

SECTION 15: RESIDENTIAL ZONES**“15.4 MID RISE RESIDENTIAL(R3) ZONE**

Explanatory Note: The Arterial Mid Rise Residential (R3) Zone applies to lands on major arterial roads. The intent of the R3 Zone is to permit a range of medium density residential housing types, and local commercial uses to meet the needs of the residents of the city and provide a transition between low density residential and denser forms of development.

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Mid Rise Residential (R3) Zone for any purpose other than one or more of the following uses or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

15.4.1	PERMITTED USES	<ul style="list-style-type: none"> Art Gallery Commercial School Community Garden Craftsperson Shop Day Nursery Financial Establishment Lodging House Medical Clinic Multiple Dwelling Office Personal Services Place of Worship Repair Service Restaurant Retail Residential Care Facility Retirement Home Social Services Establishment Studio Tradesperson Shop Urban Farm Veterinary Service
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15.4.1.1	RESTRICTED USES	In addition to Section 15.4.1, the following uses shall be permitted in accordance with the following restrictions:
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i) Residential Care Facility

1. Maximum Capacity is 24 residents.

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- ii) The following uses shall only be permitted as an accessory use to a Multiple Dwelling and shall only be permitted within the ground floor of a building:

Art Gallery
 Commercial School
 Craftsperson Shop
 Day Nursery
 Financial Establishment
 Medical Clinic
 Office
 Personal Services
 Place of Worship
 Repair Service
 Restaurant
 Retail
 Studio
 Social Services Establishment
 Veterinary Service

- iii) Restriction of dwelling units within a building:
1. The finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade; and,
 2. Notwithstanding Subsection 15.4.1.1 iv) 1., dwelling unit(s) shall be permitted in a basement or cellar.

15.4.2 REGULATIONS**15.4.2.1 RESIDENTIAL CARE FACILITY, MULTIPLE DWELLING, LODGING HOUSE, AND RETIREMENT HOME REGULATIONS**

- a) Minimum Setback from a Street Line 4.5 metres.
- b) Minimum Side Yard i) 3.0 metres.

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- ii) Notwithstanding 15.4.2.1 b) i) above, where windows of a habitable room face an interior side yard, the minimum setback shall be 5.5 metres.
- c) Minimum Rear Yard
 - i) 7.5 metres.
- d) Minimum Lot Area 1575 square metres.
- e) Minimum Lot Width 30.0 metres.
- f) Building Height
 - i) Maximum 44.0 metres.
 - ii) Notwithstanding Subsection 15.4.2.1 f) i), any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirements established in Subsection 15.4.2.1 a) b), and c), to a maximum of 44.0 metres.
 - iii) In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:
 1. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not exceed 10% of the floor area of the storey directly beneath;
 2. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback

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a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,

3. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.

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| g) Minimum Separation Distance | <ol style="list-style-type: none"> i) Between two exterior walls which contain no windows to a habitable room, a minimum of 3.0 metres; and ii) Between two exterior walls one of which contains windows to a habitable room, a minimum of 5.5 metres; and, iii) Between two exterior walls both of which contain windows to a habitable room, a minimum of 11 metres. |
| h) Built Form for New Development | <p>In the case of buildings constructed after the effective date of this By-law excluding any alterations to façade, windows or doors, after the effective date of this by-law:</p> <ol style="list-style-type: none"> i) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 50% of the measurement of the front lot line. iii) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line. iv) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street. |

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| i) | Minimum Amenity Area for Multiple Dwelling | 5.0 square metres per unit. |
| j) | Planting strip | Where a property lot line abuts a property lot line within a Residential Zone, Institutional Zone, or Downtown (D5) Zone and not a Laneway, a minimum 3.0 metre wide Planting Strip shall be provided and maintained. |
| k) | Visual Barrier | A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone line in accordance with the requirements of Section 4.19 of this By-law. |
| l) | Minimum Landscaped Area | 25%. |
| m) | Parking | In accordance with the requirements of Section 5 of this By-law. |
| n) | Accessory Buildings | In accordance with the requirements of Section 4.8 of this By-law. |
| 15.4.2.2 | URBAN FARM | In accordance with the requirements of Section 4.26 of this By-law. |
| 15.4.2.3 | COMMUNITY GARDEN REGULATIONS | In accordance with the requirements of Section 4.27 of this By-law. |