

PART 12.22 – CD-22 ZONE, EVERGREEN DISTRICT

12.22.1 General Regulations

- a. This zone is divided into Development Areas A through E, as shown on the map attached as Appendix 1.
- b. All regulations in this Zone apply to all development areas, unless expressly stated otherwise.
- c. Notwithstanding the definitions contained in Schedule A:
 - i. With respect to the definition of “area”, for the purposes of calculation of total floor area and floor space ratio, the area of any elevator shaft shall be included within the area of the floor.
 - ii. With respect to the definitions of “lot” and “boundary”, for the purposes of calculation of setback and site coverage, where land that has been dedicated from a lot for public highway pursuant to the *Land Title Act*, such dedicated land shall be included within the lot.
 - iii. With respect to the calculation of floor space ratio, in this Zone, floor space ratio means the ratio of the total floor area of all buildings on the Evergreen Lands to the area of the Evergreen Lands.
- d. Notwithstanding section 19 of this Bylaw, more than one building is permitted on a lot.
- e. Notwithstanding section 55(3) of this Bylaw, sections 55(1) and 55(2) continue to apply after a lot has been subdivided to create a new lot after the highway dedication.

12.22.2 Definitions

In this Zone:

- a. “Evergreen Lands” means all the lands contained in Development Areas A through E, as shown on the map attached as Appendix 1.
- b. “Care Facility” means a day care facility or residential care facility, in each case licensed under the *Community Care and Assisted Living Act*.
- c. “Personal Service” means services provided to a person including but not limited to barbering, hairstyling, optometry, spa, medical and dental care, and services provided to the apparel of a customer including laundry and dry cleaning services, tailoring, and shoe, jewellery and watch repair.
- d. “Residential” means a self-contained dwelling unit of any type, and includes a care facility, assisted living, and a studio that contains a dwelling unit associated with an artist’s or artisan’s studio.
- e. “Retail Trade” means the retail sale, repair, servicing, or refurbishment of consumer goods other than automobiles or automotive fuels, but does not include Liquor Retail Store or Storefront Cannabis Retailer.
- f. “Studio” means a purpose-designed work space for an artist or artisan engaged in an art or craft that is compatible with residential uses, which may include an associated dwelling unit and in which works produced in the studio may be sold.
- g. “Principal Façade” means the longest building façade that faces and is within 20m of a street or lane.

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12.22.3 Permitted Uses

The following uses are the only uses permitted in this Zone:

- a. Residential
- b. The following commercial uses:
 - i. Business office
 - ii. Professional business
 - iii. Retail trade
 - iv. Restaurant
 - v. Cultural facility
 - vi. Personal service
 - vii. Medical offices
- c. Child Care facility
- d. Public building
- e. Home occupation subject to the regulations in Schedule “D”
- f. Accessory building subject to the regulations in Schedule “F”

12.22.4 Siting of Permitted Uses

- a. Commercial uses must be located within the first storey of any building.

12.22.5 Density and Floor Area

- a. Each Development Area has a maximum total floor area assigned to it; however, any Development Area can exceed its maximum total floor area by 15%, provided that the overall density of the Evergreen Lands does not exceed 2.6:1 floor space ratio
- a. Within Development Area-A – total floor area (maximum) 20,414m²
- b. Within Development Area-B – total floor area (maximum) 16,480m²
- c. Within Development Area-C – total floor area (maximum) 16,400m²
- d. Within Development Area-D – total floor area (maximum) 10,003m²
- e. Within Development Area-E – total floor area (maximum) 18,880m²

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12.22.6 Height within Development Areas

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| a. Within Development Area-A - Number of <u>storeys</u> (maximum) | 20 storeys |
| i. Except buildings with the <u>principal façade</u> facing Evergreen Lane | 8 storeys |
| b. Within Development Area-B- Number of <u>storeys</u> (maximum) | 15 storeys |
| c. Within Development Area-C - Number of <u>storeys</u> (maximum) | 18 storeys |
| i. Except buildings with the <u>principal façade</u> facing Evergreen Lane | 8 storeys |
| d. Within Development Area-D - Number of <u>storeys</u> (maximum) | 8 storeys |
| e. Within Development Area-E - Number of <u>storeys</u> (maximum) | 18 storeys |
| i. Except buildings with the <u>principal façade</u> facing Dowler Place | 8 storeys |

12.22.7 Setbacks, Projections, and Building Separation

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| a. Blanshard Street <u>setback</u> (minimum) | 10.00m |
| b. Bay Street <u>setback</u> (minimum) | 7.00m |
| c. Hillside Avenue <u>setback</u> (minimum) | 7.00m |
| d. Dowler Place <u>setback</u> (minimum) | 5.00m |
| e. Kings Road <u>setback</u> (minimum) | 5.00m |
| f. <u>Building</u> separation for all portions of a <u>building</u> above four <u>storeys</u> (minimum) | |
| i. Buildings exceeding 8 storeys | 30.00m |
| ii. Buildings not exceeding 8 storeys | no requirement |
| g. Notwithstanding subsections a – e, a <u>balcony</u> or <u>deck</u> that faces a street or internal <u>boundary</u> may project into a <u>setback</u> to a maximum of 1.8m | |

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12.22.8 Site Coverage, Open Site Space

a. Site Coverage (maximum)

i. Development Area -A	65.00%
ii. Development Area -B	75.00%
iii. Development Area -C	60.00%
iv. Development Area -D	70.00%
v. Development Area -E	60.00%

b. Open site space (minimum)

i. Development Area -A	45.00%
ii. Development Area -B	45.00%
iii. Development Area -C	50.00%
iv. Development Area -D	45.00%
v. Development Area -E	60.00%

12.22.9 Parking

- a. Subject to subsection b., vehicle and bicycle parking subject to the regulations in Schedule C.
- b. Notwithstanding Sections 2.2.1 and 2.2.2 of Schedule "C" of the Zoning Regulation Bylaw, the vehicle parking spaces required pursuant to the regulations in Schedule "C" may be provided on a different lot from the lot on which the use is to which they appertain, provided that the lot on which the parking spaces are located is within this Zone and that the parking spaces are not more than 400m from the lot on which the use is located.

Bylaw 25-054 adopted September 3, 2026

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Appendix 1

