

SECTION 14

DOWNTOWN 1 ZONE (D1)

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14.1 Permitted Uses

<p> Accessory uses and buildings. Apartment Dwellings. Art galleries. Auditoriums. Bake shops. Bingo halls. Bulk retail sales establishments. Bus depots. Call centres. Colleges and universities. Commercial schools. Commercial recreation establishments. Community centres. Convention facilities. Convenience stores. Crises care facilities. Day care centres. Day nurseries. Department Stores. Dry cleaning establishments Existing dwellings. Farmer's markets. Financial institutions. Flea markets. Funeral homes. Gaming facilities. Group Homes. (41/2010) Homes for the aged. Hotels and motels. </p>	<p> Labour union halls. Laundromats. Libraries. Medical centres / clinics. Minor institutions. Multiple use apartment dwelling. Museums. Newspaper / printing establishments. Night clubs. Offices. Parking lots and parking structures. Payday loan establishment. (13/2020) Personal service establishments. Pharmacies. Place of Worship. Public halls. Public parks. Repair and rental establishments. Restaurants. Residential conversion of an existing commercial building. Retail establishments including department stores and shopping centres. Retirement homes. Social and service clubs. Studios. Taxi stands. Theatres. Wholesale establishments. </p>
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14.2 Zone Regulations

14.2.1 All Uses Identified in Subsection 14.1 With the Exception of Residential Conversion of an Existing Commercial Building, Multiple Use Apartment Dwellings, Parking Lots and Group Homes (41/2010)

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| (1) | Front Yard Depth: | (minimum) | there shall be no front yard except where the property fronts on a street that is designated on Schedule 'D' as an arterial street; in which case, no building shall be erected closer than the proposed limit of the arterial street |
| (2) | Side Yard Widths: | (minimum) | there shall be no minimum side yard requirement except for a corner lot where the flanking street is designated as an arterial street as shown on Schedule 'D' in which case, no building shall be erected closer than the proposed limit of the arterial street |
| (3) | Height: | (maximum) | the maximum permitted height shall be as shown on Schedule 'B' of this By-law |

14.2.2 Residential Conversion of an Existing Commercial Building

An existing commercial building, other than a shopping centre, may be converted to provide 1 or more dwelling units subject to the following regulations;

- (i) the minimum floor area of each dwelling unit after conversion shall be **45m²**; and
- (ii) the dwelling unit or units shall be located either on the ground floor to the rear of any commercial use or on an upper floor above any commercial use.

14.2.3 Multiple Use Apartment Dwelling

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| (1) | Lot Area: | (minimum) | a minimum lot area of 60m² per dwelling unit shall be provided except that for each required parking space provided within the building or within an underground parking structure there may be a reduction of 25m² from the required lot area |
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| (2) | Front Yard Depth: | (minimum) | there shall be no front yard except where the property fronts on a street that is designated on Schedule 'D' as an arterial street; in which case, no building shall be erected closer than the proposed limit of the arterial street |
| (3) | Side Yard Widths: | (minimum) | there shall be no minimum side yard requirement except for a corner where the flanking street is designated as an arterial street as shown on Schedule 'D'; in which case, no building shall be erected closer than the proposed limit of the arterial street |
| (4) | Height: | (maximum) | no building shall exceed the height limitations as shown on Schedule 'B' |
| (5) | Amenity Area: | (minimum) | an amenity area representing a minimum of 20% of the lot area shall be provided |

14.2.4 Parking Lot

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| (1) | Landscaped Strips: | (minimum) | landscaped strips 3m in width shall be provided adjacent to a street |
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14.2.5 Group Homes

- (1) The regulations set out in [Section 3.16](#) shall apply.

(41/2010)

14.3 Site and Area Specific Regulations

The following site and area specific zones shall be subject to the preceding permitted uses and zone regulations except where those permitted uses and regulations are varied by the provisions of these site and area specific zones.

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14.3.1 D1-1 (See Zoning Map Parts 42 and 53)

14.3.1.1 Permitted Uses

- (1) As set out in [Section 14.1](#).

14.3.1.2 Site Zone Regulations

14.3.1.2.1 All Uses Identified in Subsection 14.1 with the Exception of Residential Conversion of an Existing Commercial Building, Multiple Use Apartments and Parking Lots

- (1) Front Yard: (minimum) for any building erected after the date of the passing of this By-law; a minimum front yard shall be provided as follows:
- i) where the lot frontage exceeds **22m** a minimum front yard of **3m** or the average front yard of the adjacent buildings, whichever is greater, shall be provided;
 - ii) where the lot frontage does not exceed **22m**, a minimum front yard equal to the average front yard of the adjacent buildings to a maximum of **3m** shall be provided;
 - iii) for a corner lot a minimum front yard of **3m** shall be provided;
 - iv) where the fronting street is designated on Schedule 'D' as an arterial street the required front yard shall be measured from the proposed limit of the arterial street;

- v) and where no building exists on an adjacent lot, the adjacent lot shall be deemed to have a front yard of **3m** for the purpose of this Section.
- (2) Side Yard Widths: (minimum) there shall be no minimum side yard requirement except for a corner lot where a minimum side yard from the flanking street of **3m** shall be provided; where the flanking street is designated as an arterial street as shown on Schedule 'D' of this By-law, the minimum side yard shall be measured from the proposed limit of the arterial street
- (3) Height: (maximum) no building shall exceed the height limitations as shown on Schedule 'B'

14.3.1.2.2 Residential Conversion of an Existing Commercial Building

- (1) The regulations set out in [Section 14.2.2](#) shall apply.

14.3.1.2.3 Multiple Use Apartment Dwelling

- (1) Lot Area: (minimum) **60m²** per dwelling unit, except that for each required parking space provided within the building or within an underground parking structure, there may be a reduction of **25m²** from the required lot area
- (2) Lot Frontage: (minimum) **25m**
- (3) Lot Coverage: (maximum) **50%**
- (4) Amenity Area: (minimum) **20%** of the lot area
- (5) Front Yard Depth: (minimum) **9m** except as follows:
 - i) where there are no dwelling units on the ground floor or the ground and second floors, a minimum front yard of **3m** shall be required, provided the exterior wall of the building above the non-residential floors shall not be located closer than **10m** to the front lot line;
 - ii) where the fronting street is designated on Schedule 'D' as an arterial street, the minimum front yard shall be measured from the proposed limit of the arterial street.

(6)	Side Yard Widths:	(minimum)	6m plus 1/4 of the building height shall be provided, except as follows:
			i) where there are no dwelling units on the ground floor or the ground and second floors, a minimum side yard shall not be required provided that the exterior wall of the building above the non-residential floors shall be located a minimum of 6m plus 3 of the building height from the side lot line;
			ii) where the lot is a corner lot and the flanking street is designated on Schedule 'D' as an arterial street, the minimum side yard from the flanking street shall be measured from the proposed limit of the arterial street.
(7)	Rear Yard Depth:	(minimum)	12m
(8)	Height:	(maximum)	no building shall exceed the height limitations as shown on Schedule 'B'

14.3.1.2.4 Parking Lots

- (1) The regulations set out in [Section 14.2.4](#) shall apply.

14.3.2 D1-2 (See Zoning Map Part 53)

14.3.2.1 Permitted Uses

- (1) Ground floor commercial use and **3** dwelling units on the second floor.

14.3.2.2 Site Zone Regulations

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| (1) | Height: | (maximum) | 7.6m |
| (2) | Parking Requirement: | (maximum) | 1 parking space per dwelling unit |

14.3.3 D1-3 (See Zoning Map Part 42)**14.3.3.1 Permitted Uses**

- (1) May include an apartment building.

14.3.3.2 Site Zone Regulations - Apartment Buildings

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|-----|---------------------------|-----------|--|
| (1) | Number of Units: | (maximum) | 47 |
| (2) | Number of Storeys: | (maximum) | 12 |
| (3) | Setbacks: | (minimum) | |
| | (a) Apartment Tower | | |
| | i) Front Yard | | 8.7m |
| | ii) Rear Yard | | 11.3m |
| | iii) South Side Yard | | 8.3m |
| | iv) North Side Yard | | 14.6m |
| | (b) Parking Garage | | |
| | i) Front Yard | | 0.3m |
| | ii) Rear Yard | | 5.0m |
| | iii) South Side Yard | | 0.3m |
| | iv) North Side Yard | | 0.3m |
| (4) | Lot Coverage: | (maximum) | 89% |
| (5) | Special Height Provision: | (maximum) | the top of the parking garage portion of the structure shall not exceed the grade level of the centre line of Front Street abutting the lot |

14.3.4 D1-4 (See Zoning Map Part 42)**14.3.4.1 Permitted Uses**

- (1) May include a multiple use apartment dwelling.

14.3.4.2 Site Zone Regulations - Multiple Use Apartment Dwellings

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| (1) | Height: | (maximum) | 11 storeys |
| (2) | Number of Dwelling Units: | (maximum) | 83 |
| (3) | Number of Offices: | (maximum) | 3 ground floor offices having a total gross floor area of not more than 256m² |
| (4) | Setbacks: | (minimum) | the existing front, side and rear yard setbacks shall be maintained |
| (5) | Landscaped Open Space: | (minimum) | 50% |

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| (6) | Vehicular Access Easement:
(maximum) | the subject lands shall have the benefit of an easement for vehicular access and egress over the west most 3m , being shown as Part 4 on deposited Plan 25R 2065, of the premises lying to the immediate east of the subject lands; the design and maintenance of such right-of-way to be to the continuing satisfaction of the City Engineer of the City of Sarnia |
| (7) | Lot Amenity:
(minimum) | 306m² of indoor amenity space shall be provided at an off-site location within 150m of the subject lands and residents of the subject lands shall be provided with free and easy access to these facilities; this off-site amenity area may be counted towards the amenity area requirement for the subject lands |
| (8) | Office Areas:
(maximum) | access to each office shall be by an entrance/exit directly to the exterior of the building only |
| (9) | Signage:
(maximum) | each office may have 1 unlit sign in the form of a plaque, affixed to the outside of the building adjacent to the entrance to such office and each sign shall have a total area of not more than 0.2m² |
| (10) | Parking;
(minimum) | 3 off-site parking spaces, in addition to the required on-site spaces shall be provided within a 150m radius of the said lands to the continuing satisfaction of the Director of Planning and Building |
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