- (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 geodetric 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.

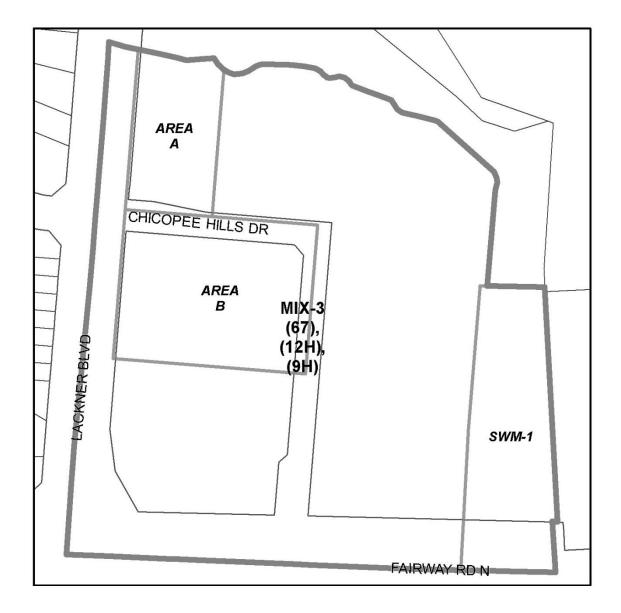


Figure 1: Site Specific Provision (67)