

PART 3.1**R3-G ZONE, GARDEN APARTMENT DISTRICT**

Permitted Uses	1	<p>The following uses are permitted:</p> <p>(a) <u>single family dwellings</u> and customary <u>accessory uses</u> including <u>home occupations</u> and <u>accessory buildings</u> as permitted in respect of such dwellings by the provisions of the R1-B Zone, Single Family Dwelling District (Part 1.2), subject to the regulations applicable to that Zone;</p> <p>(b) <u>two family dwellings</u> and <u>accessory buildings</u> and <u>home occupations</u> as permitted in the case of such dwellings by the provisions of the R-2 Zone, Two Family Dwelling District (Part 2.1), subject to the regulations applicable to that Zone;</p> <p>(c) <u>garden apartments</u> and <u>garden apartment accessory uses</u>;</p> <p>(d) Not more than 2 <u>garage sales</u> in any year.</p>
Application of Regulations	2	The regulations hereafter contained in this Part apply only to <u>buildings</u> and land used or intended to be used as and for <u>garden apartments</u> or as and for <u>garden apartment accessory uses</u> .
Size of Dwelling Units	3	No <u>dwelling unit</u> in a garden apartment shall have a floor area of less than 33m ² , reckoned exclusively of the width or thickness of the exterior walls of the <u>dwelling unit</u> and of the floor area or areas of any and all <u>balconies</u> .
Height	4	No <u>building</u> shall exceed 11m in <u>height</u> and not more than 30% of the maximum permitted <u>total floor area</u> determined pursuant to Section 6 in respect of any and all garden apartments on the <u>lot</u> shall be contained within any garden apartment or garden apartments comprising more than two <u>storeys</u> .
Site coverage	5	The <u>site coverage</u> of all garden apartments on a <u>lot</u> shall not exceed 30% in total.
Floor space	6	The <u>floor space ratio</u> of all garden apartments on a <u>lot</u> shall not exceed 0.5 to 1.
Open site space	7	Not less than 40% of the area of a <u>lot</u> upon which a garden apartment stands shall be <u>open site space</u> .

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- 8 Open site space shall to the extent that the area thereof does not exceed 40% of the area of the lot on which the garden apartment stands, be graded and landscaped.
- Number of apartments 9 Notwithstanding anything to the contrary contained in any other part of this Bylaw, but subject always to the provisions of this Part, two or more garden apartments may be erected, used and maintained on one lot.
- Site Area 10 No garden apartment shall be erected, used or maintained on a lot having an area of less than 1,858m².
- Opposing walls 11 No point on any external wall of any garden apartment shall be nearer to any point on any opposing external wall of the same building than a horizontal distance equal to the number of metres obtained by multiplying the maximum number of storeys comprised in the garden apartment by 3.
- 12 For the purposes of the preceding section one external wall of a building shall be deemed to oppose another of the same building if the plane of the exterior face thereof or the projection in any direction of the plane of the exterior faces thereof (if there shall be more than one) is either parallel to or forms an angle of less than 90 degrees with the plane or projection in any direction of the plane of the exterior face or any of the exterior faces of the other exterior wall.
- Separations 13 Subject to Section 15, no garden apartment or part thereof shall be nearer to any other garden apartment or part thereof on the same lot, than a horizontal distance equal to the number of metres obtained by multiplying the maximum number of storeys comprised in the garden apartment by 3.048.
- Setback 14 Subject to the next section no part of any building or structure shall be nearer to any boundary of the lot upon which it stands than a horizontal distance of 7.62 metres.
- 15 The provisions of Sections 11, 12, 13 and 16 do not apply to the following buildings or any part or parts thereof and the said buildings or part or parts thereof shall not be taken into account in calculating any of the distances mentioned in the said sections:
- (a) any accessory garden structure except a swimming or ornamental pool and except a building in which a swimming or ornamental pool is contained either in whole or in part;

- (b) any building used or intended to be used for the purposes only of providing underground parking space;
 - (c) any part of a building that is wholly below the grade of a building;
 - (d) roof projections, entrance canopies, steps and balconies forming part of a building;
 - (e) any lawful sign, including the structure used to support the same where it is a freestanding sign as defined by the Sign Bylaw, 1975.
- Parking 16 Subject to the preceding section no part of any surface parking space that is not used exclusively for the movement of motor vehicles shall be nearer to any part of any dwelling unit within a garden apartment on the same lot than a horizontal distance of 6m provided that where a parking screen wall is erected and maintained between the garden apartment and the surface parking space the aforementioned horizontal distance may be 2.4m.
- Height 17 No structure not being a garden apartment or integral part thereof and used or intended to be used for the provision of surface parking space shall exceed 3m in height.
- Garden Apartment Accessory Use 18 In this Part "Garden Apartment Accessory Use" means any and all of the following uses and the structures used or Intended to be used therefore when such uses are undertaken or carried on entirely upon the same lot upon which any building is or is intended to be used as and for a garden apartment:
- (a) Surface parking space;
 - (b) Underground parking space;
 - (c) Recreational and pleasure uses ancillary to the use of a garden apartment on the same lot and undertaken or carried on exclusively by or for the benefit of the persons or guests of persons residing in such garden apartment where no fee or other special charge or consideration over and above the ordinary rental for accommodation in such garden apartment is paid or demanded for the use or enjoyment thereof;
 - (d) Accessory garden structures;
 - (e) Lawful signs;
 - (f) Home occupations.

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- 19 Notwithstanding anything to the contrary contained in this part, where any lot to which the provisions of this part apply, abuts on a street on the side or rear of a building no balcony on the side or rear, as the case may be shall be taken into account in calculating any setback provisions, provided that no balcony shall project into space used or intended to be used for the movement of motor vehicles and that the lowest part of any balcony shall be not less than 2.5m above grade level when projecting into a designated parking stall area.

Note: For parking requirements see Schedule "C".