



City of Vancouver *Zoning and Development By-law*

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CD-1 (536)

675 - 691 East Broadway

By-law No. 10548

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

Effective July 24, 2012

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-622(e) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2 Definitions

Words used in this By-law shall have the meaning assigned to them in the Zoning and Development By-law and section 2 of the Parking by-law except that, in this By-law, “base surface” means the base surface calculated from the official established building grades.

3 Uses

- 3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (536).
- 3.2 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 (536) 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 and Seniors Supportive or Assisted Housing, in conjunction with any of the uses listed in this section 3.2;
 - (b) Cultural and Recreational Uses;
 - (c) Institutional Uses, limited to Social Service Centre, and Community Care Facility – Class B and Group Residence;
 - (d) Retail Uses;
 - (e) Service Uses;
 - (f) Office Uses;
 - (g) Parking Uses; and
 - (h) Accessory Use customarily ancillary to any use permitted by this section 3.2.

4 Conditions of use

Dwelling units are in an “intermediate zone” as defined in the Noise Control By-law, and, as a result, are subject to noise from surrounding land uses and street activities at levels permitted in industrial and downtown districts.

5 Density

- 5.1 Computation of floor space ratio must assume that the site consists of 2 245 m², being the site size at the time of enactment of the rezoning evidenced by this By-law, and before any dedications.
- 5.2 The floor space ratio for all uses must not exceed 2.86.
- 5.3 Computation of floor space ratio must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.
- 5.4 Computation of floor space ratio must exclude:
- (a) open residential balconies or sundecks 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 such exclusions must not exceed 8 per cent of the residential floor area;
 - (b) patios and roof gardens only 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

at or below the base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;

- (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (e) residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including day care facilities, recreation facilities, and meeting rooms, except that the total area excluded must not exceed 1 000 m²;
- (g) floor space for a social service center, public, social or recreational facility, in respect of which the Province of British Columbia, an agency of the Province, a non-profit society, or the city has an interest registered by way of charge in the Vancouver/New Westminster Land Title Office, and which the Province, an agency of the Province, a non-profit society, or the city operates;
- (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 shall 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 subsection (ii) meets the standards set out therein.

5.5 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 per cent of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50 per cent;
- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (c) unenclosed outdoor areas at grade level underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1 per cent of the residential floor area being provided;
- (d) open to below spaces or double height volumes on the second storey units if the location of the first floor is within 2 m of grade to a maximum of 15 per cent of the floor area of the first floor of that unit for residential units;
- (e) features generally on the westerly facades of buildings to reduce solar gain, which may be in the form of french balconies and horizontal extensions; and
- (f) trellises and other garden structures which support the use of intensive green roofs or urban agriculture.

5.6 The use of floor space excluded under section 5.4 or 5.5 must not include any purpose other than that which justified the exclusion.

6 Height

The building height, measured above the base surface and to the top of the roof slab above the uppermost habitable floor excluding parapet wall, must not exceed 32 m.

7 Parking, loading, and bicycle parking

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

- (a) parking for dwelling units used as non market social housing must be provided at the rate of least 0.1 parking space for each bedroom;
- (b) parking for dwelling units used as market rental housing must be provided in accordance with section 4.5B of the Parking By-law; and
- (c) for non residential uses, there must be:
 - (i) at least one parking space for each 145 m² of gross floor area for the first 290 m² of gross floor area,
 - (ii) at least one additional parking space for each additional 115 m² of gross floor area, and
 - (iii) not more than one parking space for each 70 m² of gross floor area.

8 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 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

9 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.

10 Force and effect

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

ENACTED by Council this 24th day of July, 2012.

