



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

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## **CD-1 (277)**

*1037 Matthews Avenue*

### ***By-law No. 6883***

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

***Effective September 24, 1991***

*(Amended up to and including By-law No. 8169, dated March 14, 2000)*

***Guidelines:***

*1037 Matthews Avenue*

*CD-1 Guidelines*

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 **Definitions**

The definitions contained in section 2 of the Zoning and Development By-law, No. 3575, shall apply, except as varied or supplemented by the following:

**Attic** means a space located on one or more floors, where the elevation of such floors is less than 0.6 m below the lowest elevation at which a sloping roof on the building joins an exterior wall, but does not include space located on a floor having vertical exterior walls no less than 2.1 m in height around no less than 50 percent of its perimeter.

**Landscaping** means those elements of vegetation and construction located beyond the exterior walls of a building, and includes pavement and similar surfacing materials, fences, retaining walls, hedges, trees, shrubs, lawn, water bodies, statuary and artificial lighting intended to complement any of the foregoing.

**Principal Building** means the building with the largest total floor area on the site.

**Site** means the area of land delineated by a combination of solid and striped lines on Diagram 1 below and identified by the letters "A" or "B".

**Site Coverage** means the percentage figure obtained when the projected area of the outside of the outermost walls, excluding steps, eaves, cantilevered balconies and sundecks, of all buildings on the site is divided by the site area.

Diagram 1

LOT 10, BLOCK 54, D.L. 526, N.W.D. PLAN 4507

**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 6883 or provides an explanatory note.

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Amended to By-law No. 8169  
March 14, 2000

- 3 The area shown included within the heavy black outline on Schedule “A” is rezoned to CD-1, which area shall be more particularly described as CD-1(277), and the only uses permitted within the said area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:
- (a) a One-Family Dwelling in each of the two areas shown as “A” and “B” on Diagram 1 above;
  - (b) Accessory Uses customarily ancillary to the above uses; and
  - (c) Accessory Building customarily ancillary to any of the uses listed in this section, subject to the following:
    - (i) for accessory buildings existing as of September 24, 1991 and located in the area shown as “A” on Diagram 1, the height, floor area and siting shall be that existing as of September 24, 1991;
    - (ii) for all other accessory buildings except those described in clause (i) the following shall apply:
      - A. no accessory building exceeds 4.5 m in height measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, provided that no portion of an accessory building may exceed 6.1 m in height;
      - B. all accessory buildings are located in the rear yard or as otherwise approved by the Director of Planning, having regard to:
        - (i) the siting of development on adjacent parcels;
        - (ii) the impact of alternate locations on the site; and
        - (iii) all applicable policies and guidelines adopted by Council, and the submission of any advisory group;
      - C. in no case is an accessory building located less than 3 m from a flanking street and 1.5 m from an interior property line;
      - D. the gross floor area of all accessory buildings is not greater than 25 percent of the minimum rear yard prescribed for a principal building;
      - E. all accessory buildings on a corner site which has located at its rear, with or without the intervention of a lane, a site which fronts on the street flanking the corner site, are provided with a setback of 7.3 m from the flanking street; and
      - F. the siting and design of accessory buildings shall complement the principal building on the site.

#### 4 Floor Space Ratio

##### 4.1 The floor space ratio shall not exceed:

- (a) for the area shown as “A” on Diagram 1, 0.45 except that for buildings existing as of September 24, 1991, the floor space ratio shall not exceed the greater of 0.45 or that existing as of September 24, 1991;
- (b) for the area shown as “B” on Diagram 1, 0.48; and
- (c) for a principal building, except for a principal building existing prior to September 24, 1991, the floor area of all floors at or above finished grade and of the floors of any storey, basement or cellar located below a storey which has floor surface located 2.0 m or more above finished grade shall not exceed a floor space ratio of 0.25 plus 139 m<sup>2</sup>.

##### 4.2 For the purpose of computing floor space ratio, the site area of area “A” on Diagram 1 shall be deemed to be 1 207.7 m<sup>2</sup>, and the site area of area “B” on Diagram 1 shall be deemed to be 1 229.2 m<sup>2</sup>.

##### 4.3 The following shall be included in the computation of floor space ratio:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be 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, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

**4.4** The following shall be excluded in the computation of floor space ratio:

- (a) open balconies, open-sided verandahs, canopies, open porte-cochere, and other appurtenances which in the opinion of the Director of Planning are similar to the foregoing;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface;
- (d) where floors are used for off-street parking and loading, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, provided that:
  - (i) they are located within a principal building;
  - (ii) they are situated below living accommodation or other floor areas included in the calculation of floor space ratio;
  - (iii) points of vehicular access are not visible from the street;
  - (iv) any ramp providing vehicular access is located and designed to preserve the maximum amount of existing site topography and mature landscaping; and
  - (v) where located within an existing principal building, the building foundation will be reconstructed to maintain the architectural character and integrity of the building; and
- (e) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a 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;
- (f) 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]

**5** Height

- 5.1** The maximum building height, measured above the base surface or in accordance with Sections 10.10.2 and 10.10.3 of the Zoning and Development By-law, No. 3575, shall be the lesser of 10.7 m or 2 1/2 storeys except that for a principal building existing as of September 24, 1991 and located in the area shown as "A" on Diagram 1 the maximum height shall be the greater of 10.7 m or that existing on September 24, 1991.

**6** Front Yard

- 6.1** A front yard shall be provided with a minimum depth of 9.0 m except that for a principal building existing as of September 24, 1991 and located in the area shown as "A" on Diagram 1 the minimum front yard depth shall be the lesser of 9.0 m or that existing on September 24, 1991.

**7** Side Yard

- 7.1** A side yard shall be provided with a minimum width of:

- (a) for the area shown as "A" on Diagram 1, for a principal building existing as of September 24, 1991, 4.5 m from the boundary between areas "A" and "B" on Diagram 1, and the lesser of 4.5 m or that existing on September 24, 1991 from the southwest property line;
- (b) for the area shown as "A" on Diagram 1, for all other cases except a principal building existing as of September 24, 1991, 4.5 m from the boundary between areas "A" and "B" on Diagram 1 and 4.5 m from the southwest property line; and

- (c) in the area shown as “B” on Diagram 1, 1.5 m from the boundary between areas “A” and “B” on Diagram 1, and 4.5 m for all other cases.

## 8 Rear Yard

- 8.1 A rear yard shall be provided with a minimum depth of 10.7 m except that for a principal building existing as September 24, 1991 and located in the area shown as “A” on Diagram 1 the minimum rear yard depth shall be the lesser of 10.7 m or that existing on September 24, 1991.

## 9 Site Coverage

- 9.1 The maximum site coverage shall be 35 percent except that for buildings existing as of September 24, 1991 and located in the area shown as “A” on Diagram 1 the maximum site coverage shall be that existing as of September 24, 1991.

## 10 Siting

- 10.1 Development shall be sited so as to preserve the maximum amount of existing site topography and landscaping, having regard to:

- (a) all applicable policies and guidelines adopted by Council;
- (b) the submission of any advisory group, property owner or tenant;
- (c) the existing topography and landscaping consisting of mature vegetation as fully described on plans or drawings submitted by the applicant, proposed alterations or removals, and siting alternatives which may be examined;
- (d) siting alternatives for the proposed development which may allow for greater retention of existing site topography and landscaping; and
- (e) the degree to which proposed landscaping or topographic alterations will enhance the siting of the proposed development and prominence of the building.

## 11 Off-Street Parking

- 11.1 A minimum of 2 off-street parking spaces for every dwelling unit shall be provided.

- 12 *[Section 12 is not reprinted here. It contains a standard clause including the Mayor and City Clerk’s signatures to pass the by-law and to certify the by-law number and date of enactment.]*

By-law No. 6883 Being a By-law to amend By-law No. 3575, being the Zoning and Development By-law

The property shown below (—) outlined in black is rezoned from FSD to CD-1

