CD-1 (90)

2940-2944 East 22nd Avenue By-law No. 5343

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

Effective May 27, 1980

(Amended up to and including By-law No. 9674, dated June 24, 2008)

1 [Section 1 is not reprinted here. It contains a Standard clause amending Schedule D (Zoning District Plan) to reflect this rezoning to CD-1.]

2 Uses

The areas shown included within the heavy black outline on Schedule "D" to this By-law and Schedule "A" of By-law No. 7943 shall be more particularly described as CD-1(90), and the only uses permitted within the outlined areas, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

- (a) Community Care Facility Class B; [9674; 08 06 24]
- (b) Office Uses, limited to Health Care Office and Health Enhancement Centre;
- (c) Retail Uses, limited to Grocery or Drug Store and Retail Store;
- (d) Service Uses, limited to Barber Shop or Beauty Salon, Photofinishing or Photography Studio, Print Shop, Repair Shop Class B and Restaurant Class 1;
- (e) Social Service Centre, limited to an adult day care providing drop-in or activity space; and
- (f) Accessory Uses customarily ancillary to the above uses.

[7944; 98 11 03]

3 Floor Space Ratio

The floor space ratio shall not exceed 1.50, subject to the following:

(a) the floor area in retail uses, service uses, and social service centre combined shall not exceed 320 m².

The following shall be included in the computation of floor space ratio:

- (b) all floors having a minimum ceiling height of 1.219 m (4 ft.) including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;
- (c) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

The following shall be excluded in the computation of the floor space ratio:

- (a) balconies, canopies, sundecks and other features which the Director of Planning considers similar to a maximum total area of 8 percent of the permitted floor area;
- (b) patios and roof gardens provided that the Director of Planning first approves the design of sunroofs and walls:
- (c) parking areas, the floors of which are at or below the highest point of the finished grade around the building;

[7944; 98 11 03]

- (d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000. [8169; 00 03 14]
- **Height** not to exceed 12.0 m as measured from the average curb level of East 22nd Avenue to the highest point of the roof surface.

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 5343 or provides an explanatory note.

5 Off-Street Parking and Loading

Parking and loading must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that:

- (a) a minimum of one space for every 6 sleeping units must be provided for staff parking;
- (b) a minimum of one space for every 10 sleeping units must be provided for visitor parking; and
- (c) of the total number of parking spaces provided a minimum of three spaces shall be suitable as disability spaces.

[7944; 98 11 03]

6 Acoustics

All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

[7944; 98 11 03]

- **7** By-law No. 4789 is repealed.
- **8** [Section 8 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]

