



City of Vancouver *Zoning and Development By-law*

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CD-1 (481)

6338-6432 Ash Street

By-law No. 9993

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

Effective February 2, 2010

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-611 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2 Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (481).

2.2 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 (481) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Principal Dwelling Unit Combined With a Secondary Dwelling Unit, being a dwelling unit, within a multiple dwelling which is a principal residence, combined with one secondary dwelling unit which is smaller than the principal residence, and in respect of which the principal residence and secondary dwelling unit must have separate external access, and shared internal access which the owner or occupant of the principal residence is able to lock off from the principal residence;
- (b) Secondary Dwelling Unit referred to in subsection (a), referred to in this By-law as a “secondary dwelling unit”; and
- (c) Accessory Uses customarily ancillary to any of the uses permitted by this section 2.2.

3 Density

3.1 Computation of floor space ratio must assume that the site consists of 4 204.3 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 floor space ratio for all uses must not exceed 1.2.

3.3 The number of principal dwelling units must not exceed 35.

3.4 The number of secondary dwelling units must not exceed 18.

3.5 Computation of floor area 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.

3.6 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 exclusions must not exceed 8% of the residential floor area being provided;
- (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 the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;

- (d) undeveloped floor area located:
 - (i) 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, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (e) amenity areas accessory to a residential use, including day care facilities, recreational facilities, and meeting rooms, except that:
 - (i) in the case of day care facilities, the Director of Planning, on the advice of the Director of Social Policy, is satisfied that there is a need for a day care facility in the immediate neighbourhood, and
 - (ii) the total area excluded must not exceed 10% of the permitted floor space;
- (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;
- (g) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (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 does 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 this section meets the standards set out therein.

4 Building height

The building height must not exceed 10.7 m or three storeys.

5 Horizontal angle of daylight

5.1 Each habitable room must have at least one window on an exterior wall of a building.

5.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

5.3 Measurement of the plane or planes referred to in section 5.2 must be horizontally from the centre of the bottom of each window.

5.4 If:

- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
- (b) the minimum distance of unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may reduce the horizontal angle of daylight requirement.

5.5 An obstruction referred to in section 5.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 (481).

5.6 A habitable room referred to in section 5.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
 - (i) less than 10% of the total floor area of the dwelling unit, or
 - (ii) less than 9.29 m².

6 Parking, loading, and bicycle spaces

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

- (a) there must be at least 0.1 parking space for each 100 m² of gross floor area;
- (b) there must be no more than 2 parking spaces for each dwelling unit, and calculation of the maximum number of parking spaces is not to include secondary dwelling units;
- (c) calculation of bicycle spaces is to include secondary dwelling units;
- (d) for bicycle spaces located within individual garages or dwelling units, the requirements of the Parking By-law regarding bicycle lockers are not to apply; and
- (e) bicycle parking provided outside of a bicycle room must be accessible to the intended resident only, and the location of such parking must not block required access for entry into a secondary dwelling unit;

unless any amendment to the Parking By-law results in any lesser requirement than one set out in subsection (a), (b), (c), (d), or (e) in which case the lesser requirement is to apply.

7 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.

8 Force and effect

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

ENACTED by Council this 2nd day of February, 2010.

