

## USE ZONE TABLE

### **138. TOWNSITE COMMERCIAL**

**PERMITTED USE CLASSES** (See Regulation 127)

Theatre, cultural and civic, general assembly, place of worship, club and lodge, child care, apartment building, commercial residential, office, medical and professional, personal service, general service, communications, shop, indoor market, conservation, convenience store.

**DISCRETIONARY USE CLASSES** (See Regulations 26 and 128)

Educational, collective residential, indoor market, outdoor market, catering\*, recreational open space, antenna, boarding house residential, single, double and row dwelling.

\*(See condition no. 11)

## CONDITIONS

### **1. Development Standards**

(a) The development standards for this zone shall be as follows:

(i)	Minimum Building Line Setback	0 metres
(ii)	Maximum Building Line Setback	4 metres
(ii)	Minimum Side yard width, except where  buildings are built with adjoining party walls.	  2 & 5 metres
(iii)	Minimum Rear yard Dept	10 metres
(iv)	Maximum Height	16 metres

### **2. Advertisements Relating to Onsite Uses**

The conditions which shall apply to the erection or display of advertisements on any lot or site occupied by a use permitted or existing as a legal non-conforming use in

this use zone shall be as follows:

- (a) The size, shape, illumination and material construction of the advertisement shall meet the requirements of the Authority, having regard to the safety and convenience of users of the adjacent streets and sidewalk and the general amenities of the surrounding areas.
- (b) Building advertisements shall not exceed eight (8) percent of the building facade area. This includes name/occupant of the building plus additional advertisements that may be on the lot and/or building, however, excludes a temporary advertisement.
- (c) Onsite advertisement is not to exceed five (5) square metres in area. This five (5) square metres is to be part of the eight (8) percent as described in Section (b) above.
- (d) Notwithstanding (b) and (c) above;

Advertisement on any lot may be permitted up to 3 square metres in area regardless of building facade area. *(22 June 2017)*

**3. Advertisement Relating to Offsite Uses /Third Party Advertisements**

The conditions to be applied to the erection or display of Third Party advertisements on any site, relating to a use permitted in this or another zone or not relating to a specific land use, shall be as follows:

- (a) The location, siting and illumination of each advertisement shall be to the satisfaction of the Authority, having regard to the grade and alignment of streets, the location of street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area.
- (b) Each advertisement shall not exceed three (3) square metres in area, to a maximum of eight (8) percent of the building facade area for on and offsite

advertisements.

*(22 June 2017)*

#### **4. Temporary Advertisement**

Temporary advertisement located in this Use Zone shall be issued under the following conditions:

- (a) The permit will be for a maximum period of three (3) months and the advertisement is to be removed for a minimum of six (6) months before an application will be considered for the same site. (Only one (1) advertisement will be permitted per site).
- (b) The advertisement is not to pose a nuisance and/or inconvenience to pedestrians, motorists or to any neighbouring residential units.
- (c) The advertisement must be located within the lot boundary and each application will be assessed on its own merits based on the specific site conditions. Temporary advertisement shall be located a minimum distance of fifty (50) feet from any street intersection must be kept off public right-of-ways.
- (d) The advertisement is not to exceed a maximum of three (3) square metres in area.

#### **5. Apartments Attached to Shops or Businesses**

Where apartments are attached to shops or other businesses, they are required to meet the Residential High Density (RHD) Zone requirements for apartment buildings for floor area and overall residential densities. A portion of the structure or site, equivalent to thirty (30) percent of the floor area of the dwelling units shall be developed as Amenity Areas which are properly designed indoor and/or outdoor spaces for the use of the tenants and includes balconies, roof terraces, recreation rooms and playgrounds. This Amenity Area shall be calculated or included as part of

the lot area, so that the lot area required in these regulations shall include the Amenity Area.

**6. Boarding House Residential**

- (a) Each boarding house/lodging house and Bed and Breakfast shall comply with the National Building Code of Canada, the National Fire Code of Canada, the National Plumbing Code of Canada and the Life Safety Code as adopted by the Authority.
- (b) One parking space shall be required for each room that is available to be rented to a boarder or as a Bed and Breakfast guest room/suite. The minimum required parking for the dwelling use must continue to be met.

**7. Overhanging Advertisements and Canopies on City Right-of-Ways**

- (a) Permission to erect overhanging advertisements or canopies on street reservations shall be subject to a license agreement between the City and the owner or tenant of the property or "lessee."
- (b)
  - (i) An overhanging advertisement shall not exceed 2.7 square metres in area and shall not project more than 1 metre from the building facia including attachments.
  - (ii) Overhanging advertisements shall be restricted to the onsite use.
  - (iii) A canopy shall not project more than 1.2 metres from the building facia including attachments.
- (c) The general appearance of an advertisement or canopy shall be assessed considering the amenity of the surroundings, availability of utilities, public safety and convenience. It must also be aesthetically pleasing.
- (d) Overhanging advertisements or canopies containing advertisements shall

form part of the maximum allowable advertisement for the site (reference 2 (ii) relating to advertisement of Onsite Uses).

- (e) The Authority may conditionally approve or refuse any overhanging advertisement or canopy on street reservations.
- (f) For the purpose of this zone, overhanging advertisements shall be permitted over street reservations.

#### **8. Front Setback and Rear Yard**

When infilling (new development) or redeveloping (replacing the previous development on the site) in the Townsite Commercial zone, the Authority reserves the discretion to decrease the front setback, side yard and rear yard standards where the Authority is satisfied that the location of the building on the site can be constructed to be consistent with surrounding development and where public safety and amenity are maintained. Parking will be as specified by the Authority.

#### **9. Side yard**

When infilling,(new development), redeveloping (replacing the previous development) on the site, or extending or repairing an existing development in the Townsite Commercial zone, the Authority reserves the discretion to decrease the side yard standard to the side property boundary where the Authority is satisfied that the location of the building on the site can be constructed to be consistent with surrounding development and where public safety and amenity are not compromised. Other relevant factors will also be taken into consideration including, but not limited to, the condition, function and aesthetic or design of any adjacent development. Any wall constructed on the side boundary shall be constructed as a party wall.

#### **10. Apartment Buildings**

Apartment buildings in the Townsite Commercial zone shall meet the Residential High Density development standards for any required standard(s) not specified in

the Use Zone Table. Parking shall be as specified in Schedule D, unless otherwise specified by the Authority.

**11. Catering**

Only restaurants of this use classification shall be permitted as a discretionary use in this zone.

**12. Intensification****(a) Parking**

- (i) Surface or above-grade parking areas should be located at the rear of buildings where possible and parking between a public street and the building line will only be permitted when parking at the rear cannot be accommodated. Existing parking areas between a public street and the Building Line are permitted to continue.

**(b) Notwithstanding the general regulations of this zone, the following conditions shall apply to developments within this zone:**

- (i) Drive-thru uses will not be permitted. Existing drive-thru uses are permitted to continue as non conforming uses.
- (ii) Maximum building height: 16 metres (5 storeys).
- (iii) Minimum building height: 6.5 metres (two-storeys).
- (iv) Residential uses will not be permitted on the ground floor.
- (v) A minimum of 60% of the building frontage onto the street must be glazed.

**13. Accessory Buildings**

Accessory buildings in this zone shall conform to the requirements of Regulation 61, Accessory Commercial and Industrial Buildings, in Part II of these Development Regulations.

**14. Discretionary Use Classes**

The discretionary use classes listed in this table may be permitted at the discretion of the Authority provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.