



# **City of Vancouver** *Zoning and Development By-law*

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## **CD-1 (507)**

*2305 - 2325 West 7th Avenue*

*By-law No. 10309*

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

***Effective July 12, 2011***

## **1 Zoning District Plan Amendment**

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-627(a) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

## **2 Uses**

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD 1 (507).
- 2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (507) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
- (a) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this section 2.2;
  - (b) Community Centre or Neighbourhood House;
  - (c) Child Day Care Facility; and
  - (d) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

## **3 Density**

- 3.1 Computation of floor area must assume that the site consists of 1 672 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this by-law, and before any dedications.
- 3.2 The floor area for all uses, combined, must not exceed 1.70.
- 3.3 Computation of floor space ratio must include:
- (a) all floors, including earthen floors, measured to the extreme outer limits of the building; and
  - (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.
- 3.4 Computation of floor space ratio must exclude:
- (a) open residential balconies, sundecks, ground floor colonnades, porches and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
  - (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
  - (c) the floors or portions of floors used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, which are:
    - (i) at or below the base surface except that the exclusion for a parking space must not exceed 7.3 m in length, or
    - (ii) in the case of off-street parking, above the base surface in an accessory building in the rear yard except that the exclusion for a parking space must not exceed 7.3 m in length;
  - (d) areas of undeveloped floors located:
    - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or
    - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;

- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) amenity areas including recreation facilities and meeting rooms, except that the total area excluded must not exceed 10% of the total floor space ratio;
- (h) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness except that this clause does not apply to walls in existence prior to March 14, 2000; and
- (i) with respect to exterior:
  - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
  - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),

the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any wall referred to in this section meets the standards set out therein.

3.5 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
  - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
  - (ii) enclosure of the excluded balcony floor area must not exceed 50%.

#### **4 Building height**

4.1 The building height must not exceed 13.0 m.

4.2 The Director of Planning, at his or her discretion, may permit a height greater than 13.0 m for:

- (a) architectural appurtenances, such as elevator enclosures, penthouses and stairwells, that:
  - (i) are necessary to give access to a rooftop garden, and
  - (ii) combined, do not cover more than 10% of the roof area;
- (b) railings, trellises, screens, planters, and other similar elements that are an integral part of the rooftop garden or of the decks and balconies; and
- (c) access and infrastructure required to maintain green roofs or urban agriculture, or roof-mounted energy technologies including solar panels, wind turbines and similar items, if the Director of Planning first considers:
  - (i) all applicable policies and guidelines adopted by Council, and
  - (ii) the effects on public and private views, shadowing, privacy, and noise impacts.

#### **5 Horizontal angle of daylight**

5.1 Each habitable room must have at least one window on an exterior wall of a building.

5.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.4 m.

5.3 Measurement of the plane or planes referred to in section 5.2 must be horizontally from the centre of the bottom of each window.

- 5.4 If:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
  - (b) the minimum distance of unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

5.5 An obstruction referred to in section 5.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 (507).

5.6 A habitable room referred to in section 5.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
  - (i) less than 10% of the total floor area of the dwelling unit, or
  - (ii) less than 9.3 m<sup>2</sup>.

## **6 Parking, loading, and bicycle spaces**

Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law, except that there must be:

- (a) at least six parking spaces on site;
- (b) the parking spaces referred to in subsection (a), must include a parking space designated and used for car-sharing, three parking spaces designated and used for day care drop off and two parking spaces designated and used for daycare staff parking; and
- (c) at least two Class A loading spaces,

unless any amendment to the Parking By-law results in any lesser requirement in which case the lesser requirement is to apply.

## **7 Severability**

A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

## **8 Force and effect**

This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 12th day of July, 2011.

