

CITY OF WATERLOO

Exception C____	Address 565 Conestoga Road West	Zoning MIXED USE COMMUNITY COMMERCIAL (C1-81), OS1	File Reference By-law 2023-____
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Location: 565 Conestoga Road West as shown on Appendix 'C1' to this BY-LAW.

Site Specific Regulations for the MIXED-USE COMMUNITY COMMERCIAL ZONE (C1-81) Zone:

- a) Notwithstanding anything to the contrary, the holding symbol “(H)” shall mean that the lands are zoned as “Holding Provision Area”. Prior to the passing of a BY-LAW to remove the holding (H) symbol, permitted uses on the lands shall be restricted to those uses that actually and lawfully existed on the lands on the day before the passing of this BY-LAW. Prior to passing of a BY-LAW to remove the holding (H) symbol, and prior to issuance of a building permit, the owner of the lands shall:
- i. Provide written evidence that any Record of Site Condition has been filed satisfactorily with the Ministry of Environment Conservation and Parks and that the Region be advised.
 - ii. Submit a Master Site Plan and Master Servicing Plan with a Detailed Urban Design Guideline demonstrating how the proposed development will be comprehensively redeveloped in accordance with:
 - The regulations of the C1-81 XXX Zone and the OS-1 XXX Zone
 - Other applicable regulations in this BY-LAW
 - Other CITY Design manuals, guidelines, and standards
 - iii. Submit verification of sufficient servicing capacity (water, sanitary and stormwater) to service any LOT and/or development thereon on a block-by-block basis, which may include confirmation that sanitary capacity infrastructure upgrades required to support development of the lands have been completed to the satisfaction of the CITY. The holding (H) symbol related to servicing capacity shall be removed in phases as the detailed design of each building and/or block is known.
 - iv. Submit a detailed Noise Study on a block-by-block basis, to the satisfaction of the CITY and the REGION. The study shall evaluate stationery and road traffic noise impacts on the proposed development from surrounding uses and traffic sources. Recommendations of the study shall be incorporated into the detailed BUILDING design and/or the owner shall enter into an agreement (with the CITY and/or REGION, as required) under the provisions of the Planning Act. The holding (H) symbol related a detailed noise study shall be removed in phases as the detailed design of each building and/or block is known.
- b) Notwithstanding anything to the contrary, the following PRIMARY USES shall be added to SECTION 8.3.1.1 of this BY-LAW:
- DWELLING UNITS in the first STOREY for Blocks 2, 3, 4, 5, 6 and 8
 - TOWNHOUSE BUILDING

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- Live-Work Unit: meaning an APARTMENT DWELLING (with or without an interior common corridor system sharing an exit and entrance at GRADE level), within a BUILDING where the units are horizontally and/or vertically separated and where a portion of the BUILDING FLOOR AREA is used for commercial purposes by the PERSON using the DWELLING as their private residence
 - HOME OCCUPATION
- c) Notwithstanding anything to the contrary, the following COMPLEMENTARY USES shall be added to SECTION 8.3.1.3 of this BY-LAW:
- HEALTH PRACTITIONER
 - MODEL SUITE
 - TEMPORARY SALES CENTRE
- d) Notwithstanding anything to the contrary in this BY-LAW, the following regulations shall apply to the lands identified as Area A:
- i. Density shall be provided at a maximum of 950 BEDROOMS per hectare
 - ii. LOTS may exceed the density of 950 BEDROOMS per hectare provided the overall density does not exceed (i) above
 - iii. BUILDINGS shall be a maximum height of 118 metres (35 STOREYS)
 - iv. Minimum Non-Residential shall be 8,000 square metres
 - v. The following regulations shall apply to FRONT YARD, FLANKAGE YARD, SIDE YARD or REAR YARD setback minimums:
 - Northfield Drive and Conestogo Road:
 - i) 5.0m to all above grade BUILDINGS and STRUCTURES
 - ii) 3.0m to all below grade BUILDINGS and STRUCTURES
 - Hydro Corridor (to the south):
 - i) 3.0m to all above grade BUILDINGS and STRUCTURES
 - ii) 0.0m to all below grade BUILDINGS and STRUCTURES
 - Highway No. 85 (Expressway):
 - i) 14.0m to all above and below grade BUILDINGS and STRUCTURES
 - New Municipal Road Allowance:
 - i) 3.0m to all above grade BUILDINGS and STRUCTURES
 - ii) 2.0m to all below grade BUILDINGS and STRUCTURES
 - Side Yards and Rear Yards
 - i) 0.0m to all above and below grade buildings and structures
 - vi. Minimum TOWER Separation of 11 metres from an INTERIOR LOT LINE shall not apply
 - vii. Minimum TOWER Separation shall be 22 metres for TOWERS sharing an INTERIOR LOT LINE
 - viii. Maximum Horizontal TOWER Dimension shall be 45metres for Blocks 1, 3 and 8
 - ix. Maximum TOWER Footprint shall be 1,050 square metres
 - x. Minimum PARKING SPACES per DWELLING shall be 0.75 spaces
 - xi. Minimum PARKING SPACES for NON-RESIDENTIAL USES shall be 2.0 spaces per 100 m² of GROSS FLOOR AREA

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- xii. STRUCTURED PARKING shall be permitted within the FIRST STOREY of any BUILDING provided that:
- a) A minimum twenty-five percent (25%) of the FIRST STOREY shall be comprised of one or more of the following uses in addition to the uses stated in the zoning bylaw and the uses stated in 8.3.1.1 and 8.3.1.3 above:
 - i) Common indoor AMENITY AREA
 - ii) Management office
 - b) STRUCTURED PARKING shall be located entirely behind the BUILDING FLOOR AREA devoted to uses stated in subsection xii. (a) above.
 - c) For an INTERIOR LOT, the BUILDING FLOOR AREA devoted to uses specified in subsection xii. (a) above shall abut the entire FRONT BUILDING FAÇADE with the following exception:
 - i) STRUCTURED PARKING shall be permitted within the FIRST STOREY of any BUILDING facing Northfield Drive within 86 metres of Conestogo Road
 - d) For a CORNER LOT, the BUILDING FLOOR AREA devoted to uses specified in subsection xii. (a) above shall abut the entire FRONT BUILDING FAÇADE and the entire FLANKAGE BUILDING FAÇADE.