5.2.2.3.3.1 **Common Amenity Area** shall be calculated based on not less than 28 m² per **Dwelling Unit** for each unit up to 20 units.
- For each additional **Dwelling Unit**, not less than 18.5 m² of **Common Amenity Area** shall be provided.
- 5.5.2.2.3.4 Minimum Off-Street Parking
Despite any other provision of Section 4.13.4, only the following regulations shall apply in the RR.2 **Zone**:
- 5.5.2.2.3.4.1 Apartment
0.8 spaces per **Dwelling Unit**.
- Home for the Aged** or Residential Care Facility
0.3 **Parking Spaces** per bed.
- 5.5.2.2.3.5 Parking/**Driveway** Location
No part of any **Parking Area** or **Driveway** shall be located within 3 metres of any **Building** entrance or any window of a **Habitable Room**.
- 5.5.2.2.3.6 **Buffer Strips**
None Required.
- 5.5.2.2.4 Non-Residential **Uses** – Group A
In accordance only with the following regulations:
- 5.5.2.2.4.1 Maximum Leasable Floor Area – Group A
930 m².

- 5.5.2.2.4.2 Minimum Off-Street Loading
None required.
- 5.5.2.2.4.3 Minimum **Setback**
7.5 metres from a public **Street** or from the curb of a private **Street** or as set out in Section 4.24.
- 5.5.2.2.4.4 Minimum Off-Street Parking
1 **Parking Space** shall be required for each 36 m² of **Building** area devoted to non-residential **Use**.
- 5.5.2.2.4.5 Location of Off-Street Parking or Off-Street Loading
No off-street parking or off-street loading space shall be located within 3 metres of a public **Street Line** or the curb of a private **Street**.
- 5.5.2.2.4.6 Minimum **Building** Separation
One-half the total **Building Height** and in no case less than 7.5 metres.
- 5.5.2.2.4.7 Maximum **Building Height**
2 **Storeys**.
- 5.5.2.2.5 Non-Residential **Uses** – Group B
In accordance only with the following regulations:
- 5.5.2.2.5.1 Minimum **Front Yard**
7.5 metres from a public **Street Line** or from the curb of a private **Street** or as set out in Section 4.24, whichever is greater.
- 5.5.2.2.5.2 Minimum Off-Street Loading
In accordance with Section 4.14.
- 5.5.2.2.5.3 Minimum Off-Street Parking
1 **Parking Space** shall be required for each 36 m² of **Building** area devoted to non-residential **Use**; and
- The parking requirement for a **School** or **Religious Establishment** shall be:
- i. **School** – One **Parking Space** for each classroom, based on the ultimate number of classrooms or, where an auditorium or hall is included, one **Parking Space** for each 5 persons that can be accommodated, whichever is greater.
 - ii. **Religious Establishment** – One **Parking Space** for each 5

persons that can be accommodated.

- iii. The number of persons to be accommodated shall be calculated on the basis of 1 person for every .75 square metres of fixed seating or on the basis of one person for 1 square metre of movable seating.

5.5.2.2.5.4

Location of Off-Street Parking or Off-Street Loading

No off-street parking or off-street loading space shall be located within 3 metres of a public **Street** or the curb of a private **Street**.

5.5.2.2.5.5

Minimum **Building** Separation

One-half the total **Building Height** and in no case less than 7.5 metres.

5.5.2.2.5.6

Maximum **Building Height**

6 **Storeys**.

5.5.2.2.5.7

Frontage on a **Street**

Despite Section 4.1, access from a block, **Building** or **Street** in the RR.2 **Zone** to a public **Street** may be provided by way of a private **Street**.

5.5.2.2.5.8

Accessory **Building** or **Structure**

In accordance with Section 4.5.

SECTION 14 – SPECIALIZED DOWNTOWN ZONES

20317 14.1

D.1-24

25 Wellington St, 24 Commercial St, 9 Cork Street, 11 Cork Street
As shown on Defined Area Map 24 and 25 of Schedule “A” of this **By-law**.

14.1.1

Permitted Uses**Residential Uses**

- **Apartment Building** (2)
- **Group Home** (3)
- **Home for the Aged** (2)
- **Nursing Home** (2)
- **Home Occupation** (4)
- **Live-Work Units** (5)
- **Lodging House Type 1** (3)
- **Mixed-Use Building** (5) (6)
- **Multiple Attached Dwelling** (2)
- **Townhouse** (2)

Retail Uses

- **Agricultural Produce Market** (1)
- **Retail Establishment** (1)

Service Uses

- **Artisan Studio**
- **Auction Centre** (1)
- **Catering Service**
- **Commercial Entertainment** (1) (7)
- **Commercial School**
- **Daycare Centre**
- **Financial Establishment** (1)
- **Micro-Brewery or Brew Pub** (1) (8)
- **Restaurant** (1) (7)
- **Service Establishment** (1)
- **Tavern** (1) (8)
- **Taxi Establishment**
- **Tradesperson’s shop**

Office Uses

- **Laboratory**
- **Medical Clinic**
- **Medical Office**
- **Office**
- **Research Establishment**

Community Uses

- **Arena**
- **Art Gallery** (1)
- **Club**
- **Emergency Shelter** (9)
- **Government Office** (1)
- **Library** (1)
- **Museum** (1)
- **Public Hall** (7)
- **Recreation Centre** (1)
- **Religious Establishment**
- **School**
- **School, Post Secondary**
- Transit Terminal

Hospitality Uses

- **Bed and Breakfast** (10)
- **Hotel** (1)
- **Tourist Home**

Other

- **Accessory Uses**
- **Occasional Uses** (11)
- **Public Parking Facility**

Additional Regulations for Section 14.1.1:

1. Active **Uses** in accordance with Section 14.2.3 and 14.3.1.3.
2. Not permitted on streets identified as Active Frontage Areas in Section 14.2.3 and 14.3.1.3.
3. In accordance with Section 4.25.
4. In accordance with Section 4.19.
5. In accordance with Section 14.2.3 and 14.3.1.3.
6. In Active Frontage Areas as identified in Section 14.2.3 and 14.3.1.3, **Dwelling Units** are not permitted in the **Cellar**, **Basement**, or on the main floor level (ie. In the first **Storey**).
7. Where a **Lot Line** abuts a R.1, R.2 or R.3 **Zone**, a **Commercial Entertainment, Restaurant** and **Public Hall** shall not exceed a maximum of 500 m² **G.F.A.**
8. Where a **Lot Line** abuts a R.1, R.2 or R.3 **Zone**, a **Tavern** and a **Micro-Brewery or Brew Pub** shall not be permitted.
9. In accordance with Section 4.29
10. In accordance with Section 4.27 except 4.27.3.
11. In accordance with Section 4.21

14.1.2 The following definitions shall apply to the D.1-24 **Zone**:

“**Active Entrance**” means a door that is clearly intended and designed to be the principal entrance or one of the principal entrances for use on a permanent basis, facing a public **Street** or public square and excludes emergency egress doors, garage doors, service doors, loading doors and doors giving access to storage areas.

“**Angular Plane**” means an imaginary inclined plane rising over a Lot, drawn at a specified angle from the horizontal, which together with other **Building** regulations and **Lot** size requirements, delineates the maximum bulk and **Building Height**.

“**Automated Parking System**” means a mechanical system, wholly contained within an enclosed **Building** or **Structure**, which moves motor **Vehicles** to a **Parking Space** in a parking garage without the **Vehicles** being occupied or operated by a human being.

“**Bicycle Parking Space**” means a **Bicycle Parking Space, Long-term** and/or a **Bicycle Parking Space, Short Term**.

“**Bicycle Parking Space, Long Term**” means an area that is equipped with a bicycle rack or locker that is accessible, secure, weather-protected and for use by occupants or tenants of a **Building** and is not provided within a **Dwelling Unit**, suite or on a **Balcony**.

“**Bicycle Parking Space, Short-Term**” means an area for the purpose of parking and securing bicycles with a bicycle rack that is accessible for visitors to a **Building** and is located outdoors or indoors but not within a commercial suite, **Dwelling Unit**, secured room, enclosure or bicycle locker.

“**Drive-Through Facility**” means a **Place Used** to provide or dispense products or services through an attendant, a window, or an automated machine to persons remaining in **Vehicles** in a designated stacking lane(s), which may or may not include an order box and menu boards, but does not include a **Public Parking Facility**.

“**Floorplate**” means the gross horizontal floor area of a single floor measured from the exterior walls of a **Building** or **Structure** and shall not include **Balconies**.

“**Government Office**” means a **Building** or portion thereof **Used** by the public (Federal, Provincial, Country or Municipal) sector Government(s) to conduct public administration or provide a public service.

“**Live-Work Unit**” shall mean a unit within a **Building**, in which a portion of the unit at grade level may be **Used** as a business establishment and the remainder of the unit shall be a **Dwelling Unit** and whereby each “live” and “work” component within a portion of the unit has an independent entrance from the outside and an interior access between the “live” and “work” components.

“**Mixed-Use Building**” means a **Building** in a Downtown **Zone** containing **Dwelling Units** and at least one other non-residential **Use** permitted by this **By-law**, where a residential portion of the **Building** has an independent entrance from the outside.

“**Public Parking Facility**” means a **Place** other than a **Street**, **Used** for the parking of **Vehicles** that is owned by or operated by or operated on behalf of the City for the general public.

“**Service Establishment**” means a **Place** providing services related to the grooming of persons (such as a barber or salon), a **Place** providing the cleaning, maintenance or repair of personal articles and accessories (such as dry cleaning and laundering), small appliances or electronics, or a **Place** providing services related to the maintenance of a residence or business (such as private mail box, photocopying, courier or custodial services), but does not include a: **Parlour, Adult Entertainment, Small Motor Equipment Sales, Storage Facility, Tradesperson’s Shop, Warehouse;** and **Wholesale**.

“**Stepback**” means a portion of a **Building** that is horizontally recessed from the **Building** face in accordance with the requirements of this **By-law**.

“**Transparent Window**” means any window that is not tinted and which provides clear visibility from the outside to the interior of the **Building**.

14.1.3 Built Form Regulations

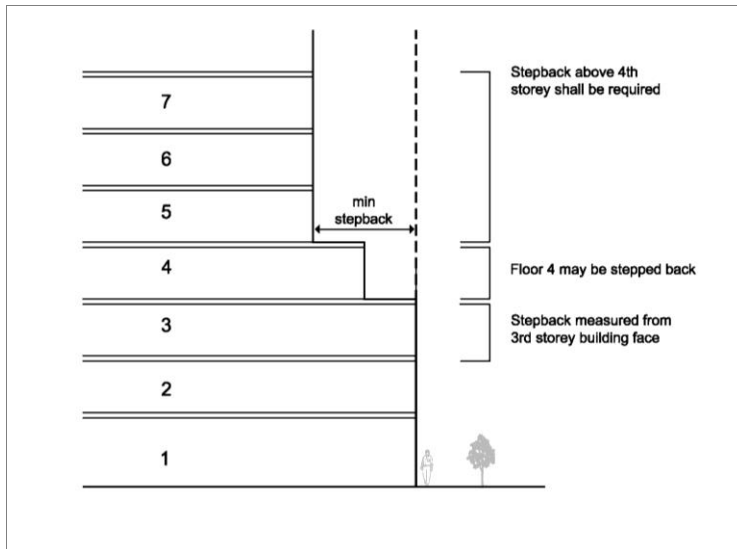
The following Built Form Regulations apply to new **Buildings** and/or additions constructed after the effective date of By-law (2018)-20317.

14.1.3.1 The maximum **Floorplate** of the 7th and 8th **Storeys** of the **Building** shall not exceed 1,200 square metres.

14.1.3.2 The maximum **Floorplate** of each **Storey** of the **Building** above the 8th **Storey** shall not exceed 1,000 square metres and shall not exceed a length to width ratio of 1.5:1.

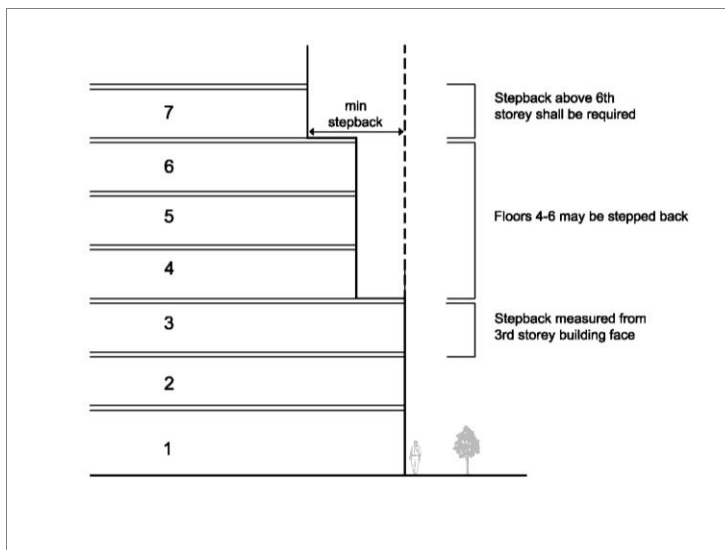
14.1.3.3

The minimum **Stepback** shall be 3 metres and shall be required for all portions of the **Building** above the 4th **Storey**. **Stepbacks** shall be measured from the **Building** face of the 3rd **Storey** facing a **Street**.



14.1.3.4

Notwithstanding Section 14.1.3.3, where a **Lot** abuts Gordon Street or Wellington Street the minimum **Stepback** shall be 3 metres and shall be required for all portions of the **Building** above the 6th **Storey**. **Stepbacks** shall be measured from the **Building** face of the 3rd **Storey** facing a **Street**.

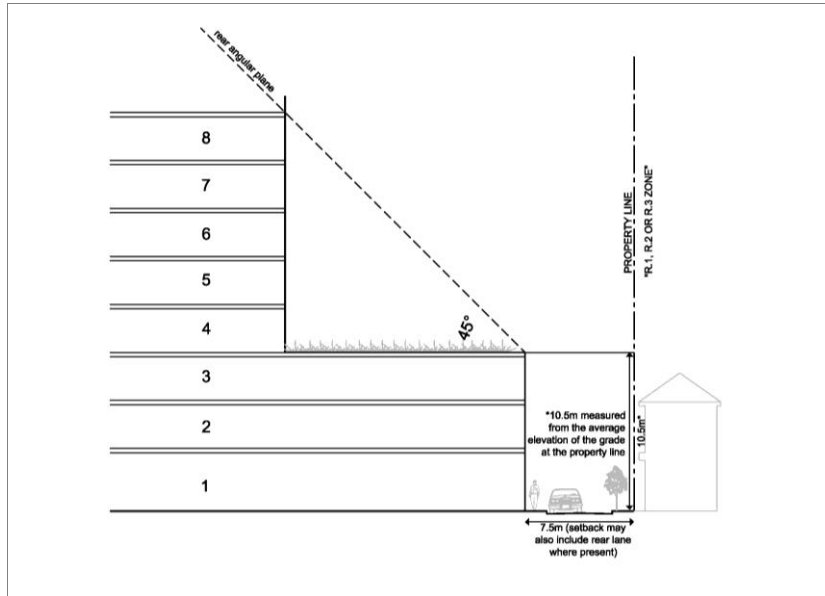


14.1.4 **Building Height** Regulations

14.1.4.1

In addition to maximum **Building Height** defined in Table 14.1.8, Row 5 and Section 4.18, an **Angular Plane** establishes the maximum **Building Height** as follows:

Where a **Lot Line** of a Downtown **Zone** abuts a R.1, R.2 or R.3 **Zone**, **Building Heights** shall not exceed an **Angular Plane** of 45 degrees in accordance with the following:



14.1.5 Required **Parking Spaces**

Notwithstanding Section 4.13.4, off street Parking Spaces shall be provided in accordance with the following:

Table 14.1.5		
Row	Use	Minimum Number of Parking Spaces
1	Apartment Building, Duplex, Multiple Attached, Single Detached, Semi-Detached, Townhouse	1 per residential Dwelling Unit (a)
2	Live-Work Unit, Mixed-Use Building	In addition to the non-residential parking requirement, 1 Parking Space per residential Dwelling Unit is required (a)
3	Home Occupation, Lodging House Type 1, Accessory Apartment, Group Home, Nursing Home	In accordance with Section 4.13.4
4	Retail Uses	1 per 100 m2 G.F.A.
5	Service Uses	1 per 100 m2 G.F.A.

6	Office Uses	1 per 67 m2 G.F.A.
7	Community Uses	1 per 67 m2 G.F.A.
8	Hospitality Uses	0.75 per guest room (b)

Additional Regulations for Table 14.1.5

- a) **Apartment Buildings, Cluster Townhouses or Mixed-Use Buildings** in a D.1 or D.2 **Zone**, with more than 10 **Dwelling Units**, require a minimum of 0.05 **Parking Spaces** per **Dwelling Unit** in addition to the requirements of Table 14.1.5, Rows 1 and 2, for the **Use** of visitors to the **Building** and such **Parking Spaces** shall be clearly identified as being reserved for the exclusive **Use** of residential visitors.
- b) i) For a **Hotel**, an additional 1 **Parking Space** is required per 10 m2 **G.F.A.** that is open to the public, excluding corridors, lobbies or foyers.
- ii) For a **Tourist Home** or **Bed and Breakfast** establishment in a D.1 or D.2 **Zone**, 1 additional **Parking Space** shall be provided. Required **Parking Spaces** may be in a stacked arrangement.

14.1.5.1 If the calculation of the required **Parking Spaces** in accordance with Table 14.1.5 results in a fraction, the required **Parking Spaces** shall be the next higher whole number.

14.1.6 Parking Regulations

In addition to the parking provisions in Table 14.1.5 and sections 4.13.1, 4.13.3 and 14.13.5, the following parking regulations shall apply.

14.1.6.1 **Parking Areas** shall not be permitted in the **Front Yard** or **Exterior Side Yard**. Notwithstanding any **Yard** regulations, **Parking Areas** shall be permitted in the **Rear Yard** and **Side Yard**. No part of a **Parking Space** shall be located closer than 3 metres to a **Street Line**.

14.1.6.2 An underground **Parking Area** shall be permitted in any **Yard** and may be located within 3 metres of a **Lot Line**.

14.1.6.3 Where an unenclosed **Parking Area** is located within 1 metre of any **Lot Line** adjacent to a **Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling** or **On-Street Townhouse** it is to be screened along those **Lot Lines** with a minimum 1.5 metres high solid **Fence**.

14.1.6.4 A **Parking Area** is prohibited from locating within 4.5 metres of the **Street Line** within the first **Storey** of a **Building**.

14.1.6.5 Section 4.13.3.2 is not applicable to **Parking Spaces** provided within an **Automated Parking System**.

14.1.6.6 Notwithstanding Section 14.1.6.1 and 14.1.6.3, the following provisions shall apply to a **Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling** and **On-Street Townhouses**:

14.1.6.6.1 1 **Driveway (Residential)** access only shall be permitted per **Lot**.

14.1.6.6.2 All off-street parking in the **Front Yard** and **Exterior Side Yard** shall be confined to the **Driveway (Residential)** area and any legal off-street **Parking Area**. The **Front Yard** of any **Lot** except the **Driveway (Residential)** shall be landscaped.

14.1.6.6.3 A **Driveway (Residential)** shall have a minimum driveway width of 3.0 metres and a maximum width of 3.5 metres. The minimum driveway width may be reduced to 2.5 metres at the point of entry of a **Garage** entrance or a **Fence** opening.

14.1.6.6.4 Notwithstanding Section 14.1.6.6.3 a surfaced walk within 1.5 metres of the nearest foundation wall is permitted provided that it is not **Used** for **Vehicle** parking.

14.1.6.6.5 Every required **Parking Space** shall be located a minimum distance of 6 metres from the **Street Line** and to the rear of the front wall of the main **Building**.

14.1.6.6.6 Attached **Garages** shall not project beyond the main front wall of the **Building**.

14.1.6.6.7 For **Single Detached Dwellings** section 4.13.7.4 shall be applicable.

14.1.7 **Bicycle Parking Spaces**

The minimum number of off-street **Bicycle Parking Spaces** required for **Uses** permitted by this **By-law** are established and calculated in accordance with the ratios set out in Table 14.1.7, below:

Row	Use	Minimum Number of Bicycle Parking Spaces, Long Term	Minimum Number of Bicycle Parking Spaces, Short Term
1	Apartment Building, Multiple Attached, Stacked Townhouse	0.68 per Dwelling Unit (1)	0.07 per Dwelling Unit (a)
2	Live-Work, Mixed Use Building	In addition to the non-residential parking requirement, 0.68 per Dwelling Unit is required (a)	In addition to the non-residential parking requirement, 0.07 per Dwelling Unit is required (a)
3	Retail Uses	0.085 per 100m2 G.F.A.	0.25 per 100 m2 G.F.A.
4	Office Uses	0.17 per 100 m2 G.F.A.	0.03 per 100 m2 G.F.A.
5	All other non-residential Uses	4% of the required parking under Table 14.1.5	4% of the required parking under table 14.1.5

Additional Regulations for Table 14.1.7

- a) In **Buildings** having less than 10 **Dwelling Units**, the minimum number of **Bicycle Parking Spaces** required for the residential component shall be zero

14.1.7.1 If the calculation of the required **Bicycle Parking Spaces** in accordance with Table 14.1.7 results in a fraction, the required **Bicycle Parking Spaces** shall be the next higher whole number.

14.1.7.2 The required **Bicycle Parking Space, Short Term** for any **Use** may be located on the **Lot** on which the **Use** is located, and/or on the **Street** abutting the **Lot**.

Row		
1	Minimum Front Yard or Exterior Side Yard	<p>0 m</p> <p>In accordance with Section 4.24.</p> <p>Section 4.6 is not applicable.</p> <p>The following exceptions apply:</p> <p>a) Where a Dwelling Unit occupies the first Storey of a Building, that portion of the Building shall have a minimum Setback of 3.0 m from the Street Line.</p>
2	Maximum Front Yard or Exterior Side Yards	4 m
3	Minimum Side Yard	<p>0 m</p> <p>The following exceptions apply:</p> <p>a) Where a Lot Line abuts a R.1, R.2 or R.3 Zone, the minimum Setback shall be 3 metres on the abutting side.</p> <p>b) Where a Buffer Strip is required, the Setback shall not be less than the minimum Buffer Strip width.</p>
4	Minimum Rear Yard	<p>0 m</p> <p>The following exceptions apply:</p> <p>a) Where a Lot Line abuts a R.1, R.2 or R.3 Zone, the minimum Setback shall be 7.5 metres on the abutting side.</p>
5	Minimum and maximum Building Height	<p><u>25 Wellington Street West:</u> The minimum Building Height is 4 Storeys. The maximum Building Height is 8 Storeys.</p> <p><u>24 Commercial Street, 9, 11 Cork Street:</u> The minimum Building Height is 2 Storeys. The maximum Building Height is 4 Storeys.</p> <p>Section 4.16 is not applicable.</p> <p>Minimum Building Height is not applicable to Accessory Buildings or Structures.</p>

6	Access to Parking Area	Vehicle access to a Parking Area is by 1 Driveway (non-residential) only, which shall have a minimum width of 6 metres throughout its length.
7	Buffer Strips	3 m required where the D.1 Zone abuts a R.1, R.2, R.3, Institutional, Park or Wetland Zone .
8	Garbage, Refuse and Storage	In accordance with Section 4.9.
9	Enclosed Operations	In accordance with Section 4.22
10	Fences	In accordance with Section 4.20.
11	Accessory Buildings or Structures	In accordance with Section 4.5.
12	Off-Street Parking	In accordance with Section 14.1.5.
13	Minimum Floor Space Index (F.S.I.)	1.5
14	Building Stepbacks	In accordance with Section 14.1.3.3 and 14.1.3.4
15	Outdoor Storage	In accordance with Section 4.12

20317

14.2

D.1-25 (H30)

58 Wellington Street East, 41 Wyndham Street South, 43 Wyndham Street South, 45 Wyndham Street South, 53 Surrey Street East
As shown on Defined Area Map 37 of Schedule "A" of this By-law.

14.2.1

All regulations in Section 14.1 apply to the D.1-25 (H30) **Zone** and the following:

14.2.2

Permitted Uses

All **Uses** permitted in Section 14.1.1 are permitted and the following:

Vehicle Gas Bar

14.2.3

Active Frontage Regulations

14.2.3.1

The following provisions apply to the Wellington Street East and Wyndham Street South **Street Line**.

14.2.3.1.1

The **Setback** along Wellington Street East is a minimum of 10 metres.

The **Setback** along Wyndham Street South shall be 0 metres for a minimum of 75% of the **Street Line**. The remaining 25% of the **Street Line** shall have a maximum **Setback** of 2 metres.

14.2.3.1.2 The height of the first **Storey** shall be a minimum of 4.5 metres.

14.2.3.1.3 The minimum number of **Active Entrances** to the first **Storey** on the **Front Yard** and/or **Exterior Side Yard Building** façade shall be 1 for every 15 metres along Wellington Street East and Wyndham Street South, but shall not be less than 1. For the purposes of calculating the minimum number of **Building** entrances required, any fraction of a **Building** entrance shall be rounded to the next highest whole number.

14.2.3.1.3.1 **Active Entrances** shall be at or within 0.2 metres above or below **Finished Grade**.

14.2.3.1.4 A minimum of 60% of the surface area of the first **Storey** façade, measured from the **Finished Grade** up to a height of 4.5 metres, facing the **Street Line** must be comprised of a **Transparent Window** and/or **Active Entrances**.

14.2.3.1.5 Notwithstanding Section 14.1.1, the **Uses** identified as Active **Uses** shall occupy a minimum of 60% of the **Street Line**.

14.2.3.1.6 A **Driveway (Non-Residential)** is prohibited at grade or in the first **Storey** of a **Lot** or **Building** for the first 6.0 metres of the depth measured in from the **Street Line**.

Notwithstanding this provision, where the entirety of a **Lot's Street** frontage is included in the Active Frontage Area, a maximum of one (1) **Driveway** shall be permitted perpendicular to the **Street Line** in accordance with all other requirements of this **By-law**.

14.2.4 **Building Tower Separation Regulations**

14.2.4.1 The tower of a **Building** refers to the **Storeys** located above the **Stepback**.

14.2.4.2 A minimum 25 metre tower separation is required for any tower portion of a **Building** greater than 12 **Storeys** as measured perpendicularly to the exterior wall of the tower portion of the **Building**.

14.2.4.3 For any tower portion of a **Building** 12 **Storeys** or less:

14.2.4.3.1 A minimum tower **Setback** of 6 metres is required from the **Side Yard** and/or **Rear Yard Lot Line**.

14.2.4.3.2 A minimum 12 metre tower separation is required.

14.2.4.3.3 Notwithstanding Section 14.2.4.3.1 and 14.2.4.3.2, the tower **Setback** may be reduced to a minimum of 3 metres from the **Side Yard** and/or **Rear Yard Lot Line** if there are no windows to a **Habitable Room** on the facing wall of an existing abutting **Building**.

14.2.5 **Building Height Regulations**

14.2.5.1 Notwithstanding Table 14.1.8, Row 5 and Defined Area Map 67, the minimum **Building Height** is 6 **Storeys** and the maximum **Building Height** is 18 **Storeys**.

14.2.6 **(H30) Holding Provision**

Purpose

To ensure that municipal services are adequate and available, to the satisfaction of the **City**, prior to intensification of the lands.

Interim Uses Prior to Removal of the “H”

For such time as the “H” symbol is in place, these lands may be **Used** for all **Uses** permitted in the applicable **Zone**, subject to the following interim **Regulations**:

- a) Modifications to existing **Building** façade(s)
- b) Minor additions to existing **Buildings**, to a maximum of 10 square metres.

Conditions

Prior to the removal of the Holding symbol “H” a municipal services review shall be completed to the satisfaction of the **City**. The scope and boundary of the municipal services review will be determined by the **City** and may include but is not limited to: watermain condition and water supply; sanitary sewer condition and sanitary capacity; storm sewer condition and capacity; stormwater management facility condition and capacity; road and intersection condition and capacity; transportation facilities; and hydro services.

- a) Should the municipal services review demonstrate that all necessary municipal services are adequate and available to the satisfaction of the **City**, the “H” may be lifted; or,
- b) Should the municipal services review determine that all necessary municipal services are not adequate and available, then prior to the “H” being lifted:
 - The actual design and construction costs of any required municipal services shall be secured where appropriate and in a manner satisfactory to the **City**; and,
 - Any required municipal services shall be designed to the satisfaction of the **City**; and,
 - Any required municipal services shall be constructed to the satisfaction of the **City** prior to any intensification of the lands.

20317

14.3

D.1-26 (H30)

73 Gordon Street

As shown on Defined Area Map 25 and 37 of Schedule “A” of this By-law.

14.3.1

All regulations in Section 14.1 apply to the D.1-26 (H30) **Zone** and the following:

14.3.1.1

Permitted Uses

All **Uses** permitted in Section 14.1.1 are permitted and the following:

- **Vehicle Service Station**
- **Vehicle Specialty Repair Shop**

14.3.1.2

Notwithstanding Table 14.1.8, Row 5, the minimum **Building Height** is 4 **Storeys** and the maximum **Building Height** is 8 **Storeys**.

14.3.1.3

In accordance with Section 14.2.3, Active Frontage Regulations apply.

Notwithstanding Section 14.2.3.1, Active Frontage Regulations apply 15 metres along the **Street Line** as measured from the Wellington Street and Gordon Street intersection.

Notwithstanding Section 14.2.3.1.1, the **Setback** within the Active Frontage Area shall be 0 metres for a minimum of 75% of the **Street Line**. The remaining 25% of the **Street Line** shall have a maximum **Setback** of 2 metres.

14.3.1.4 In accordance with Section 14.2.6 (H30) Holding Provision.

14.4 **D.1-27**
22 Surrey Street West
As shown on Defined Area Map 25 of Schedule “A” of this By-law.

14.4.1 All regulations in Section 14.1 apply to the D.1-27 **Zone** and the following:

14.4.2 **Permitted Uses**
All **Uses** permitted in Section 14.1.1 are permitted and the following:

- A parking **Lot** providing **Parking Spaces** for 21 Surrey Street West.

14.4.3 Notwithstanding Table 14.1.8, Row 5, the minimum **Building Height** is 4 **Storeys** and the maximum **Building Height** is 8 **Storeys**.

14.4.4 **Off-Street Parking Location**
Notwithstanding Section 14.1.6.1 of this **By-law**, off-street parking may be permitted ahead of the required **Setback** line.

14.5 **D.1-28**
8-10 Paisley Street, 18 Paisley Street
As shown on Defined Area Map 24 of Schedule “A” of this By-law.

14.5.1 All regulations in Section 14.1 apply to the D.1-28 **Zone** and the following:

14.5.2 **Building Height**
Notwithstanding Table 14.1.8, Row 5, the minimum **Building Height** is 2 **Storeys** and the maximum **Building Height** is 4 **Storeys**.

Notwithstanding Section 4.18.1, no **Building** or **Structure**, or part thereof, shall exceed an elevation of 356.6 metres above sea level.

14.5.3 **Off-Street Parking**
Notwithstanding Table 14.1.5, Rows 4, 5, 6, 7, 8 and non-residential **Uses** in Row 2, no off-street parking shall be required in the D.1-28 **Zone**.

20322

14.6 **D.1-29**
71 Wyndham St S.
As shown on Defined Area Map 38 of Schedule “A” of this **By-law**.

- 14.6.1 All regulations in Section 14.1 apply to the D.1-29 **Zone** and the following:
- 14.6.2 **First Storey Use**
A non-residential **Use** is required on the first **Storey** of the **Building** facing Wyndham Street South and this **Use** shall be a minimum of 100 square metres of **Gross Floor Area**.
- 14.6.3 **Building Height**
Notwithstanding Table 14.1.8, Row 5, the minimum **Building Height** is 4 **Storeys** and the maximum **Building Height** is 10 Storeys.
- 14.6.3.1 Notwithstanding Section 14.6.3, no **Building** or **Structure** or part thereof, shall exceed an elevation of 368 metres above sea level.
- 14.6.3.2 The height of the first **Storey** shall be a minimum of 4.5 metres.
- 14.6.3.3 Notwithstanding Section 14.6.3, the maximum **Building Height** is 14 **Storeys**, permitted only as bonusing under Section 37 of the Planning Act, RSO 1990, c P.13, as amended once the community benefit, identified as a monetary contribution to riverfront parkland acquisition has been secured. The contribution amount shall be 25% of the difference in land value between 10 and 14 storeys, as determined by a third party appraisal.
- 14.6.4 **Built Form**
Notwithstanding Section 14.1.3, the following Built Form Regulations shall apply:
- 14.6.4.1 The maximum **Floorplate** of the 7th and 8th **Storeys** of the **Building** shall not exceed 1550 square metres.
- 14.6.4.2 The maximum **Floorplate** of the 9th and 10th **Storeys** of the **Building** shall not exceed 1475 square metres.
- 14.6.4.3 The maximum **Floorplate** of the 11th and 12th **Storeys** of the **Building** shall not exceed 1365 square metres.
- 14.6.4.4 The maximum **Floorplate** of the 13th and 14th **Storeys** of the **Building** shall not exceed 1035 square metres.
- 14.6.4.5 **Front Building Stepbacks**
The minimum **Stepback** shall be 2 metres and shall be required for all portions of the **Building** above the 1st **Storey**. **Stepbacks** shall be measured from the **Building** face of the 1st **Storey** facing Wyndham Street South.

14.6.4.6 The minimum **Stepback** shall be 4 metres, required for all portions of the **Building** above the 4th **Storey**. **Stepbacks** shall be measured from the **Building** face of the 1st **Storey** facing Wyndham Street South.

14.6.4.7 Rear **Building Stepbacks**
The minimum **Stepback** shall be 2 metres and shall be required for a portion of the **Building** above the 1st **Storey**. **Stepbacks** shall be measured from the rear **Building** face of the 1st **Storey**.

14.6.4.8 The minimum **Stepback** shall be 4 metres and shall be required for a portion of the **Building** above the 6th **Storey**. **Stepbacks** shall be measured from the rear **Building** face of the 1st **Storey**.

14.6.4.9 Front Façade Treatment
A minimum of 50% of the surface area of the first **Storey** façade facing Wyndham Street must be comprised of a **Transparent Window** and/or **Active Entrances**.

14.6.5 **Bicycle Parking**
Notwithstanding Table 14.1.7, Row 1, a total of 75 **Bicycle Parking Spaces, Long Term** and 11 **Bicycle Parking Spaces, Short Term** are required.

14.6.6 Holding Provision

Purpose

To ensure that the increased maximum building height allowance of 14 storeys be permitted after the identified community benefit of a monetary contribution to acquiring downtown riverfront parkland is secured pursuant to Section 37 of the Planning Act, RSO 1990, c P.13, as amended.

Conditions

Prior to the removal of the Holding symbol "H", the following shall be completed to the satisfaction of the City:

1. An appraisal (or appraisals) of the site by an Appraisal Institute of Canada accredited appraiser (AACI) to determine the market value of the land assuming both 10 and 14 storeys are permitted. The owner shall be responsible for all costs associated with the appraisal (s);
2. The contribution by the owner of a fixed sum of money to the City towards the acquisition of riverfront parkland. The

contribution shall be based on the appraisal (s) provided pursuant to condition 1, above, and shall be equal to 25% of the difference in the determined market value of the land assuming 10 and 14 storeys, respectively, are permitted. Alternatively, the owner may enter into agreement (s) satisfactory to the City, which may be registered against the land, in accordance with subsections 37(3) and (4) of the Planning Act, RSO 1990, c P.13, to secure this contribution.

20317
20322

14.7

D.2-13

54 Cardigan Street

As shown on Defined Area Map 36 of Schedule "A" of this By-law.

14.7.1

Permitted Uses**Residential Uses**

- ***Accessory Apartment*** (1)
- ***Apartment Building***
- ***Duplex Dwelling***
- ***Group Home*** (2)
- ***Home for the Aged***
- ***Nursing Home***
- ***Home Occupation*** (3)
- ***Live-Work Units***
- ***Lodging House Type 1*** (2)
- ***Mixed-Use Building***
- ***Multiple Attached Dwelling***
- ***Semi-Detached Dwelling***
- ***Single Detached Dwelling***
- ***Townhouse***

Retail Uses

- ***Agricultural Produce Market***
- ***Retail Establishment*** (4)

Service Uses

- ***Artisan Studio***
- ***Commercial School***
- ***Day Care Centre***
- ***Financial Establishment*** (4)
- ***Restaurant*** (4)
- ***Service Establishment*** (4)

Office Uses

- ***Medical Clinic***

- **Medical Office**
- **Office**

Community Uses

- **Art Gallery**
- **Government Office**
- **Library**
- **Museum**
- **Religious Establishment**
- **School**
- **School, Post-Secondary**

Hospitality Uses

- **Bed and Breakfast (5)**
- **Tourist Home**

Other

- **Accessory Uses**
- **Occasional Uses (6)**
- **Public Parking Facility**

Additional Regulations for Section 14.7.1:

1. In accordance with Section 4.15.1.
2. In accordance with Section 4.25.
3. In accordance with Section 4.19.
4. Maximum **G.F.A.** 500m²
5. In accordance with Section 4.27 except 4.27.3.
6. In accordance with Section 4.21.

14.7.2 Definitions in accordance with Section 14.1.2 shall apply to the D.2-13 **Zone**.

14.7.3 Required **Parking Spaces**
In accordance with Section 14.1.5.

14.7.4 Parking Regulations
In accordance with Section 14.1.6.

14.7.5 **Bicycle Parking Spaces**
In accordance with Section 14.1.7.

Table 14.7.6 Regulations Governing D.2-13 **Zones**

Row		
1	Minimum Front Yard or Exterior	The minimum Front Yard and Exterior Side Yard shall be the average of the

	Side Yard	<p>Setbacks of the adjacent properties but in no case shall be less than 3 metres.</p> <p>Where there is only one adjacent property or where the average Setbacks of the adjacent properties cannot be determined, the minimum Setback shall be 3 metres.</p> <p>In accordance with Section 4.6.</p> <p>In accordance with Section 4.24.</p>
2	Minimum Side Yard	1.5 m
3	Minimum Rear Yard	10 m
4	Minimum and maximum Building Height	<p>Notwithstanding Defined Area Map 67:</p> <p>The minimum Building Height is 2 Storeys.</p> <p>The maximum Building Height is 4 Storeys.</p> <p>Section 4.16 is not applicable.</p> <p>Minimum Building Height is not applicable to Accessory Buildings or Structures.</p>
5	Minimum Lot Area	370 m ²
6	Minimum Lot Frontage	12 m
7	Access to Parking Area	Vehicles access to Parking Area in a Rear Yard is by 1 Driveway (non-residential) only, which shall have a minimum width of 3 metres and a minimum overhead clearance of 4.5 metres throughout its length.
8	Garbage, Refuse and Storage	In accordance with Section 4.9.
9	Outdoor Storage	In accordance with Section 4.12.
10	Enclosed Operations	In accordance with Section 4.22.
11	Fences	In accordance with Section 4.20.

R.2-21

12	Accessory Buildings or Structures	In accordance with Section 4.5.
13	Off-street Parking	In accordance with Section 14.1.5.
14	Minimum Floor Space Index (F.S.I.)	0.6

