CD-1 (378)

555 Carrall Street By-law No. 7852

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

Effective March 10, 1998

(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

- 2.1 The area shown included within the heavy black outline on Schedule "A" shall be more particularly described as CD-1 (378), and the only uses permitted within the outlined area, subject to such conditions as Council may be resolution prescribe, and the only uses for which development permits will be issued are:
 - (a) Seniors Supportive or Assisted Housing;
 - (b) Community Care Facility Class B, and [9674; 08 06 24]
 - (c) Accessory Uses customarily ancillary to the above uses. [8824; 04 04 06]

3 Floor Space Ratio

- **3.1** The floor space ratio must not exceed 1.8.
- 3.2 The following will be included in the computation of floor space ratio:
 - (a) all floors having a minimum ceiling height of 1.2 m, both above and below ground level, to be measured to the extreme outer limits of the building.
- 3.3 The following will be excluded in the computation of floor space ratio:
 - (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed 8% of the floor area being provided:
 - (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
 - (c) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing;
 - (d) the portion of a floor used for off-street parking, loading and bicycle storage, that is:
 - (i) at or below the lowest official established building grade; or
 - (ii) above grade provided that:
 - the amount of parking that is provided below grade is the maximum amount possible, having regard to soil conditions on the site and the elevation of the water table; or
 - the Director of Planning is satisfied that the location and design of such parking, through appropriate architectural and landscape treatment, does not adversely affect the general amenity of the site or the surrounding area;
 - (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; [8760; 03 12 09]
 - (f) amenity areas, including day care facilities, recreation facilities and meeting rooms, to a maximum total of 10 percent of the total building area; and
 - (g) windows recessed into the building face to a maximum depth of 160 mm;
 - 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]

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 7852 or provides an explanatory note.

- **3.4** The Director of Planning may permit the following to be excluded in the computation of floor area ratio:
 - (a) enclosed balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed 8% of the floor area being provided; and
 - (ii) no more than 50% of the excluded balcony floor area may be enclosed;
 - (b) interior public spaces, including atria and other similar spaces, provided that
 - (i) the excluded area does not exceed 10% of the allowable floor area,
 - (ii) the excluded area is secured by covenant and right of way in favour of the City which sets out public access and use, and
 - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4 Height

The maximum building height measured above the base surface is 3 storeys and 14 m.

5 Off-Street Parking and Loading

Parking, loading and bicycle spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that parking for Community Care Facility will be provided at the rate of one space for every six beds and one space for every 10 beds for visitor parking. [9674; 08 06 24]

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 |

[Section 7 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.]

