

## APPENDIX "D" - SPECIAL REGULATION PROVISIONS FOR SPECIFIC LANDS

776. Notwithstanding Sections 17.1 and 17.3 of this By-law, within the lands zoned D-6 and shown as being affected by this Subsection on Schedule Number 84 of Appendix "A", the following special regulations shall apply:

- i) Dwelling Units shall be permitted in a building containing non-residential uses on the ground floor;
- ii) Dwelling Units and accessory amenity uses shall not be located on the ground floor;
- iii) The minimum building floor area on the ground floor for any use(s) listed in Section 17.1 of this by-law, except for those uses listed in subsection ii) above, shall be 250 square metres;
- iv) The minimum rear yard setback shall be 0.0 metres;
- v) Where permitted pursuant to the transitional provisions set out in Section 37.1 of the Planning Act, an additional floor space ratio of 16.3. shall be provided in exchange for community benefits set out in this by-law and secured through an agreement made in accordance with the provisions set out in Subsection 37(3) of the Planning Act as it existed on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force (the "Effective Date") for a total maximum for the site of 18.3;
- vi) Where permitted pursuant to Section 37.1 of the Planning Act, the density (Floor Space Ratio) of development permitted by this By- law is subject to compliance with the conditions set out in this By- law and in return for the provision by the owner of the site the following community benefits listed below, the provisions of which shall be secured by an agreement made pursuant to Subsection 37(3) of the Planning Act as it existed on the day before the Effective Date:
  - a) Transportation Demand Management Measures including 148 Class A Bicycle and 6 Class B Bicycle parking spaces;
  - b) Dwelling Units in the Urban Growth Centre;
  - c) Water and Energy conservation;
  - d) Parkland Improvements, including all costs associated with the design and construction of Francis Green Parkette;
  - e) LEED inspired building design;
  - f) 20 Electric Vehicle Parking stalls;
  - g) 28 spaces designed to permit the future installation of electric vehicle supply equipment; and
  - h) 19% of all Dwelling Units be Barrier Free Accessible.

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- vii) Upon execution and registration on title of an agreement with the owner of the site pursuant to Subsection 37(3) of the Planning Act as it existed on the day before the Effective Date, securing the provisions of the facilities, services and matters listed in (v) above, the site is subject to the provisions of this By-law, provided that in the event the said agreement requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements.

(By-law 2022-039, S. 3) (30 Francis Street South)