

CD-1 (219)

3221, 3233 and 3263 Clive Avenue
4914-4928 Spencer Street
3240-3244 Vanness Avenue

By-law No. 6322

Being a By-law to Amend Zoning and Development By-law No. 3575

Effective March 22, 1988

Amended up to and including:

By-law No. 7515, dated January 11, 1996

By-law No. 8169, dated March 14, 2000

By-law No. 9414, dated March 14, 2000

By-law No. 11640, dated October 4, 2016

By-law No. 12953, dated April 13, 2021

Guidelines:

Joyce Station Area

Guidelines for CD-1 By-law No. 6322

(Vanness Avenue & Rupert Street Site)

Consolidated for Convenience Only

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to this CD-1 By-law or provides an explanatory note.

- 1 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-765 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575. [12953; 2021 04 13]
- 2 The area shown included within the heavy black outline on Schedule “A” is rezoned to CD-1, and the only uses permitted within the said area, subject to such conditions as Council may by resolution prescribe, including design guidelines, and the only uses for which development permits will be issued are:
 - (a) One-family dwelling or one-family dwelling with secondary suite, subject to the regulations that would apply if located in the RS-1 District; [9414; 2006 12 12]
 - (b) Two-family dwelling, subject to the RT-2 District Schedule regulations, provided that the development site consists of a lot left at the end of a block and beside a proposed multiple dwelling, or a lot left between an existing and a proposed multiple dwelling;
 - (c) Multiple dwelling;
 - (d) Accessory uses customarily ancillary to the foregoing.[12953; 2021 04 13]

3 Floor Space Ratio

- 3.1 The maximum floor space ratio for a one-family dwelling or one-family dwelling with secondary suite, calculated as if located in the RS-1 District, shall be 0.60. [9414; 2006 12 12]
- 3.2 The maximum floor space ratio for a two-family dwelling, calculated in accordance with the RT-2 District Schedule, shall be 0.60.
- 3.3 The maximum floor space ratio for multiple dwellings, calculated as if located in the RM-4N District, shall be 1.20, except that:
 - (a) where the development site consists of a lot left at the end of a block and beside a proposed multiple dwelling, or a lot left between an existing and a proposed multiple dwelling, and has a minimum site area of 372 m² (4,004 sq. ft.), the maximum floor space ratio shall be 0.75; and
 - (b) the following shall also be excluded from the floor space ratio calculation:
 - (i) enclosed balconies and other features designed to reduce transit noise, provided the Director of Planning first approves the design of any such feature, and provided further that the total area of all such enclosures and other features does not exceed eight percent of the permitted floor area; and

(ii) the following ancillary amenity facilities for the social and recreational enjoyment of the residents provided that the area of such excluded facilities does not exceed 20 percent of the allowable floor space:

- saunas;
- tennis courts;
- swimming pools;
- squash or racquetball courts;
- gymnasium and workout rooms;
- games and hobby rooms;
- other related indoor uses of a social or recreational nature which in the opinion of the Director of Planning are similar to the above.

3.4 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, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000. [8169; 2000 03 14] [11640; 2016 10 04]

4 Site Area

The minimum site area for a multiple dwelling shall be 790 m² (8,500 sq. ft.), except as specified in clause (b) of section 3.3.

5 Dwelling Unit Density

A maximum of three units shall be permitted in a multiple dwelling on a development site consisting of a lot left at the end of a block and beside a proposed multiple dwelling, or a lot left between an existing and a proposed multiple dwelling.

6 Height

6.1 The maximum building height for a one-family dwelling or one-family dwelling with secondary suite or a two-family dwelling, measured above the base surface, shall be the lesser of 9.2 m (30 ft.) or 2½ storeys. [9414; 2006 12 12]

6.2 The maximum building height for a multiple dwelling containing three dwellings, measured above the base surface, shall be 9.2 m (30 ft.), except that the Director of Planning may permit a height up to 10.7 m (35 ft.) on the northerly portion of the site where he is satisfied that the proposed development will provide a good relationship with the development on adjoining sites.

6.3 The maximum building height for a multiple dwelling containing four or more dwellings, measured above the base surface, shall be 9.2 m (30 ft.), except that the Director of Planning may permit a height up to 11.9 m (39 ft.) on the northerly portion of the area outlined on Schedule "A" where he is satisfied that the proposed development will provide a good transition between the ALRT guideway and the scale of one-family dwellings adjacent to the site across Clive Avenue. [11640; 2016 10 04]

7 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

[7515; 1996 01 11]

- 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.]* [12953; 2021 14 13]

Schedule A



[11640; 16 10 04] [12953; 2021 04 13]

Public Hearing – February 11, 1988

Summary – Site C of the Joyce Station Area Plan; rezone from RS-1 to permit single-family dwelling, multiple dwelling or convenience commercial retail, to be constructed with respective FSR limitations, acoustic requirements and design guidelines for each.

By-law enacted on March 22, 1988 – [By-law No. 6322](#)

Public Hearing – September 12, 1995 – Item 2 – [Agenda](#)

Summary – Text amendment to delete the acoustic requirement for balconies, terraces, patios, etc.

By-law enacted on January 11, 1996– [By-law No. 7515](#)

Public Hearing – February 24, 2000 – Item 1 – [Agenda](#)

Summary –Text amendment to provide floor space exclusions to provide construction incentives to control building envelope leaks.

By-law enacted on March 14, 2000– [By-law No. 8169](#)

Public Hearing – December 12, 2006 – Item 2 – [Agenda](#)

Summary – Text amendment to allow “one-family dwelling with secondary suite” as a use in CD-1s that currently permit one-family dwellings.

By-law enacted on December 12, 2006 – [By-law No. 9414](#)

Public Hearing – September 12, 2016 – Item 3 – [Agenda](#)

Summary – Amend CD-1 (219), By-law No. 6322, to remove certain areas from CD-1 (219) and amend references to those areas, as a result of the Joyce-Collingwood Station Precinct Plan implementation.

By-law enacted on October 4, 2016– [By-law No. 11640](#)

Public Hearing – February 25, 2020- Item 4 – [Agenda](#)

Summary – Amend CD-1 (219), By-law No. 6322, to remove certain areas from CD-1 (219) as a result of rezoning those areas to a new CD-1 area.

By-law enacted on April 13, 2021– [By-law No. 12953](#)