

## **17.6 General Restriction - Live-in Art Gallery Studios**

In the Downtown Commercial (C-1) zone, the following general restrictions shall apply to the operation of a Live-in Art Gallery Studio use :

- (1) That the commercial component of the Live-in Art Gallery Studio shall be anterior in respect to the residential component of the Live-in Art Gallery Studio and shall not be considered a dwelling unit pursuant to this part; and,
- (2) Provided all other requirements of this By-law are satisfied.

## **17.7 C-1 Zone Parking Requirements - Residential Uses**

Where any addition to an existing building or structure or the construction of a new building or structure creates a new dwelling unit or otherwise expands an existing dwelling, one (1) off-street parking space for each newly created or expanded dwelling unit may be provided and maintained having unobstructed access to a public street or otherwise pay the cash-in-lieu cash equivalent. The alteration of, renovation to or change in use within any existing building shall be exempt from this requirement.

## **17.8 Parking and Loading Spaces Prohibited**

In the Downtown Commercial (C-1) zone, the development of parking spaces and loading spaces in the front yard and flanking yard of any lot abutting Main Street, Water Street or John Street shall be strictly prohibited. This provision shall only apply when a new “main” building is being developed. The alteration of, addition to, renovation to or change in use to any existing “main” building; the construction of a new “accessory” building or the alteration of, addition to, or renovation to any existing “accessory” building; or, any change to the use of land shall be exempted from this requirement.

## **17.9 Urban Design Standards – Form Based Planning Codes**

In the Downtown Commercial (C-1) zone in the Urban Design Area as identified in Schedule “F”, Urban Design Form Based Code Map, any new main building or any addition to any main building shall conform to the Urban Design Standards Form Based Planning Codes set out in Parts 17.11 through 17. 18 of this By-law.

## **17.10 Urban Design Standards – Exterior Materials**

Any exterior siding materials on any new main building; any exterior siding materials on any addition to any main building; or any change or alteration in the exterior siding materials of any existing main building located within the Urban Design Area as identified on Schedule “F”,

Urban Design Form Based Code Map, that are visible from any public or semi-public area, including but not limited to streets, public property, public and private parking lots or any area outside a building that is considered to be in the public realm or otherwise accessible to the public shall be made in such a fashion to look similar in nature to the materials outlined below. The use of metal siding or vinyl siding or the use of any siding material that looks like metal or vinyl shall be strictly prohibited. Metal roofs, metal doors or windows, and/or vinyl doors or windows shall be permitted.

Siding materials shall be limited to the following materials or otherwise be made to look similar to the following materials:

- \* brick or composite material to look like brick;
- \* tinted, textured, concrete masonry units or composite material to look like concrete masonry units;
- \* sandstone and other native stone or composite material to look like stone;
- \* wood clapboard (horizontal or vertical boards including vertical board and batten) or shingles or composite material to look like wood clapboard or shingles; or,
- \* a combination of material types as listed above.

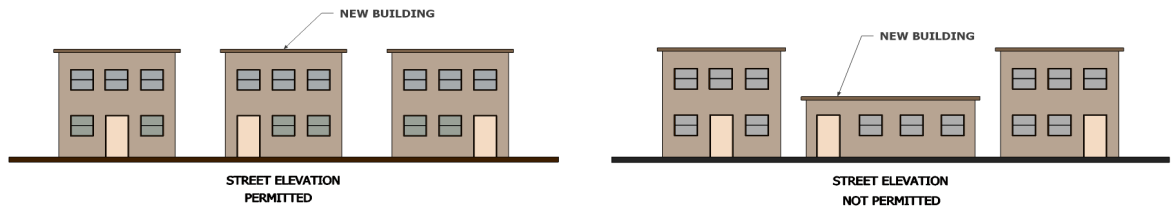
The following list of prohibited material is not an all inclusive list but rather a list of materials that indicates those siding materials and similar types of siding materials that shall be prohibited:

- \* plywood, chip-board, oriented strand board (OSB), fiberboard, particle board and similar types of materials;
- \* gravel aggregate materials and similar types of materials;
- \* stucco materials and similar types of materials;
- \* smooth-faced concrete block and similar types of materials;
- \* tilt-up concrete panels and similar types of materials;
- \* pre-fabricated steel panels, metal panels, or aluminum panels and similar types of materials;
- \* plastic siding and similar types of materials;
- \* vinyl siding and similar types of materials;
- \* darkly tinted or mirrored glass and similar types of materials;
- \* glass block and similar types of materials; and
- \* concrete block and similar types of materials.

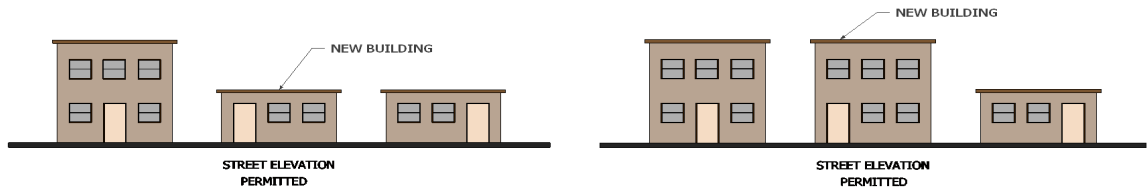
### **17.11 Building Height**

The following building height requirements shall apply within the Urban Design Area as identified on Schedule "F", Urban Design Form Based Code Map:

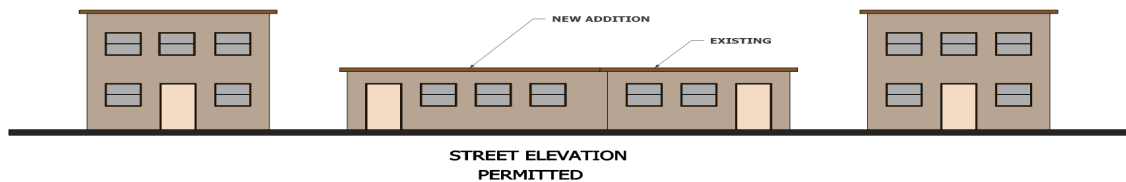
- (1)** All new main buildings and any addition to any main building shall be a minimum of two (2) storeys in height if both of the directly abutting neighbouring buildings facing the same street are two (2) storeys or more.



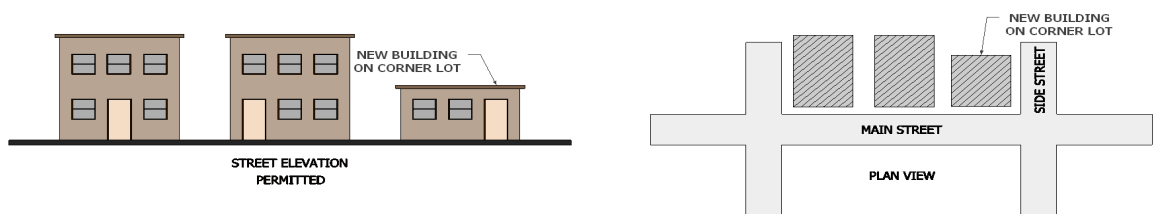
- (2) All new main building and any addition to any main building may be one (1) storey if one (1) of the directly abutting neighbouring buildings facing the same street is one (1) storey in height.



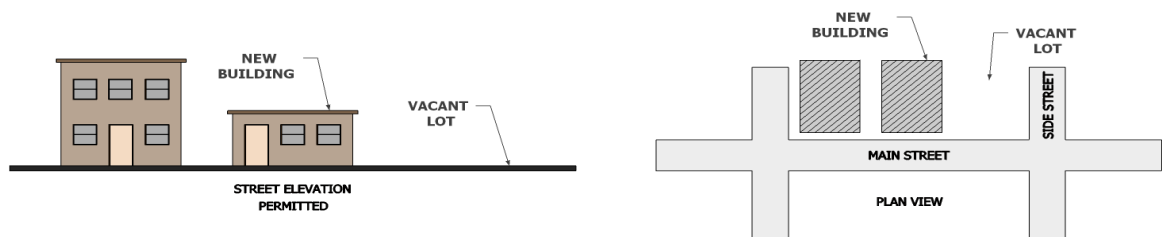
- (3) If the development is an addition to an existing one (1) storey main building, the addition's height may match the existing height of the existing main building.



- (4) If the development is located at a corner of a street intersection of either an open or closed street, the height may be one (1) storey or more.



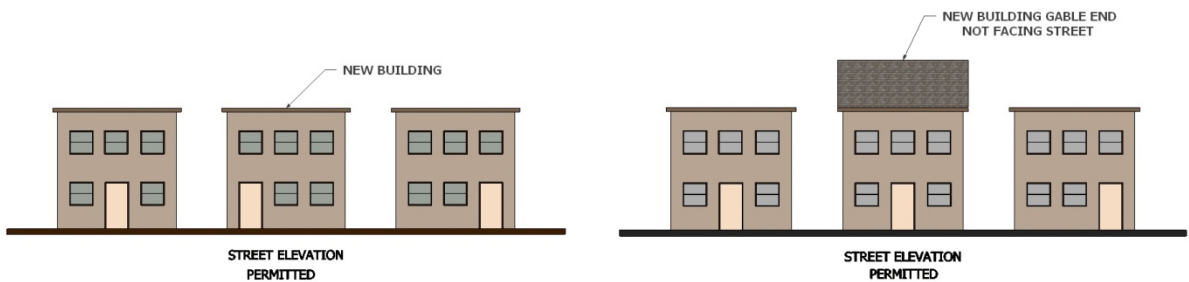
- (5) If the development is located immediately abutting a vacant lot along Main Street, the height may be one (1) storey or more.



## 17.12 Building Roof Design

The following building roof design requirements shall apply within the Urban Design Area as identified on Schedule "F", Urban Design Form Based Code Map:

- (1) Any new main building roof design and any renovation to any existing main building roof design shall incorporate a flat roof, hip roof or gable roof design. All roofs shall be designed in such a fashion as to provide a horizontal roof edge along Main Street. In the case of a gable roof design, the gable end shall not face Main Street. Notwithstanding, a roof parapet extending above the roof peak is considered appropriate provided the top horizontal roof edge of the parapet matches the height or cornice line of one (1) of the immediately abutting main buildings, should there be one.

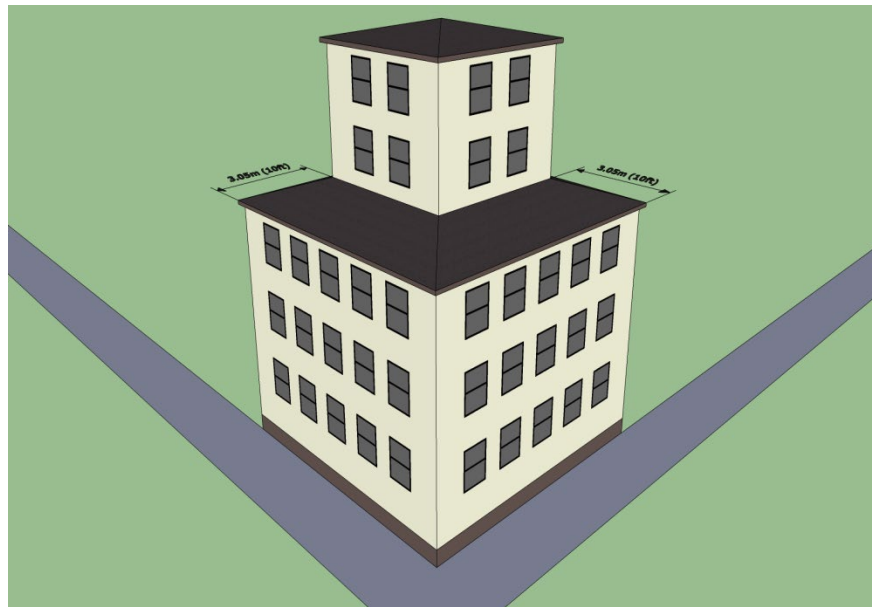


- (2) Notwithstanding subsection (1) above, gable end roof designs facing Main Street may be used provided the height of the eaves along the front facade from grade level to the eave, matches on both sides of the front (Main Street) facade elevation and are connected by a horizontal cornice line that matches the height or cornice line of one (1) of the immediately abutting main buildings, should there be one.

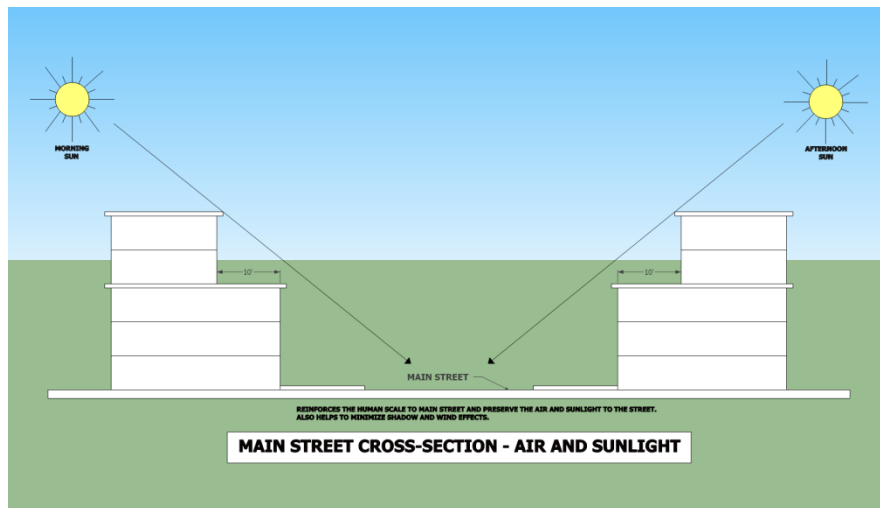


### 17.13 Building Height Set-back above Three (3) Storeys

In the Urban Design Area as identified on Schedule “F”, Urban Design Form Based Code Map, all new main buildings and any addition to any main building greater than three (3) storeys in height shall have the fourth (4<sup>th</sup>) storey and any consecutive storeys above the fourth (4<sup>th</sup>) storey stepped back from the front wall or flanking wall of the building a distance of at least 3.05 m (10 ft). Notwithstanding, a one (1) storey cupola, turret, steeple, belfry, spire, tower or other similar architectural features may be developed on either side (not both) or in the centre of the building’s facade elevation provided it’s length along the building’s facade does not exceed twenty five (25%) percent of the length or width of the building’s facade along the street.



**Set-back Third Storey and Higher Diagram**



**Set-back Third Storey and Higher Diagram**

**Note:** Upper level set-backs, otherwise known as step-backs, are a useful design solution to maintain a consistent street wall and help to minimize the visual presence of upper levels, as well as reducing their impact on sunlight penetration to street level.

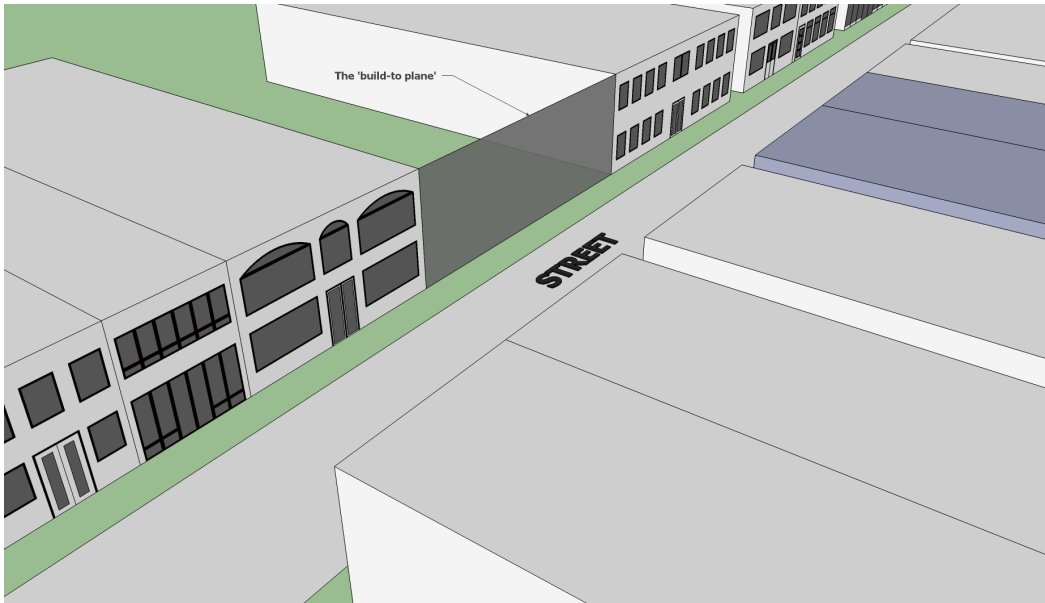
### 17.14 Building Placement

The following building placement requirements shall apply within the Urban Design Area as identified on Schedule “F”, Urban Design Form Based Code Map:

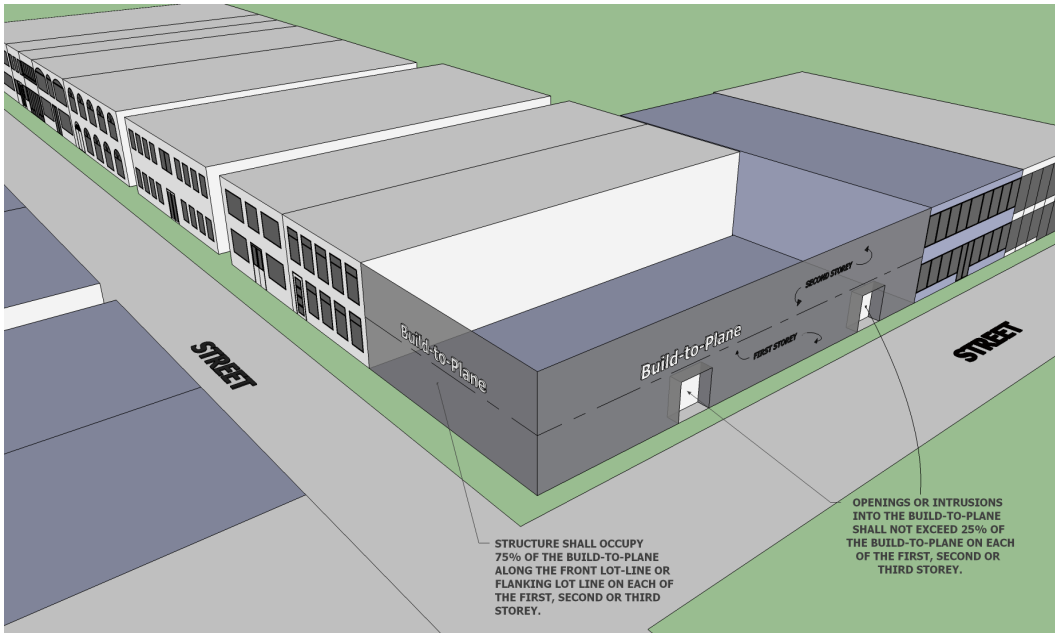
- (1) All new main buildings and any addition to any main building shall have a zero (0) front yard set-back and a zero (0) flanking yard set-back.



- (2) Notwithstanding subsection (1) of this Part, all new main buildings and any addition to any main building may match or otherwise have a smaller front yard set-back and/or a smaller flanking yard set-back than the front yard set-back and flanking yard set-backs of directly abutting neighbouring buildings facing the same street.
- (3) All new main buildings and any addition to any main building shall have each storey (up to the third storey) occupy at least seventy five (75%) percent of the build-to plane. The build-to plane is a vertical plane that extends upwards on a per storey bases from grade level of the front lot line or flanking lot line to the top of the first, second or third storey level, as the case may be.



**Build-to Plane Diagram**



**Build-to Plane Diagram**

**17.15 Building Orientation - Windows and Doors**

The following building orientation (windows and doors) requirements shall apply within the Urban Design Area as identified on Schedule “F”, Urban Design Form Based Code Map:

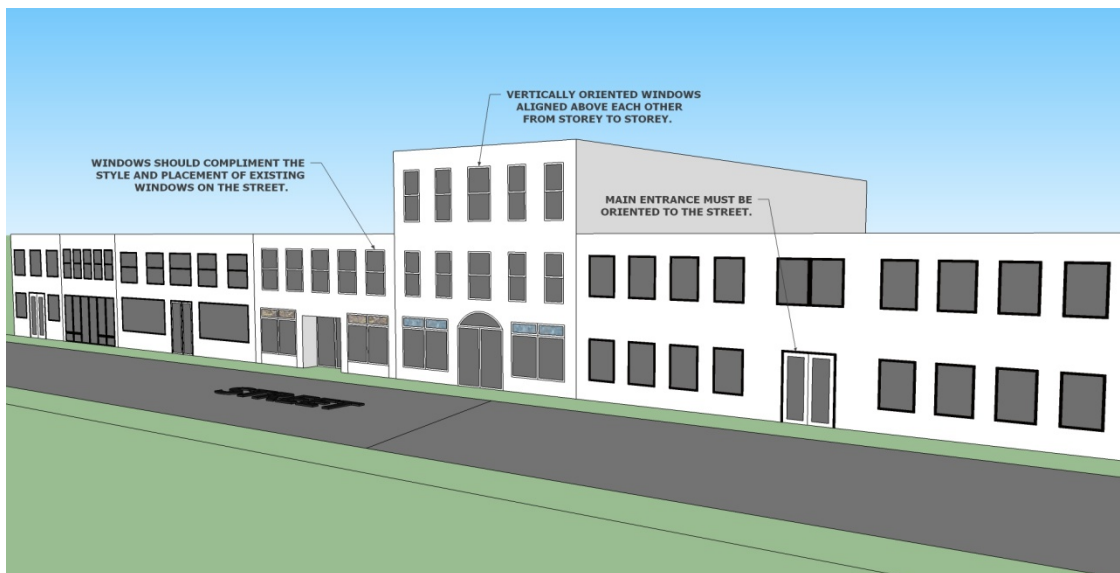
- (1) All new main buildings and any addition to any main building shall feature at least one (1) pedestrian entrance that is oriented to Main Street. This pedestrian entrance shall be barrier free and located at the same grade as the sidewalk. Split-level, raised

or sunken entrances along Main Street shall be permitted only where it is required to accommodate existing grade.

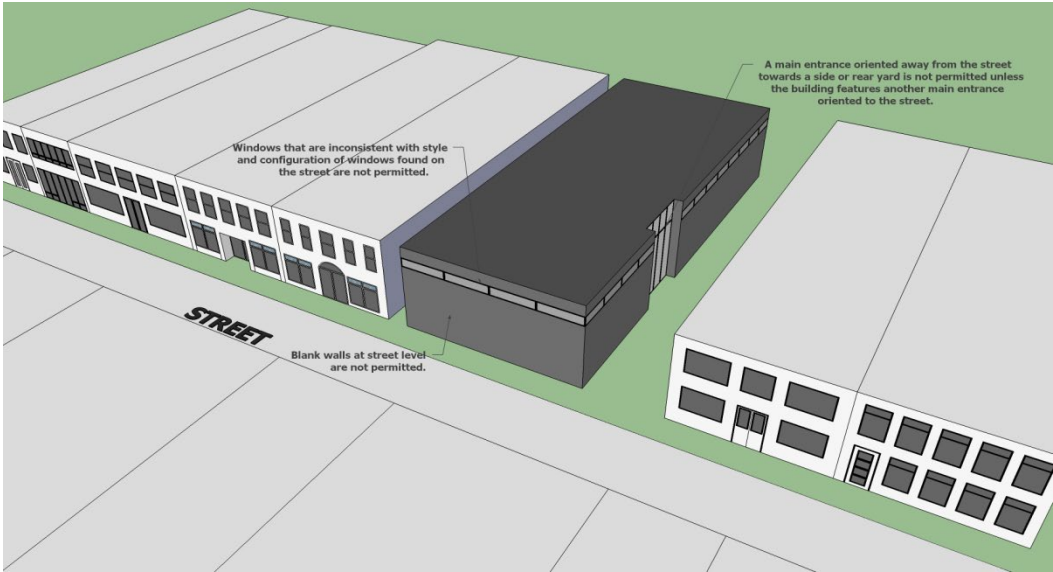
a) All new entrances and alterations to entrances shall be designed in such a manner as to extend the public realm (sidewalk) area by incorporating such features as:

- I. The primary facade be facing the street and not have opaque or reflective glazing;
- II. The entrance may be recessed from the sidewalk by up to 10 feet;
- III. A bulkhead may be used to transition between the opening(s) and the adjacent grade; and,
- IV. Awnings shall be located at least 2.4m (8ft) above the adjacent sidewalk and may project for the width of the sidewalk to a maximum encroachment of 1.2m (4ft) for a stationary awning and 1.8m (6ft) for a retractable awning.

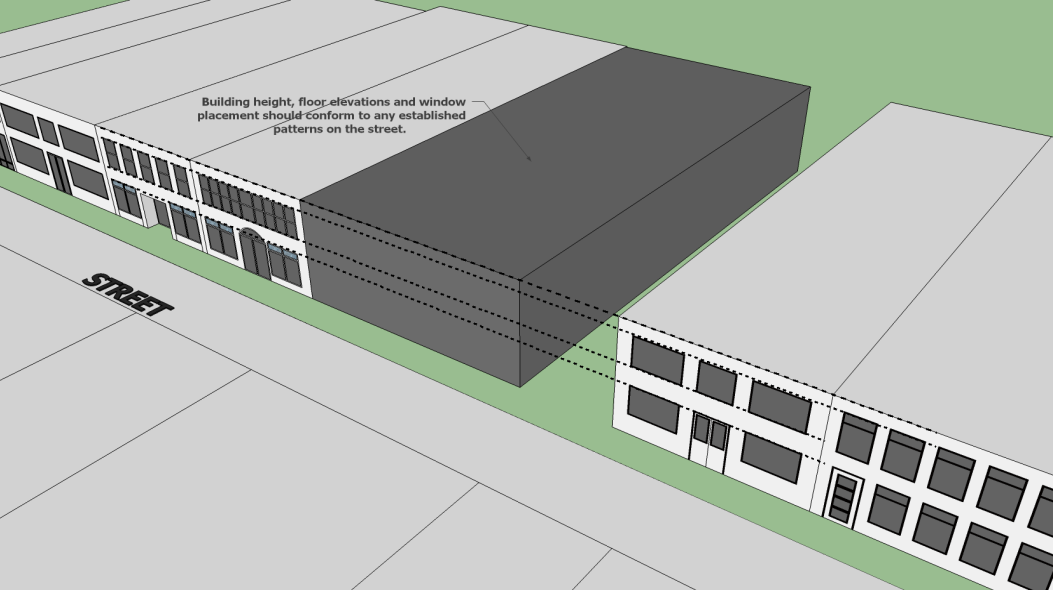
(2) All new main buildings and any addition to any main building shall not incorporate “blank” walls at street level. All new main buildings and any addition to any main building shall incorporate facade design features such as windows that are consistent with the style, configuration and rhythm pattern of windows located on directly abutting neighbouring buildings facing the same street. New windows shall reinforce any established width to height ratios or any established pattern in terms of window placement, both in relation to grade and in relation to other windows that are exhibited by neighbouring structures along the same street. Above the first storey, windows shall be vertically oriented and aligned above each other from storey to storey.



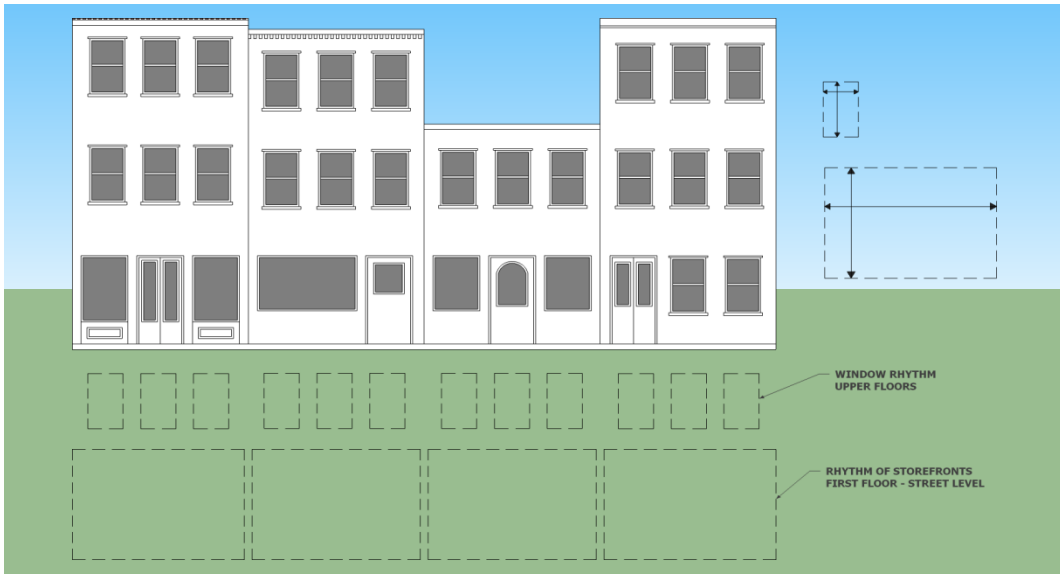
**Window and Door Placements Diagram**



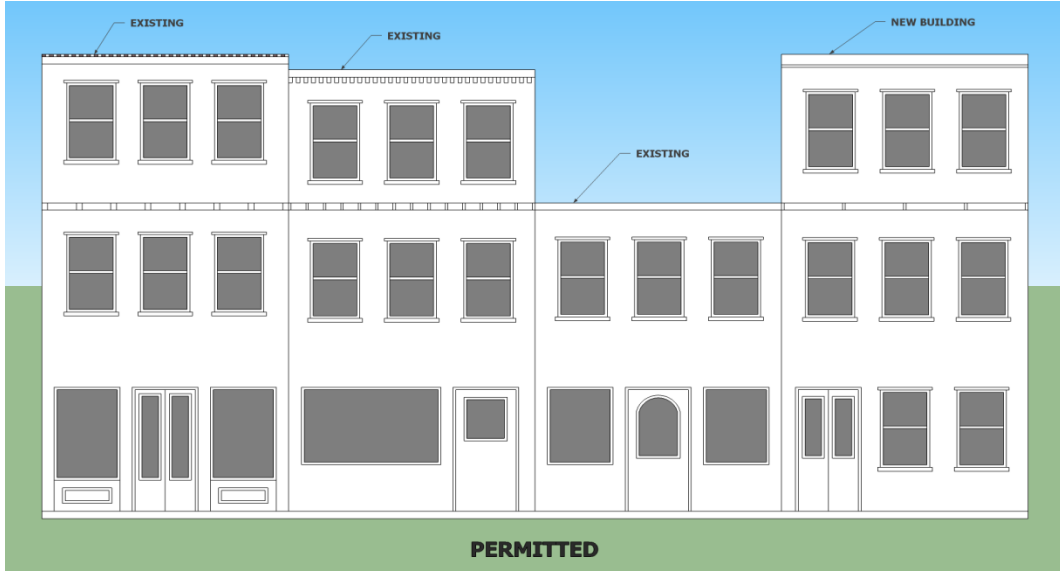
**Window and Door Placements Diagram**



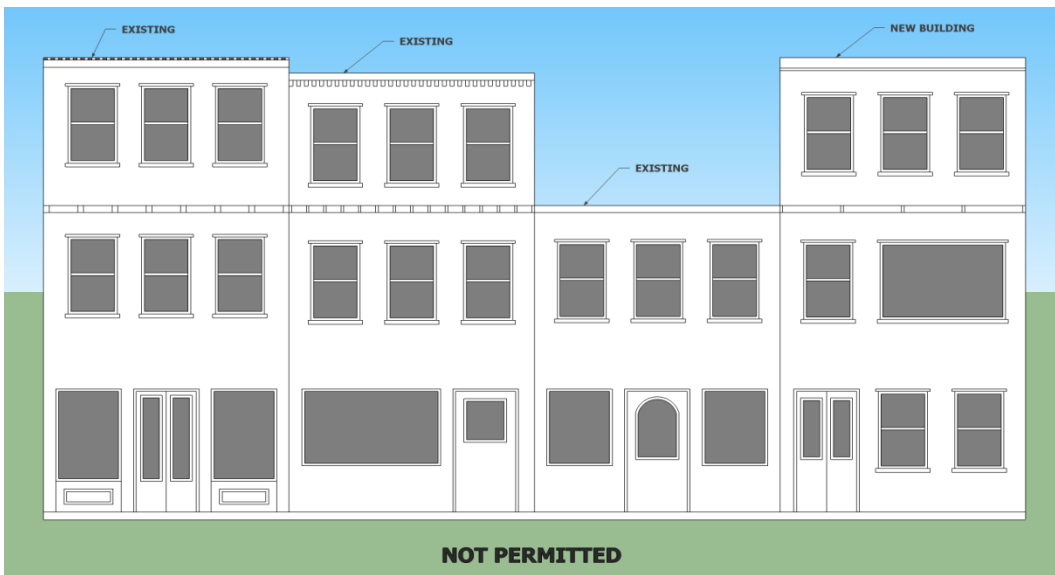
**Window and Door Placements Diagram**



**Window and Door Placements Diagram**



**Window Orientation Diagram**



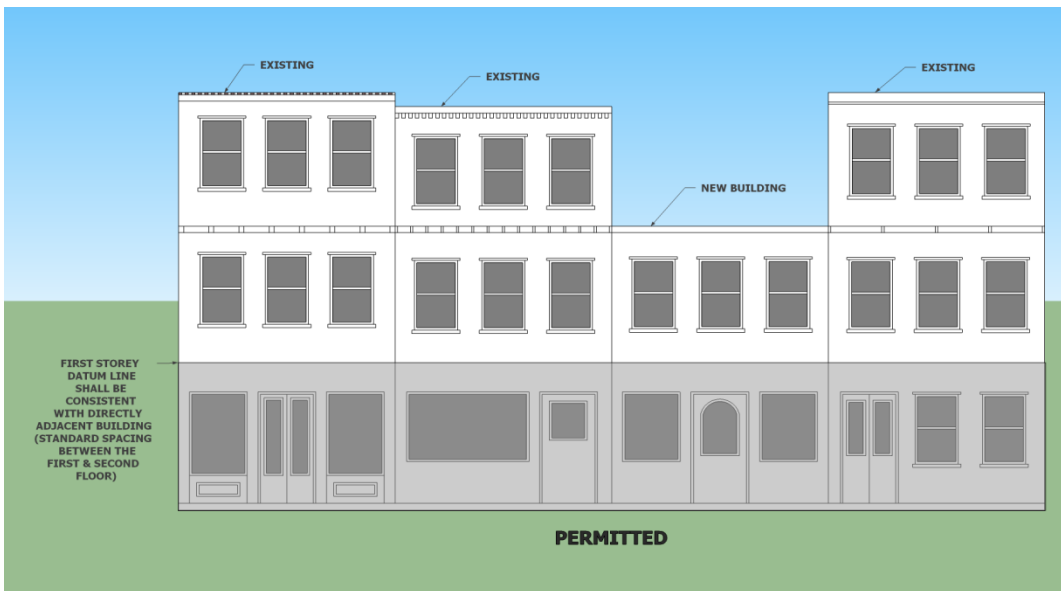
**Window Orientation Diagram**

- (3)** Any change or alteration in the exterior appearance of any existing building located within the Urban Design Area as identified on Schedule “F”, Urban Design Form Based Code Map, shall be in compliance or otherwise be closer to compliance with subsection (1) and subsection (2) of this Part.

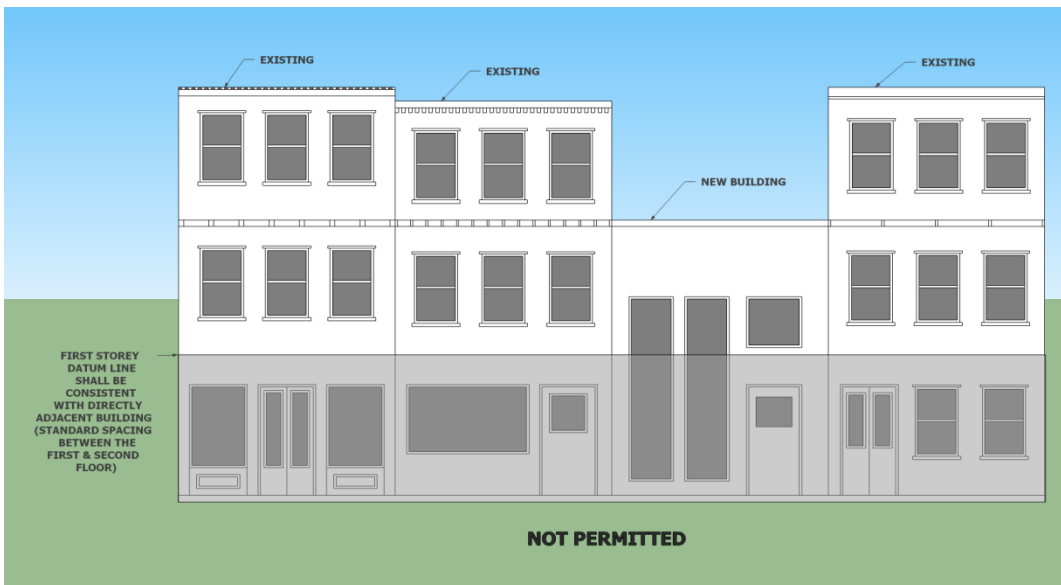
### **17.16 Building Form**

The following building form requirements shall apply within the Urban Design Area as identified on Schedule “F”, Urban Design Form Based Code Map:

- (1)** Where a new main building or any addition to a main building directly abuts two (2) neighbouring buildings on either side, the new infill development’s first storey datum line (the height of intermediate cornice line or frieze board or separation space between the first and second storey) shall match or otherwise be consistent with the immediately abutting neighbouring buildings.

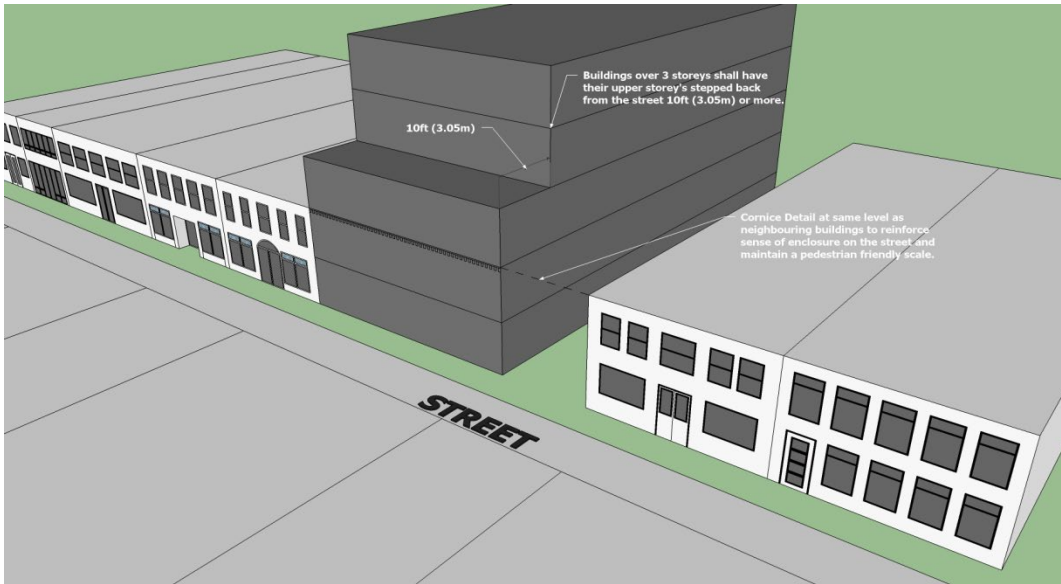


**First Storey Datum Line Diagram**

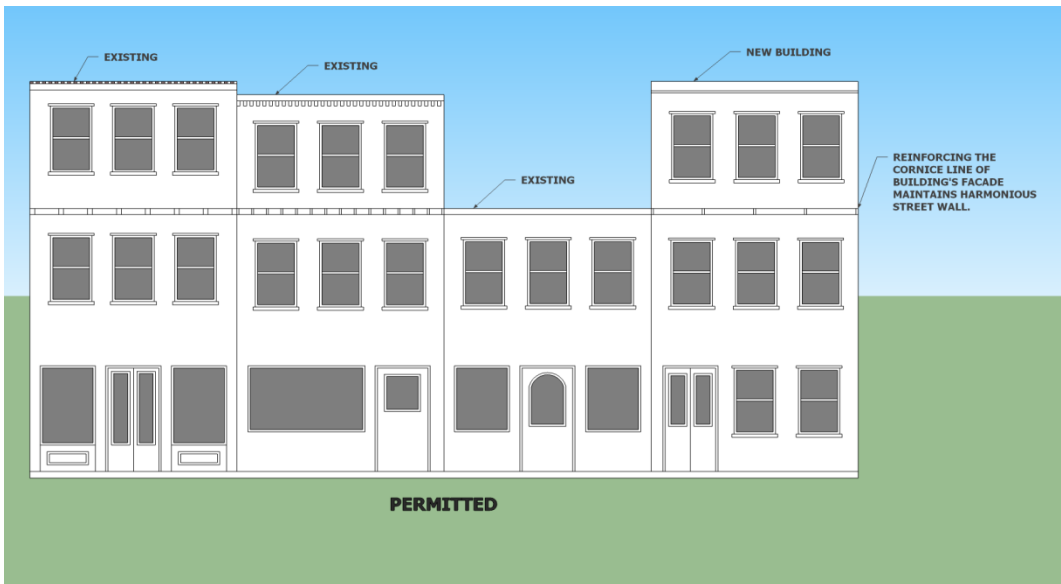


**First Storey Datum Line Diagram**

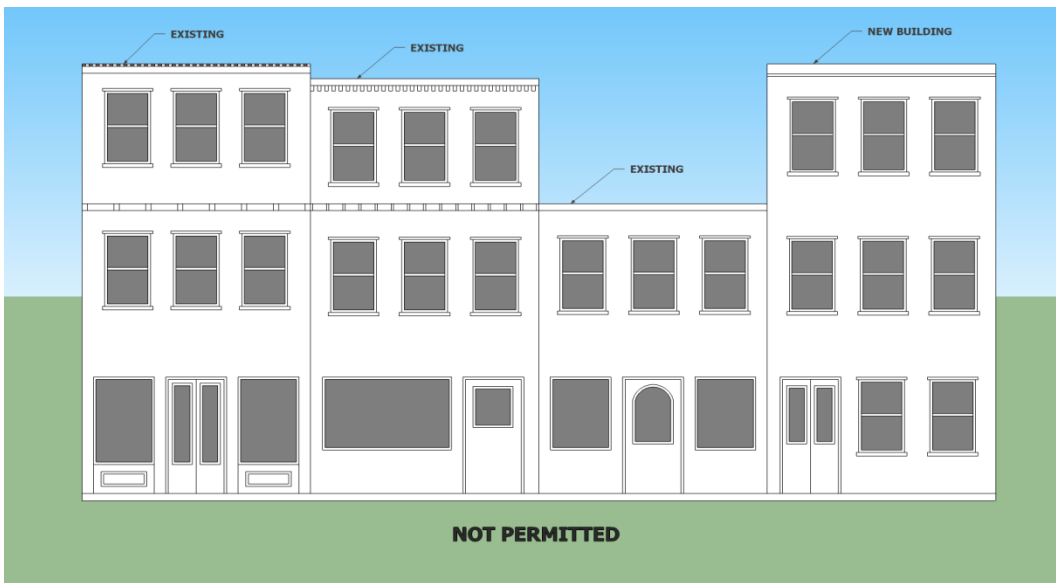
- (2) Where a new main building or any addition to any main building exceeds the height of neighbouring buildings a cornice detail shall be incorporated into the building's facade to reinforce any established standard with respect to building height as represented by the directly abutting neighbouring buildings facing Main Street. The cornice detail line shall be extended from the abutting buildings through the new facade. The building's cornice detail (top of the building or otherwise a horizontal facade member) shall be distinct and defined by either a horizontal projection or a series of projections from the plane of the wall surface; a contrasting change in colour; or, a change in pattern or texture from the wall surface.



**Cornice Detail Line Diagram**



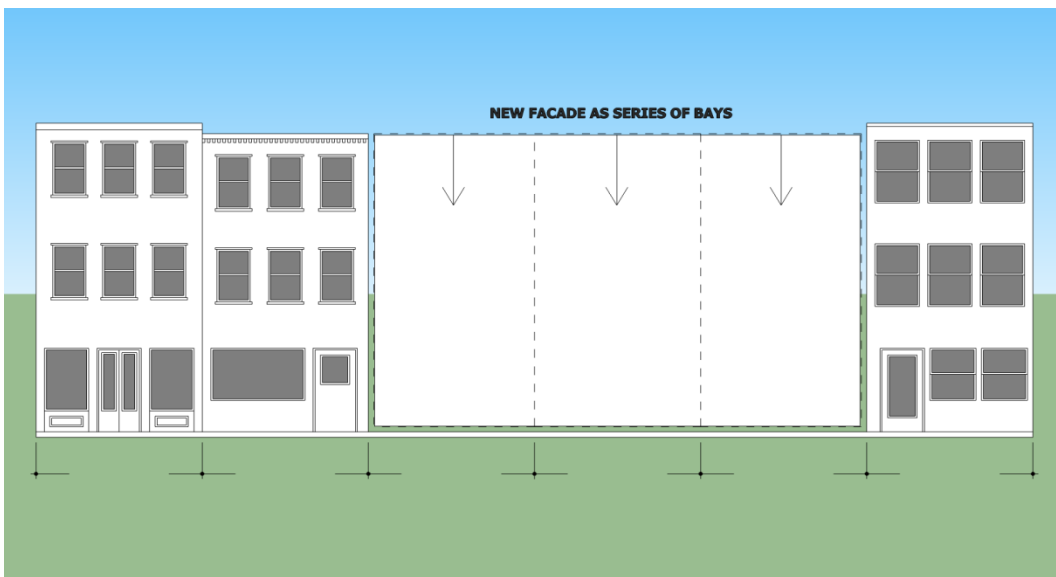
**Cornice Detail Line Diagram**



**Cornice Detail Line Diagram**

Note: The cornice is the topmost projecting part of a façade, typically detailed with a decorative moulding. The cornice line is the extended horizontal definition of the building that indicates where the façade ends and the roof begins. When abutting buildings have a continuous cornice line they result in a harmonious street wall. The maintenance of the cornice height creates a consistent street wall height and reinforces the “frame” of the public street.

- (3) Where a new main building or any addition to any main building creates a longitudinal form in relationship to immediately abutting buildings facing Main Street, the building’s façade shall be broken into vertical bays of similar shape and style to those abutting buildings facing Main Street in order to maintain the street wall rhythm.



**Vertical Bay Diagram – Maintain Street Rhythm**

**Note:** The idea of rhythm on a building's facade or along a street wall makes reference to the recurrence at regular intervals of vertical design elements that help structure their visual character and definition. It creates a rhythm for the street that speaks to a certain scale and helps maintain a consistency as one travels along the street.

(4) Any change or alteration in the exterior appearance of any existing building located within the Urban Design Area as identified on Schedule "F", Urban Design Form Based Code Map, shall be in compliance or otherwise be closer to compliance with subsection (1), subsection (2) and subsection (3) of this Part.

### **17.17 Miscellaneous Equipment, Storage, Parking and Loading Provisions**

The following provisions shall apply within the Urban Design Area as identified on Schedule "F", Urban Design Form Based Code Map:

- (1) Parking areas or entrances, loading areas or entrances, storage areas or entrances to storage areas, delivery areas or entrances and garbage/recycling pick-up areas or entrances shall not be prominently placed along Main Street.
- (2) Heating, venting, air conditioning vents or equipment and similar items shall not be prominently displayed along Main Street.
- (3) Utilities such as but not limited to telephone, power, cable, satellite dishes and similar items shall not be prominently displayed along Main Street.
- (4) Roof top mechanical equipment shall not be prominently displayed along Main Street and shall be integrated into the architectural design of the building. Mechanical rooms, elevators and stairway head-houses (penthouse) should be incorporated into a single well-designed roof top structure that is set-back (step-back) from the built-to plane along Main Street.

### **17.18 Waiver of Urban Design Standards (Form Based Planning Codes) by Development Agreement**

In the Downtown Commercial (C-1) zone, Municipal Planning Strategy Commercial Policy 5.24 and 5.25 enables developments that do not meet the Urban Design Standards (Form Based Planning Codes) to be considered by Development Agreement.