

## MD – Mixed-Use Downtown Zone (Sections 193-194)

### Purpose of the Zone

The purpose of the MD – Mixed-Use Downtown Zone is to:

- (1) support the **Central Area**, as designated in the Official Plan, as the central place in the region for employment and shopping while also allowing residential, cultural and entertainment uses;
- (2) ensure that the Character Areas in the **Central Area**, namely the Core Area, the Parliamentary Precinct, the ByWard Market, the Rideau/Congress Centre, the Canal Area, Lowertown, Upper Town, Sandy Hill West, LeBreton Flats and the four Business Improvement Areas, Rideau, Sparks, ByWard Market and Bank Streets, continue to serve as primary business or shopping areas and maintain their distinct character;
- (3) facilitate more intense, compatible and complementary development to ensure that the active, pedestrian-oriented environment at street level, particularly along Bank Street, Sparks Street and Rideau Street is sustained; and
- (4) impose development standards that will protect the visual integrity and symbolic primacy of the Parliament Buildings and be in keeping with the existing scale, character and function of the various Character Areas and Business Improvement Areas in the Central Area while having regard to the heritage structures of the Central Area.

**193.** In the MD Zone:

### Permitted Uses

- (1) The following uses are permitted subject to:
  - (a) the provisions of subsections 193(2) to (6);
  - (b) **car wash** being located in a building containing another permitted use;
  - (c) a **parking garage** being permitted if 100% of the ground floor fronting on the street, excluding mechanical room, and pedestrian and vehicular access, is occupied by uses listed under subsection 193(2) below, for a minimum depth of 3 metres;

**amusement centre**

**animal care establishment**

apartment **dwelling**, low rise

apartment **dwelling**, mid rise (By-law 2014-292)

apartment **dwelling**, high rise (By-law 2014-292)

**artist studio**

**bank**

bank machine

**bar**

**bed and breakfast**, see Part 5, Section 121

**broadcasting studio**

**catering establishment**

**cinema**

click and collect facility (By-law 2016-289)

**community centre**

**community health and resource centre**

**convenience store**

court house  
**day care**  
**diplomatic mission**, see *Part 3, Section 88*  
**dwelling unit**  
**emergency service**  
**group home**, see *Part 5, Section 125*  
**home-based business** see *Part 5, Section 127*  
**home-based day care**, see *Part 5, Section 129*  
**hotel**  
**instructional facility**  
**library**  
**medical facility**  
**municipal service centre**  
**museum**  
**nightclub**  
**office**  
**park**  
**parking garage**  
**payday loan establishment** (By-law 2017-302)  
**personal brewing facility** (By-law 2019-41)  
**personal service business**  
**place of assembly**  
place of worship  
**post office**  
**production studio**  
**recreational and athletic facility**  
**research and development centre**  
**residential care facility**  
**restaurant**  
**retail food store**  
**retail store**  
**retirement home**  
**retirement home, converted** see *Part 5, Section 122*  
**rooming house** (By-law 2018-206)  
**school**  
**service and repair shop**  
**shelter**, see *Part 5, Section 134*  
**sports arena**  
**stacked dwelling**, see *Part 5, Section 138* (By-law 2010-307)  
**storefront industry**, see *Part 3, Section 99* (By-law 2018-171)  
**technology industry**  
**theatre**  
**training centre**  
**urban agriculture**, see *Part 3, Section 82* (By-law 2017-148)

- (2) At least 50% of the ground floor of any building must be occupied by one or more of the following uses subject to:
- (a) not applying to a building occupied by a court house, diplomatic mission, emergency service, place of worship and a school;
  - (b) having separate and direct access to the street when located at ground floor abutting a street; and (By-law 2019-41)

- (c) occupying 100% of that part of the ground floor fronting on a street, excluding lobby area, mechanical room and access to other floors, for a minimum depth of 3.0 metres, when abutting one of the following streets:
  - (i) Rideau Street,
  - (ii) Bank Street,
  - (iii) Sparks Street, between Elgin Street and Bank Street, and
  - (iv) Elgin Street, between Sparks Street and Queen Street.

- amusement centre**
- artist studio**
- bank**
- bank machine
- bar**
- cinema**
- community centre**
- community health and resource centre**
- convenience store**
- hotel**
- instructional facility**
- library**
- medical facility**
- municipal service centre**
- museum**
- nightclub**
- payday loan establishment (By-law 2017-302)**
- personal brewing facility (By-law 2019-41)**
- personal service business**
- place of assembly**
- post office
- recreational and athletic facility**
- restaurant**
- retail food store
- retail store**
- service and repair shop**
- theatre**

**Zone Provisions**

(3) The zone provisions are set out in Table 193 below.

**TABLE 193 - MD ZONE PROVISIONS**

<b>I ZONING MECHANISMS</b>	<b>II PROVISIONS</b>
(a) Minimum lot area	No minimum
(b) Minimum lot width	No minimum
(c) Minimum front yard and corner side yard	No minimum
(d) Minimum interior side yard	No minimum
(e) Minimum rear yard	No minimum

<b>I ZONING MECHANISMS</b>	<b>II PROVISIONS</b>
(f) Maximum building height	(as per Schedules)
(g) Maximum floor space index	Not applicable unless otherwise shown
(h) Minimum width of landscaped area	No minimum, except that where a yard is provided and not used for required driveways, aisles, parking, loading spaces or outdoor commercial patio, the whole yard must be landscaped
(i) Minimum width of landscaped area around a parking lot	<i>see Section 110 – Landscaping Provisions for Parking Lots</i>
(j) Provisions for buildings 10 storeys and higher	(i) for the purposes of this section, a tower is that portion of a building over six storeys; (ii) minimum lot area for a corner lot: 900 m <sup>2</sup> (iii) minimum lot area for an interior lot: 1350 m <sup>2</sup> (iv) minimum interior side and rear yard setback for a tower: 7.5 m (v) minimum separation distance between towers on the same lot: 15m (vi) lands shown in Schedule 401 are not subject to Clause (j). (By-law 2019-353)

- (4) In addition to the regulations that apply to a nightclub or bar, the following regulations apply to these uses located within the area shown on Schedule 7: (By-law 2008-343)
- (a) a nightclub or bar must not exceed a gross floor area of 500m<sup>2</sup>, and
  - (b) a nightclub or bar with a gross floor area greater than 250m<sup>2</sup> must be at least 100m from:
    - (i) another nightclub or bar with a gross floor area greater than 250m<sup>2</sup>, or
    - (ii) An I1, I2, R1, R2, R3, R4 or R5 primary zone, subzone or exception zone, and
  - (c) a nightclub or bar may not abut another nightclub or bar along a street frontage, and
  - (d) where adjoining nightclubs or bars are connected by internal passageways used by patrons or staff, the total gross floor area of all the connected uses must be calculated for the purposes of this subsection.
- (5) Outdoor storage is not permitted.
- (6) All parking spaces, whether principal, accessory, required or provided must be located in a parking garage.
- (7) For other applicable provisions, see Part 2 – General Provisions, Part 3 – Special Use provisions, and Part 4 – Parking and Loading Provisions.
- (8) (a) Despite the list of permitted residential uses, where the zoning on a lot is accompanied by an H suffix, schedule or exception that restricts building height to less than 30m or to fewer than ten storeys on the entire lot, the use Apartment Dwelling, High Rise is a prohibited use on that lot. (By-law 2015-192)

- (b) Despite the list of permitted residential uses, where the zoning on a lot is accompanied by an H suffix, schedule or exception that restricts building height to less than 15m or to fewer than five storeys on the entire lot, the use Apartment Dwelling, Mid Rise is a prohibited use on that lot. (By-law 2014-292)

## **MD SUBZONES**

**194.** In the MD Zone, the following subzones apply:

### **MD1 SUBZONE**

(1) In the MD1 Subzone:

- (a) the following uses only are permitted:

- broadcasting studio**
- court house**
- airport limited to a heliport
- library**
- museum**
- office**
- park**
- parking garage**
- place of assembly**
- production studio**

- (b) the following additional uses are permitted subject to:

- (i) being on the same lot as any one or more of the uses listed in subsection 194(1)(a) above;
- (ii) their cumulative total gross floor area not exceeding 10% of the cumulative total gross floor area occupied by any one or more of the uses permitted in subsection 194(1)(a); and
- (iii) being located in the interior of the lot in such a way that they are not visible from a street;

**artist studio**  
**bank**  
bank machine  
**bar**  
**convenience store**  
**day care**  
**dwelling** unit, limited to a unit for a caretaker  
**payday loan establishment** (By-law 2017-302)  
**personal service business**  
place of worship  
post office  
**recreational and athletic facility**  
**restaurant, full service**  
**restaurant, take-out**  
retail food store  
**retail store**  
**service and repair shop**

- (c) the provisions of subsection 193(2) do not apply; and
- (d) despite Section 100 – *General Provisions, Parking, Queuing and Loading Provisions*, the following provisions apply:
  - (i) required parking for any use may locate on any lot in this zone; and
  - (ii) required parking may be located in the front yard or corner side yard.

## **MD2 SUBZONE**

- (2) In the MD2 Subzone:
  - (a) 100% of that part of the ground floor fronting on a street, excluding lobby area, mechanical room and access to other floors, for a minimum depth of 3.0 metres, may only be occupied by one or more of the following uses:

**artist studio**  
**bank**  
bank machine  
**bar**  
**broadcasting studio**  
**convenience store**  
**hotel**  
**municipal service centre**  
**museum**  
**nightclub**  
**personal service business**  
**production studio**  
**restaurant**  
retail food store  
**retail store**  
**service and repair shop**
  - (b) the cumulative total gross floor area of lobbies, mechanical rooms and access to other floors must not exceed 50% of the gross floor area of the ground floor of the building;

- (c) the maximum width of any permitted uses on the ground floor must be in accordance with Table 194A, and measured as follows:
- (i) for the purpose of subsection 194(2)(c) above, the width of a use is calculated by measuring the length of the longest line drawn parallel to the building façade that faces the street and extending from the centerline of either exterior walls or party walls, as the case may be, enclosing the use; and

**TABLE 194A - MAXIMUM WIDTH OF USES AT GROUND FLOOR**

<b>I STREET</b>	<b>II BLOCK</b>	<b>III MAXIMUM WIDTH OF USES</b>
1. Murray Street	between Sussex Drive and Dalhousie Street	21 m
2. Clarence Street	between Sussex Drive and Parent Street	21 m
3. Clarence Street	between Parent Street and Dalhousie Street	12 m
4. York Street	between Sussex Drive and Dalhousie Street	21 m
5. York Street (north side)	between Dalhousie Street and a point measured 87.78 m east of Dalhousie Street	11 m
6. York Street (north side)	between By Ward Market Square and William Street	15 m
7. George Street	between Sussex Drive and Dalhousie Street	21 m
8. Parent Street	between Clarence Street and mid-block between St. Patrick Street and Murray Street	15 m
9. By Ward Market Square (west side)	between Clarence Street and York Street	15 m
10. By Ward Market Square (west side)	between York Street and George Street except for corner occupancies	10 m
11. By Ward Market Square (west side)	between York Street and George Street for corner occupancies	20 m
12. By Ward Market Square (east side)	between York Street and George Street	10 m
13. By Ward Market Square (east side)	between Clarence Street and York Street	20 m

I STREET	II BLOCK	III MAXIMUM WIDTH OF USES
14. William Street (west side)	between York Street and George Street	10.5 m
15. William Street (east side)	between Clarence Street and York Street	21 m
16. William Street (east side)	between York Street and George Street	6 m
17. Sussex Drive (east side)	between George Street and St. Patrick Street	21 m
18. Dalhousie Street	between St. Patrick Street and George Street	16 m

- (d) the provision of Subsection 193(3)(c) does not apply and the maximum front yard and corner side yard is 1 metre.

#### MD3 SUBZONE

- (3) In the MD3 Subzone:
- (a) 100% of that part of the ground floor fronting on a street, excluding lobby area, mechanical room and access to other floors, for a minimum depth of 3.0 metres, may only be occupied by one or more of the following uses: (By-law 2013-108)

**retail food store**

**retail store**, limited to the sale of arts and crafts. (By-law 2013-108)

#### MD4 SUBZONE

- (4) In the MD4 Subzone:
- (a) the following uses only are permitted subject to:
- (i) artist studio and retail store being located only on the ground floor or basement of a building containing dwelling units; (By-law 2015-191)
- (ii) **retail store**, limited to the sales of art, art supplies, books and stationery;
- apartment **dwelling**, low rise
- artist studio**
- bed and breakfast**, see *Part 5, Section 121*
- day care**
- detached **dwelling**
- diplomatic mission**, see *Part 3, Section 88*
- duplex dwelling**, see *Part 5, Section 138* (By-law 2010-307)
- dwelling** unit
- group home**, see *Part 5, Section 125*
- home-based business**, see *Part 5, Section 127*



home-based day care, *see Part 5, Section 129*  
**park**  
 place of worship  
**planned unit development**, *see Part 5, Section 131*  
**residential care facility**  
**retail store**  
**retirement home**  
**retirement home, converted**, *see Part 5, Section 122*  
**rooming house**  
**additional dwelling** unit  
**semi-detached dwelling**, *see Part 5, Section 138 (By-law 2010-307)*  
**shelter**, *see Part 5, Section 134*  
**stacked dwelling**, *see Part 5, Section 138 (By-law 2010-307)*  
 three-unit **dwelling**  
**townhouse dwelling**, *see Part 5, Section 138 (By-law 2012-334) (By-law 2010-307) (By-law 2018-206)*

- (b) the provisions of subsection 193(3) do not apply and the provisions of Table 194B below apply.

**TABLE 194B – MD4 SUBZONE PROVISIONS**

<b>I ZONING MECHANISMS</b>		<b>II PROVISIONS</b>
(i) Minimum lot area		No minimum
(ii) Minimum lot width		No minimum
(iii) Front yard and corner side yard	1. minimum	3 m
	2. maximum	4 m
(iv) Minimum interior side yard		1.2 m
(v) Minimum rear yard		3 m
(vi) Maximum building height		(as per Schedules)
(vii) Maximum floor space index		No maximum
(viii) Minimum width of landscaped area		No minimum, except that where a yard is provided and not used for required driveways, aisles, parking, loading spaces or outdoor commercial patio, the whole yard must be landscaped
(ix) Minimum width of landscaped area around a parking lot		<i>see Section 110 – Landscaping Provisions for Parking Lots</i>

- (c) for other applicable provisions, see Part 2 – General Provisions, Part 3 – Special Use provisions, and Part 4 – Parking and Loading Provisions.

## MD5 SUBZONE

- (5) In the MD5 Subzone:
  - (a) Area A as shown on Schedule 332 is one lot for zoning purposes;
  - (b) Area B as shown on Schedule 332 is one lot for zoning purposes;
  - (c) Area C as shown on Schedule 332 is one lot for zoning purposes;
  - (d) Despite a, b, and c above, required parking may be located on any lot within the MD5 subzone;
  - (e) Where two or more buildings or parts of buildings on the same lot are greater than nine storeys in height, those parts of the buildings higher than nine storeys tall must be a minimum of 15 metres away from each other;
  - (f) Maximum building heights as per Schedule 332;
  - (g) The maximum number of buildings over nine storeys for Area A as shown on Schedule 332 is four;
  - (h) The maximum number of buildings over nine storeys, for Area B as shown on Schedule 332 is two; and
  - (i) The maximum total floor area, with no exclusions, for each portion of the building over the ninth-storey is 700 square metres. (OMB Order File #PL141340, issued November 17, 2015) (By-law 2014-395)