

Open House Information Brief

Official Plan and Zoning Amendment, and Draft Plan of Subdivision Applications

362 & 398 North Service Road

A. Location

The subject lands are located on the north side of North Service Road, east of Casablanca Boulevard and west of Roberts Road. The plan below illustrates the location of the subject lands. The subject lands previously contained the Fifth Wheel Truck Stop.



B. Proposal

The proposed development consists of:

- 6 mixed-use apartment buildings comprised of a total of 1247 residential units, and 5,334 square metres of employment space on the ground floor fronting North Service Road. These buildings are proposed to have the following heights: 18, 22, 12, 12, 10, and 14 storeys.
- 38, 2.5 storey townhouse units, and 10, 3 storey back-to-back townhouse units; and,
- Approximately 1.4 hectares of parkland area that is proposed to be dedicated to the Town for continuation of the west-end waterfront trail.

A total of 1845 parking spaces are proposed on-site: 96 spaces for the townhouse units; 1559 spaces for the residential apartment units, and 190 spaces for the employment uses.

The preliminary site plan and renderings on the following pages show the proposed development plan.

Applications have been made to amend the Official Plan and Zoning By-law to allow for the proposed development. A Draft Plan of Subdivision application has also been submitted to create the proposed development.

The purpose and effect of the **proposed official plan amendment** is to modify the existing Mixed Use High Density designation on the subject lands to allow for a maximum building height of 22 storeys.

The purpose and effect of the **proposed zoning by-law amendment** is to change the zoning of the subject lands from a Neighbourhood Development (ND) and Private Open Space (O1) zone to a Mixed Use High Density (MHD) and Public Open Space (O2) zone, with modified performance standards for setbacks and maximum height to permit the proposed development. The proposed zoning by-law amendment is attached.

The purpose and effect of the **proposed draft plan of subdivision** is to create 8 blocks and a public road.

In support of these applications, the following documents were submitted by the applicant:

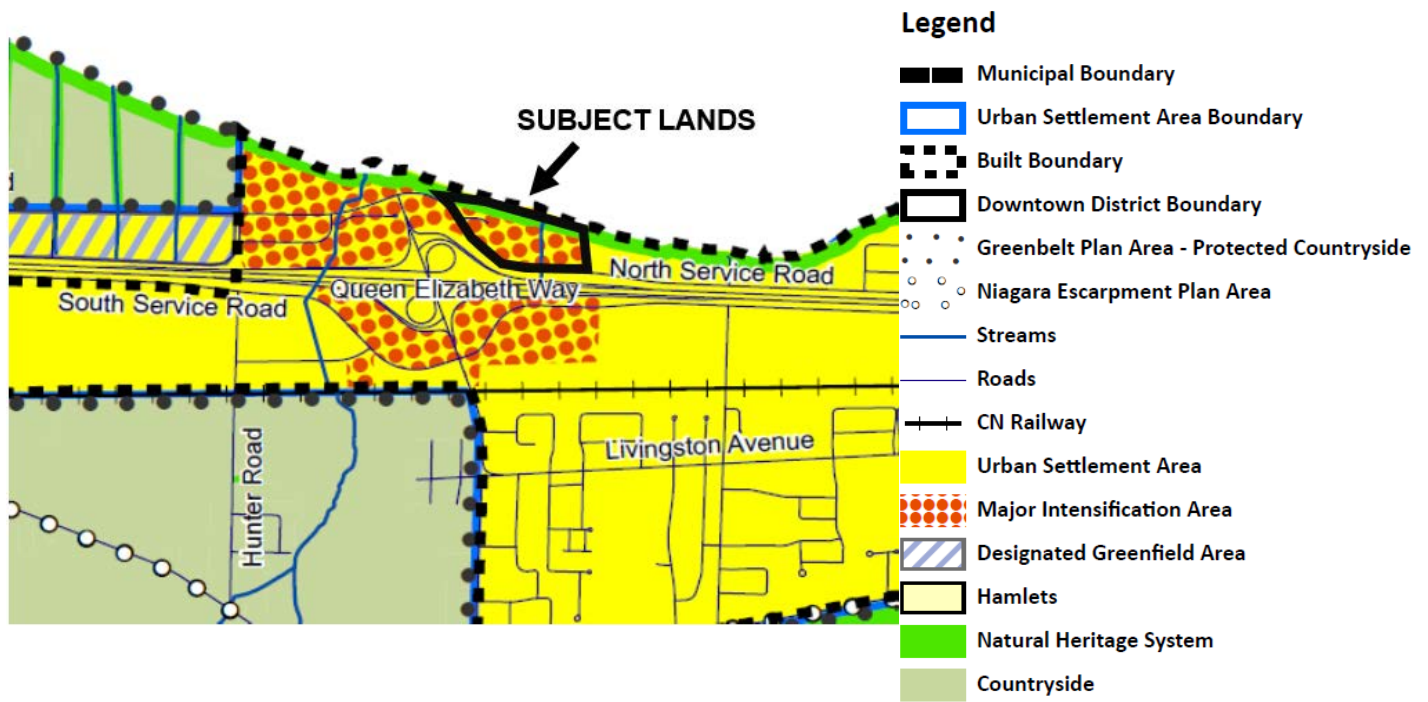
- Planning Justification Report
- Environmental Impact Study
- Phase I & II Environmental Site Assessment
- Functional Servicing and Stormwater Management Report
- Natural Hazards Assessment
- Environmental Noise Assessment
- Parking Study
- Transportation Impact Study Brief
- Urban Design Brief
- Proposed Draft Plan of Subdivision
- Proposed Building Elevations
- Proposed Building Renderings

These documents are available to review at Town Hall anytime during regular business hours (Monday – Friday 8:30 AM to 4:30 PM). Additionally, you may contact the Planning Department at planning@grimsby.ca or 905-945-9634 for more information.



C. Grimsby Official Plan Policy

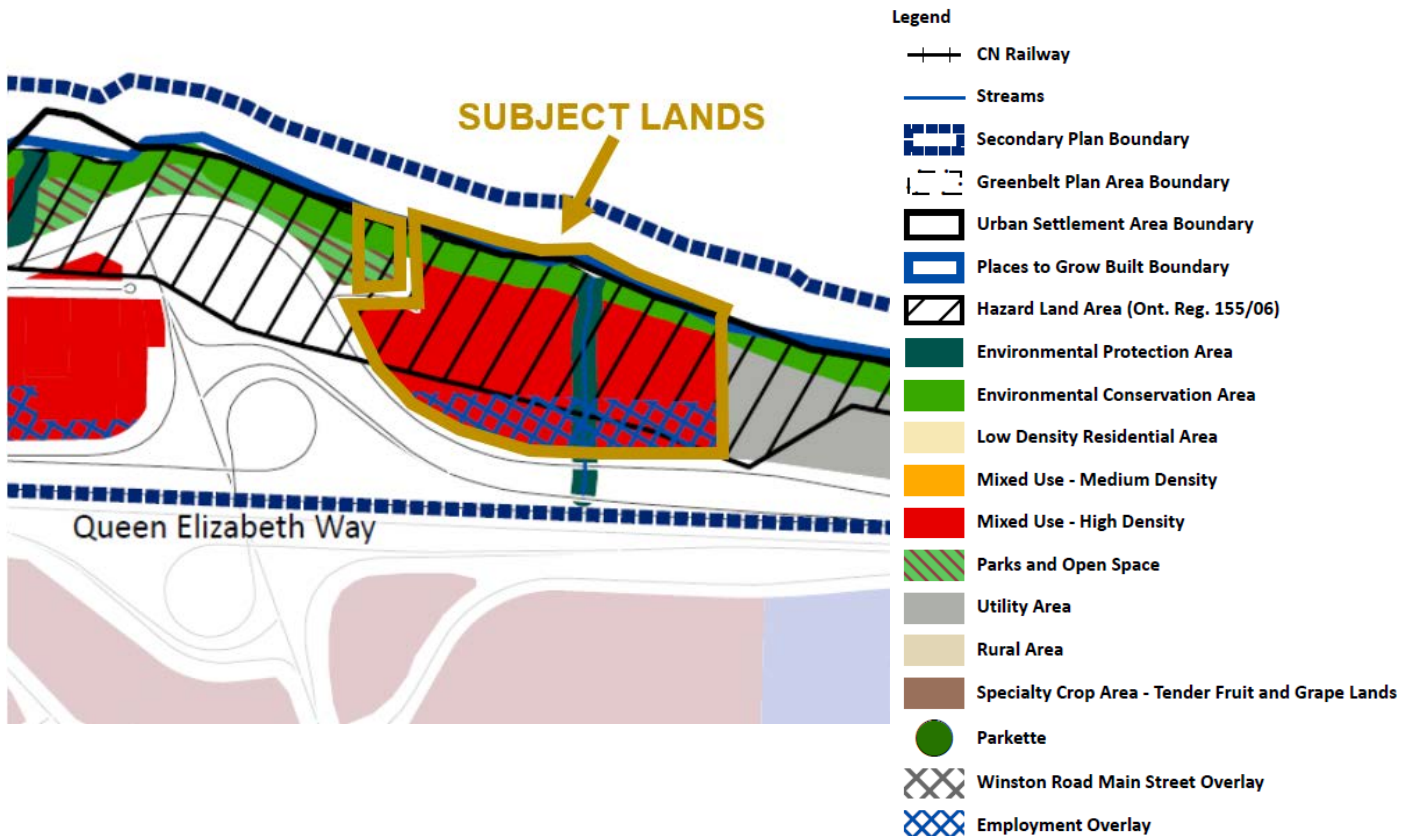
The subject lands lie within the **Major Intensification Area** designation (Schedule A of the Town of Grimsby Official Plan, shown below) and the **Winston Road Neighbourhood Secondary Plan** area (Schedule F of the Town of Grimsby Official Plan).



Within the Winston Neighbourhood Secondary Plan, the subject lands are designated as follows:

- Mixed-Use High Density
- Employment Overlay (portion fronting North Service Road)
- Parks and Open Space (northwest portion)
- Environmental Conservation Area (north portion)
- Streams
- Hazard Land Area

An excerpt of Schedule F showing these designations is presented in the image below.



Major Intensification Area

There are two Major Intensification Areas: the Downtown and the Casablanca interchange area. These two areas will be the primary focus for intensification and shall be planned and designed to meet the intensification targets set out in the intensification strategy in Section 2.4.6.

- 2.3.2.7 The detailed land use direction for the Casablanca interchange area is set out in the Winston Secondary Plan in Section 11 and the Grimsby GO Transit Station Secondary Plan in Section 12.

Growth Management

- 2.4.4 The Town shall target for approximately 80 per cent of new dwelling units to be provided through intensification after 2015.
- 2.4.6 To achieve the target set out in Section 2.4.4, the Town shall implement the following Intensification Strategy:
- a) Encourage infill and intensification throughout the built-up area of the Urban Settlement Area to achieve higher densities than what currently exist within the Intensification Area subject to the other policies of the intensification strategy and this Plan;
 - b) Direct the majority of intensification to two major intensification areas in the Downtown and Winston / Casablanca node;
 - c) Set a minimum density target within the Winston/Casablanca node through the implementing Secondary Plan;
 - d) All intensification and infill development within the built boundary shall be subject to site plan control to ensure that the built form and physical look of the built form is compatible with the neighbourhood; and
 - e) To facilitate intensification, the Town may offer development incentives such as:
 - i) Reduced parkland dedication requirements;
 - ii) Reduced parking standards;
 - iii) Reduced Development Charges; and,
 - iv) Pre-zoning by the Town
- 2.4.13 Intensification Areas are to be planned to provide a diverse mix of land uses that complement and support the overall residential intensification objective. These may include, employment, commercial, recreation, institutional and other compatible land uses in relative proportions dependent on area characteristics and the intended critical mass of residential development.
- 2.4.14 Intensification Areas are to be planned so as to be transit supportive and link intensification opportunities with existing or planned future transit hubs and active transportation routes.

Housing

The Provincial Policy Statement (2005) requires municipalities to provide a range of housing types and opportunities to accommodate residential growth. This residential growth is to occur not only in traditional greenfield settings, but also through infill and redevelopment in the Town's existing built-up area. Facilitating opportunities for infill and intensification will require a balance to ensure that adjacent residents are not unduly impacted and the existing character of stable residential neighbourhoods are protected.

- 2.5.6 The Town in collaboration with the Region shall seek to facilitate the provision of affordable housing by:
- a) Promoting higher density housing forms in appropriate locations, as set out in the land use designations of this Plan. Such housing is more affordable due to reduced per unit land costs; and/or
 - b) Encouraging smaller units including secondary suites. Such housing is more affordable due to lower construction and renovation costs; and/or
 - c) Encouraging government grants and/or subsidies, including land dedication that will reduce overall development costs;
 - d) Discouraging the demolition or conversion of rental housing to condominium ownership in situations where the vacancy rate is less than 3 percent and the ownership housing to be created is not considered to be affordable housing;
 - e) Considering waiving, exempting, or providing grants-in-lieu of residential development charges, planning fees and building permit fees for new affordable housing in return for a commitment by the developer to meet specified affordability targets, design requirements, and, where applicable, requirements under a senior government housing program; and/or
 - f) Permitting on a temporary basis, small accommodation units known as "Garden Suites" (also commonly known as "Granny Flats") in a rear or side yard of a single detached dwelling unit;
 - g) The Town will work with Niagara Region to ensure that a sufficient supply of housing is provided which is affordable to low and moderate income households. The Town will target 30% of all new housing units constructed over the long term to consist of affordable housing units. The Town will also consider alternative requirements for residential lot standards and required floor space in the Zoning By-law which would support the provision of affordable housing.

Mixed Use – High Density, Winston Road Neighbourhood Secondary Plan

- 11.3.3.1 Permitted Uses
- a) Within the Mixed Use - High Density designation, shown on Schedule F, permitted uses shall include:
 - i) apartments;

- ii) townhouses integrated with apartments or mixed use buildings on the same site;
 - iii) offices;
 - iv) retail and service commercial uses including restaurants provided that such uses are internally integrated as a component of an office, hotel, institutional or mixed use building;
 - v) hotels and hotel/convention centres;
 - vi) entertainment facilities such as banquet halls, theatres, art galleries, outdoor theatre and musical facilities;
 - vii) marinas;
 - viii) institutional uses, including government services, research and, training facilities;
 - ix) prestige employment uses provided all operations are conducted indoors and the operations are deemed not to be obnoxious by reason of dust, odour, fumes, particulate matter, noise and/or excessive vibrations;
 - x) daycare facilities provided that such uses are internally integrated as a component of an office, hotel, institutional or mixed use building; and
 - xi) parks including a public waterfront promenade, parkettes and public squares.
- b) Notwithstanding the list of permitted non-residential uses in a) above, the following land uses are specifically prohibited:
- i) outdoor storage, outdoor processing, and outdoor display of goods and merchandise; and
 - ii) adult entertainment parlours.
- c) In addition to the uses permitted by a) above, the following additional uses shall be permitted within the Winston Road "Main Street" overlay area as shown on Schedule F either in stand alone buildings or integrated as a component in a mixed use building:
- i) grocery stores and specialty;
 - ii) convenience stores;
 - iii) pharmacy;
 - iv) retail store;
 - v) personal services;
 - vi) banks and financial services;
 - vii) medical clinics; and
 - viii) other business services.
- d) Notwithstanding the list of permitted uses in a) and c) above, in the Winston Road "Main Street" overlay area as shown on Schedule F, residential and office uses are not permitted on the ground floor.
- e) Drive-through facilities are not permitted in the Winston Road "Main Street" overlay area.
- f) Live-work units shall be encouraged along Hunter Road, north of Winston Road.

11.3.3.2

Development Policies

- a) The maximum height of any building shall be 12 storeys.
- b) The minimum density shall be 1 times the lot area and the maximum density shall be 3 times the lot area.
- c) Buildings shall be located as close to the streetline as possible in order to facilitate pedestrian access.
- d) The number of access points from individual lots to public roads shall be minimized. Shared access and internal connections between multiple lots is encouraged.
- e) All permitted uses shall be carried out entirely within wholly enclosed buildings.
- f) Appropriate noise mitigation measures shall be provided for residential development to address noise from the QEW and to minimize adverse impact on residential uses abutting employment uses. In this regard, a noise study shall be required in support of development applications for residential development and shall consider all relevant provincial guidelines.
- g) Loading areas abutting mixed use and high density residential developments shall be designed to minimize adverse impacts on the residential uses and lighting shall be directed away from residential uses.
- h) Lands immediately abutting the QEW and the portion of North Service Road east of Casablanca Boulevard within the employment overlay area as shown on Schedule F shall be reserved for employment generating uses permitted in Section 11.3.3.1a). The balance of the designation not within the employment overlay area shall be permitted and encouraged to be developed for a broad mix of uses as permitted in Section 11.3.3.1a). The Town will require a comprehensive plan of each site which demonstrates how the opportunities for employment generating land uses will be incorporated into the first phase of development.
- i) Permitted retail uses shall serve a neighbourhood commercial function and be of a scale and extent so as to not impact on the function of the downtown and shall largely serve the daily and weekly shopping needs of residents of the Winston Road neighbourhood.
- j) Parkland dedication obtained in accordance with the policies of Section 11.3.4.2 shall be used to create a public owned pedestrian promenade along the waterfront. This promenade shall be designed to create an active pedestrian, year-round, and multi-use public space and shall be a minimum of 30 metres in width abutting Lake Ontario. The promenade shall include a 5 metres wide boardwalk constructed by the applicant in a coordinated design approved by the Town.

- k) Every effort shall be made to encourage, stimulate and support active, publicly accessible uses including encouraging non-residential uses along the ground level frontages adjacent to the water's edge promenade.
- l) Adequate on-site parking shall be provided for residents and visitors, subject to the design policies of this Secondary Plan. Common parking areas, where provided, shall be appropriately screened with consideration given to safety and visual impact on the surrounding land and roadways.\
- m) All new utilities and services shall be provided below grade. Where it has been demonstrated to the satisfaction of the Town that larger, aboveground utility infrastructure cannot be located below grade, such utility infrastructure shall be designed to be compatible with the surrounding built and natural environment.
- n) Drive-through facilities, where permitted, shall not locate stacking lanes, aisles or drive-through windows between the building and the street.
- o) Prestige employment uses abutting the QEW and the North Service Road shall contribute to a high quality business environment. Parking and loading areas shall be adequately screened and buffered in areas visible from the QEW and the North Service Road.
- p) Permitted employment uses shall be considered the priority land use in the Winston Road "Main Street" overlay area as shown on Schedule F. Mixed use buildings in this area shall be designed to ensure that a full range of permitted non-residential uses can be accommodated within the buildings.

11.3.3.3 Design Policies

View Corridors

- a) Schedule F-1 conceptually identifies view corridors to Lake Ontario generally in the location of existing streams. The Town shall require development to maintain and protect these view corridors with an approximate width of 30 metres. These view corridors can be provided through a combination of the existing streams, the required top of bank setback to the streams, along with stormwater ponds, roads and parks located adjacent to the stream corridors.
- b) Buildings above the third storey should step back from the street and from view corridors in order to enhance views.
- c) Building façades along the public streets shall be articulated with colour, material variations, windows and other treatments of the wall plane to provide a high quality of design, detail and variety.
- d) Mixed Use Buildings shall be located close to the street. The principal entrances shall face the sidewalk and provide direct and universal access onto the public sidewalk so as to create a pleasant pedestrian shopping environment. The primary windows and signage shall also face the street.
- e) The design treatment of flanking façades visible from any public road should be equal to that of the front façade.
- f) Windows should be encouraged on all façades that overlook streets and public open spaces; reflective mirror glass should not be used for windows at grade.
- g) Entrances should be prominent and visible with entrance canopies, awnings and other architectural elements.
- h) Multiple storey buildings shall be designed to incorporate a two to three storey podium or base element, which is located close to the street. Above this podium, the tower should contain small floor plates that are substantially set back from the podium edge. The small floor plates will enhance views of the waterfront and create a sense of openness between the towers.
- i) Rooftop mechanical equipment should be screened with materials that are complementary to the building.
- j) Green building technologies will be encouraged, including reference to Leadership in Energy and Environmental Design (LEED) as promoted by the Canada Green Building Council.

Loading and Parking

- k) Loading and service areas should not be located in the front or exterior side yards of buildings.
- l) Loading and service areas should be screened from view from the street, public open spaces and adjacent residential areas.
- m) Parking areas should be located at the side or rear of the building, buffered with appropriate landscaping and visually set back from the street right-of-way.
- n) Parking areas should be designed in small sections and include lighting, substantial landscaping and special paving to break up expanses of parking and to provide places for pedestrian connections.
- o) Run-off from parking lot areas that are prone to higher levels of contamination should be conveyed over land, where possible, to biofilters or swales and, where required, to storm sewers and storm water management ponds and/or other facilities in accordance with MOE storm water management guidelines.

- p) All parking, storage and loading areas shall be appropriately screened, landscaped and buffered from all adjacent land uses and road rights-of-way.
- q) The policies of Section 11.3.3.3 shall be implemented through site plan approvals where applicable and architectural control guidelines prepared by the applicants to the satisfaction of the Town.

Parks and Open Space, Winston Road Neighbourhood Secondary Plan

11.3.4.1 Permitted Uses

- a) The Major Open Space Area designation recognizes lands in public and private ownership that provide opportunities for passive and active recreation and conservation activities. Some of the lands provide educational, cultural and ecological functions in association with other open space components.
- b) Within the Major Open Space designation, as shown on **Schedule F**, the following uses are permitted:
 - i) recreational activities,
 - ii) conservation uses,
 - iii) pedestrian and bicycling trails,
 - iv) campgrounds,
 - v) marinas,
 - vi) community centres and recreational facilities, and waterfront promenade.

11.3.4.2 Development Policies

- a) The boundaries of the Major Open Space Area identified Schedule R are approximate. The locations, configuration and boundaries of these lands shall be confirmed through draft plans of subdivision and the implementing zoning by-law, and may be revised, in accordance with the findings and recommendations of these instruments without further amendment to this Secondary Plan, provided the general intent of the Plan is maintained to the satisfaction of the Town.
- b) All new residential development or redevelopment shall be made conditional on a parkland dedication of 5% of the proposed development area or the equivalent of 1 hectare for every 300 units, whichever is the greater and all new employment or commercial development shall be conditional on the provision of 2% of the total development area for parkland purposes. Such dedication will be taken adjacent to the Lake Ontario Shoreline where a property is situated in that vicinity as per Section 11.3.4.2 h).
- c) Where the parkland dedication requirement for a proposed development does not meet the size requirement for parks or the locational requirements as set out in this section, the Town may accept cash-in-lieu of parkland which shall be at the Town's discretion. The proceeds from cash in lieu provisions, and/or lands acquired in this Secondary Plan may be utilized for the purchase or development of the Town's park and recreational facilities including the waterfront promenade.
- d) The Town shall not accept as parkland dedication the following lands: hazard lands, Natural Heritage System lands, residual lands, utility and service corridors, or pedestrian walkways and bicycle routes.
- e) Lands dedicated for park purposes shall be suitably graded in accordance with the requirements of the Town and conveyed in a physical condition satisfactory to the Town.
- f) The Major Open Space Area shall be designed to provide access to the Lake Ontario waterfront for residents.
- g) Any new development or redevelopment on the lakeshore shall provide opportunity for increased public access to the lake. This includes a waterfront promenade created adjacent to the Mixed Use – High Density designation through parkland dedication. It is intended that this area be a highly active, year round recreational facility.
- h) The Town shall use parkland dedication including cash-in-lieu to acquire lands along the Lake Ontario shoreline to achieve the waterfront promenade and increase public access to the lake.
- i) Parkettes are considered a component of the Major Open Space Area designation and are delineated schematically on Schedule F and the location of the parkette can be moved without an amendment to this Plan. Parkettes shall be developed as passive, non-programmed spaces providing for playgrounds and seating areas. The optimal size for a parkette is 0.2 to 0.5 hectares.

11.3.4.3 Design Policies

- a) Where structures are permitted, they shall be designed so that the size, scale, construction material and signage are compatible with adjacent uses and that rooftop equipment, waste management and loading areas are screened from view from abutting roads and adjacent residential uses.
- b) The Major Open Space designation is a major functional and aesthetic component of a neighbourhood and should be designed to provide a fair distribution of amenity spaces for a range of users, in a linked network.

Environmental Conservation Area, Winston Road Neighbourhood Secondary Plan

11.3.7 Lands designated Environmental Conservation Area on Schedule F shall be governed by the policies of Section 3.1.2.

3.1.2 Environmental Conservation Area

3.1.2.5 Within the Environmental Conservation Areas and adjacent lands, development, site alteration, and non-linear infrastructure may be permitted without an amendment to this Plan provided:

- It has been demonstrated, through an Environmental Impact Study (EIS) in accordance with Section 9.18, that, over the long term, there will be no significant negative impact on the natural feature or its ecological functions or on adjacent lands; and
- The proposed development or site alteration, or non-linear infrastructure is not prohibited by other Policies in this Plan.

3.1.2.12 Where development or site alteration is approved in or adjacent to an Environmental Conservation Area designation, new lots thus created shall not extend into either the area to be retained in a natural state as part of the Environmental Conservation Area or the buffer zone identified through an Environmental Impact Study. The lands to be retained in a natural state and the adjacent buffer zone shall be maintained as a single block and zoned to protect their natural features and ecological function.

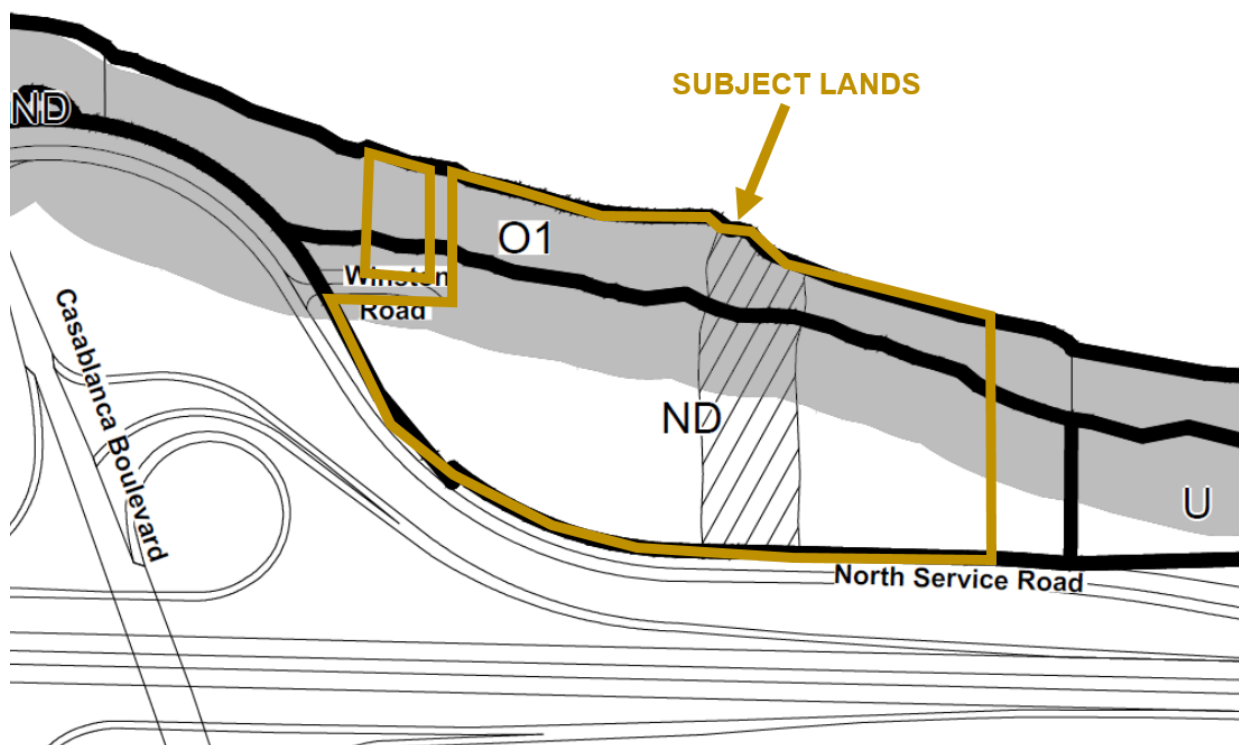
3.1.2.13 The transfer of Environmental Conservation Area lands to the Town, the Conservation Authority or another appropriate public or private conservation organization shall be encouraged. However, these lands will not be accepted as parkland dedication. Where it is not possible to secure such a transfer, the Town shall encourage additional methods of protecting and enhancing these natural features and their ecological functions such as conservation easements.

Hazard Land Area

11.3.10 The Hazard Land Area shown abutting Lake Ontario identifies the extent of the anticipated erosion susceptibility over a 100 year period. Development and site alteration proposed within the erosion limit may be required to demonstrate, to the satisfaction of the Town and the relevant Conservation Authority, through a geotechnical slope stability study and/ or a shoreline study, that the erosion limit can be reduced. Appropriate shoreline protection works may be required in order to reduce the erosion limits.

D. Zoning

The subject lands are zoned Neighbourhood Development (ND) and Private Open Space (O1) in the Town's Zoning By-law (By-law 14-45, as amended). An excerpt of Schedule 4A of the Zoning By-law showing this zoning is presented below.



Neighbourhood Development (ND) zone

Permitted Uses

- Bed and Breakfast (permitted only as an existing use in an existing dwelling)
- Group Home (permitted only as an existing use in an existing dwelling)
- Home occupation (Permitted as an accessory use only)

- Secondary Suite (Permitted as an accessory use only)
- Single detached dwelling (Permitted as an existing use only)

Performance Standards

- Minimum Lot Area: as existing
- Maximum Lot Coverage: as existing
- Minimum Lot Frontage: as existing
- Minimum Front Yard: as existing
- Minimum Exterior Side Yard: as existing
- Minimum Interior Side Yard: as existing
- Minimum Rear Yard: as existing
- Maximum Building Depth: as existing
- Maximum Height: as existing

Private Open Space (O1) zone

Permitted Uses

- Arena
- Athletic Fields
- Boat Launching Ramp
- Campground
- Club
- Community Recreational Centre
- Golf courses, mini golf and driving range
- Lawn bowling green
- Outdoor natural rink
- Outdoor swimming pool
- Park
- Picnic area
- Playground
- Restaurant (permitted as accessory uses within a community recreational centre up to a cumulative maximum size of 10% of the size of the community recreational centre)
- Retail store (permitted as accessory uses within a community recreational centre up to a cumulative maximum size of 10% of the size of the community recreational centre)
- Shelters and docking facility
- Special event use (permitted as an accessory use only)
- Tennis Court
- Trails and Pedestrian Rest Area

Performance Standards

- Minimum Lot Area: No requirement
- Minimum Lot Frontage: No requirement
- Minimum Front Yard: 15 metres
- Minimum Exterior Side Yard: 15 metres
- Minimum Interior Side Yard: 7.5 metres or 15 metres to a residential zone
- Minimum Rear Yard: 7.5 metres or 15 metres to a residential zone

E. Provision of Community Benefits

Under Section 9.4 of the Official Plan, the proposed zoning by-law amendment application is eligible for the provision of community benefits.

Section 9.4 of the Official Plan states as follows:

- 9.4.1 Pursuant to Section 37 of the *Planning Act*, 1990, as amended from time to time, Council may in a Zoning By-law authorize increases in height and/or density of *development*, otherwise permitted by the by-law that will be permitted in return for the provision of such facilities, services or other matters as are set out in the zoning by-law.
- 9.4.2 The municipality will only authorize an increase in height and/or density in exchange for community benefits where:
- a) The proposed development exhibits good planning principles that are consistent with the intent of the Town's Official Plan;
 - b) Adequate infrastructure is available to support the increase in building height and/or density; and
 - c) The value of the community benefits has a reasonable planning relationship to the proposed increase in building height and/or density.
- 9.4.3 The municipality's objectives in authorizing such increases in height and/or density are:
- a) To encourage the provision of rental housing;
 - b) To encourage the provision of affordable housing;

- c) To encourage and ensure the conservation of heritage landscapes and built heritage resources;
- d) To encourage the provision of community facilities, including cash contributions for community facilities that are of benefit to the community.

9.4.4 The Zoning By-law will establish detailed *development* standards that would apply when a bonus is awarded and the relationship between these standards and the conditions, which must be met if the bonus standards are to apply.

9.4.5 The municipality requires the owner to enter into one or more agreements with the municipality which will set out the community benefit to be provided, the means of obtaining the community benefit and the timing of construction, provision or contribution of the community benefit.

9.4.6 Where heights and / or densities set out in the Town of Grimsby Zoning By-law are proposed to be increased up to the heights and/ or densities permitted in this Plan or as permitted by an approved Official Plan Amendment, Council shall require community benefits in exchange for the increased height and/ or density provided the tests of Section 9.4.2 are met.

9.4.7 Section 37 community benefits will only be permitted within areas considered to be Cultural Heritage Landscapes if the benefit provided results in the preservation and/or restoration of buildings, structures or landscapes of historical or architectural merit.

9.4.8 The Town shall prepare and regularly update Section 37 Implementation Guidelines to provide direction on how the policies of Section 9.4 will be implemented.

A copy of the implementation guidelines referenced in Section 9.4.8 is available on the [Town's website](#).

The Town will be forming a working group to determine what benefits are needed by the local community. Those interested in volunteering for this working group should contact planning@grimsby.ca for more information.

Proposed Zoning By-law Amendment

THE CORPORATION OF THE TOWN OF GRIMSBY
BY-LAW No. 18-XX
A BY-LAW TO AMEND BY-LAW 14-45 (AS AMENDED)

(Fifth Wheel Lands, North Service Road)

Whereas the Council of The Town of Grimsby deems it expedient to amend the By-law No 14-45, as amended:

Now therefore, the Council of the Corporation of the Town of Grimsby enacts as follows

1. Schedule "3A" of By-law No. 14-45, as amended, is hereby further amended by changing the zoning from "ND" (Neighbourhood Development) and "OS1" (Private Open Space) on the lands identified on Schedule 'A' to this By-law as:
 - a) Area A to a Mixed Use High Density (MHD) Zone; and
 - b) Area B to a Public Open Space (OS2) Zone.

2. Schedule "3B" of Zoning By-Law No. 14-45, as amended, is hereby further amended by adding the Site Specific Exceptions as identified on Schedule 'A' to this By-law as:
 - a) Area A to exception number AAA; and
 - b) Area B to exception number BBB.

3. Notwithstanding Section 3.0 of the By-law, the front lot line shall be deemed to be the lot line along North Service Road.

4. Notwithstanding Table 10 of Section 7.1.1 of the By-law, the following uses shall be permitted within Area A:
 - a) Apartment building;
 - b) Back to back townhouse dwelling;
 - c) Block townhouse dwelling;
 - d) Stacked townhouse dwelling;
 - e) Street townhouse dwelling;
 - f) Banquet facility;
 - g) Office;
 - h) Restaurant;
 - i) Theatre;
 - j) Hotel;
 - k) Studios;
 - l) Ancillary retail sale;
 - m) Commercial school;
 - n) Custom workshop;
 - o) Data processing;
 - p) Industrial use;
 - q) Research and laboratory;
 - r) Professional and administrative office;
 - s) Parking lot;
 - t) Photocopy and print shop;
 - u) Servicing shop;
 - v) Warehousing and wholesaling;
 - w) Entertainment facilities such as art galleries, outdoor theatre and musical facilities;
 - x) Institutional uses, including government services, research and, training facilities;
 - y) Prestige employment uses provided all operations are conducted indoors and the operations are deemed not to be obnoxious by reason of dust, odour, fumes, particulate matter, noise and/or excessive vibrations;
 - z) Daycare facilities provided that such uses are internally integrated as a component of an office, hotel, institutional or mixed use building; and
 - aa) Parks including a public waterfront promenade, parkettes and public squares.

5. Notwithstanding Table 11 of Section 7.2.1 of the By-law, the following provisions shall apply to Area A:

- a) The maximum permitted front yard shall be 19.3 metres.
- b) The maximum permitted exterior side yard shall be 6.1 metres.
- c) The minimum permitted interior side yard shall be 2.6 metres.
- d) The minimum permitted rear yard shall be 2.3 metres.
- e) The maximum building height shall be 73.0 metres or 22 storeys.

6. Notwithstanding Section 7.2.2.6 of the By-law, the following provision shall apply:

- a) The minimum percent of lot area dedicated to employment generating uses shall be 24%.

7. Notwithstanding Section 5.0 of the By-law, the following provision shall apply to Area A:

- a) The required parking rate for Residential Dwelling Unit – Apartment Building shall be 1.25 spaces per unit dwelling unit including visitor parking.