

City of Vancouver *Zoning and Development By-law*

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CD-1 (162)

*3496-3578 Kingsway
3545 East 43rd Avenue
By-law No. 5762*

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

Effective May 1, 1984

(Amended up to and including By-law No. 8169, dated March 14, 2000)

BY-LAW NO. 5762

A By-law to amend By-law No. 3575, being
the Zoning and Development By-law

THE COUNCIL OF THE CITY OF VANCOUVER in opening meeting assembled, enacts as follows:

1 The “Zoning District Plan” annexed by By-Law No. 3575 as Schedule “D” is hereby amended according to the plan marginally numbered Z-292A and attached to this By-law as Schedule “A”, and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule “A” of this By-law, and Schedule “A” of this By-law is hereby incorporated as an integral part of Schedule “D” of By-law No. 3575.

2 **Uses**

The area shown included within the heavy black outline on Schedule “A” is rezoned to CD-1, and the only uses permitted within the said area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

- (a) A maximum of 100 townhouses or apartment dwelling units all of which shall be eligible for funding under Section 56.1 of the **National Housing Act** and subject to the following:
 - (i) of the total number of dwelling units, a minimum of 55 percent shall have two bedrooms, a minimum of 20 percent shall have three bedrooms and the remainder shall have one bedroom; and
 - (ii) all two and three bedroom units shall be designed for families;
- (b) Common use area for residents of the development, subject to the following
 - (i) the gross floor area shall not exceed 231.979 m² (2,497.00 sq. ft.);
- (c) Commercial uses, limited to office and retail uses, and any other of the commercial uses listed in the C-2 District Schedule provided that the Director of Planning is satisfied that any such commercial use is compatible with any residential uses proposed for the site and adjacent land uses, and subject to the following:
 - (i) the gross floor area shall not exceed 4491.953 m² (48,351.60 sq. ft.);
- (d) Accessory uses customarily ancillary to the above uses.

3 **Floor Space Ratio**

3.1 The floor space ratio shall not exceed 0.75, excluding the common use area but including a maximum floor space ratio of 0.25 for commercial uses.

3.2 The floor space ratio for the residential uses shall be measured in accordance with the provisions of the RT-2A District Schedule.

3.3 The floor space ratio for commercial uses shall be measured in accordance with the provisions of the C-2 District Schedule.

3.4 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, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000. [8169; 00 03 14]

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 5762 or provides an explanatory note.*

4 Height

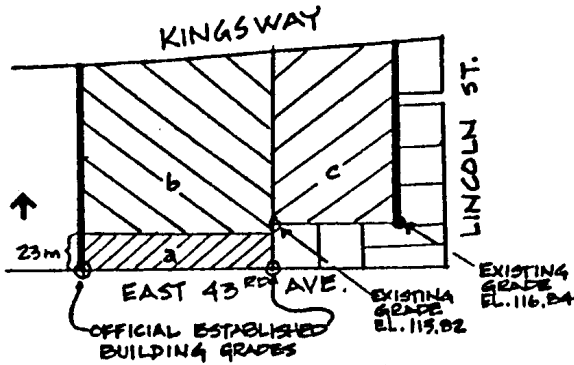
4.1 The maximum height of all buildings containing a commercial component, measured from the base surface, shall be 12.192 m (40.00 ft.).

4.2 The maximum height of architectural appurtenances, including a clock tower, measured from the base surface, shall be 13.564 m (44.50 ft.).

4.3 The maximum height of all other buildings shall be as follows:

- (a) for that portion of the site within area “a” on Diagram 1 below, maximum building height shall be determined by a limiting plane perpendicular to a vertical plane along the East 43rd Avenue north property line, with the line of intersection of the vertical and perpendicular plane being parallel to and 7.01 m (23.00 ft.) above a line connecting the Official Established Building Grades at the points illustrated on Diagram 1 below;
- (b) for that portion of the site within area “b” on Diagram 1 below, maximum building height shall be determined by a limiting plane perpendicular to a vertical plane along the East 43rd Avenue north property line, with the line of intersection of the vertical and perpendicular plane being parallel to and 7.62 m (25.00 ft.) above a line connecting the Official Established Building Grades at the points illustrated on Diagram 1 below; and
- (c) for that portion of the site within area “c” on Diagram 1 below, maximum building height shall be determined by a limiting plane perpendicular to a vertical plane along the southerly property line, with the line of intersection of the vertical and perpendicular plane being parallel to and 6.096 m (20.00ft.) above a line connecting the existing grades noted on Diagram 1 below.

Diagram 1



5 Site Coverage

The maximum site coverage for all buildings and paved areas, excluding areas solely for pedestrian circulation, shall be 50 percent.

6 Off-street parking and loading

Off-street parking and loading spaces for all uses shall be provided, developed and maintained in accordance with applicable provisions of Section 12 of the Zoning and Development By-law, except as follows:

- (a) parking spaces for residential uses shall be provided at a minimum ratio of 1.5 spaces for each dwelling unit; and
- (b) parking spaces otherwise allocated for commercial uses shall, after regular working hours, be provided for visitors at a minimum ratio of 0.2 spaces for each dwelling; and
- (c) section 6.1 of the Table 12-1 shall not apply.

7 This By-law comes into force and-takes effect on the date of its passing.

DONE AND PASSED in open Council this 1st day of May 1984.

(signed) Michael Harcourt
Mayor

(signed) R. Henry
City Clerk

“I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 1st day of May, 1984, and numbered 5762.

CITY CLERK”

By-law No. 5762 being a By-law to amend By-law No. 3575 being the Zoning and Development By-law

