

City of Vancouver *Zoning and Development By-law*

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CD-1 (9)

3330-3360 East 4th Avenue

By-law No. 3893

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

Effective January 24, 1961

(Amended up to and including By-law No. 8989, dated February 15, 2005)

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 (9).

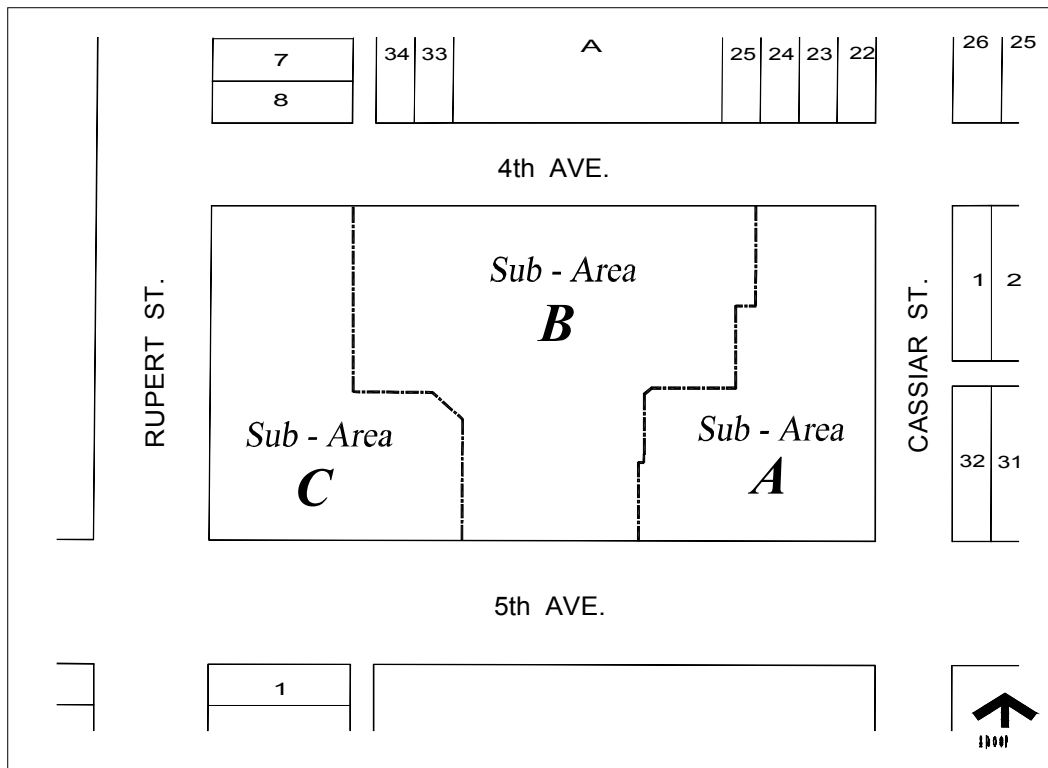
2.2 The only uses permitted within CD-1 (9), subject to such conditions as Council may by resolution prescribe, and to the conditions set out in this By-law, and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses, limited to Multiple Dwelling and Seniors Supportive or Assisted Housing;
- (b) Institutional Uses, limited to Social Service Centre limited to adult day care providing drop-in or activity space; and
[8989; 05 02 15]
- (c) Accessory Use customarily ancillary to any of the uses permitted by this section.

3 Sub-areas

The site is to consist of sub-areas A, B, and C illustrated in Diagram 1:

Diagram 1 - Sub-areas



4 Density

4.1 The maximum floor area must not exceed:

- (a) 5 300 m² in sub-area A;
- (b) 6 750 m² in sub-area B;
- (c) 8 540 m² in sub-area C.

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 3893 or provides an explanatory note.

4.2 Computation of floor space ratio must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of buildings; and
- (b) stairways, fire escapes, elevator shafts, and other features 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.

4.3 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:
 - (i) at or below the base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length, or
 - (ii) above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, including adult day care facilities, recreational facilities, and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total 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 per 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, except that this clause does not apply to walls in existence prior to March 14, 2000.

5 Height

5.1 In sub-area A, the building height, measured above the base surface, must not exceed four storeys having a maximum height of 10.7 m, except that the Director of Planning may relax that height to 13.7 m for a sloping roof.

5.2 In sub-area B, the building height, measured above the base surface, must not exceed four storeys having a maximum height of 12.2 m, except that the Director of Planning may relax that height to 15.5 m for a sloping roof.

5.3 In sub-area C, the building height, measured above:

- (a) the base surface, must not exceed eight storeys; and
- (b) the Rupert Street building grade elevation 51.98 m, must not exceed four storeys having a maximum height of 12.2 m, except that the Director of Planning may relax that height to 15.65 m for a sloping roof.

6 Horizontal angle of daylight

6.1 All habitable rooms in any building containing three or more dwelling units must have at least one window on an exterior wall that complies with the following:

- (a) the location of the window must be such that 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, are unobstructed over a distance of 24.0 m; and
- (b) measurement of the plane or planes referred to in subparagraph (a) must be horizontal from the centre of the bottom of the window.

6.2 For the purpose of section 6.1, obstructions include:

- (a) the theoretically equivalent buildings located on any adjoining sites in any R district in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property boundaries of the proposed site;
- (b) part of the same building including permitted projections; and
- (c) accessory buildings located on the same site as the principal building.

6.3 For the purpose of section 6.1, habitable rooms do not include:

- (a) bathrooms; or
- (b) kitchens, unless the floor area is the greater of more than 10% of the total floor area of the dwelling unit or 9.3 m².

6.4 The Development Permit Board or Director of Planning, as the case may be, may relax the horizontal angle of daylight requirement set out in section 6.1, if the Development Permit Board or Director of Planning first considers the liveability of the resulting dwelling units and if there will be a minimum distance of 3.7 m of unobstructed view.

7 Parking, loading, and bicycle parking

7.1 Any development or use of the site requires the provision, development, and maintenance of off-street parking and loading and bicycle storage in accordance with the requirements of, and relaxations, exemptions and mixed-use reductions in, the Parking By-law, except as varied by section 7.2.

7.2 The following parking space requirements apply:

- (a) for non-profit multiple dwellings for seniors, at least one parking space for each six dwelling units;
 - (b) for seniors supportive or assisted housing multiple dwellings:
 - (i) for dwelling units less than 70 m² of gross floor area, one parking space for each four dwelling units, and
 - (ii) for dwelling units 70 m² or more of gross floor area, one parking space for each 100 m² of gross floor area, except that there need not be more than 1.1 parking space for each dwelling unit; and
- [8989; 05 02 15]
- (c) for market multiple dwellings for seniors, one space for each 70 m² of gross floor area except that there need not be more than 1.1 parking space for each dwelling unit.

7.3 Any development or use of the site requires the provision of:

- (a) Class B loading spaces to serve all buildings on site;
- (b) Class A bicycle parking on site; and

- (c) parking, loading and bicycle parking for adult day care or other community and social service activities;

as determined by the Director of Planning in consultation with the General Manager of Engineering Services.

8 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.

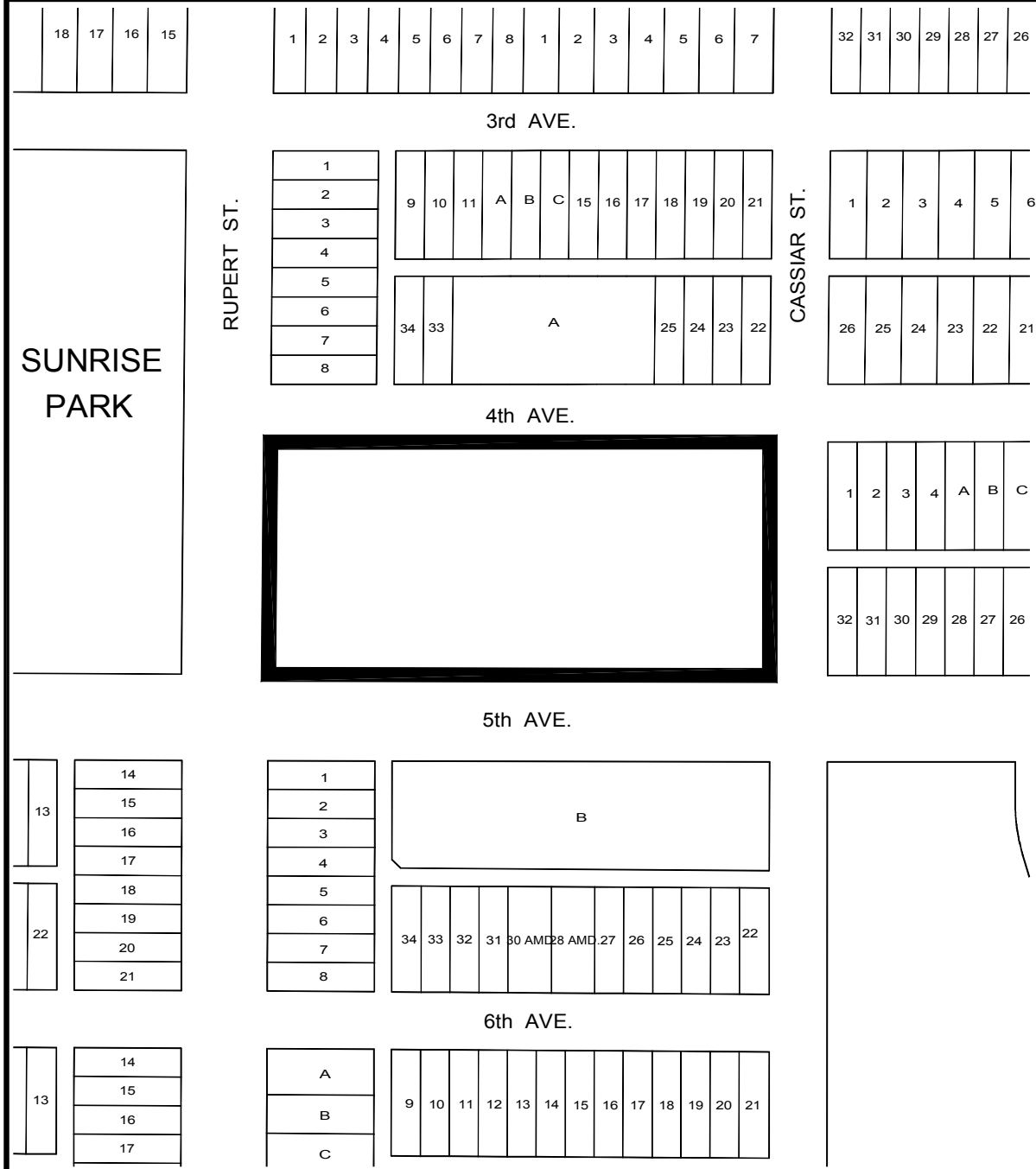
Portions of dwelling units	Noise levels (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45


9 Severability

A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law.

- 10** *[Section 10 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. 3893 being a By-law to amend By-law No. 3575



The property outlined in black () is zoned CD-1(9)

Z-545

RZ - 2001 Cassiar Street

map: 1 of 1

scale: 1:2000



City of Vancouver

