



City of Vancouver *Zoning and Development By-law*

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CD-1 (469)

*5475 Dunbar Street and
3625-3641 West 39th Avenue
By-law No. 9683*

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

Effective 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
- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (469).
- 2.2 Subject to approval by Council 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 (469) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
- (a) Dwelling Uses, limited to Multiple Dwelling and Infill Two-Family Dwelling; and
 - (b) Accessory Uses customarily ancillary to any of the uses listed in this section 2.2.
- 3 Density
- 3.1 Computation of floor area must assume that the site consists of 2 428.8 m², 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 multiple dwelling use on the site must not exceed two buildings containing 10 dwelling units in one building and four dwelling units in the other.
- 3.3 The floor space ratio for all permitted uses must not exceed 1.1.
- 3.4 Computation of floor space ratio must include:
- (a) all floors, including earthen floor, 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.
- 3.5 Computation of floor space ratio must exclude:
- (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;
 - (b) patios and roof gardens if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are 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, those floors or portions thereof so used, which are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
 - (d) amenity areas, including recreation facilities, and meeting rooms, except that the exclusion must not exceed, in aggregate, 10% of the permitted floor area;
 - (e) 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;
 - (f) all 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; and
 - (g) 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.

4 Building height

4.1 The building height for the multiple dwelling must not exceed 10.7 m measured from base surface.

4.2 The building height for the infill two-family dwelling must not exceed 8.2 m measured from base surface.

5 Setbacks

The setbacks of the dwelling uses must be at least:

- (a) 1.4 m from the north property line;
- (b) 3.5 m from the west property line;
- (c) 3.0 m from the east property line; and
- (d) 2.3 m from the south property line.

6 Parking and bicycle spaces

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

- (a) each dwelling unit that contains less than 50 m² of gross floor area must have at least 0.5 parking space;
- (b) each dwelling unit that has 50 m² or more of gross floor area must have at least 0.5 parking space plus one space for each 200 m² of gross floor area but need not have more than 1.5 parking spaces;
- (c) there must be at least a 2.3 m vertical clearance for all parking, manoeuvring and access routes within the site to accommodate vehicles serving persons with disabilities; and
- (d) there must be at least four Class B bicycle spaces for visitors.

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 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.

9 *[Section 9 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.]*

Schedule A



Z-592

RZ - 5475 Dunbar Street, 3625 and 3641 W 39th Avenue

map: 1 of 1
scale: NTS



City of Vancouver

date: April 2007