

15.5 MID RISE RESIDENTIAL – (R4) ZONE

Explanatory Note: The Mid-Rise Residential (R4) Zone is located along minor and major arterial roads. The Zone permits a range of medium density residential housing types to meet the needs of residents of the city and provides a transition between low density residential uses and denser forms of development. The permitted local commercial uses serve the residents of surrounding neighbourhoods.

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 (R4) 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:

15.5.1 PERMITTED USES

Artist Studio
Community Garden
Craftsperson Shop
Child Care Centre
Lodging House
Multiple Dwelling
Multiple Dwelling Townhouse
Office
Personal Service
Residential Care Facility
Retirement Home
Repair Service
Restaurant
Retail
Social Services Establishment
Tradesperson's Shop
Urban Farm

15.5.1.1 RESTRICTED USES

In addition to Section 15.5.1, the following uses shall be permitted in accordance with the following restrictions:

- i) Restriction of Uses within a Building:
 - 1. The primary entrance of a Multiple Dwelling shall be a maximum of 0.9 metres above Grade.

- ii) The following uses shall be permitted as a secondary use to a Lodging House, Multiple Dwelling, Residential Care Facility, or Retirement Home and shall only be permitted on the ground floor of a building:

Craftsperson Shop
 Child Care Centre
 Office
 Personal Service
 Repair Service
 Restaurant
 Retail
 Social Services Establishment
 Studio
 Tradesperson's shop

Maximum Gross Floor
 Area for Office Use

An Office shall only be permitted on the ground floor of a Multiple Dwelling and shall be limited to a maximum gross floor area of 500.0 square metres per individual building.

15.5.1.2 PROHIBITED USES

Notwithstanding Section 15.5.1, a Drive-Through Facility shall be prohibited even as an accessory use.

15.5.2 REGULATIONS

15.5.2.1 LODGING HOUSE, MULTIPLE DWELLING, RESIDENTIAL CARE FACILITY, AND RETIREMENT HOME REGULATIONS

- a) Minimum Setback
 from a Street Line

- i) 4.5 metres;

- ii) Notwithstanding Section 15.5.2.1 a) i), for lots identified on Figure 46 of Schedule "F" – Special Figures of this By-law, the minimum setback from a street line shall be 3.0 metres.

- b) Minimum Setback
 from a Side Lot Line

- i) 4.5 metres

- ii) Notwithstanding Section 15.5.2.1 b) i), for lots identified on Figure 46 Schedule “F” – Special Figures of this By-law, the minimum setback from a side lot line shall be 3.0 metres and a minimum aggregate of 7.5 metres;
 - iii) Notwithstanding Section 15.5.2.1 b) i) and ii), where windows of a Habitable Room face a side lot line:
 - 1. 7.5 metres;
 - 2. 10.0 metres for any portion of a building exceeding 14.0 metres in height.
 - iv) Notwithstanding Section 15.5.2.1 b) i) and ii), for lots abutting a Residential (R1), Residential (R1a), or Residential (R2) Zone:
 - 1. 7.5 metres;
 - 2. 10 metres for any portion of a building exceeding 14.0 metres in height.
- c) Minimum Setback from the Rear Lot Line
 - i) 7.5 metres;
 - ii) In addition to Section 15.5.2.1 c) i), 10.0 metres for any portion of a building exceeding 14.0 metres in height.
- d) Maximum Building Height
 - i) 22.0 metres; and,
 - ii) 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 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.

e) Minimum Distance
Between Buildings on
a Lot

- i) Between two exterior walls which contain no windows to a habitable room: 6.0 metres.
- ii) Between two exterior walls, at least one of which contains windows to a habitable room:
 1. For any portion of the building equal to or less than 14.0 metres in height: 15.0 metres.
 2. For any portion of the building exceeding 14.0 metres in height: 20.0 metres.

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f) Built Form for New Development

In the case of buildings constructed after the effective date of this By-law or additions to buildings existing as of the effective date of this By-law:

- i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
- ii) No parking or aisles shall be located between the building façade and a Street Line.
- iii) All principal entrances shall face the street and be accessible from the building façade with direct access from the public sidewalk.
- iv) Notwithstanding the definition of Planting Strip, a sidewalk shall be permitted where required by Section iii) above.
- v) A minimum of 50% of the area of the ground floor façade containing a use permitted in Section 15.6.1.1 ii) shall be comprised of clear glazed windows and doors. Window and door frames, 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; and,
- vi) Within the interior side yard, a walkway of a minimum 1.5 metre width shall be required.

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- g) Minimum Amenity Area for Multiple Dwelling
- On a lot containing more than 10 Dwelling Units, the following minimum Amenity Area requirements shall be provided exclusively for the residential use and shall be functionally separated from public areas associated with any non-residential use:
- i) 5.0 square metres per Dwelling Unit, subject to the following regulations:
 - 1. 3.0 square metres shall be outdoors on or above the ground, at least 50% of which shall be a contiguous area; and,
 - 2. 2.0 square metres shall be indoors.
- h) Planting Strip
- i) Where a property lot line abuts a property lot line within a Low Density Residential (R1), Low Density Residential – Small Lot (R1a), Low Density Residential – Large Lot (R2), Neighbourhood Institutional (I1) or Community Institutional (I2) Zone, a minimum 3.0 metre wide Planting Strip shall be provided and maintained;
 - ii) Notwithstanding Section 15.5.2.1 h) i), when a lot line abuts a laneway, the planting strip requirement for that lot line shall be 0 metres.
 - iii) Notwithstanding Section 15.5.2.1 h) i), for lots identified on Figure 46 of Schedule “F” – Special Figures of this By-law, 2.0 metres shall be provided and maintained along any lot line abutting a Residential Zone except a R3, R4, or R4a Zone, or Institutional Zone.
- i) Visual Barriers
- A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone

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line in accordance with the requirements of Section 4.19 of this By-law.

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| j) Minimum Landscaped Area | <ul style="list-style-type: none"> i) 30% of the Lot Area; ii) Within the Landscaped Area, the requirements of Section 4.35.2 of this By-law shall apply; and, iii) Notwithstanding Section 15.5.2.1 j) i), for lots identified on Figure 46 of Schedule "F" – Special Figures of this By-law, the minimum Landscaped Area shall be 15%. |
| k) Vehicular Accesses | <ul style="list-style-type: none"> i) Two. ii) In addition to Section 15.5.2.1 k) i), one additional access driveway shall be permitted for every 150.0 metres of cumulative portions of any lot line abutting a street. |
| l) Waste Storage | Outdoor waste storage shall be fully enclosed and shall not be located in the front yard. |

15.5.2.2 MULTIPLE DWELLING TOWNHOUSE REGULATIONS

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| a) Unit Arrangement | Any Multiple Dwelling Townhouse shall be designed so that any linear row of attached townhouse units shall not exceed 8 units in length. |
| b) Minimum Unit Width for each Dwelling Unit | <ul style="list-style-type: none"> i) 6.0 metres where the unit contains a garage; and, ii) 5.0 metres where the unit does not contain a garage. |
| c) Minimum Setback from a Street Line | i) 4.0 metres; and, |

- ii) Notwithstanding Section 15.5.2.2 c) i), for lots identified on Figure 46 of Schedule "F" – Special Figures of this By-law, a building may be erected closer to the street line in accordance with the following:
1. Within 10% of the average Street Line setback of the two adjacent dwellings, or in the case of a corner lot, within 10% of the setback from the street line of the adjacent dwelling sharing a common lot line; and,
 2. In no case shall the street line setback be less than 0.5 metres.
- d) Minimum Setback from a Side or Rear Lot Line
- i) Where the lot line abuts a lot in a Low Density Residential (R1), Low Density Residential – Small Lot (R1a), Low Density Residential – Large Lot (R2), Neighbourhood Institutional (I1), or Community Institutional (I2) Zone:
1. For the first 25.0 metres measured from the intersection of the lot line and a street: 1.2 metres if the wall contains no windows to a Habitable Room and 7.5 metres if the wall contains windows to a Habitable Room; and,
 2. Beyond 25.0 metres measured from the intersection of the lot line and a street: 7.5 metres;
- ii) In all other cases:
1. 1.5 metres where the wall contains no windows to a habitable room; and,

2. 4.5 metres where the wall contains windows to a Habitable Room.
- e) Minimum Distance Between Buildings on a Lot
- i) Between two exterior walls which contain no windows to a Habitable Room: 3.0 metres;
 - ii) Between two exterior walls, at least one of which contains windows to a habitable room: 6.0 metres; and,
 - iii) Between two exterior walls, both of which contain windows to a habitable room: 12.0 metres.
- f) Maximum Building Height
- i) 13.5 metres; and,
 - ii) Notwithstanding Section 15.5.2.2 f) i), portions of a building used exclusively for providing access to rooftop amenity and privacy screens associated with rooftop amenity may project above the maximum permitted height by 3.0 metres, provided that any enclosed access is located a minimum of 3.0 metres from the exterior walls of the storey directly beneath.
- g) Built Form for New Development
- In the case of buildings constructed after the effective date of this By-law:
- i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
- h) Minimum Landscaped Area
- i) 30% of the Lot Area;
 - ii) Notwithstanding Section 15.5.2.2 h) i), for lots identified on Figure 46 of Schedule "F" – Special Figures of this

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- By-law, the minimum Landscaped Area shall be 15%; and,
- iii) Within the Landscaped Area, the requirements of Section 4.35.2 of this By-law shall apply.
- i) Minimum Amenity Area per Dwelling Unit
- i) 5.0 square metres per Dwelling Unit, which may be provided in a communal area, exclusive to the Dwelling Unit or a combination of both;
 - ii) In addition to the definition of Amenity Area, an Amenity Area satisfying Section 15.5.2.2 i) i) located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air and may include balconies and patios; and,
 - iii) In addition to Section 15.5.2.2 i) i), 4.0 square metres per Dwelling Unit which is located above another Dwelling Unit or has a rear wall attached to the rear wall of another Dwelling Unit must be provided in one or more communal areas each having a minimum area of 20 square metres and which is located entirely outdoors and on the surface of the ground.
- j) Location of Parking
- No parking spaces shall be located between a building façade and a lot line abutting a street, except that parking shall be permitted on individual driveways leading to garages forming part of a unit.
- k) Vehicular Accesses
- i) Two.
 - ii) In addition to Section 15.5.2.2 k) i), one additional access driveway shall be permitted for every 150.0 metres of cumulative portions of any lot line abutting a street.

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| l) Pedestrian Accesses | Any Dwelling Unit adjacent to a yard abutting a street must have a minimum of one pedestrian entrance which is located in a façade facing a street; |
| m) Maximum Height of a Principal Pedestrian Entrance | The height of the floor level of any principal pedestrian entrance shall be a maximum of 1.2 metres above Grade. |
| n) Waste Storage | Outdoor waste storage shall be fully enclosed and shall not be located in the front yard. |
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- 15.5.2.4 SINGLE DETACHED, SEMI-DETACHED, DUPLEX, TRIPLEX, FOURPLEX DWELLINGS EXISTING AT THE DATE OF THE PASSING OF THE BY- LAW**
- In addition to Section 4.12 j) and in accordance with Section 34(10) of the Planning Act, R.S.O., 1990, c.P.13, an addition or alteration to a single detached, semi-detached, duplex, triplex, or fourplex dwelling not permitted by the by-law but legally existing at the date of the passing of the by-law that increases the volume or size of the building shall be permitted as follows :
- i) The increase shall not exceed a maximum of 10% of the Gross Floor Area of the building existing at the date of the passing of the by-law;
 - ii) The existing side yard and front yard setbacks are maintained for the addition.
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- 15.5.2.5 SINGLE DETACHED, SEMI-DETACHED, DUPLEX, TRIPLEX, FOURPLEX, AND STREET TOWNHOUSEDWELLINGS EXISTING AT THE DATE OF PASSING OF THE BY-LAW**
- In addition to Section 4.12 j) and in accordance with Section 34(10) of the Planning Act, R.S.O., 1990, c.P.13, an addition or alteration to a Single Detached, Semi-Detached, Duplex, Triplex, or Fourplex dwelling not permitted by the By- law but legally existing at the date of the passing of the by-law that increases the volume or size of the building shall be permitted as follows :
- i) The increase shall not exceed a maximum of 10% of the Gross Floor

Area of the building existing at the date of the passing of the By-law;

- ii) The existing setback from the side lot line and street line are maintained for the addition.

15.5.2.6 SINGLE DETACHED, SEMI-DETACHED, DUPLEX, TRIPLEX, AND STREET TOWNHOUSEDWELLINGS EXISTING AT THE DATE OF PASSING OF THE BY-LAW

In addition to Section 1.11, an Additional Dwelling Unit and Additional Dwelling Unit – Detached, shall be permitted in accordance with the requirements of Section 4.33.

15.5.3 REGULATIONS FOR COMMUNITY GARDENS AND URBAN FARMS AS ACCESSORY USES

- a) Community Gardens
 - i) In accordance with the requirements of Section 4.27 of this By-law; and,
 - ii) In addition to i) above, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principal building.
- b) Urban Farms
 - i) In accordance with the requirements of Subsection 4.26 (c) of this By-law; and,
 - ii) In addition to i) above, an Urban Farm shall only be permitted in the Rear Yard or on the roof-top of the principal building.