

## **TD – Transit Oriented Development Zone (Sections 195 - 196) (By-law 2012-406)**

### **Purpose of the Zone**

*The purpose of the TD – Transit Oriented Development Zone is to:*

- (1) Establish minimum density targets needed to support Light Rail Transit (LRT) use for lands within Council approved Transit Oriented Development Plan areas;*
- (2) Accommodate a wide range of transit-supportive land uses such as residential, office, commercial, retail, arts and culture, entertainment, service and institutional uses in a compact pedestrian-oriented built form at medium to high densities;*
- (3) Locate higher densities in proximity to LRT stations to create focal points of activity and promote the use of multiple modes of transportation; and,*
- (4) Impose development standards that ensure the development of attractive urban environments that exhibit high-quality urban design and that establish priority streets for active use frontages and streetscaping investment.*

**195.** In the TD Zone:

### **Permitted Uses:**

- (1) The following non-residential uses are permitted:

**amusement centre**  
**animal care establishment**  
**animal hospital**  
**artist studio**  
**bank**  
bank machine  
**bar**  
**broadcasting studio**  
**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*  
**drive-through facility**  
**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*  
hospital  
**hotel**  
**instructional facility**  
**library**  
**medical facility**  
**municipal service centre**  
**museum**  
**nightclub**  
**office**  
**park** (By-law 2019-41)  
**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  
**post-secondary educational institution**  
**production studio**  
**recreational or athletic facility**  
**research and development centre**  
**residential care facility**  
**restaurant**  
**retail food store**  
**retail store**  
**school**  
**service and repair shop**  
**shelter**, *see Part 5, Section 134*  
**sports arena**  
**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) The following residential uses are permitted:

apartment **dwelling**, low rise  
apartment **dwelling**, mid rise (By-law 2014-292)  
apartment **dwelling**, high rise (By-law 2014-292)  
**dwelling unit**  
**planned unit development**, see *Part 5, Section 131*  
**retirement home**  
**retirement home, converted**, see *Part 5, Section 122*  
**rooming house**  
**stacked dwelling**, see *Part 5, Section 138*  
**townhouse dwelling**, see *Part 5, Section 138* (By-law 2018-206)

- (3) The following non-residential use is permitted subject to:
- (a) being in the same building or on the same lot as a use or uses listed in 195 (1) or (2);

**parking garage**

### Zoning Provisions

- (4) The zone provisions are set out on Table 195 below:

**TABLE 195 – TD ZONE PROVISIONS**

I ZONING MECHANISMS		II PROVISIONS
(a) Minimum lot area		No minimum
(b) Minimum lot width		No minimum
(c) Minimum front yard and corner side yard setback	(i) abutting a lot in a residential zone	3 metres
	(ii) abutting the rapid transit corridor	2 metres
	(iii) parking garage that is not incorporated into another building	10 metres
	(iv) residential use building	3 metres
	(v) all other cases	0.5 metres
(d) Minimum interior side yard setback	(i) abutting a lot in a residential zone	3 metres
	(ii) abutting the rapid transit corridor	2 metres
	(iii) all other cases	No minimum
	(iv) despite (i), (ii) and (iii) above that part of a building more than 6 storeys in height	12 metres
(e) Minimum rear yard setback	(i) rear lot line abutting a lot in a residential zone	6 metres

	(ii) rear lot line abutting the rapid transit corridor	2 metres
	(iii) all other cases	No minimum
	(iv) despite (i), (ii) and (iii) above that part of a building more than 6 storeys in height	12 metres
(f) Minimum building height		6.7 metres and 2 storeys
(g) Maximum building height	(i) in any area up to and including 15 metres from a property line abutting a R1, R2 or R3 zone	14.5 metres
	(ii) in all other cases	as shown by the suffix "H" on a zoning map, or specified in a subzone or exception where applicable
(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

- (5) outdoor storage is prohibited.
- (6) where the wall of the 1<sup>st</sup> storey of a building is within 10 metres of a lot line abutting a public street and where the building is more than 6 storeys in height the wall facing the street must be stepped back at either the 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> or 7<sup>th</sup> storey at least a further 2.5 metres from the wall of the storey below. (OMB Order File #PL140185, issued March 9, 2015) (By-law 2014-22)
- (7) where two buildings on the same lot are both more than 6 storeys in height that part of the buildings greater than 6 storeys tall must be a minimum of 24 metres away from each other.
- (8) for lots greater in area than 1250 m<sup>2</sup>, 2% of the total lot area must be provided as outdoor communal space located at grade anywhere on the lot and such area can also be used towards complying with any amenity area requirements.
- (9) Column III of Table 103 - Maximum Number of Parking Spaces Permitted in Section 103 applies to all land zoned TD despite the location of the land on Schedules 1, 2A and 2B. (By-law 2016-336)
- (10) Despite clauses 100(1)(a) and (c), in the TD Zone parking spaces required or provided under this by-law may be available for use by any other land use located either on or off site, but these spaces are not intended to serve as the required parking for these other land uses.
- (11) For other applicable provisions, see Part 2 – General Provisions, Part 3 – Specific Use Provisions, and Part 4 – Parking, Queuing and Loading Provisions.

### Active Frontage Street Areas

- (12) The following provisions apply to lots abutting active frontage street areas shown as Area A on Schedules 293, 294 and 295, 314, 315 and 316. (OMB Order File #PL140185, issued March 9, 2015) (By-law 2014-22)
- (a) minimum building setback from an active frontage street on:
    - (i) Schedule 293
      - 1. residential use building: 3.0 metres,
      - 2. non-residential and mixed use building: 1.5 metres,
    - (ii) Schedules 294, 295, 314, 315 and 316 (OMB Order File #PL140185, issued March 9, 2015) (By-law 2014-22)
      - 1. residential use building: 3.0 metres,
      - 2. non-residential and mixed use building: 0.5 metres,
  - (b) maximum building setback from an active frontage street on:
    - (i) Schedule 293: 6.0 metres
    - (ii) Schedules 294, 295, 314, 315 and 316 (OMB Order File #PL140185, issued March 9, 2015) (By-law 2014-22)
      - 1. residential use buildings: 6.0 metres
      - 2. non-residential and mixed use building: 3.0 metres,
  - (c) at least 50% of the lot width measured at the building setback along the active frontage street must be occupied by one or more building walls,
  - (d) a minimum of 50% of the surface area of the ground floor façade of non-residential and mixed use buildings facing an active frontage street must be comprised of transparent glazing,
  - (e) the ground floor façade of non-residential and mixed use buildings facing an active frontage street must include a customer entrance access door from each individual occupancy to the active frontage street,
  - (f) no person may park a motor vehicle in a required and provided yard abutting an active frontage street,
- (13) (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)

## **TD SUBZONES**

**196.** In the TD Zone, the following subzones apply:

### **TD1 SUBZONE**

- (1) In the TD1 Subzone:
- (a) minimum number of residential units per hectare required for residential use:
    - (i) on lots greater in area than 0.125ha: 150 units/hectare
    - (ii) on lots 0.125ha in area or less: no minimum,
  - (b) minimum floor space index for non-residential use:
    - (i) on lots greater in area than 0.125ha: 0.5 f.s.i.
    - (ii) on lots 0.125ha in area or less: no minimum,
  - (c) in the case of a mixed use building, clauses (a) or (b) above only apply to the corresponding use that occupies the larger portion of the gross floor area of the building and the smaller use, either, residential or non-residential, is not calculated,
  - (d) in the case of a phased development, all phases must be shown on a site plan approved pursuant to Section 41 of the Planning Act, and each phase must comply with:
    - (i) the minimum densities as per 196(1) (a),(b) and (c), and
    - (ii) the outdoor communal space as per 195(8)but only for the portion of the property shown in that phase,
  - (e) subclause (g)(i) of Table 195 applies and in all other cases the maximum building height is: 20 metres,

## **TD2 SUBZONE**

- (2) In the TD2 Subzone:
- (a) minimum number of residential units per hectare required for residential use:
    - (i) on lots greater in area than 0.125ha: 250 units/hectare
    - (ii) on lots 0.125ha in area or less: no minimum,
  - (b) minimum floor space index for non-residential use:
    - (i) on lots greater in area than 0.125ha: 1.0 f.s.i.
    - (ii) on lots 0.125ha in are or less: no minimum,
  - (c) in the case of a mixed use building clauses (a) or (b) above only apply to the corresponding use that occupies the larger portion of the gross floor area of the building and the smaller use, either, residential or non-residential, is not calculated,
  - (d) in the case of a phased development all phases must be shown on a site plan approved pursuant to Section 41 of the Planning Act, and each phase must comply with:
    - (i) the minimum densities as per 196(2) (a), (b) and (c), and
    - (ii) the outdoor communal space as per 195(8)but only for the portion of the property shown in that phase,

- (e) subclause (g)(i) of Table 195 applies and in all other cases the maximum building height is: 60 metres,

### **TD3 SUBZONE**

- (3) In the TD3 Subzone:
  - (a) minimum number of residential units per hectare required for residential use:
    - (i) on lots greater in area than 0.125ha: 350 units/hectare
    - (ii) on lots 0.125ha in area or less: no minimum,
  - (b) minimum floor space index for non-residential use:
    - (i) on lots greater in area than 0.125ha: 1.5 f.s.i.
    - (ii) on lots 0.125ha in area or less: no minimum,
  - (c) in the case of a mixed use building clauses (a) or (b) above only apply to the corresponding use that occupies the larger portion of the gross floor area of the building and the smaller use, either, residential or non-residential, is not calculated,
  - (d) in the case of a phased development all phases must be shown on a site plan approved pursuant to Section 41 of the Planning Act, and each phase must comply with:
    - (i) the minimum densities as per 196(3) (a), (b) and (c), and
    - (ii) the outdoor communal space as per 195(8)but only for the portion of the property shown in that phase.
  - (e) subclause (g)(i) of Table 195 applies and in all other cases the maximum building height is: 90 metres (By-law 2012-406)