



Section 8
Residential 40 (RES 40) Zone

8 Residential 40 (RES 40) Zone (High Density)

The Residential 40 (RES 40) Zone is intended to implement the high density policies of the Urban Residential Area designation in the Official Plan. This Zone generally permits multiple-unit dwellings, and some institutional uses.

All structures and buildings erected, altered or used in a RES 40 Zone shall comply with the regulations of this Section, as well as any other applicable provisions in this By-law.

8.1 Permitted Uses

No building or part thereof and no land shall be used, caused to be used, or be permitted to be used for purposes other than:

- Boarding / rooming house
- Community centre
- Continuum of care home
- Day care centre
- Dwelling, apartment
- Dwelling, quadruplex
- Dwelling, rowhouse
- Dwelling, triplex
- Hospice
- Hospital
- Place of assembly or recreation
- Place of worship
- School
- Seniors' residence
- Service commercial uses

8.2 Zone Standards

Provision	Requirement					
	Rowhouse dwelling (linear)	Rowhouse dwelling (cluster)	Triplex dwelling	Quadruple x dwelling	Apartment dwelling	Other Permitted Uses
a) Minimum Lot Frontage						
i. Interior lot	20.5 m, plus an additional	33.5 m	22.5 m	22.5 m	30 m	30 m

Provision	Requirement					
	Rowhouse dwelling (linear)	Rowhouse dwelling (cluster)	Triplex dwelling	Quadruple x dwelling	Apartment dwelling	Other Permitted Uses
	4.8 m per unit in excess of 3					
ii. Corner lot	20.5 m, plus an additional 10.5 m per unit	33.5 m	30 m	30 m	30 m	30 m
b) Minimum Lot Area	185 m ² per dwelling unit	185 m ² per dwelling unit	700 m ²	700 m ²	930 m ²	930 m ²
c) Minimum Landscaped Area	30%	30%	30% - See additional provisions	30% - See additional provisions	30% - See additional provisions	30%
d) Minimum Front Yard	6 m	6 m	6 m	6 m	6 m	6 m
e) Minimum Interior Side Yard	2.4 m plus 0.6 m for each additional or partial storey above the first (applicabl	2.4 m plus 0.6 m for each additional or partial storey above the first (applicabl	4.5 m on one side and 3 m on the other side	4.5 m on one side and 3 m on the other side	4.5 m	4.5 m



Section 8 Residential 40 (RES 40) Zone

Provision	Requirement					
	Rowhouse dwelling (linear)	Rowhouse dwelling (cluster)	Triplex dwelling	Quadruple x dwelling	Apartment dwelling	Other Permitted Uses
	e to end units only)	e to end units only)				
f) Minimum Exterior Side Yard	6 m	6 m	6 m	6 m	6 m	6 m
g) Minimum Rear Yard	8 m	6 m	8 m	8 m	8 m	10.5 m
h) Maximum Lot Occupancy (all main buildings)	35%	35%	35%	35%	35%	40%
i) Maximum Building Height	10 m	10 m	10 m	13.5 m	30 m, subject to the provisions of the Angular Planes Section	13.5 m

8.3 Additional Provisions

8.3.1 Linear Rowhouse Dwellings

1. The minimum side yard setback for additions erected after a severance along an existing common property line between rowhouse units shall be 1.5 m.

2. Open decks may be situated to the common property line between rowhouse units. In the case where no severance line exists (i.e. cluster development or linear development under one ownership), these standards shall continue to apply.

8.3.2 Requirements for Cluster Rowhouse Dwellings

1. The minimum width of each dwelling unit shall be 4.5 m.
2. The maximum number of dwelling units is 70.
3. A private outdoor area per unit shall be provided.

8.3.3 Landscaping Requirements for Cluster Rowhouse Dwellings, Triplex Dwellings, Quadruplex Dwellings, and Apartment Dwellings

1. No less than 30% of the lot area must be landscaped area, which shall include planting, playgrounds, and surfaced walks or terraces for the exclusive use of pedestrians, but shall exclude any space beneath or within any building.
2. Not more than 50% of the landscaped area shall be hard landscaping.
3. Grass strips or paving less than 1.5 m in width shall not be included in determining the landscaped area.
4. For the purposes of determining the required amount of landscaped area where two or more apartment dwellings are located on a single parcel of land, the following shall apply:
 - a) Each building shall be assigned a portion of the total lot area; and
 - b) Each portion shall be deemed to be a lot for the purposes of this sub-section.

8.3.4 Service Commercial Uses

1. Service commercial uses shall only be permitted on the ground floor of an apartment dwelling with 30 or more dwelling units, and shall be limited to a personal service establishment, pharmacy, or retail store. There shall be no exterior advertising and no direct access to the service commercial uses from the street. The total floor area of service commercial uses shall not exceed 40% of the ground floor area of the apartment dwelling.



Section 8 Residential 40 (RES 40) Zone

2. In a development project which comprises two or more apartment dwellings, service commercial uses may be concentrated in one building, provided that the total floor area of such uses does not exceed 40% of the ground floor area of all buildings in the project.

8.4 Exception Zones

8.4.1 RES 40-1

Zoning By-law Section	Exception No. / Zoning Map Reference	By-law No.
RES 40	RES 40-1	182/86
Property Location: 36 Marlborough Street South (Lot 5, part of Lots 6 and 54, Registered Plan 9)		
Uses		
i. Any or all uses permitted in the Le Village District (LVD) Zone shall be permitted on the ground floor of the existing building, provided parking is made available in accordance with the Parking and Loading Space Requirements Section of this By-law.		