

Section 16: CBD – Central Business District Zones

16.1 Permitted Uses

16.1.1 No person shall within any CBD Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

- (a) Animal hospital
- (b) Apartment building
- (c) Apartment hotel
- (d) Art gallery
- (e) Automobile rental establishment
- (f) Automobile repair garage
- (g) Bus depot
- (h) Church
- (i) Cinema
- (j) Club
- (k) Commercial recreation establishment
- (l) Convention centre
- (m) Craft Brewery
- (n) Crisis care residence
- (o) Cultural centre
- (p) Day care centre
- (q) Financial institution
- (r) Flat
- (s) Funeral home
- (t) Hospital
- (u) Hotel
- (v) Lodging house
- (w) Long Term Care Facility
- (x) Merchandise service shop
- (y) Museum
- (z) Nursing home
- (aa) Office
- (bb) Parking garage or parking lot
- (cc) Personal service establishment
- (dd) Printing establishment
- (ee) Restaurant
- (ff) Retail store
- (gg) Retirement home
- (hh) School
- (ii) Studio
- (jj) Tavern
- (kk) Television or radio broadcasting station or studio
- (ll) Theatre
- (mm) Trade centre

(66-1998, 17-1999, 61-2010, 61-2016, 69-2019)

16.2 Regulations

16.2.1 No person shall within any CBD Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 16.2.

Table 16.2 - Regulations for CBD Zones

Zones		CBD-A	CBD-B
Minimum setback from the street line (m)	For first 12.0m or part thereof of height	0.0	0.0
	For the next 8.0m or part thereof of height above 12.0m	3.0	3.0
	For the next 5.0m or part thereof of height above 20.0m	6.0	6.0
Maximum Density – dwelling units per hectare		550	550
Maximum Height (m)		12.0	12.0
Maximum gross floor area of retail store floor space (m ²)		N/A	25% of the gross floor area of the first storey excluding basements, or 90m ² whichever is greater
Location of dwelling units		Restricted to the 2nd storey, excluding basements, or higher. Notwithstanding the foregoing, it may be permitted on the first floor if located behind the non-residential uses located at the front of the building adjacent to the street line	N/A

(66-1998, 62-2000, 107-2006, 61-2016, 42-2017)

16.3 Special Conditions

16.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard CBD Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter then all the other relevant provisions of this By-law shall apply. **(66-1998)**

16.3.2 CBD-A(1) Zone (22 Bond Street West)

16.3.2(1) In addition to any CBD use, in any CBD-A(1) Zone, as shown on Schedule "A" to this By-law, a place of amusement is also a permitted use.

16.3.3 CBD-A(2) Zone (large portion of block bounded by Bond Street East, Mary Street North, William Street and Division Street) (115-1995, 138-2008)

16.3.3(1) Notwithstanding any provision in the By-law to the contrary, in any CBD-A(2) Zone as shown on Schedule "A" to this By-law, there shall be no maximum height restriction for any building or structure.

16.3.3(2) Notwithstanding Subsection 16.2 to the contrary, in any CBD-A(2) Zone as shown on Schedule "A" to this By-law, the minimum front yard depth and exterior side yard depth shall be 6.0m for that part of any building or structure which is higher than 20.0m in height.

16.3.4 CBD-A(3) Zone (the block bounded by Simcoe Street North, William Street East, Ontario Street and Richmond Street East) (138-2008)

16.3.4(1) Notwithstanding Subsection 16.2 of this By-law to the contrary, in any CBD-A(3) Zone as shown on Schedule "A" to this By-law, the maximum building height shall be 25m.

16.3.4(2) Notwithstanding Subsection 16.2 of this By-law to the contrary, in any CBD-A(3) Zone as shown on Schedule "A" to this By-law, the minimum setback from the street line for the entire building shall be 0.0m.

16.3.5 CBD-A(4) Zone (80 Bond Street East) (61-2017)

16.3.5(1) Notwithstanding any provision in the By-law to the contrary, in any CBD-A(4) Zone as shown on Schedule "A" to this By-law, there shall be no maximum height restriction for any building or structure.

16.3.5(2) Notwithstanding Subsection 16.2 of this By-law to the contrary, for the lands zoned CBD-A(4) the maximum density shall be 960 dwelling units per hectare.

- 16.3.5(3) Notwithstanding any provision in the By-law to the contrary, in any CBD-A(4) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply to any building:
- (a) Parking for apartment units shall be provided at a minimum rate of 0.87 parking spaces per dwelling unit.
 - (b) The minimum front yard depth and exterior side yard depth shall be 0.0m for that part of any building or structure less than 20.0m in height and 4.0m for that part of any building or structure greater than 20.0m in height.
 - (c) Dwelling units may only be located on the first floor fronting Mary Street North provided they are a minimum of 40m from Bond Street East.
- 16.3.6 **CBD-B(1) Zone (South side of Richmond Street East between Mary Street North and Ontario Street) (116-2018)**
- 16.3.6(1) Notwithstanding any provision in the By-law to the contrary, in any CBD-B(1) Zone as shown on Schedule "A" to this By-law, the maximum building height shall be 65.0m and shall not exceed 18 storeys.
- 16.3.6(2) Notwithstanding Subsection 16.2 of this By-law to the contrary, for the lands zoned CBD-B(1) the maximum density shall be 973 dwelling units per hectare.
- 16.3.6(3) Notwithstanding any provision in the By-law to the contrary, in any CBD-B(1) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply to any building:
- (a) The minimum yard depth adjacent to Richmond Street East shall be 4.0m for that part of any building or structure greater than 20.0m in height.
 - (b) The minimum yard depth adjacent to Mary Street North shall be 5.0m for that part of any building or structure greater than 20.0m in height.
 - (c) The minimum yard depth adjacent to Ontario Street shall be 3.0m for that part of any building or structure greater than 20.0m in height.
- 16.3.7 **CBD-B(2) (North of Bond Street East between Kenneth Avenue and Division Street) (84-2022)**
- 16.3.7(1) Notwithstanding any provision of this By-law to the contrary, in any CBD-B(2) Zone as shown on Schedule "A" to this By-law, the maximum building height shall be 43m.

- 16.3.7(2) Notwithstanding Subsection 16.2 of this By-law to the contrary, for the lands zoned CBD-B(2) the maximum density shall be 773 dwelling units per hectare.
- 16.3.7(3) Notwithstanding any provision of this By-law to the contrary, in any CBD-B(2) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply to any building:
- (a) Parking for apartment units shall be provided at a minimum rate of 0.93 parking spaces per dwelling unit for residents and no visitor parking shall be required.
 - (b) No on-site parking for commercial uses shall be required.
 - (c) The minimum setback from the street line shall be 0.5m for that part of any building or structure greater than 12.0m in height.
- 16.3.7(4) Notwithstanding any provision of this By-law to the contrary, in any CBD-B(2) Zone, as shown on Schedule "A" to this By-law, up to 1.5m of the minimum required length of the parking spaces on underground parking Levels P2 and P3 may be located off-site within the Kenneth Avenue road allowance.
- 16.3.7(5) Notwithstanding any provision of this By-law to the contrary, in any CBD-B(2) Zone, as shown on Schedule "A" to this By-law, balconies on the east side of a building that are a minimum of 6.0m above ground level may encroach a maximum of 0.21m into the Kenneth Avenue road allowance.
- 16.3.8 **CBD-A(5) (47 Simcoe Street South) (87-2022)**
- 16.3.8(1) Notwithstanding any provision of this By-law to the contrary, in any CBD-A(5) Zone as shown on Schedule "A" to this By-law, the maximum building height shall be 32m.
- 16.3.8(2) Notwithstanding any provision of this By-law to the contrary, in any CBD-A(5) Zone as shown on Schedule "A" to this By-law, the minimum yard depths abutting Athol Street East and Celina Street shall be 0.1m for that part of any building or structure greater than 12.0m in height.
- 16.3.8(3) Notwithstanding any provision of this By-law to the contrary, in any CBD-A(5) Zone as shown on Schedule "A" to this By-law, dwelling units may be located on the first floor.
- 16.3.8(4) Notwithstanding any provision of Article 39.10.2 to the contrary, in any CBDA(5) Zone, parking for dwelling units shall be provided at a minimum rate of 0.63 parking spaces per dwelling unit.
- 16.3.8(5) Notwithstanding any provision of this By-law to the contrary, for any CBD-A(5) Zone as shown on Schedule "A" to this By-law, dedicated parking for residential uses associated with the subject CBD-A(5) Zone may be

located off-site provided that a minimum of 0.63 parking spaces per dwelling unit are provided off-site within 225m of the CBD-A(5) Zone and the area of the off-site parking is zoned to permit a parking lot or parking garage as a use and the parking spaces are dedicated to the residential uses in the CBD-A(5) Zone.

16.4 Provisions Applying to Main Shopping and Pedestrian Streets in the Central Business District (138-2008)

16.4.1 Notwithstanding any provision of this By-law to the contrary, within the hatched area shown on Schedule “G” to this By-law, the following uses are not permitted:

- (a) Adult use store
- (b) Apartment hotel other than a supervised student residence
- (c) Automobile repair garage
- (d) Social service establishment
- (e) Parking lot as the only main use
- (f) Crisis care residence

16.4.2 Within the hatched area shown on Schedule “G” to this By-law, no payday loan business, tattoo parlour or pawn shop shall be located closer than 50m to another lot occupied by a payday loan business, tattoo parlour or pawn shop.

16.4.3 For the purposes of Subsection 16.4, the following definition shall apply:

“SOCIAL SERVICE ESTABLISHMENT” means a building or part of a building used by a “registered charity” as defined in subsection 248(1) of the *Income Tax Act*, R.S.C. 1985, c. 1 (5th Supp.), as amended, or by a corporation that is a non-profit organization for the purposes of paragraph 57(1)(b) of the *Corporations Tax Act*, R.S.O. 1990, c. C.40 for the purpose of:

- (a) Serving within or from the building food including uses commonly known as soup kitchens;
- (b) Dispensing from or receiving at the building food including uses commonly known as food banks;
- (c) Providing public use personal hygiene facilities such as showers and clothes cleaning equipment;
- (d) Dispensing from or receiving at the building clothing and household articles;
- (e) Providing drop-in services; or
- (f) Providing counseling services.

16.4.4 Notwithstanding any other provision of this By-law to the contrary, dwelling units, lodging houses and bedrooms shall be restricted to the second

storey, excluding basements, or higher in the hatched area shown on Schedule "G" to this By-law. Notwithstanding the foregoing, dwelling units, lodging houses and bedrooms may be permitted on the first floor if located behind the non-residential uses located at the front of the building adjacent to the street line. **(52-2018)**