

PART 6G

DCD-CBM – CHUKA BOULEVARD MIXED DIRECT CONTROL DISTRICT

6G.1 INTENT

The Chuka Boulevard Mixed Direct Control District is intended to accommodate mixed-use development in the Greens on Gardiner along Chuka Boulevard, which is a neighbourhood arterial street, to ensure:

- (a) that commercial frontage strongly relates to the pedestrian realm;
- (b) overall compatibility of mixed use development with its surroundings; and
- (c) to build a unique sense of place through building and design.

6G.2 APPLICATION

- (1) The regulations, standards, and requirements prescribed in part 6G apply to all land uses and developments in the Chuka Boulevard Mixed Direct Control District.
- (2) The Chuka Boulevard Mixed Direct Control District consists of a number of sub-districts – hereafter referred to as “Policy Areas” – that provide for different building forms, uses, and design standards.
- (3) The requirements of Chapter 1 apply to all land uses, proposed land uses, developments and proposed developments in the Chuka Boulevard Mixed Direct Control District.

6G.3 BUILDING AND LAND USE REQUIREMENTS

3.1 PERMITTED OR DISCRETIONARY BUILDING TYPES

Table 6G.T1 lists building types that are permitted or discretionary in the Chuka Boulevard Mixed Direct Control District.

TABLE 6G.T1: THE CHUKA BOULEVARD MIXED DIRECT CONTROL DISTRICT BUILDING TYPES				
Sec.	Building Type	Permitted	Discretionary	Building Specific Regulations
T1.1	Building, Accessory	Permitted	---	---
T1.2	Building, Detached	When used for the following: (a) a non-dwelling land use; or (b) Planned Group in combination with buildings containing three or more units.	---	---
T1.3	Building, Planned Group	Permitted where the: (1) building does not contain a use in the dwelling land use class and meets the following conditions: (a) maximum building height is 18 metres or less; (b) the building does not adjoin a lot zoned residential or a lot containing a use in the dwelling land use class; and (c) the building is not on the same lot as a building containing a use in the dwelling land use class; or (2) building contains a use in the dwelling land use class and the maximum building height is 11 metres or less	Discretionary where the: (1) building is between 11 metres and 18 metres in height does not contain a use in the dwelling land use class and; (a) adjoins a lot zoned residential or a lot containing a use in the dwelling land use class; or (b) is on the same lot as a building containing a use in the dwelling land use class; or (2) building contains a use in the dwelling land use class and the maximum building height is between 11 metres and 18 metres.	

TABLE 6G.T1: THE CHUKA BOULEVARD MIXED DIRECT CONTROL DISTRICT BUILDING TYPES				
Sec.	Building Type	Permitted	Discretionary	Building Specific Regulations
T1.4	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 18 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 18 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 18 metres.</p>	---
T1.5	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 18 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 18 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 18 metres.</p>	---

3.2 LAND USE REQUIREMENTS

- (1) Figure 6G.F1 indicates the land use areas as they relate to the Chuka Boulevard Mixed Direct Control District.
- (2) Table 6G.T2 lists land uses and land use intensities that are permitted or discretionary in the Chuka Boulevard Mixed Direct Control District, subject to compliance with:
 - (a) the land use specific regulations in Table 6G.T2;
 - (b) the development standards in subpart 6G.4;
 - (c) the parking and loading requirements in subpart 6G.6;
 - (d) the landscaping and aesthetic screening requirements of subpart 6G.7; and
 - (e) the other regulations of this Bylaw.
- (3) When considering approval of a land use or a land use intensity listed as discretionary in Table 6G.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.
- (4) The following land uses are prohibited in the Chuka Boulevard Mixed Direct Control District:
 - (a) any land use that is not listed in Table 6G.T2;
 - (b) any land use that is above the maximum intensity listed as permitted or discretionary in Table 6G.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.






-  Chuka Boulevard Interface
-  Residential Interface
-  Landmark Corner

Figure 6G.F1: Chuka Boulevard Mixed Direct Control District Land Use Area Map

TABLE 6G.T2: PERMITTED AND DISCRETIONARY LAND USES IN THE CHUKA BOULEVARD MIXED DIRECT CONTROL DISTRICT				
Sec.	Land Use	Permitted	Discretionary	Land Use Specific Regulations
T2.1	<ul style="list-style-type: none"> • Food & Beverage, Outdoor • Retail Trade, Outdoor Display 	Permitted if the dedicated outdoor area is: <ul style="list-style-type: none"> (a) less than 100 square metres, per unit; and (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. 	Discretionary if: <ul style="list-style-type: none"> (a) 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. 	---
T2.2	<ul style="list-style-type: none"> • Institution, Day Care • Institution, Education • Institution, Humanitarian Service • Open Space, Active • Public Use, General • Service Trade, Light • Service Trade, Personal • Utility, General 	Permitted	---	(1) The “Institution, Day Care”, “Institution, Education” and “Open Space, Active” land uses may not be established where they will be closer than 182.88 metres to a “Retail Trade, Cannabis” land use. (2) The measurement required in (1) shall be: <ul style="list-style-type: none"> (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, Day Care”, “Institution, Education” or “Open Space, Active” land use; and (b) assessed as of the date of receipt of a complete application as determined by the Development Officer.
T2.3	<ul style="list-style-type: none"> • Retail Trade, Shop 	Permitted if the gross floor area is 1,000 square metres or less, per unit.	---	The “Retail Trade, Shop” land use: <ul style="list-style-type: none"> (a) shall not exceed 10,000 square metres in total gross floor area of per lot; and (b) must occur within a building that contains “Dwelling” as principal land use.

TABLE 6G.T2: PERMITTED AND DISCRETIONARY LAND USES IN THE CHUKA BOULEVARD MIXED DIRECT CONTROL DISTRICT				
Sec.	Land Use	Permitted	Discretionary	Land Use Specific Regulations
T2.4	<ul style="list-style-type: none"> • Food & Beverage, Lounge • Food & Beverage, Restaurant 	Permitted if the gross floor area is 500 square metres or lower, per unit	Discretionary if the gross floor area is above 500 square metres per unit	<p>Land uses listed in this section:</p> <p>(a) shall not contain a “Drive-Through” or “Drive-through, Accessory” land use; and</p> <p>(b) must occur within a building that contains “Dwelling” as principal land use.</p>
T2.5	<ul style="list-style-type: none"> • Office, Professional • Service Trade, Clinic 	Permitted if the gross floor area is 1000 square metres or less, per lot.	Discretionary if the gross floor area is above 1,000 square metres, per lot.	<p>(1) The combined gross floor area for all land uses in the “Office” land use class shall not exceed 1,000 square metres per lot.</p> <p>(2) Land uses listed in this section must occur within a building that contains “Dwelling” as principal land use.</p>
T2.6	<ul style="list-style-type: none"> • Dwelling, Unit 	<p>Permitted only within a:</p> <p>(a) Building, Row; or</p> <p>(b) Building, Stacked</p>	---	<p>(1) The minimum number of units in a Building, Row shall be three.</p> <p>(2) The minimum number of units in a Building, Stacked shall be five.</p> <p>(3) 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.</p> <p>(4) 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 6G.6.</p>
T2.7	<ul style="list-style-type: none"> • Dwelling, Assisted-Living • Dwelling, Group Care 	Permitted	---	<p>(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.</p> <p>(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 6G.6.</p>

TABLE 6G.T2: PERMITTED AND DISCRETIONARY LAND USES IN THE CHUKA BOULEVARD MIXED DIRECT CONTROL DISTRICT

Sec.	Land Use	Permitted	Discretionary	Land Use Specific Regulations
T2.8	<ul style="list-style-type: none"> • Planned Group 	Permitted	---	<p>(1) A “Planned Group” shall allow all land uses and building types that are permitted or discretionary in the Residential Neighbourhood zone.</p> <p>(2) All buildings within the Planned Group shall comply with the applicable Development Standards specified in Table 6G.T3.</p> <p>(3) Buildings that are connected by underground parking structures or above-ground enclosed or non-enclosed structures shall be considered a “Planned Group” and shall comply with the regulations of this subsection.</p> <p>(4) A “Planned Group” containing 20 or more Dwelling Units shall allocate a minimum of five per cent of the total lot area to a communal amenity area.</p> <p>(5) Where the required communal amenity area is outdoors, the soft landscaping portion of such communal amenity area may be included as part of the minimum landscaping requirements listed in subpart 6G.7.</p>
T2.9	<ul style="list-style-type: none"> • Assembly, Community • Assembly, Recreation • Assembly, Religious 	Permitted	---	<p>(1) The “Assembly, Community” land use may not be established where it 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 for the “Retail Trade, Cannabis” land use to the nearest portion of the lot currently developed with the Assembly, Community land use.</p> <p>(b) assessed as of the date of receipt of a complete application as determined by the Development Officer.</p>

TABLE 6G.T2: PERMITTED AND DISCRETIONARY LAND USES IN THE CHUKA BOULEVARD MIXED DIRECT CONTROL DISTRICT				
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; 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 High-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 & 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 6G.T2: PERMITTED AND DISCRETIONARY LAND USES IN THE CHUKA BOULEVARD MIXED DIRECT CONTROL DISTRICT				
Sec.	Land Use	Permitted	Discretionary	Land Use Specific Regulations
T2.10	• Residential Business			<p>(j) any land use in the “Service Trade” land use class except “Service Trade, Personal,” “Service Trade, Light” and “Service Trade, Homestay”;</p> <p>(k) any land use in the “Transportation” land use class;</p> <p>(l) any land use in the “Wholesale Trade” land use class;</p> <p>(m) any land use in the “Public Use” land use class; and,</p> <p>(n) any land use in the “Utility” land use class.</p> <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>

3.3 DEVELOPMENT AGREEMENTS

Pursuant to section 65(2) of *The Planning and Development Act, 2007*, the development officer may require a development agreement to ensure compliance with the overall intent of this zone or to protect a specific public interest.

6G.4 DEVELOPMENT STANDARDS IN THE CHUKA BOULEVARD MIXED DIRECT CONTROL DISTRICT

4.1 GENERAL APPLICATION

- (1) The standards prescribed in Table 6G.T3 shall apply to all principal buildings and land uses in the Chuka Boulevard Mixed Direct Control District.

TABLE 6G.T3 CHUKA BOULEVARD MIXED DIRECT CONTROL DISTRICT DEVELOPMENT STANDARDS		
Sec.	Development Criteria	Standards (Per Lot)
T3.1	Minimum Lot Area	250 square metres
T3.2	Minimum Lot Frontage	6.0 metres
T3.3	Minimum Front Yard Setback	5.0 metres
T3.4	Minimum Rear Yard Setback	
	(a) portions of any building or structure equal to or under 11 metres in height	3.0 metres
	(b) portions of any building or structure over 11 metres in height	4.5 metres
T3.5	Minimum Side Yard Setback	
	(a) portions of any building or structure equal to or under 11 metres in height	3.0 metres
	(b) portions of any building or structure over 11 metres in height	4.5 metres
T3.6	Maximum Lot Coverage	65%
T3.7	Maximum Floor Area Ratio	1.75
T3.8	Maximum Building Height	
	(a) portions of any building or structure within 15 metres of an adjacent property zoned residential	Maximum Height of the adjacent residential zone
	(b) portions of any building or structure more than 15 metres of an adjacent property zoned residential	18 metres
	(c) Notwithstanding clauses 6G.T3.8(a) and (b), the maximum height in the Residential Interface Policy Area shown in Figure 6G.F1	13 metres

- (2) Subject to standards within policy areas, the following site standards shall also apply to all areas within the Chuka Boulevard Mixed Direct Control District:
- (a) generally, more active or animated uses such as retail or restaurants should front Chuka Boulevard and less active uses such as offices requiring less visibility or street presence should be accommodated internal to the site or adjacent to local streets;
 - (b) abutting sites within the Chuka Boulevard Mixed Direct Control District shall require shared access agreements to be registered through the subdivision process;
 - (c) development within 15 metres of an adjacent property zoned residential shall demonstrate privacy of the residential property is maintained through balcony and window orientation, landscaping or other means; and

- (d) safe and convenient pedestrian access to planned bus stops shall be demonstrated.

4.2 CHUKA BOULEVARD INTERFACE AREA

- (1) The Policy Area applies to the area as shown in Figure 6G.F1, and establishes the regulatory framework to coordinate and facilitate a pedestrian oriented mixed use area along parts of Chuka Drive while balancing the need for convenient parking for commercial uses.
- (2) Subject to standards within policy areas, the following site standards shall also apply to development within the Chuka Boulevard Interface Area:
- (a) buildings intended for mixed use development with commercial on the main level and residential uses above shall front Chuka Boulevard;
 - (b) buildings fronting Chuka Boulevard shall be built as close to the street as possible while generally allowing for one row of parking, a driveway, and a 3m sidewalk as shown on the cross section diagram on Figure 6G.F2, below;

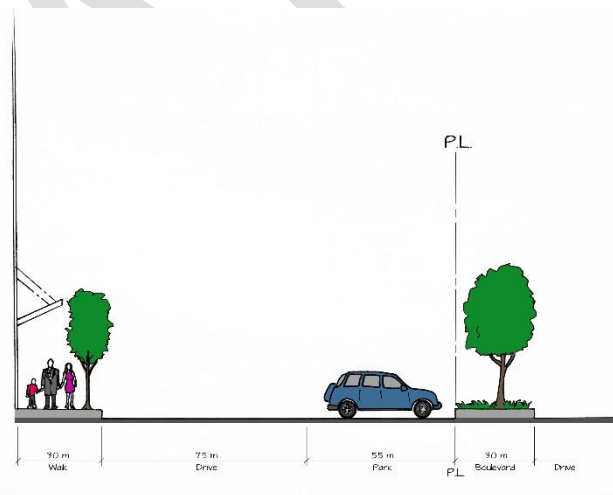


Figure 6G.F2: Chuka Boulevard Interface Cross Section

- (c) the private sidewalk in clause 6G.4.2(2)(b) shall provide public access parallel to Chuka Boulevard as shown on Figure 6G.F3 directly in front of commercial fronts and shall be formalized in a development agreement as per section 5j).

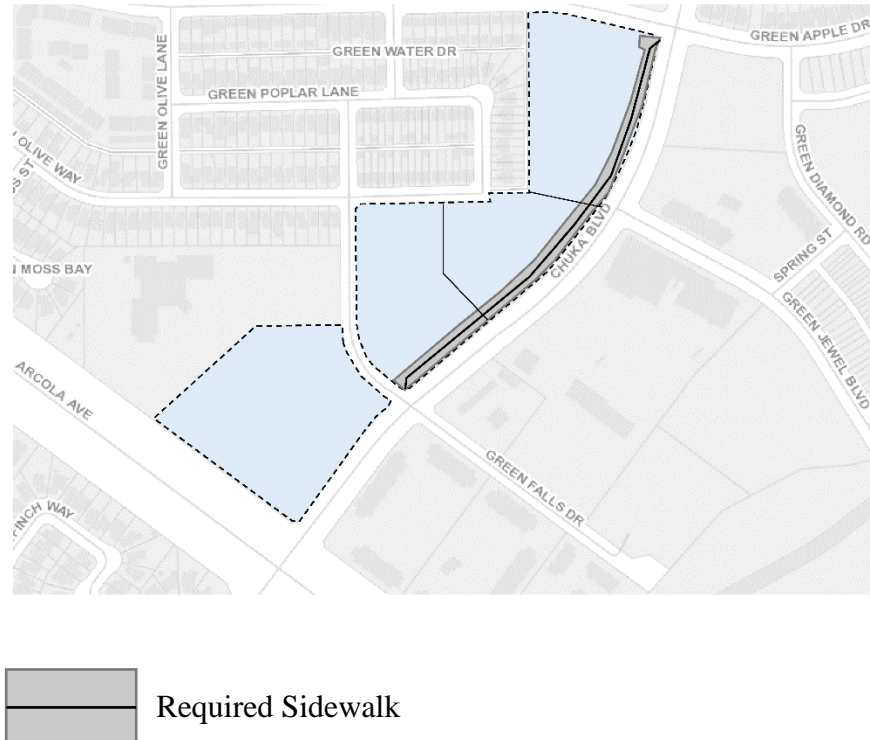


Figure 6G.F3: Chuka Boulevard Interface Cross Section

- (d) the pedestrian sidewalk mentioned in section iii) above shall demonstrate appropriate lighting, include trees planted to approximately 10m on centre, and be weather protected with awnings where appropriate;
- (e) linkages between building fronts should be minimized in width and should generally be spaced to no less than 75m;
- (f) safe pedestrian access shall be demonstrated and provided to intersections and planned cross walks along Chuka Boulevard;
- (g) commercial frontages shall generally be continuous with few breaks to create a consistently active streetscape that can support retail activity;
- (h) commercial frontages shall demonstrate a fine-grain character and regular rhythm as defined in Chapter 2 of this Bylaw;
- (g) commercial frontages shall demonstrate a fine-grain character and regular rhythm as defined in Chapter 2 of this Bylaw;
- (h) subject to provisions of this section residential uses may be accommodated on the main level of buildings within this policy area if demonstrated that space can be easily converted to commercial space should market demand change; and

- (g) storefronts should be located at-grade rather than raised or sunken to encourage a high degree of interaction between the pedestrian and storefront.

4.3 RESIDENTIAL INTERFACE POLICY AREA

- (1) The Policy Area applies to the area as shown in Figure 6G.F1, and shall provide for sensitive transition to adjacent residential uses.
- (2) Subject to standards within policy areas, the following site standards shall also apply to development within the Residential Interface Policy Area:
 - (a) residential uses shall demonstrate strong street orientation with direct access provided to promote interaction with the surrounding neighbourhood;
 - (b) the main level of a residential building adjacent to the street shall be habitable; and
 - (c) fronting commercial uses are prohibited along the street within the policy area.

4.4 LANDMARK CORNER DEVELOPMENT STANDARDS

- (1) The Policy Area applies to the area as shown in Figure 6G.F1, and is intended to ensure that these corners of sites be designed as landmarks, to encourage a unique sense of place for the area and to be used as places of activity and interaction.
- (2) Subject to standards within policy areas, the following site standards shall also apply to development within the Landmark Corner Development Standards:
 - (a) buildings within these areas shall demonstrate strong orientation toward the corners or intersections through building massing, grand entrance ways, plaza spaces, creative landscape features, or other means; and
 - (b) direct pedestrian access shall be provided to adjacent intersections or cross walks.

4.5 LOT FRONTAGE

- (1) Where a lot's front lot line is curved, the lot frontage shall be measured as follows, as shown in Figure 6G.F4:
 - (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 6G.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 6G.4.2(2)(b).
- (2) On a corner lot, the lot frontage shall be measured as follows, as shown in Figure 6G.F5:
 - (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 6G.4.2(3)(a).

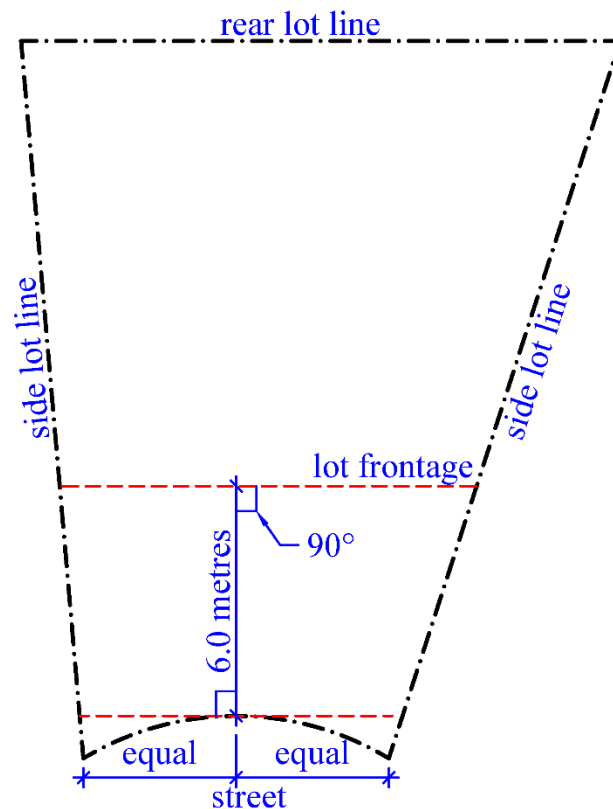


Figure 6G.F4: Minimum Lot Frontage on Curved Front Lots

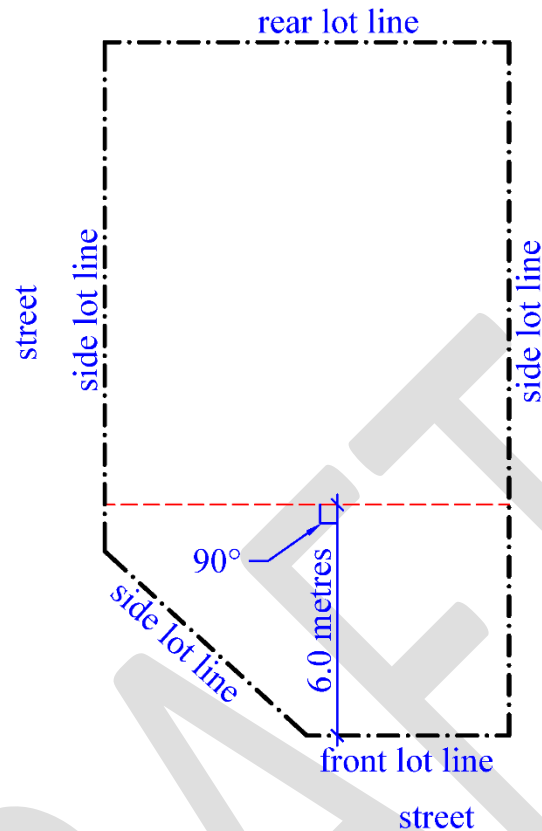


Figure 6G.F5: Minimum Lot Frontage on Corner Lots

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 6G.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 6G.T3 and 6G.T4.

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

4.4 HEIGHT EXCEPTIONS

- (1) Subject to subsection 6G.4.4(2), the maximum building height listed in Table 6G.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 6G.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.

6G.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 6G.T.3.
- (2) Notwithstanding subsection 6G.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 6G.T4.7.
- (4) Detached accessory buildings or structures shall not be located in the front yard, except those listed in Table 6G.T4.7.

6G.6 PARKING AND LOADING

6.1 APPLICATION

All development must meet the applicable requirements of the *Design Standards* to count toward a requirement of this subpart.

6.2 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.

6.3 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 Chuka Boulevard Mixed Direct Control District.
- (2) Accessible parking stalls shall be designed using stall, driveway location and signage specification as prescribed in the *Design Standards*.
- (3) Accessible parking stalls shall be clearly designated with signs above ground indicating their purpose.
- (4) 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.

6.4 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:
 - (a) within an area provided to meet the total site landscaping area; or

- (b) between building fronts and fronting streets in the Residential Interface Policy Area and any other area outside of the Chuka Boulevard Interface Area, as shown Figure 6G.F1.

6.5 MINIMUM MOTOR VEHICLE PARKING REQUIREMENTS

- (1) The minimum motor vehicle parking requirements prescribed in Table 6G.T5 apply to development in the Chuka Boulevard Mixed Direct Control District.
- (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 in accordance with stall and driveway dimensions as prescribed in the *Design Standards*.
- (5) All compact parking stalls shall be clearly designated with signs indicating their purpose.

TABLE 6G.T5: CHUKA BOULEVARD MIXED DIRECT CONTROL DISTRICT PARKING REQUIREMENTS			
Sec.	Land Use	Motor Vehicle	
T5.1	Dwelling, Unit	One stall is required per Dwelling Unit.	
T5.2	Dwelling, Assisted Living	0.4 stalls are required per Dwelling Unit.	
T5.3	Dwelling, Group Care	The greater of: (a) one stall per six beds is required; or (b) two stalls are required.	
T5.5	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.	
T5.	Institution, Day Care	(1) One stall is required per land use; and (2) Passenger drop-off stalls are required in accordance with the following:	
		Individuals Under Care	Minimum Number of Passenger Drop-off Stalls
		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.	
T5.7	All other land uses	(1) For the first 150 square metres in total floor area, no parking stall is required. (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.	

6.6 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 6G.6.6(1).
- (3) Dwelling units shall not be calculated toward the combined gross floor area mentioned in subsection 6G.6.6(1) or (2).

- (4) All loading stalls shall be clearly marked to indicate their purpose.
- (5) Notwithstanding subsections 6G.6.6(1) and (2), the Development Officer may decrease the number of required loading stalls.

6.7 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 6G.6.7(2).
- (2) For every 10 required motor vehicle parking stalls, whether to meet the parking requirement in Table 6G.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 6G.6.4(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.

6G.7 LANDSCAPING AND AESTHETIC SCREENING

7.1 MINIMUM TOTAL SITE LANDSCAPING REQUIREMENTS

- (1) The minimum landscaping requirements prescribed in Table 6G.T6 apply to principal land uses and developments in the Residential High-Rise zone.

TABLE 6G.T6: CHUKA BOULEVARD MIXED DIRECT CONTROL DISTRICT LANDSCAPING REQUIREMENTS		
Sec.	Land Use	Minimum Landscaping Requirements
T6.1	<ul style="list-style-type: none"> • Dwelling, Assisted Living • Dwelling, Group Care • Dwelling, Unit • Planned Group 	15% total site landscaping area
T6.2	<ul style="list-style-type: none"> • Assembly, Community • Assembly, Recreation • Assembly, Religious • Food & Beverage, Restaurant • Food & Beverage, Lounge • Institution, Day Care • Institution, Education • Institution, Humanitarian Service • Office, Professional • Retail Trade, Shop • Service Trade, Clinic • Service Trade, Personal • Service Trade, Light 	10% total site landscaping area
T6.3	<ul style="list-style-type: none"> • Open Space, Active • Public Use, General • Utility, General • Residential Business 	No Requirement

- (2) For all uses listed in sections T6.1 and T6.2 of Table 6G.T6, 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 Table 6G.T6.
- (3) If there is a conflict between the requirements in Table 6G.T6, the most stringent requirement shall apply.
- (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 Chuka Boulevard Mixed Direct Control District to meet the total site landscaping area, as required by section 6G.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; and
- (c) a minimum of one shrub per 20 square metres of required site landscaping is required per lot.

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 Table 6G.T6, may include, but is not restricted to:
 - (a) parking area landscaping;
 - (b) major roadways landscape design areas (see Figure 6G.F6);
 - (b) boulevard areas;
 - (b) curbing;
 - (b) perimeter screening; and
 - (b) any portion of required aesthetic screening.
- (3) Developments within the major roadways landscape design areas in Figure 6G.F6 may be subject to additional requirements in the *Design Standards*.
- (4) Boulevard areas may only be used to fulfil the total site landscaping requirement, upon the approval of the Development Officer.

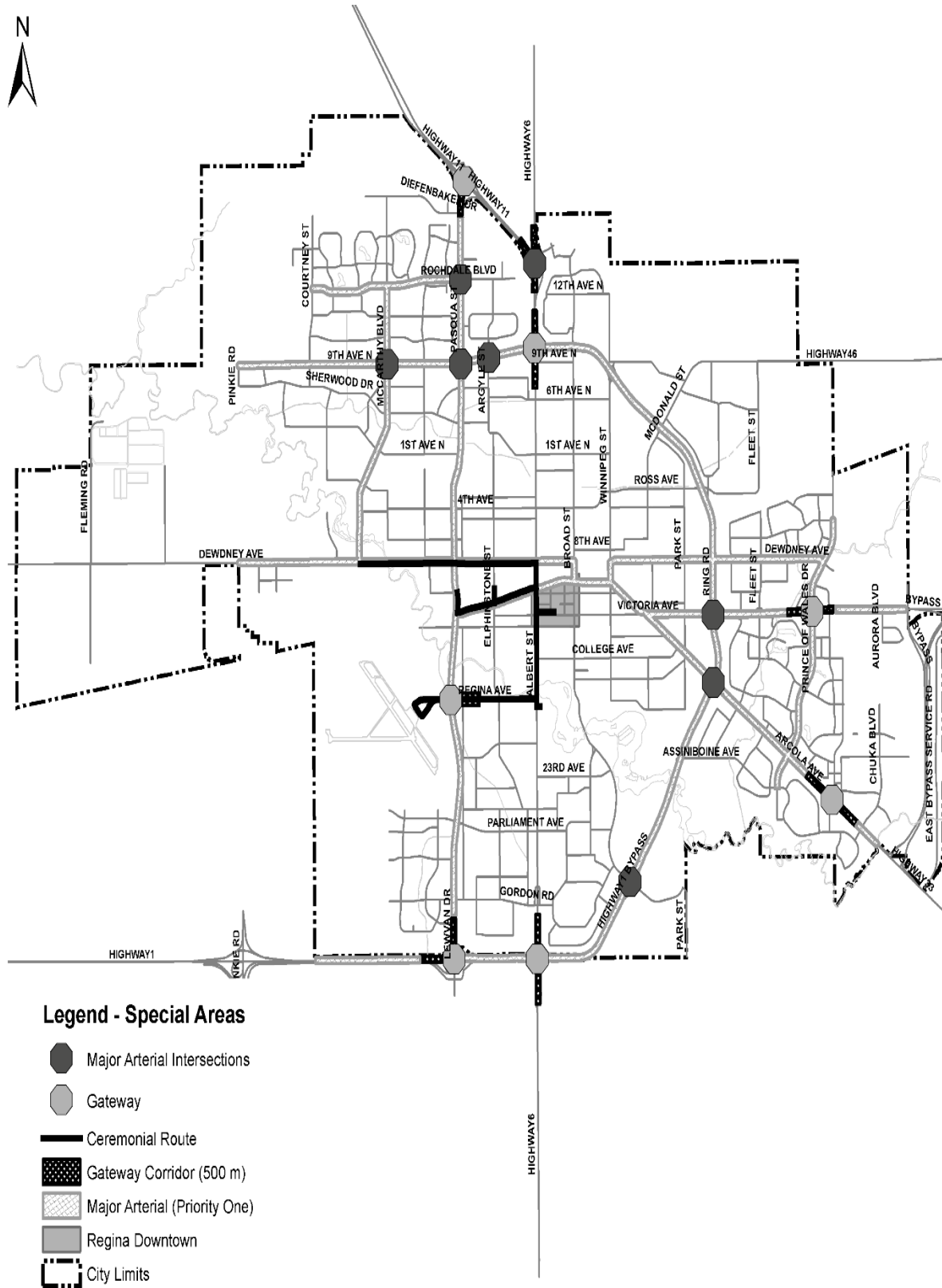


Figure 6G.F6: Major Roadways Landscape Design Map

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 Chuka Boulevard Mixed Direct Control District 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 Chuka Boulevard Mixed Direct Control District 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.

7.6 REGINA URBAN FOREST MANAGEMENT STRATEGY AND DESIGN STANDARDS

All screening and landscaping must, in the opinion of the Development Officer, meet the minimum standards of the *Regina Urban Forest Management Strategy* and *Design Standards* to count toward the requirements of subpart 6G.7.