

**6.0 DOWNTOWN ZONES GENERAL PROVISIONS**

In addition to the regulations of Sections 6.1, 6.2, and 6.5 of this By-law, the following Downtown Zones General Provisions shall also apply:

- a) Notwithstanding Section 3: Definitions as it relates to the definition of Development and Front Lot Line – Corner Lot the following shall apply:
  - i) **Development**                      A change in the use of any land, building, or structure for any purpose, and shall include the carrying out of any building, engineering construction, demolition, or other operation in, on, over or under land, or the construction, addition or alteration of any building or structure.
  - ii) **Front Lot Line – Corner Lot**      shall mean at the option of the owner, either of the lot lines abutting a public street.
  
- b) In the case of buildings constructed after the effective date of this By-law, for any building equal to or less than 44.0 metres in height the following special regulations shall also apply:
  - i) A minimum 3.0 metre setback shall be required from the building base façade height shown in Schedule “F” – Special Figure 15.
  - ii) A minimum 3.0 metre setback shall be required for any portion of a building exceeding 22.0 metres in height from a side or rear lot line.
  
- c) In the case of buildings constructed after the effective date of this By-law, for any building exceeding 44.0 metres in height the following special regulations shall also apply:
  - i) A minimum 3.0 metre setback shall be required from the building base façade height shown in Schedule “F” – Special Figure 15.
  - ii) A minimum 3.0 metre setback shall be required for any portion of a building exceeding 22.0 metres in height from a side or rear lot line except any flankage lot line.
  - iii) The following additional setbacks shall be required for any portion of building exceeding 44.0 metres in height:
    - 1. Minimum of 9.5 metres from a lot line abutting a laneway;

and,

2. Minimum 12.5 metres from all side and rear lot lines except any flankage lot line.
- iv) Notwithstanding Section 6.1.3 a) i) of this By-law, for lands zoned Downtown Central Business District (D1) Zone, a maximum 10.0 metre setback from a street line shall be permitted for a yard where an Urban Square with a minimum size of 135.0 square metres has been provided.
- v) Notwithstanding Section 4.7 of this By-law a minimum lot frontage of 35.0 metres is required.
- vi) Notwithstanding Section 4.7 of this By-law a minimum lot area of 1,575.0 square metres is required.
- d) In addition to 6.0 a) above, for that portion of a building exceeding 44.0 metres in height a distance of 25.0 metres shall be provided between exterior walls on the same property.
- e) For the lots delineated as a Heritage Character Zone on Figure 2 of Schedule "F" – Special Figures, where construction and/or alteration to the façade of a building are proposed, the following regulations shall also apply:
  - i) A minimum of 60% of the area of the ground floor façade shall be comprised of clear glazed windows and doors. Window and doorframes, clear glazed transoms and sidelights, doors with at least 50% clear glazing, and a sill up to 0.6m in height are permitted to be included in the calculation of the clear glazed area. Signage and opaque/spandrel glazing shall not be included in the calculation of the clear glazed area;
  - ii) A minimum of 25% and a maximum of 40% of the façade of the second and third storeys shall be composed of windows. Window and doorframes, clear glazed transoms and sidelights, doors with at least 50% clear glazing, and a sill up to 0.6m in height are permitted to be included in the calculation of the clear glazed area. Signage and opaque/spandrel glazing shall not be included in the calculation of the clear glazed area;
  - iii) The ground floor storey shall be no less than 3.6 metres in height and no greater than 4.5 metres in height. The second and third storeys shall each be no less than 3.0 metres in height and no greater than 4.0 metres in height; and,

- iv) Exterior building cladding for the first three storeys, except decorative architectural features (such as window and door frames, sills, lintels, surrounds, and cornices), shall be of either one or a combination of no more than two of the following materials:
  - 1. Brick;
  - 2. Concrete panels;
  - 3. Stone block, stone veneer or artificial stone;
  - 4. Stucco; or,
  - 5. Metal and metal panels, excluding aluminium siding or any metal variant thereof.
  
- f) Notwithstanding the above, for properties designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with this Section.
  
- g) Parking Unless otherwise regulated by the Downtown Zones, parking shall be provided in accordance with Section 5 of this By-law.
  
- h) Accessory Buildings Unless otherwise regulated by the Downtown Zones, Accessory Buildings shall be in accordance with the requirements of Section 4.8 of this By-law.

(By-law 18-114, May 9, 2018)