

(67) – Within the lands zoned MIX-3 and shown as affected by this provision on Zoning Grid Schedule 265 and 266 of Appendix A and shown in more detail on Figure 1 hereto, the following shall apply:

- a) Only the following *uses* shall be permitted, except that only *multiple dwelling* (which may include *cluster townhouse dwellings*), *home occupation* and studio shall be permitted within Areas A and B as indicated on Figure 1 hereto:
- i) Artisan’s establishment; (1)
 - ii) *Pet services establishment*;
 - iii) *Community facility*;
 - iv) *Craftperson shop*; (1)
 - v) *Day care facility*; (1)
 - vi) *Dwelling unit*; (2)
 - vii) *Elementary school*;
 - viii) *Fitness centre*;
 - ix) *Financial establishment*;
 - x) *Health clinic*;
 - xi) *Multiple dwelling*; (3)
 - xii) Museum;
 - xiii) *Office*;
 - xiv) *Personal services*;
 - xv) *Print shop*;
 - xvi) *Place of worship*; (1)
 - xvii) *Light repair operation*; (1)
 - xviii) Residential Care Facility; (4)
 - xix) *Restaurant*; (1)
 - xx) *Retail*; (5)

- xxi) Studio; (1) and,
 - xxii) *Veterinary services*.
- b) Only the following regulations shall apply:
- i) The minimum *yard setback* shall be 1.5m;
 - ii) The maximum *building height* shall be 36m; (6)
 - iii) The minimum *floor space ratio* shall be 1; (7)
 - iv) The minimum and maximum *gross floor area* for non-residential or non-educational establishment *uses* shall be 15% to 50%; (7)
 - v) The maximum *floor space ratio* shall be 2;
 - vi) The minimum *street line façade height* for non-residential *buildings* shall be 7.5m;
 - vii) The minimum *street line façade* width shall be 50% of the length of the respective *street line*, except for Fairway Road and the north side of the Chicopee Hills Drive road frontage, where the minimum required *façade* width shall be 30%;
 - viii) The minimum percent of *street line façade* openings for non-residential *buildings* shall be 20%;
 - ix) The minimum *landscaped area* shall be 15%, which may include *landscape areas* not at *grade*;
 - x) The following parking regulations shall apply:
 - a. Vehicular parking for *multiple dwellings* shall be a minimum of 1.25 spaces per unit and a maximum of 1.75 spaces per unit; inclusive of a minimum of 15% visitor parking;
 - b. Bicycle parking within a secure structure shall be a minimum of:
 - i. 1 space / unit for *multiple dwellings* and *dwelling unit*; and,
 - ii. 1 space / 500m² for all other uses.
 - c. All other parking regulations shall be in accordance with Section 5 of this By-law.
- (1) Must be in a *building* containing a minimum of 3 permitted *uses* and shall not apply to a *day care facility* as an *accessory use* to an *elementary school*.

- (2) May be permitted on the *ground floor* of a *building* provided that the *ground floor* that fronts onto Chicopee Hills Drive as identified on Figure 1 hereto contains permitted non-residential uses. *Dwelling units* on the *ground floor* of a *building* used entirely for residential are permitted as it is a *multiple dwelling*.
- (3) A building in the form of a townhouse that is attached to a *multiple dwelling* or that has units divided vertically in addition to horizontally (i.e. a *stacked townhouse dwelling*) shall entirely be considered a *multiple dwelling*. For locations not within Areas A and B as indicated on Figure 1 hereto, this shall not include *cluster townhouse dwellings*.
- (4) Shall not include a *small residential care facility*.
- (5) Shall not exceed 3,000 square metres of *gross floor area* for each individual *retail* outlet, with the exception of a food store which shall not exceed 5,000 square metres of gross floor area. The total *gross floor area* of all *retail* shall not exceed 10,000 square metres.
- (6) Provided that no *building* or *structure* shall exceed a height greater than a geodetic elevation of 356.5 metres above sea level in accordance with the Region of Waterloo International Airport Zoning Regulations issued by Transport Canada under the Aeronautics Act. *Buildings* greater than 4 *storeys* (approximately 13.5 metres in *building height*) shall have a *base*. Portions of *buildings* between 5 and 8 *storeys* (approximately 13.5 to 26 metres in *building height*) shall have a minimum *stepback* of 3 metres. Portions of *buildings* between 9 and 12 *storeys* (approximately 26 metres to 36 metres in *building height*) shall have a 4.5 metre *stepback*. Despite the minimum *stepbacks*, no portion of a *building* is permitted within the 45 degree angular plane as measured from the west side of the Lackner Boulevard right-of-way or to the opposite side of the internal private/condominium road identified on Figure 1 hereto, in accordance with an approved Urban Design Study.
- (7) Individual buildings or blocks will not be required to achieve the minimum *floor space ratio* or minimum non-residential/non-educational establishment *gross floor area* provided there is an approved Urban Design Study that includes a conceptual Master Site Plan that demonstrates the overall development can achieve the minimum *floor space ratio* and achieve a minimum of 15% and a maximum of 50% of the *gross floor area* as non-residential or non-educational establishment uses across the whole site.

Figure 1: Site Specific Provision (67)

