CD-1 (528)

2298 Galt Street By-law No. 10468

(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)

Effective April 17, 2012

1 Zoning District Plan amendment

This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-641(a) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2 Uses

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (528).
- Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (528) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
 - (a) Dwelling Uses, limited to Multiple Dwelling and Principal Dwelling Unit, combined with Secondary Dwelling Unit in a Multiple Dwelling; and
 - (b) Accessory Uses customarily ancillary to any of the uses listed in this section 2.2.

3 Density

- 3.1 Computation of floor area must assume that the site consists of 499 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.
- 3.2 The floor space ratio must not exceed 1.19.
- 3.3 Computation of floor space ratio must include:
 - (a) All floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building; and
 - (b) Stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas, and included in the measurements for each floor at which they are located.
- 3.4 Computation of floor space ratio must exclude:
 - (a) Open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the permitted residential floor area;
 - (b) Patios and roof gardens if the Director of Planning first approves the design of sunroofs and walls;
 - (c) Where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length, and the maximum exclusion for heating and mechanical equipment must not exceed 1.4 m2 in each unit;
 - (d) Areas of undeveloped floors located:
 - (i) above the highest storey or half-storey, and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m; and
 - (e) All residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit.

4 Building height

The building height, measured above base surface, must not exceed 12.2 m.

5 Setbacks

Setbacks of buildings must be at least:

- (a) 3.05 m from the north property line;
- (b) 0.61 m from the south property line;
- (c) 2.13 m from the east property line; and
- (d) 1.22 m from the west property line.

6 Parking and bicycle spaces

Parking, loading and bicycle spaces must be provided in accordance with the Parking by-law, except there must be at least one parking space for each primary dwelling unit and there is no requirement for an additional parking space for a secondary dwelling unit.

7 Severability

A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law.

8 Force and effect

This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 17th day of April, 2012.

