

6.5 DOWNTOWN RESIDENTIAL (D5) ZONE

***Explanatory Note:** The D5 Zone applies stable residential areas in the Downtown. A balance of both commercial and residential uses is required to create a health and vibrant Downtown Core. The intent of the D5 Zone is to maintain residential areas by allowing for a range of housing forms and create opportunities for the integration of retail and commercial uses to meet the daily needs of the local residents.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Downtown D5 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 Section 6.0 Downtown Zones General Provisions and with the prescribed regulations below:

6.5.1 PERMITTED USES

Artist Studio
 Community Garden
 Commercial School
 Day Nursery
 Duplex Dwelling
 Dwelling Unit
 Educational Establishment
 Emergency Shelter
 Lodging House
 Long Term Care Facility
 Multiple Dwelling
 Office
 Personal Service
 Place of Worship
 Repair Service
 Residential Care Facility
 Restaurant
 Retail
 Retirement Home
 Semi-Detached Dwelling
 Single Detached Dwelling
 Social Services Establishment
 Street Townhouse Dwelling
 Tradesperson Shop

6.5.1.1 RESTRICTED USES

- i) In addition to Section 6.5.1, the following uses shall only be permitted in accordance with Section 6.5.3 and the following additional restrictions:

1. The following uses shall only be permitted on the ground floor of a Multiple Dwelling:

Artist Studio
 Commercial School
 Day Nursery
 Personal Service
 Repair Service
 Retail
 Restaurant
 Tradesperson Shop

2. Office

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.

6.5.2 PROHIBITED USES

Notwithstanding Section 6.5.1 above, an Outdoor Commercial Patio shall be prohibited even as an accessory use.

6.5.3 REGULATIONS

6.5.3.1 SINGLE DETACHED DWELLING AND DUPLEX DWELLING REGULATIONS

- a) Minimum Lot Area 225.0 square metres;
- b) Minimum Lot Width 9.0 metres;
- c) Maximum Front Yard
 - i) 4.5 metres; and,
 - ii) Notwithstanding Section 6.5.3.1 c) i) above, a maximum setback of 6.0 metre for that portion of a building providing an access driveway to an attached garage.

- d) Minimum Side Yard
 - i) 0.9 metres on one side and a minimum of 1.2 metres on the opposite side; and,
 - ii) Notwithstanding Section 6.5.3.1 d) i) above, a minimum 0.6 metres to an attached garage where the opposite side yard is a minimum of 1.2 metres.
- e) Minimum Rear Yard 7.5 metres;
- f) Building Height
 - i) Minimum 7.5 metres;
 - ii) Maximum Building Height shall be in accordance with Figure 1 of Schedule "F" – Special Figures.
- g) Driveway
 - i) A maximum of one driveway shall be permitted; and,
 - ii) A maximum width of 6.0 metres shall apply.

6.5.3.2 SEMI-DETACHED DWELLING REGULATIONS

- a) Minimum Lot Area for each Dwelling Unit 185.0 square metres;
- b) Minimum Lot Width for each Dwelling Unit 7.5 metres;
- c) Maximum Front Yard
 - i) 4.5 metres; and,
 - ii) Notwithstanding Section 6.5.3.2 c) i) above, a maximum of 6.0 metres for that portion of a building with an attached garage.
- d) Minimum Side Yard 1.2 metres except for the side yard related to the common wall of the dwelling unit, which shall have a minimum 0 metre side yard.
- e) Minimum Rear Yard 7.5 metres;

- f) Building Height
 - i) Minimum 7.5 metres; and,
 - ii) Maximum Building Height shall be in accordance with Figure 1 of Schedule “F” – Special Figures.

**6.5.3.3 STREET
TOWNHOUSE
DWELLING
REGULATIONS**

- a) Minimum Lot Area 150.0 square metres;
- b) Minimum Lot Width 5.5 metres;
- c) Front Yard
 - i) Maximum 3.0 metres for the dwelling; and,
 - ii) Notwithstanding Section 6.5.3.3 c) i) above, a maximum setback of 6.0 metres for that portion of a building providing an access driveway to a garage.
- d) Minimum Side Yard 1.2 metres except for the side yard related to the common wall of the dwelling unit, which shall have a minimum 0 metre side yard.
- e) Minimum Flankage Yard 3.0 metres;
- f) Minimum Rear Yard 7.5 metres;
- g) Building Height
 - i) Minimum 7.5 metres;
 - ii) Maximum Building Height shall be in accordance with Figure 1 of Schedule “F” – Special Figures.

**6.5.3.4 EDUCATIONAL ESTABLISHMENT, EMERGENCY SHELTER,
LODGING HOUSE, LONG TERM CARE FACILITY, MULTIPLE
DWELLING, PLACE OF WORSHIP, RESIDENTIAL CARE FACILITY,
RETIREMENT HOME, AND SOCIAL SERVICES ESTABLISHMENT
REGULATIONS**

- a) Minimum Lot Area 300.0 square metres;
- b) Minimum Lot Width 12.0 metres;

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| c) Maximum Front Yard | 4.5 metres; |
| d) Maximum Side Yard | 7.5 metres; |
| e) Maximum Flankage Yard | 3.0 metres; |
| f) Minimum Rear Yard | 7.5 metres; |
| g) Building Height | <ul style="list-style-type: none"> i) Minimum 7.5 metres; and, ii) Maximum Building Height shall be in accordance Figure 1 of Schedule “F” – Special Figures. |
| h) Minimum Amenity Area for Dwelling Units and Multiple Dwellings | <p>On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements be provided:</p> <ul style="list-style-type: none"> i) An area of 4.0 square metres for each dwelling unit; and, ii) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air. |
| i) Green Roof for Multiple Dwelling | Notwithstanding Section 6.5.3.4 h) i) above, for every 0.5 square metres of Green Roof area provided, the required Amenity Area may be reduced by 1.0 square metre. |
| j) Minimum Landscaped Area for Multiple Dwellings | Not less than 10% of the lot area shall be landscaped area. |
| k) Maximum Capacity for Emergency Shelter, Long Term Care Facility and Residential Care Facility | The maximum capacity shall not exceed 6 residents. |

- l) Location of Emergency Shelter, Long term Care Facility and Residential Care Facility
 - i) Except as provided for in Subsection ii), herein, every Emergency Shelter and Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility.
 - ii) Where the radial separation distance from the lot line of an Emergency Shelter or Residential Care Facility existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility, either of the existing Residential Care Facility or Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.

- m) Prohibition of Residential Care Facility and Emergency Shelter

Notwithstanding Section 6.5.1 within the lands bounded by Queen Street, Hunter Street, James Street and Main Street, no new Residential Care Facility or Emergency Shelter shall be permitted.

- n) Visual Barrier

A visual barrier shall be required along any side or rear lot line abutting a Downtown D1 or D2 Zone in accordance with the requirements of Section 4.19 of this By-law.

- 6.5.3.7 COMMUNITY GARDEN REGULATIONS**

In accordance with the requirements of Section 4.27 of this By-law.

- 6.5.3.8 SECONDARY DWELLING UNIT REGULATIONS**

In accordance with the requirements of Section 4.33. of this By-law.

(By-law No. 18-114, May 9, 2018)
 (By-law No. 21-071, May 12, 2021)