



City of Vancouver *Zoning and Development By-law*

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CD-1 (54)

5233-5251 Joyce Street

By-law No. 4397

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

Effective December 17, 1968

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

1 Application

The provisions of this By-law apply to that area of land zoned CD-1 by By-law No. 4397. [7187; 93 10 05]

2 Uses

The only uses permitted within the area shown included within the heavy black outline on Schedule "D" to By-law No. 4397, which area is more particularly described as CD-1(54), 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: [7388; 95 03 07]

- (a) Church;
 - (b) School - Elementary or Secondary;
 - (c) Hall;
 - (d) Multiple Dwelling providing rental housing for seniors;
 - (e) Dwelling (Rectory); and
 - (f) Accessory Uses customarily ancillary to the above uses.
- [7187; 93 10 05]

3 Floor Space Ratio

3.1 The total floor space ratio shall not exceed 0.69, provided that it does not exceed 0.47 on that part of the site described as Lot 1 of Plan 13188 and 2.00 on that part of the site described as Lot 2 of Plan 13188, and provided that the total floor space ratio may be increased to 0.71 to allow continued use of the church existing as of October 5, 1993 until a replacement church is ready for occupancy.

For the purpose of computing floor space ratio, the site shall be all parcels covered by this By-law, and shall be deemed to be 13 425.6 m², being the site size at time of application for rezoning, prior to any dedications.

3.2 The following shall 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; and
- (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, 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;

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 4397 or provides an explanatory note.

- (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 located above the highest storey or half-storey, or adjacent to a 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; and
- (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; [7187; 93 10 05] [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. [8169; 00 03 14]

4 Height

The maximum building height measured above the base surface shall be 10.7 m, except that the maximum building height for Church use on Lot 1 shall be 20.0 m and for Multiple Dwelling use on Lot 2 shall be 36.6 m. [7187; 93 10 05]

5 Parking and Loading

Off-street parking and loading shall be provided, developed and maintained in accordance with the Parking By-law, except that parking for Church use shall be one parking space per five seats for the first 500 seats and one space per four seats above that, calculated on the basis that one seat is the equivalent of 0.5 m of pew length. [7187; 93 10 05]

6 Acoustics

All development permit applications shall 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 shall 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.

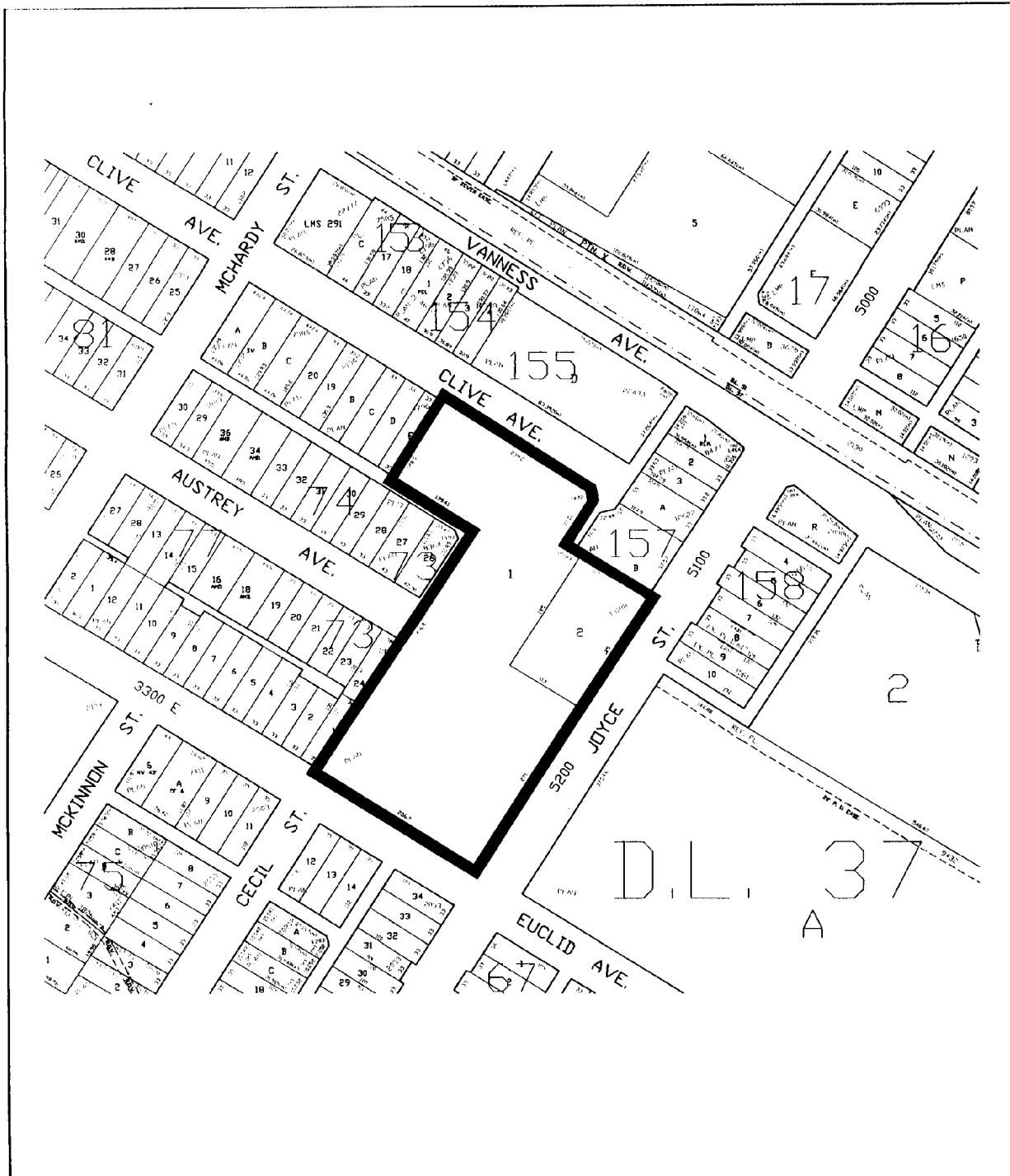
Portions of Dwelling Units	Noise Level (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

[7515; 96 01 11]

7 Fences and Gates

Notwithstanding Section 10.16 of the Zoning and Development By-law, the placing, alteration, or removal of any fence, including a gate, or similar structure intended to enclose, which alters pedestrian circulation into and out of the site shall require the approval of the Director of Planning who shall first notify and consider submissions from property owners in the 3300-block Austrey Avenue and south side of the 3300-block Clive Avenue, and any other surrounding property owners the Director of Planning deems advisable. [7187; 93 10 05]

8 *[Section 8 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.]*



The property outlined in black (█) was rezoned:
 From **RS-1 & C-1** to **CD-1** by By-law No. 4397

CD-1 (54) 5233-5251 Joyce St. City of Vancouver Planning Department	date prepared: Apr. 1994	
	sectional(s): V,W-18	
scale: 1:2000		

