



City of Vancouver *Zoning and Development By-law*

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CD-1 (407)

1055 West 41st Avenue

By-law No. 8369

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

Effective July 26, 2001

(Amended up to and including By-law No. 9674, dated June 24, 2008)

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

The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (407), 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) Community Care Facility - Class B, [9674; 08 06 24]
- (b) Seniors Supportive or Assisted Housing, and [8824; 04 04 06]
- (c) Accessory Uses customarily ancillary to the above uses.

3 Floor Space Ratio

3.1 The floor space ratio must not exceed 0.90. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 16 180 m², being the site size at time of application for rezoning, prior to any dedications.

3.2 The following will 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;
- (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.

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

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (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 day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total building floor area;
- (e) areas of undeveloped floors which are 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;
- (f) 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]
- (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.

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 8369 or provides an explanatory note.*

4 Height

4.1 The maximum building height measured above the base surface is 9.2 m subject to the relaxation of limitations on building height set out in Section 10.11.1 of the Zoning and Development By-law.

4.2 The Director of Planning may, for any building, permit a decorative roof, which may include items referred to in Section 10.11.1 of the Zoning and Development By-law, to exceed the maximum height otherwise specified in this By-law, provided that

- (a) the Director of Planning is satisfied that the roof enhances the overall appearance of the building, and appropriately integrates mechanical appurtenances,
- (b) the roof does not add to the floor area otherwise permitted, and
- (c) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

5 Setbacks

The minimum setback of a building 6.0 m from the west property boundary.

6 Off-street Parking and Loading

6.1 Parking, loading and bicycle spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that a minimum of 113 off-street parking spaces must be provided.

6.2 The Director of Planning, on the advice of the City Engineer, may grant relaxation in the requirements of section 6.1 where he is of the opinion that such relaxation will not adversely impact surrounding developments and residents or the parking needs of staff or residents of or visitors to the site.

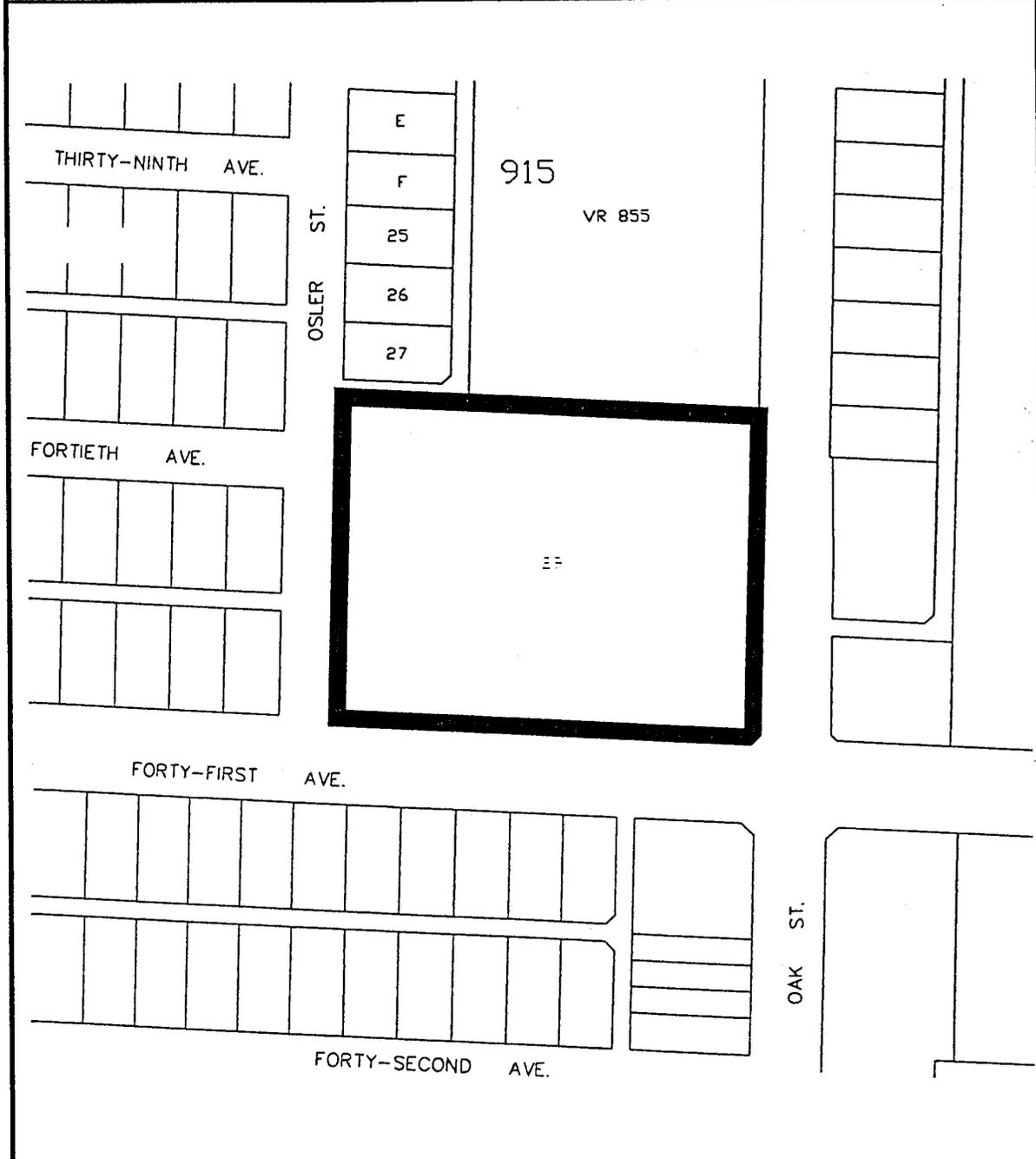
7 Acoustics

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 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

8 *[Section 8 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]*

By-law No. 2369 being a By-law to amend By-law No. 3575
 being the Zoning & Development By-law



The property outlined in black (**█**) is rezoned:
 From **RS-5** to **CD-1**

Z-513

RZ - 1055 West 41st Avenue	map: 1 of 1	↑
City of Vancouver	scale: 1:2000	