

## PART 4A

### ML – MIXED LOW-RISE ZONE

#### 4A.1 INTENT

Lands zoned Mixed Low-Rise are intended to:

- (a) accommodate a variety of low intensity commercial uses that serve the local community and do not draw customers from beyond their neighbourhood boundaries or generate substantial vehicle traffic;
- (b) promote pedestrian-oriented storefronts as a means to enhance the vitality of street and businesses, and reduce automobile dependence;  
or
- (c) promote the development of neighbourhood hubs as described in the Official Community Plan.

#### 4A.2 APPLICATION

- (1) The regulations, standards, and requirements prescribed in part 4A apply to all land uses and developments in the Mixed Low-Rise zone.
- (2) The requirements of Chapter 1 apply to all land uses, proposed land uses, developments and proposed developments in the Mixed Low-Rise zone.
- (3) The Mixed Low-Rise zone shall apply to lands intended to:
  - (a) allow for pedestrian oriented low-intensity commercial and mixed use developments; or
  - (b) serve as a neighbourhood hub within walking distance of surrounding residential areas.

#### 4A.3 BUILDING AND LAND USE REQUIREMENTS

##### 3.1 PERMITTED OR DISCRETIONARY BUILDING TYPES

Table 4A.T1 lists building types that are permitted or discretionary in the Mixed Low-Rise zone.

<b>TABLE 4A.T1: MIXED LOW-RISE ZONE BUILDING TYPES</b>				
<b>Sec.</b>	<b>Building Type</b>	<b>Permitted</b>	<b>Discretionary</b>	<b>Building Specific Regulations</b>
<b>T1.1</b>	Building, Accessory	Permitted	---	---
<b>T1.2</b>	Building, Detached	Permitted	---	---
<b>T1.3</b>	Building, House-Form	Permitted at lots 41-45, block 377 (3100 block of 13th Avenue) where no additions are proposed to the existing building.	Discretionary at lots 41-45, block 377 (3100 block of 13th Avenue) where: additions are proposed to the existing building; and no additions will be in the front yard.	---
<b>T1.4</b>	Building, Row	<p>Permitted where the:</p> <p>(1) building does not contain a use in the dwelling land use class and meets the following conditions:</p> <p>(a) maximum building height is 15 metres or less;</p> <p>(b) the building does not adjoin a lot zoned residential or a lot containing a use in the dwelling land use class; and</p> <p>(c) the building is not on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is 11 metres or less.</p>	<p>Discretionary where the:</p> <p>(1) building is between 11 metres and 15 metres in height does not contain a use in the dwelling land use class and;</p> <p>(a) adjoins a lot zoned residential or a lot containing a use in the dwelling land use class; or</p> <p>(b) is on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is between 11 metres and 15 metres.</p>	---
<b>T1.5</b>	Building, Stacked	<p>Permitted where the:</p> <p>(1) building does not contain a use in the dwelling land use class and meets the following conditions:</p> <p>(a) maximum building height is 15 metres or less;</p> <p>(b) the building does not adjoin a lot zoned residential or a lot containing a use in the dwelling land use class; and</p> <p>(c) the building is not on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is 11 metres or less.</p>	<p>Discretionary where the:</p> <p>(1) building is between 11 metres and 15 metres in height does not contain a use in the dwelling land use class and;</p> <p>(a) adjoins a lot zoned residential or a lot containing a use in the dwelling land use class; or</p> <p>(b) is on the same lot as a building containing a use in the dwelling land use class; or</p> <p>(2) building contains a use in the dwelling land use class and the maximum building height is between 11 metres and 15 metres.</p>	---

### 3.2 LAND USE REQUIREMENTS

- (1) Table 4A.T2 lists land uses and land use intensities that are permitted or discretionary in the Mixed Low-Rise zone, subject to compliance with:
  - (a) the land use specific regulations in Table 4A.T2;
  - (b) the development standards in subpart 4A.4;
  - (c) the parking and loading requirements in subpart 4A.6;
  - (d) the landscaping and aesthetic screening requirements of subpart 4A.7;  
and
  - (e) the other regulations of this Bylaw.
- (2) When considering approval of a land use or a land use intensity listed as discretionary in Table 4A.T2, the Development Officer shall evaluate the application based on the review criteria for discretionary uses listed in section 1E.3.6 of this Bylaw.
- (3) The following land uses are prohibited in the Mixed Low-Rise zone:
  - (a) any land use that is not listed in Table 4A.T2;
  - (b) any land use that is above the maximum intensity listed as permitted or discretionary in Table 4A.T2;
  - (c) any land use that fails to meet any of the applicable requirements prescribed in this Bylaw; and
  - (d) any land use where hazardous materials are produced or processed.

TABLE 4A.T2: PERMITTED AND DISCRETIONARY LAND USES IN THE MIXED LOW-RISE ZONE				
Sec.	Land Use	Permitted	Discretionary	Land Use Specific Regulations
T2.1	<ul style="list-style-type: none"> <li>• Food &amp; Beverage, Outdoor</li> <li>• Retail Trade, Outdoor Display</li> </ul>	<p>Permitted if the dedicated outdoor area is:</p> <ul style="list-style-type: none"> <li>(a) less than 50 square metres, per unit; and</li> <li>(b) is operating entirely between the building containing the principal use and the front or side lot lines abutting a public sidewalk, public plaza, public park, or a non-dwelling land use.</li> </ul>	<p>Discretionary if the dedicated outdoor area is:</p> <ul style="list-style-type: none"> <li>(a) 50 square metres or more per unit, but not more than 1,000 square metres, per unit; or</li> <li>(b) operating entirely or partially between the building containing the principal use and the rear lot line, or the side lot line abutting a lot zoned Residential.</li> </ul>	---
T2.2	<ul style="list-style-type: none"> <li>• Agriculture, Indoor</li> <li>• Food &amp; Beverage, Catering</li> <li>• Industry, Artistic</li> <li>• Industry, Food &amp; Beverage</li> <li>• Industry, Laboratory</li> <li>• Institution, Education</li> <li>• Institution, Humanitarian Service</li> <li>• Institution, Training</li> <li>• Institution, Day Care</li> <li>• Retail Trade, Shop</li> <li>• Service Trade, Clinic</li> <li>• Service Trade, Light</li> <li>• Service Trade, Personal</li> </ul>	<p>Permitted if the gross floor area is 300 square metres or lower, per unit.</p>	<p>Discretionary if the gross floor area is above 300 square metres but less than 1,000 square metres, per unit.</p>	<ul style="list-style-type: none"> <li>(1) The “Institution, Education” and “Institution, Day Care” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” land use.</li> <li>(2) The measurement required in (1) shall be:                             <ul style="list-style-type: none"> <li>(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” land use to the nearest portion of the lot with the “Institution, Education” or “Institution, Day Care” land use; and</li> <li>(b) assessed as of the date of receipt of a complete application as determined by the Development Officer.</li> </ul> </li> <li>(3) The total gross floor area of “Retail Trade, Shop” shall not exceed 5,000 square metres per lot.</li> </ul>

<b>TABLE 4A.T2: PERMITTED AND DISCRETIONARY LAND USES IN THE MIXED LOW-RISE ZONE</b>				
<b>Sec.</b>	<b>Land Use</b>	<b>Permitted</b>	<b>Discretionary</b>	<b>Land Use Specific Regulations</b>
<b>T2.3</b>	<ul style="list-style-type: none"> <li>• Assembly, Community</li> <li>• Assembly, Recreation</li> <li>• Assembly, Religious</li> </ul>	Permitted if the sum of the gross floor area plus the dedicated outdoor area is 3,000 square metres or less, per lot.	Discretionary if the sum of the gross floor area plus the dedicated outdoor area is greater than 3,000 square metres per lot.	<p>(1) The “Assembly, Community” land use may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” land use.</p> <p>(2) The measurement required in subsection (1) shall be:</p> <p>(a) a straight line, measured from the nearest point of the portion of the building used for the “Retail Trade, Cannabis” land use to the nearest portion of the lot with “Assembly, Community” land use; and</p> <p>(b) assessed as of the date of receipt of a complete application as determined by the Development Officer.</p>
<b>T2.4</b>	<ul style="list-style-type: none"> <li>• Food &amp; Beverage, Lounge</li> <li>• Food &amp; Beverage, Restaurant</li> </ul>	Permitted if: <ul style="list-style-type: none"> <li>(a) the gross floor area is 300 square metres or lower, per unit; and</li> <li>(b) the lot does not adjoin a lot zoned residential.</li> </ul>	Discretionary if: <ul style="list-style-type: none"> <li>(a) the gross floor area is above 300 square metres per unit; or</li> <li>(b) the lot adjoin a lot zoned residential.</li> </ul>	---
<b>T2.5</b>	<ul style="list-style-type: none"> <li>• Office, Industry</li> <li>• Office, Professional</li> </ul>	Permitted if the gross floor area is 300 square metres or less, per unit.	Discretionary if the gross floor area is above 300 square metres but less than 1,000 square metres, per unit.	The combined gross floor area of all land uses in the “Office” land use class shall not exceed 1,000 square metres per lot.
<b>T2.6</b>	<ul style="list-style-type: none"> <li>• Open Space, Active</li> <li>• Public Use, General</li> <li>• Service Trade, Accommodation</li> <li>• Service Trade, Homestay</li> <li>• Transportation, Parking Structure</li> <li>• Utility, General</li> </ul>	Permitted	---	<p>(1) The “Open Space, Active” land use may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” land use.</p> <p>(2) The measurement required in (1) shall be:</p> <p>(a) a straight line, measured from the nearest point of the portion of the building used or proposed to be used for the “Retail Trade, Cannabis” to the nearest portion of the lot with the “Open Space, Active” land use and</p> <p>(b) assessed as of the date of receipt of a complete</p>

<b>TABLE 4A.T2: PERMITTED AND DISCRETIONARY LAND USES IN THE MIXED LOW-RISE ZONE</b>				
<b>Sec.</b>	<b>Land Use</b>	<b>Permitted</b>	<b>Discretionary</b>	<b>Land Use Specific Regulations</b>
				application as determined by the Development Officer.
<b>T2.7</b>	<ul style="list-style-type: none"> <li>• Transportation, Parking Lot</li> <li>• Transportation, Parking Stand</li> </ul>	---	Discretionary	The "Transportation, Parking Lot" land use will only be considered as a principal use when it permits long-term shared parking or off-street caveated parking to meet minimum parking requirements of the use for which it is provided.
<b>T2.8</b>	<ul style="list-style-type: none"> <li>• Agriculture, Animal Support</li> </ul>	---	Discretionary if the sum of the gross floor area plus the dedicated outdoor area is less than 1,000 square metres per lot.	---
<b>T2.9</b>	<ul style="list-style-type: none"> <li>• Dwelling, Assisted-Living</li> <li>• Dwelling, Group Care</li> <li>• Dwelling, Unit</li> </ul>	Permitted within: (a) a Building, Stacked on a lot that contains non-Dwelling uses that are permitted or discretionary in the Mixed Low-Rise zone; and (b) within any building type that contain non-Dwelling uses that are permitted or discretionary in the Mixed Low-Rise zone.	---	(1) Developments containing 20 or more dwelling units shall allocate a minimum of five per cent of the total area dedicated to Dwelling use to the communal amenity area; (2) Where the required communal amenity area is provided outdoors, the soft landscaping portion of such communal amenity area may be included as part of the minimum landscaping requirements listed in subpart 4A.7.

TABLE 4A.T2: PERMITTED AND DISCRETIONARY LAND USES IN THE MIXED LOW-RISE ZONE				
Sec.	Land Use	Permitted	Discretionary	Land Use Specific Regulations
T2.10	• Residential Business	<p>Permitted if the Residential Business:</p> <p>(a) does not occupy more than 25 per cent of the gross floor area of the Dwelling Unit; or</p> <p>(b) is an Institution, Day Care meeting the requirements of a family child care home or group family child care home, as defined by <i>The Child Care Act</i>.</p>	<p>Discretionary if the Residential Business occupies more than 25 per cent but not more than 40 per cent of the gross floor area of the Dwelling Unit.</p>	<p>(1) The gross floor area of the building used for the principal Dwelling Unit shall include any garage or accessory building.</p> <p>(2) Where more than one “Residential Business” is approved on a property, all Residential Businesses together shall not exceed the applicable permitted or discretionary area requirements of section T2.10.</p> <p>(3) A “Residential Business” shall be a land use defined in Chapter 2, except those listed in section (5).</p> <p>(4) Notwithstanding the permitted or discretionary area requirements of section T2.10, a “Residential Business” shall not be approved if, in the opinion of the Development Officer, the use would be more appropriately located in a mixed-use or industrial zone having regard for the overall compatibility of the use with the residential character of the area.</p> <p>(5) The following land uses or land use classes are prohibited as a “Residential Business” in the Mixed Low-Rise zone:</p> <p>(a) any land use in the “Agriculture” land use class, except “Agriculture, Indoor”;</p> <p>(b) any land use in the “Assembly” land use class;</p> <p>(c) any land use in the “Drive-Through” land use class;</p> <p>(d) any land use in the “Dwelling” land use class;</p> <p>(e) any land use in the “Food &amp; Beverage” land use class, except “Food and Beverage, Catering”;</p> <p>(f) any land use in the “Industry” land use class, except “Industry, Artistic”;</p> <p>(g) any land use in the “Institution” land use class, except “Institution, Training” and “Institution, Day Care”;</p> <p>(h) any land use in the “Open Space” land use class;</p> <p>(i) any land use in the “Retail Trade” land use class;</p>

TABLE 4A.T2: PERMITTED AND DISCRETIONARY LAND USES IN THE MIXED LOW-RISE ZONE				
Sec.	Land Use	Permitted	Discretionary	Land Use Specific Regulations
T2.10	• Residential Business			<ul style="list-style-type: none"> <li>(j) any land use in the “Service Trade” land use class except “Service Trade, Personal,” “Service Trade, Light” and “Service Trade, Homestay”;</li> <li>(k) any land use in the “Transportation” land use class;</li> <li>(l) any land use in the “Wholesale Trade” land use class;</li> <li>(m) any land use in the “Public Use” land use class; and,</li> <li>(n) any land use in the “Utility” land use class.</li> </ul> <p>(6) No exterior storage or exterior operation of the “Residential Business” shall be permitted.</p> <p>(7) No window display of merchandise shall be permitted</p> <p>(8) Notwithstanding clause T2.10(5)(i), merchandise created, assembled or designed on-site may be stored, displayed and sold from the business.</p> <p>(9) A “Residential Business” falling under the discretionary area requirements of section T2.10 shall only be considered in locations designated, as “live/work” areas through a secondary or concept plan.</p>

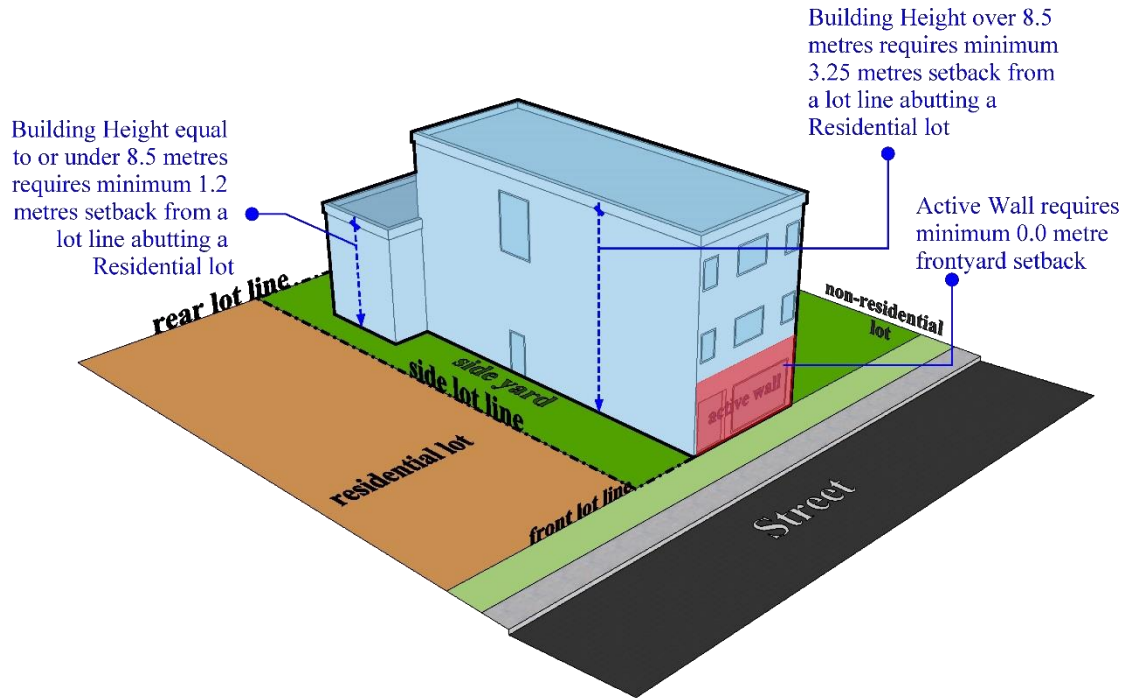


## 4A.4 DEVELOPMENT STANDARDS IN THE MIXED LOW-RISE ZONE

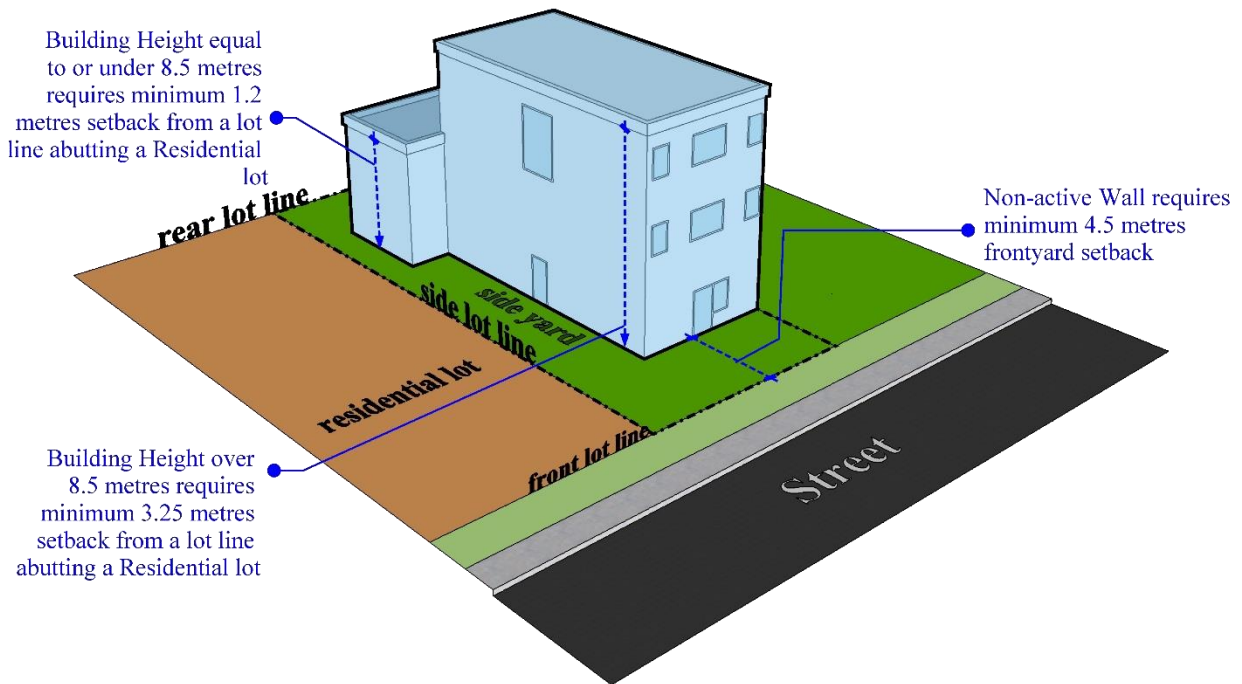
### 4.1 DEVELOPMENTS STANDARDS

The standards prescribed in Table 4A.T3 shall apply to all principal buildings and land uses in the Mixed Low-Rise zone.

<b>TABLE 4A.T3 MIXED LOW-RISE ZONE DEVELOPMENT STANDARDS</b>		
<b>Sec.</b>	<b>Development Criteria</b>	<b>Standards (Per Lot)</b>
<b>T3.1</b>	<b>Minimum Lot Area</b>	100 square metres
<b>T3.2</b>	<b>Minimum Lot Frontage</b>	5 metres
<b>T3.3</b>	<b>Minimum Front Yard Setback</b>	
	(1) To an Active Wall <sup>1</sup> (see Figure 4A.F1)	Nil
	(2) Otherwise (see Figure 4A.F2)	4.5 metres
<b>T3.4</b>	(3) Notwithstanding subsections (1) and (2), the front yard setback of lands identified as "Area a" in Part B.11 - Lakeview/Albert Park Secondary Plan of the Design Regina, <i>Official Community Plan Bylaw No. 2013-48</i>	6.0 metres
	<b>Minimum Rear Yard Setback</b>	
	(1) Where the rear yard abuts a lot zoned Residential	
	(a) portions of any building or structure equal to or under 8.5 metres in height	1.2 metres
	(b) portions of any building or structure over 8.5 metres in height	3.25 metres
	(2) Otherwise	Nil
	(3) Notwithstanding subsections (1) and (2), the rear yard setback of lands identified as "Area a" in Part B.11 - Lakeview/Albert Park Secondary Plan of the Design Regina, <i>Official Community Plan Bylaw No. 2013-48</i>	
(a) lots with lane access	3.0 metres	
(b) lots without lane access	7.5 metres	
<b>T3.5</b>	<b>Minimum Side Yard Setback</b>	
	(1) Where a side yard abuts a lot zoned Residential	
	(a) portions of any building or structure equal to or under 8.5 metres in height	1.2 metres
	(b) portions of any building or structure over 8.5 metres in height	3.25 metres
	(2) Otherwise	0.0
	(3) Notwithstanding subsections (1) and (2), the side yard setback of lands identified as "Area a" in Part B.11 - Lakeview/Albert Park Secondary Plan of the Design Regina, <i>Official Community Plan Bylaw No. 2013-48</i>	
	(a) where a side yard abuts a lot zoned Residential	7.5 metres
(b) where a side yard does not abut a lot zoned Residential	2.0 metres	
<b>T3.6</b>	<b>Maximum Lot Coverage</b>	65%
<b>T3.7</b>	<b>Maximum Floor Area Ratio</b>	1.75
<b>T3.8</b>	<b>Maximum Building Height</b>	15 metres
Notes		
<sup>1</sup> The requirements of an active wall are in Subsection 4.2(1).		



**Figure 4A.F1: Mixed Low-Rise Zone Active Wall**



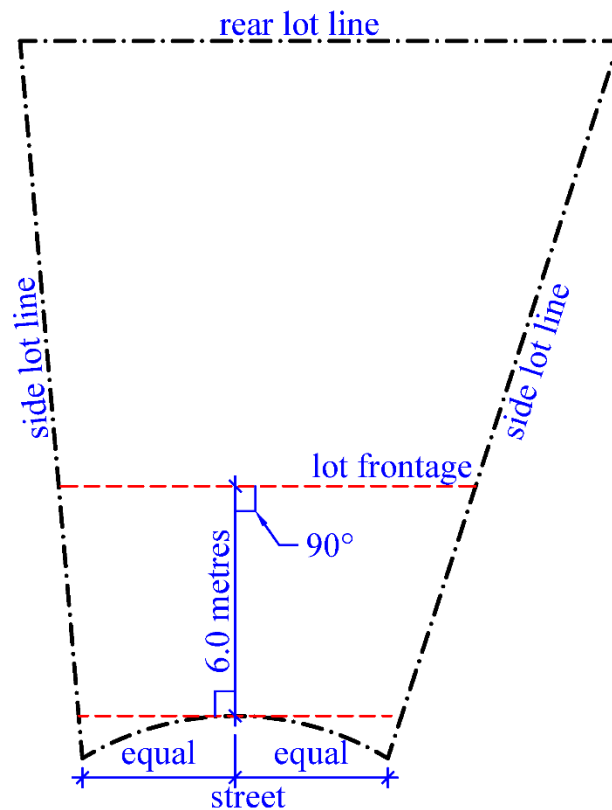
**Figure 4A.F2: Mixed Low-Rise Zone Non-Active Wall**

**4.2 LOT FRONTAGE**

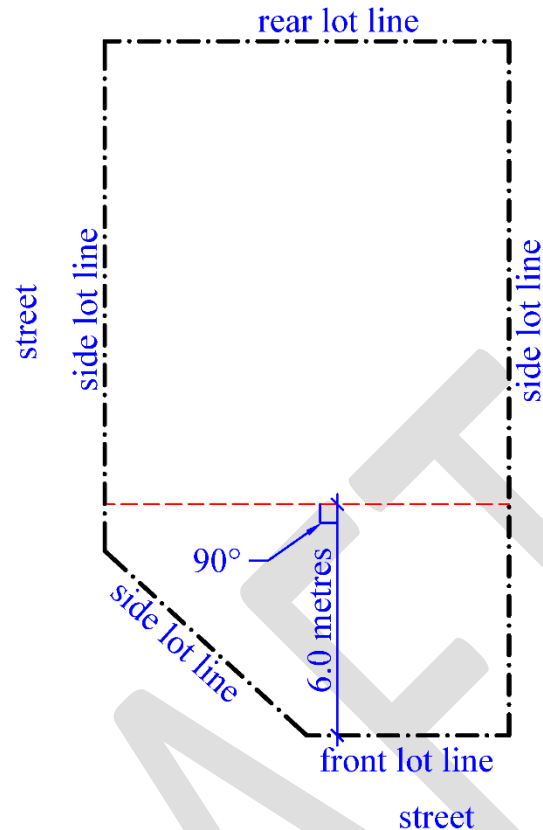
- (1) In the Mixed Low-Rise zone, an active wall is considered a street wall that meets the following requirements:

- (a) includes at least one entrance for customers or residents;
  - (b) every unit bounded by the active wall and within 1.4 metres from grade shall have at least one direct entrance for clients or residents;
  - (c) the building entrance(s) required in (a) and (b) shall be oriented to allow a customer or resident passage to or from a public sidewalk, public plaza, public walkway or public park;
  - (d) access required in (c) may be via a private “Open Space, Active,” “Food & Beverage, Outdoor” or “Retail Trade, Outdoor Display” land use provided this land use is directly accessible from a public sidewalk, public plaza, public walkway or public park by members of the general public;
  - (e) at least 80 per cent of the at-grade area directly behind an active wall shall contain active uses;
  - (f) none of the following shall be developed between the active wall and a public sidewalk, public plaza, public walkway or public park:
    - (i) a building;
    - (ii) a portion of a building;
    - (iii) a motor vehicle parking stall;
    - (iv) a motor vehicle loading stall / area, drop-off stall / area, maneuvering area; or
    - (v) a loading bay.
  - (g) includes a minimum glazed area of the lesser of:
    - (i) 50 per cent of the active wall’s area; or
    - (ii) the maximum allowed for a non-sprinklered unprotected opening under the National Building Code.
- (2) Where a lot’s front lot line is curved, the lot frontage shall be measured as follows, as shown in Figure 4A.F3:
- (a) the midpoint of the front lot line, relative to the side lot lines, shall be determined;

- (b) a distance line perpendicular to the tangent and six metres in length shall be measured from the midpoint determined in clause 4A.4.2(2)(a); and
  - (c) the lot frontage shall be measured as a line perpendicular to the six metre distance line prescribed in clause 4A.4.2(2)(b).
- (3) On a corner lot, the lot frontage shall be measured as follows, as shown in Figure 4A.F4:
- (a) a distance line perpendicular to the front lot line and six metres in length shall be measured from the front lot line; and
  - (b) the lot frontage shall be measured as a line perpendicular to the six metre distance line prescribed in clause 4A.4.2(3)(a).



**Figure 4A.F3: Minimum Lot Frontage on Curved Front Lots**



**Figure 4A.F4: Minimum Lot Frontage on Corner Lots**

### **4.3 PERMITTED YARD ENCROACHMENTS**

- (1) The minimum front yard, flankage side yard, interior side yard and rear yard specified by this Bylaw shall remain free from any encroachment, except as permitted by Table 4A.T4.
- (2) Permitted yard encroachments are subject to section 1E.1.9 of Chapter 1.
- (3) Minimum setback from lot line to a permitted encroachment shall be the lesser of the setback standards prescribed in Tables 4A.T3 and 4A.T4.

<b>TABLE 4A.T4: MIXED LOW-RISE ZONE PERMITTED ENCROACHMENT STANDARDS</b>				
<b>Sec.</b>	<b>Structure</b>	<b>Permitted Yard</b>	<b>Maximum Projection into Permitted Yard</b>	<b>Minimum Setback from Lot Line</b>
<b>T4.1</b>	Non-structural architectural features (e.g. window sill, eaves, etc.)	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Interior Side Yards</li> <li>• Flankage Yard</li> <li>• Rear Yard</li> </ul>	610 millimetres	450 millimetres
<b>T4.2</b>	Cantilever – no more than 2.4 square metres in combined area of all cantilevers when measured horizontally	<ul style="list-style-type: none"> <li>• One Interior Side Yard</li> <li>• Flankage Yard</li> </ul>	610 millimetres	450 millimetres
<b>T4.3</b>	Fire escape	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Interior Side Yards</li> <li>• Flankage Yard</li> <li>• Rear Yard</li> </ul>	1.5 metres	150 millimetres
<b>T4.4</b>	Uncovered Balcony, Deck or Platform			
	(1) Portion that is 600 millimetres or more in height above grade.	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Rear Yard</li> </ul>	1.5 metres	The lesser of the minimum side yard setback requirements for the principal building on site; or the existing side yard setback of the building on site.
	(2) Portion that is less than 600 millimetres in height above grade.	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Interior Side Yards</li> <li>• Flankage Yard</li> <li>• Rear Yard</li> </ul>	Unrestricted	Unrestricted
<b>T4.6</b>	Porch	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Rear Yard</li> </ul>	1.5 metres	3.0 metres
<b>T4.5</b>	Steps above or below grade, landings and wheelchair ramps	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Interior Side Yards</li> <li>• Flankage Yard</li> <li>• Rear Yard</li> </ul>	Unrestricted	Unrestricted
<b>T4.7</b>	Children’s play equipment, fences, gutters, retaining walls or other landscape features and decorative structures.	<ul style="list-style-type: none"> <li>• Front Yard</li> <li>• Interior Side Yards</li> <li>• Flankage Yard</li> <li>• Rear Yard</li> </ul>	Unrestricted	Unrestricted

#### 4.4 HEIGHT EXCEPTIONS

- (1) Subject to subsection 4A.4.4(2), the maximum building height listed in Table 4A.T2 shall not apply to the following:
  - (a) a spire;
  - (b) a belfry;
  - (c) a cupola;
  - (d) a dome;
  - (e) a chimney;

- (f) a ventilator;
  - (g) a skylight;
  - (h) a water tank;
  - (i) a bulkhead;
  - (j) a communication antenna; or
  - (k) a feature or mechanical appurtenance, usually situated above the roof level, that is, in the opinion of the Development Officer, similar to the above list.
- (2) The features mentioned in subsection 4A.4.4(1):
- (a) may not be used for human habitation; and
  - (b) shall be erected only to such minimum height or area necessary to accomplish the purpose they are to serve.

#### **4A.5 ACCESSORY USE, BUILDING AND STRUCTURE**

- (1) Unless specified otherwise, the minimum setback requirements and the maximum height of an accessory structure or building shall be the same as those of the principle building, as prescribed in Table 4A.T.3.
- (2) Notwithstanding subsection 4A.5(1), an accessory structure or building may be located within a rear or side yard setback where it is:
  - (a) 10 square metres or less in area; and
  - (b) 4 metres or less in height.
- (3) All accessory structures or buildings shall be included in the calculation of the total site coverage calculation, except those listed in Table 4A.T4.7.
- (4) Detached accessory buildings or structures shall not be located in the front yard, except those listed in Table 4A.T4.7.

## **4A.6 PARKING AND LOADING**

### **6.1 NO OBSTRUCTION**

Parking stalls required by this Bylaw shall not be obstructed in any way by garbage receptacles, structures, equipment or materials which interfere with the ability of the parking stall to serve its function.

### **6.2 ACCESSIBLE PARKING STALLS**

- (1) Notwithstanding any other provision in this Bylaw, a minimum of two per cent of the required number of parking stalls shall be provided in the form of accessible parking stalls in the Mixed Low-Rise zone.
- (2) Accessible parking stalls shall be clearly designated with signs above ground indicating their purpose.
- (3) Relative to the placement of non-accessible parking stalls, accessible parking stalls shall be located closest to the:
  - (a) the accessible building entrance, if it exists; or
  - (b) the building entrance with shortest path of travel from the accessible parking stalls.

### **6.3 MOTOR VEHICLE REGULATIONS**

- (1) All motor vehicle parking stalls, loading stalls and manoeuvring areas shall be located entirely on the same lot as the principal land use they serve except as provided by caveated parking, shared parking or shared maneuvering area as prescribed in subpart 1F.3 of Chapter 1.
- (2) No motor vehicle parking stall, manoeuvring area, garage door, loading stall or loading bay shall be located within:
  - (a) an area provided to meet the total site landscaping area; or
  - (b) a front yard.

### **6.4 MINIMUM MOTOR VEHICLE PARKING REQUIREMENTS**

- (1) The minimum motor vehicle parking requirements prescribed in Table 4A.T5 apply to development in the Mixed Low-Rise zone.
- (2) If, in determining the number of required parking stalls, a fractional parking stall is calculated:



- (a) any fraction up to and including one-half shall be disregarded; and
  - (b) any fraction over one-half shall be deemed to be equivalent to one full stall.
- (3) Unless otherwise specified in this Bylaw, tandem parking stalls shall not be used to meet minimum parking requirements.
  - (4) Up to 30 per cent of the required parking stalls in any parking area may be designed as compact stall.
  - (5) All compact parking stalls shall be clearly designated with signs indicating their purpose.

<b>TABLE 4A.T5: MIXED LOW-RISE ZONE PARKING REQUIREMENTS</b>			
<b>Sec.</b>	<b>Land Use</b>	<b>Motor Vehicle</b>	
<b>T5.1</b>	Dwelling, Unit	One stall is required per Dwelling Unit.	
<b>T5.2</b>	Dwelling, Assisted Living	0.4 stalls are required per Dwelling Unit.	
<b>T5.3</b>	Dwelling, Group Care	The greater of: (a) one stall per six beds is required; or (b) two stalls are required.	
<b>T5.4</b>	Service Trade, Homestay	0.5 stall per Service Trade, Homestay is required in addition to the parking requirement for the Dwelling Unit.	
<b>T5.5</b>	Residential Business	(1) A minimum of one parking stall shall be provided for the Residential Business in addition to the parking required for the Dwelling Unit on the same lot. (2) No required parking stalls for the Dwelling Unit shall be utilized for the Residential Business. (3) Where the Residential Business is an Institution, Day Care, parking requirements listed under T5.6 shall apply.	
<b>T5.</b>	Institution, Day Care	(1) One stall is required per land use; and (2) Passenger drop-off stalls are required in accordance with the following:	
		<b>Individuals Under Care</b>	<b>Minimum Number of Passenger Drop-off Stalls</b>
		1-10	1 stall
		10-15	2 stalls
		16-30	3 stalls
		31-45	4 stalls
		46-60	5 stalls
More than 60	Two additional stalls for each increment of 15 individuals in excess of 60		
		(3) Notwithstanding subsection (2), where the applicant demonstrates to the satisfaction of the Development Officer, that on-street parking capacity can adequately serve as a passenger drop-off stall without impeding traffic flow, the Development Officer may reduce the minimum off-site passenger drop-off stall requirements accordingly. (4) Parking stalls required pursuant to subsection (1) shall not be used to satisfy the passenger drop-off stall requirements of subsection (2). (5) All on-site passenger drop-off stalls shall be reserved and clearly marked for passenger drop-off purposes.	

<b>TABLE 4A.T5: MIXED LOW-RISE ZONE PARKING REQUIREMENTS</b>			
<b>Sec.</b>	<b>Land Use</b>	<b>Motor Vehicle</b>	
<b>T5.7</b>	All other land uses	On a lot where: at least 25% of the total gross floor area of all buildings on the lot is dedicated to Dwelling land uses; the lot contains at least 20 Dwelling Units; at least 25% of the total gross floor area of all buildings on the lot is dedicated to non-Dwelling land uses listed as permitted or discretionary in Table 4A.T2; and at least 25% of the on-site parking is contained within a Parking Structure that is above or below grade.	<p>(1) For the first 150 square metres in total floor area, no parking stall is required.</p> <p>(2) For that portion in excess of the first 150 square metres in total floor area, one parking stall is required per 150 square metres of total floor area.</p>
		Otherwise	<p>(1) For the first 150 square metres in total floor area, no parking stall is required.</p> <p>(2) For that portion in excess of the first 150 square metres in total floor area, one parking stall is required per 75 square metres of total floor area.</p>

### 6.5 MINIMUM LOADING REQUIREMENTS

- (1) On any lot containing buildings with a combined gross floor area of 1,401 to 10,000 square metres, one loading stall shall be required.
- (2) On any lot containing buildings with a combined gross floor area of 10,001 square metres or more, one loading stall shall be required in addition to the requirement mentioned in subsection 4A.6.5(1).
- (3) Dwelling units shall not be calculated toward the combined gross floor area mentioned in subsection 4A.6.5(1) or (2).
- (4) All loading stalls shall be clearly marked to indicate their purpose.
- (5) Notwithstanding subsections 4A.6.5(1) and (2), the Development Officer may decrease the number of required loading stalls.

### 6.6 BICYCLE PARKING REQUIREMENTS

- (1) For every 20 Dwelling units that are developed on a lot, the developer shall provide a minimum of one long-term bicycle parking stall within the same building(s) as the Dwellings. This may be counted toward the total lot minimum bicycle parking requirement prescribed in subsection 4A.6.6(2).
- (2) For every 10 required motor vehicle parking stalls, whether to meet the parking requirement in Table 4A.T5 or not, there shall be either:
  - (a) two short-term bicycle parking stalls;

- (b) 0.5 long-term bicycle parking stalls; or
  - (c) an equivalent combination of clauses 4A.6.6(2)(a) and (b).
- (3) If, in determining the number of required parking stalls, a fractional bicycle parking stall is calculated, any fraction will be rounded up to the next whole number.
- (4) Required short-term bicycle stalls shall be located closer to the building entrance than the motor vehicle parking stalls.
- (5) Required long-term bicycle stalls shall be located either:
- (a) on the ground floor of the principal building(s) on the lot; or
  - (b) within a secure area close to the building entrance.
- (6) If the motor vehicle parking stalls are covered or within a structure, then the bicycle parking stalls must also be covered or located within a structure.

## **6.7 MUNICIPAL HERITAGE PROPERTY AND PROVINCIAL HERITAGE PROPERTY**

- (1) Where required, the number of motor vehicle parking stalls existing upon municipal heritage property and provincial heritage property, at the time of such heritage designation, shall be maintained with any development approved after such date.
- (2) Notwithstanding the motor vehicle parking requirements in sections 4A.6.4 and 4A.6.5, development of designated municipal heritage property and provincial heritage property shall not be required to provide motor vehicle parking and loading facilities beyond that mentioned in subsection 4A.6.7(1).

## **4A.7 LANDSCAPING AND AESTHETIC SCREENING**

### **7.1 MINIMUM TOTAL SITE LANDSCAPING REQUIREMENTS**

- (1) Any lot in the Mixed Low-Rise zone requires a minimum total site landscaping area of 10 per cent.
- (2) Where a parking or loading area abuts a public street, a minimum 3.0 metre landscaped strip measured from the inside of the curb or the sidewalk shall be provided. The requirement of this subsection can be credited toward the fulfillment of the total site landscaping requirement prescribed in subsection 4A.7(1).

- (3) The landscaping requirements are for a principle use only.
- (4) All landscaping requirements shall be completed in accordance with the approved landscape plan by the end of the growing season in which the use of the building or site has taken place. When the use of a building has occurred after the end of the growing season, all required and approved landscaping features shall be completed by June 1 of the following growing season.

## **7.2 PLANTING REQUIREMENTS**

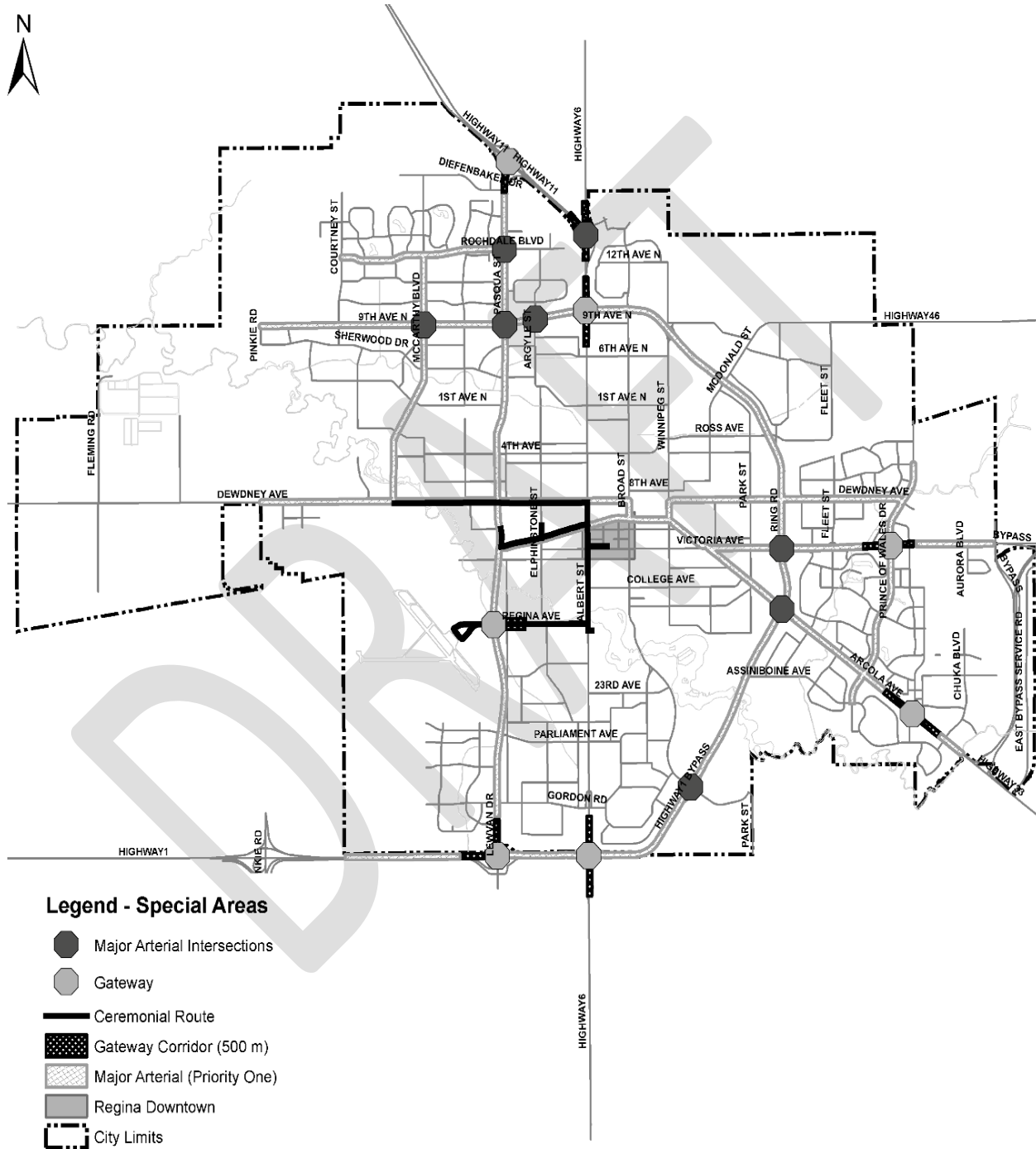
The following planting ratios shall apply to all developments in the Mixed Low-Rise zone to meet the total site landscaping area, as required by section 4A.7.1.

- (a) a minimum of one tree per 40 square metres of required site landscaping is required per lot;
- (b) for every 10 metres abutting a public street, a minimum of one deciduous tree is required;
- (c) a minimum of one shrub per 20 square metres of required site landscaping is required per lot; and
- (d) the planting requirements listed in (b) do not apply when the front yard setback is 3.0 metres or less

## **7.3 INCLUDED LANDSCAPED AREAS**

- (1) Exposed soil will only be considered toward the total site landscaping area in Open Space, Active used to grow plants or shrub beds.
- (2) The total site landscaping area, as required subsection 4A.7.1, may include, but is not restricted to:
  - (a) parking area landscaping;
  - (b) major roadways landscape design areas (see Figure 4A.F5);
  - (c) boulevard areas;
  - (d) curbing;
  - (e) perimeter screening; and
  - (f) any portion of required aesthetic screening.

- (3) Developments within the major roadways landscape design areas in Figure 4A.F5 may be subject to additional landscaping requirements.
- (4) Boulevard areas may only be used to fulfil the total site landscaping requirement, upon the approval of the Development Officer.



**Figure 4A.F5: Major Roadways Landscape Design Map**

**7.4 PRESERVATION OF EXISTING PLANT MATERIAL**

Where existing plant material on site is retained, it may be credited toward the fulfillment of the total site landscaping requirement.

**7.5 AESTHETIC SCREENING OF INCOMPATIBLE USES**

- (1) A proposed new development or substantial addition to an existing development on a lot in the Mixed Low-Rise zone shall include aesthetic screening to a height of 1.83 metres along its abutting lot lines where the proposed development abuts a lot in a Residential zone.
- (2) In addition to other requirements of this Bylaw, the following activities and/or areas on a lot in the Mixed-use Low-rise zone shall be aesthetically screened from all sides to a height of 1.83 metres or to the satisfaction of the Development Officer:
  - (a) any collection areas for garbage, refuse or recycling; and
  - (b) any storage areas that are outdoors or partially outdoors.