

138. Notwithstanding Sections 6.1.2 (c) and 17 of this by-law, within the lands zoned D-6 on Schedule 84 of Appendix "A", and describes as Lots 56 to 62 inclusive, 110 to 113 inclusive, 115 to 118 inclusive and Part of Lots 114 and 119, and Lot 2 of Streets and Lanes, Registered Plan 374, save and except the lands described as part Lots 56, 57, 58, 110 to 119 inclusive and Part of Lane (closed by By-law 1493 registered as Instrument No. A-36735), Registered Plan 374, designated as Parts 1, 4, 5, 6 on Reference Plan 58R-14771.  
(By-law 2005-165, S.2) (King Street West)
- a) The following uses shall also be permitted in accordance with the regulations of Section 17.3 of this By-law and any special regulations set out below:
- i) Omitted (By-law 2002-177, S.1) (King St. W.)
  - ii) Commercial Entertainment excluding Amusement Arcade, only in the buildings existing on the day of the passing of By-law Number 92-232, which buildings have a minimum facade height of 6.0 metres.
  - iii) Retail, in accordance with the following:
    - a) no single retail outlet shall exceed a gross leasable commercial space of 1,000 square metres, except for a retail outlet otherwise permitted by Section 17.1 or a retail outlet primarily involved in food sales;
    - b) shall be located in buildings existing on the day of the passing of By-law Number 92-232, which buildings have a minimum facade height of 6.0 metres; or in buildings erected after the day of the passing of By-law Number 92-232, for only such buildings located within 47.5 metres of King Street West and in which case, retail, exclusive of retail otherwise permitted by Section 17.1 or a retail outlet primarily involved in food sales, shall not exceed a total gross leasable commercial space of 5,000 square metres within all of the lands covered by this subsection.
  - iv) Multiple Dwelling, in accordance with the following:
    - a) shall be located in buildings existing on the day of the passing of By-law Number 92-232, which buildings have a minimum facade height of 6.0 metres, or
    - b) shall be permitted to locate in new buildings having a minimum 50 metre setback from Victoria Street or a minimum 30 metre setback from Victoria Street within 47.5 metres of King Street;
    - c) shall in no case, be located on the ground floor abutting King Street, except for access.  
(By-law 2002-177, S.2) (King St. W.)
- b) The following special regulations shall apply:
- i) Office use shall be permitted up to 100 per cent of the floor area;

- ii) No part of a building shall be higher, measured from finished grade level, than the dimension of its horizontal distance from the vertical projection of the street line on the opposite side of King Street;
  
- iii) That, only for uses located within buildings existing on the day of the passing of By-law Number 92-232, parking spaces shall be provided in accordance with the requirements of Section 6.1.2(c) of this by-law, to a maximum requirement of 252 parking spaces.  
(By-law 92-232, S.8)