

City of Vancouver *Zoning and Development By-law*

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CD-1 (352)

3438 Vanness Avenue & 5104-56 Joyce Street **By-law No. 7639**

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

Effective October 22, 1996

(Amended up to and including By-law No. 8760, dated December 9, 2003)

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 Uses

2.1 The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (352), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are

- (a) Dwelling Units,
 - (b) Cultural and Recreational Uses, except for Arcades, Billiard Halls, Spas and Steam Baths,
 - (c) Institutional Uses, except for Detoxification Centre and Hospital,
 - (d) Office Uses,
 - (e) Retail Uses, except for Adult Retail Store, Gasoline Station - Full Serve or Gasoline Station - Split Island and Vehicle Dealer,
 - (f) Service Uses, except for Cabaret, Drive-through Service, Funeral Home, Motor Vehicle Repair Shop and Motor Vehicle Wash, and
 - (g) Accessory Uses customarily ancillary to the above uses.
- [8032; 99 06 15]

2.2 For the purpose of section 2.1 the term “Cultural and Recreational Uses” shall not include a theatre which projects or displays adult motion pictures as defined in the *Motion Picture Act*.

[8032; 99 06 15]

3 Floor Space Ratio

3.1 The floor space ratio must not exceed 5.60.

3.2 The following will be included in the computation of floor space ratio:

- (a) all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

3.3 The following will be excluded in the computation of floor space ratio:

- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the residential floor area being provided;
- (b) patios and roof gardens, for residential purposes only, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, bicycle storage, 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:
 - (i) are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
 - (ii) are above the base surface and where developed as off-street parking, are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total building floor area;

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 7639 or provides an explanatory note.

- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; [8760; 03 12 09]
- (f) floor area used by a non-profit society, such as a community crime-prevention office or other use considered to be similar to the foregoing;
- (g) 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]

3.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.

4 **Height**

The maximum building height measured above the base surface is 48.0 m.

5 **Off-Street Parking and Loading**

Off-street parking and loading must be provided, developed and maintained in accordance with the applicable provisions of the Parking Bylaw, except that

- (a) a minimum of 0.75 off-street parking space for every dwelling unit plus one space for each 250 m² of gross residential floor area must be provided, and
- (b) one additional off-street loading space for each 200 dwelling units must be provided. [7722; 97 04 08]

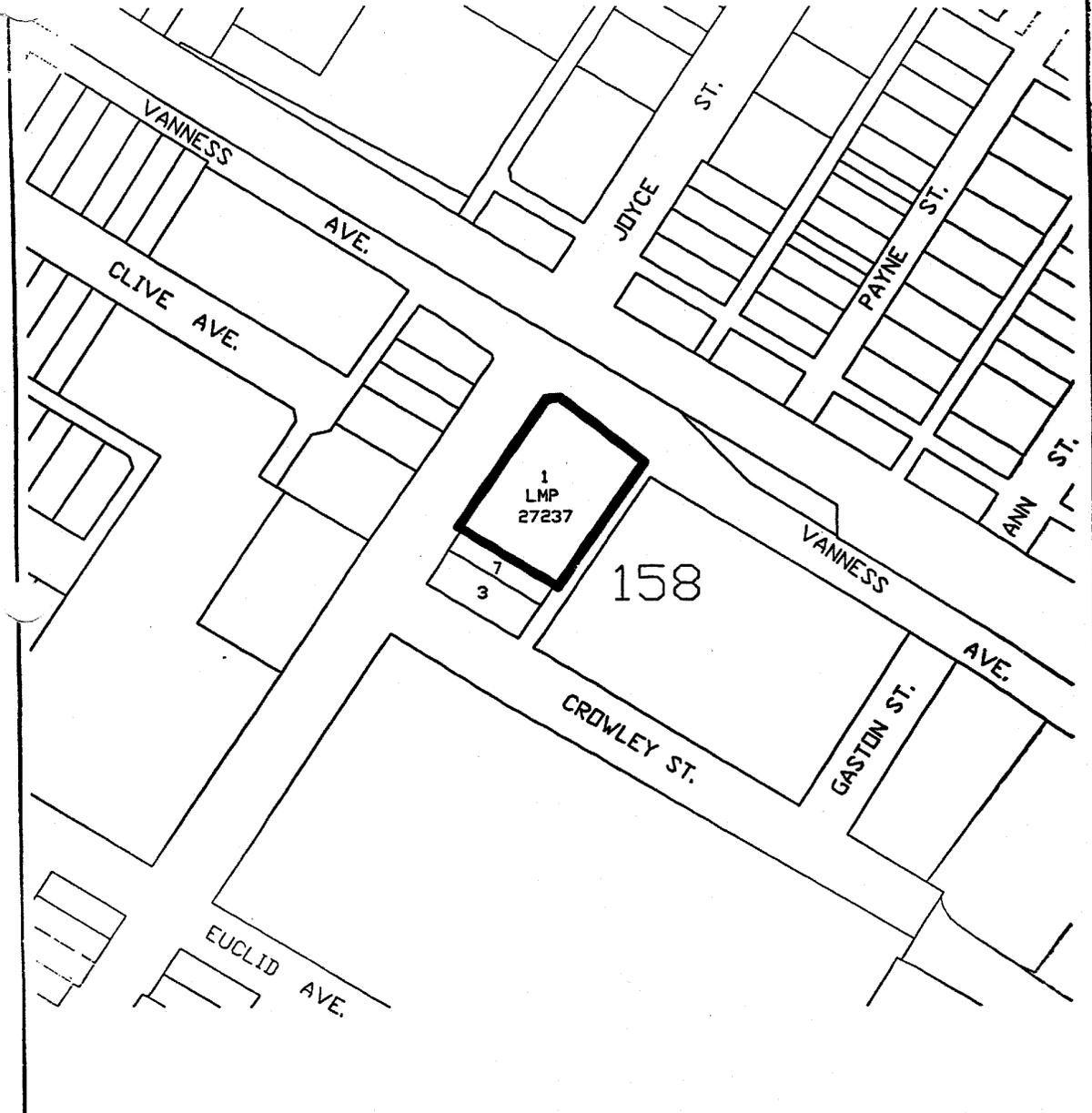
6 **Acoustics**

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 the dwelling units listed below will 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 will be defined simply as noise level in decibels.

Portions of Dwelling Units	Noise Level (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

7 *[Section 7 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. 7639 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black (———) is rezoned:
From **C-2C** To **CD-1**

Z-453(a)

RZ 5104-5156 Joyce Street

City of Vancouver Planning Department

map: 1 of 1

scale: 1:2000



