

Bylaw for infill

Bylaw 16271

March 18, 2013

The Front Setback shall be consistent within 1.5 m of the Front Setback on Abutting Lots and with the general context of the blockface. However, the Front Setback shall not be less than 3.0 m. Separation Space and Privacy Zone shall be reduced to accommodate the Front Setback requirement where a Principal Living Room Window faces directly onto a local public roadway, other than a Lane.

Where the Site Width is less than 18.3 m, the Side Setback requirements of the underlying Residential Zone shall apply.

Where the Site Width is 18.3 m or greater:

Side Setbacks shall total 20% of the Site Width but shall not be required to exceed 6.0 m in total;

the minimum interior Side Setback shall be 2.0 m; and

on a Corner Site, the Side Setback requirements on the flanking public roadway, other than a Lane, shall be in accordance with the requirements of the underlying Zone.

Where a structure is two or more Storeys and an interior Side Setback is less than 2.0 m, the applicant may be required to provide information regarding the location of windows and Amenity Areas on adjacent properties, and the windows of the proposed development shall be located to minimize overlook into adjacent properties.

The minimum Rear Setback shall be 40% of Site depth. Row Housing not oriented to a public roadway is exempt from this Overlay requirement.

Notwithstanding Section 44 of this Bylaw, a single Storey Platform Structure may project a maximum of 2.0 m into a Front Setback from the first Storey of a Dwelling, provided that a minimum of 3.0 m is maintained between the Front Lot Line and the Platform Structure.

Notwithstanding Section 44 of this Bylaw, a single Storey Platform Structure may project a maximum of 2.0 m from the first Storey of a Dwelling into a Side Setback abutting a flanking public roadway other than a Lane, providing there is at least 1.5 m between the property line and the Platform Structure.

Platform Structures greater than 1.0 m above Grade shall provide privacy screening to prevent visual intrusion into adjacent properties.

Principal buildings shall face a public roadway other than a Lane.

Regardless of whether a Site has existing vehicular access from the front or flanking public roadway, there shall be no such access where an abutting Lane exists, and

a Treed Landscaped Boulevard is present along the roadway adjacent to the property line;

the Site Width is less than 15.5 m; or

fewer than 50% of principal Dwellings on the blockface have vehicular access from the front or flanking roadway.

If vehicular access is provided from a public roadway other than a Lane, a Garage may only protrude beyond the front wall of the principal building a distance that is characteristic of the majority of existing Garages on the blockface. The Garage may have a width that does not exceed the width of the majority of existing Garages on the blockface.

The maximum width of a façade of Row Housing, Stacked Row Housing or Apartment Housing that faces a public roadway shall be 48.0 m.

The maximum Height shall not exceed 8.6 m nor 2 1/2 Storeys.

The Floor Area of the upper half Storey of a 2 1/2 Storey building shall not exceed 50% of the structure's second Storey Floor Area.

When a structure is more than 7.5 m in Height, the width of any one dormer shall not exceed 3.1 m. In the case of more than one dormer, the aggregate total width shall not exceed one third of the length of the building's wall in which the dormers are located, excluding attached Garage walls.

The Basement elevation of structures of two or more Storeys in Height shall be no more than 1.2 m above Grade. The Basement elevation shall be measured as the distance between Grade level and the floor of the first Storey.

The minimum distance from the Rear Lot Line to a detached Garage where the vehicle doors face the Lane shall be 1.2 m.

Rear attached Garages shall not be allowed, except on Corner Sites where the Dwelling faces the flanking public roadway.

For Single Detached Housing, Duplex Housing and Semi-detached Housing with no Lane access, with a front or side attached Garage, the Garage shall be developed in accordance with the following:

The Garage shall be constructed to accommodate a maximum of two vehicles;

Front attached Garages for Semi-detached Housing and Duplex Housing shall be designed so that the Garage is attached to a shared common wall and includes a shared driveway apron;

Building mass shall be articulated through features such as recessions or off-sets, architectural treatments, and landscaping; and

Each Dwelling shall have an entrance door or entrance feature at the front of the structure and oriented toward the roadway.

A rear detached Garage shall be fully contained within the rear 12.8 m of the Site.

For Stacked Row Housing and Row Housing the maximum width of a rear detached Garage shall be 12.0 m. Rear detached Garages for Row Housing on Corner Sites oriented towards the flanking street shall have a maximum width of 14.0 m. Garages shall be separated by a minimum of 1.8 m.

A principal building shall be separated from a rear detached Garage by a minimum of 3.0 m.

The Development Officer shall have regard for any applicable Statutory Plan and may, where a Statutory Plan specifies, notwithstanding subsection 11.4 of this Bylaw, vary the regulations of both this Overlay and the underlying Zone as they affect Height, Density and Floor Area Ratio. In all cases, the variances shall be within the ranges specified in the Statutory Plan. In all such cases, the application shall be a Class B Development Permit and the pre-application consultation provisions of subsection 814.3(24) shall apply.

When a Development Permit application is made and the Development Officer determines that the proposed development does not comply with the regulations contained in this Overlay:

the applicant shall contact the affected parties, being each assessed owner of land wholly or partly located within a distance of 60.0 m of the Site of the proposed development and the President of each affected Community League;

the applicant shall outline, to the affected parties, any requested variances to the Overlay and solicit their comments on the application;

the applicant shall document any opinions or concerns, expressed by the affected parties, and what modifications were made to address their concerns; and

the applicant shall submit this documentation to the Development Officer no sooner than twenty-one calendar days after giving the information to all affected parties