

CD-1 (225)

*5092 McHardy Street and
3263-3277 and 3311-3327 Vanness Avenue
By-law No. 6363*

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

Effective June 21, 1988

Amended up to and including:

By-law No. 7515, dated January 11, 1996

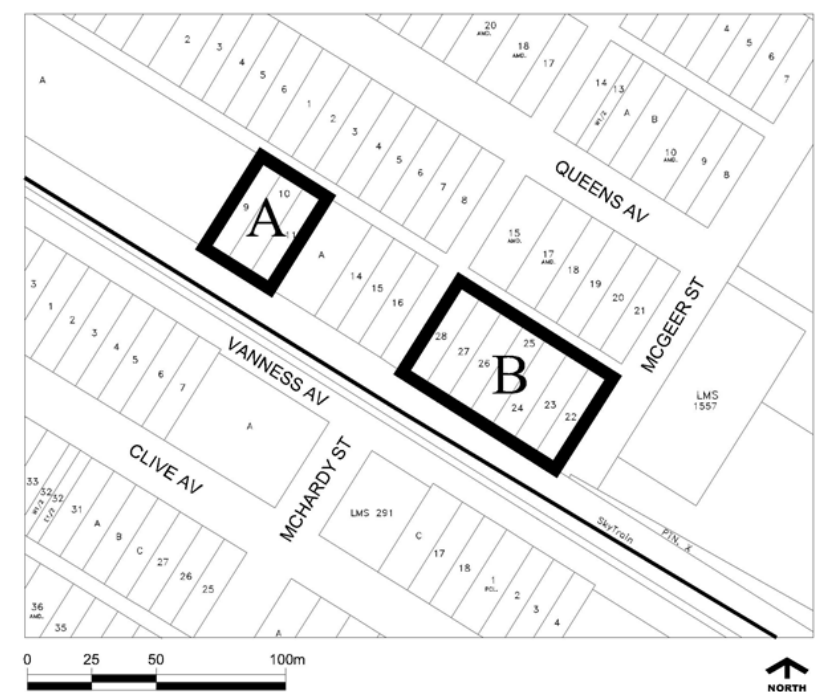
By-law No. 9414, dated December 12, 2006

By-law No. 13209, dated December 8, 2021

Consolidated for Convenience Only

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to this CD-1 By-law or provides an explanatory note.

1. 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-758 (f) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575. [13209; 2021 12 08]
2. 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, including design guidelines, and the only uses for which development permits will be issued are:
 - (a) in that portion of the area comprising Lots 9, 10 and 11 (hereinafter referred to as Site A) shown on Diagram 1 below: [13209; 2021 12 08]
 - (i) One-family dwelling or one-family dwelling with secondary suite, subject to the regulations that would apply if located in the RS-1 District; [9414; 06 12 12]
 - (ii) Multiple dwelling, including recreation and common facilities;
 - (iii) Accessory uses customarily ancillary to the foregoing;
 - (b) in that portion of the area comprising Lots 22, 23, 24, 25, 26, 27, and 28 (hereinafter referred to as Site B) shown on Diagram 1 below:
 - (i) One-family dwelling or one-family dwelling with secondary suite, subject to the regulations that would apply if located in the RS-1 District; [9414; 06 12 12]
 - (ii) Multiple dwelling, including recreation and common facilities;
 - (iii) Accessory uses customarily ancillary to the foregoing.



[13209; 2021 12 08]

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 6363 or provides an explanatory note.

Floor Space Ratio

3. The maximum floor space ratio for multiple dwellings, calculated as if located in the RM-4N District, shall be 1.2 except that the following shall also be excluded from the floor space ratio calculation:
 - (a) enclosed balconies and other features designed to reduce transit, rail or industrial noise, provided the Director of Planning first approves the design of any such feature, and provided further that the total area of all such enclosures and other features does not exceed eight percent of the permitted floor area; and
 - (b) the following ancillary amenity facilities for the social and recreational enjoyment of the residents provided that the area of such excluded facilities does not exceed 20 percent of the allowable floor space:
 - (i) saunas;
 - (ii) tennis courts;
 - (iii) swimming pools;
 - (iv) squash or racketball courts;
 - (v) gymnasium and workout rooms;
 - (vi) games and hobby rooms;
 - (vii) other related indoor uses of a social or recreational nature which in the opinion of the Director of Planning are similar to the above.
- 3.2 The maximum floor space ratio, calculated as if located in the RS-1 District, for all other uses shall be 0.60.
- 3.3 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]

Site Area

4. The minimum site area for a multiple dwelling shall be 2 968 m² (31,950 sq. ft.) if located on Site B, and 1 260 m² (13,562 sq. ft.) [13209; 2021 12 08] if located on Site A, the calculation of which shall include any land dedicated for street purposes subsequent to May 12, 1988.

Height

5. The maximum building height measured above the base surface shall be 9.2 m (30 ft.), except that within 24.4 m (80 ft.) of the most southerly boundary of the area outlined on Schedule "A" the maximum building height shall be 11.9 m (39 ft.).

Acoustics

6. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic engineer demonstrating that the noise

levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be 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

[7515; 96 01 11]

Off-Street Parking

- 7.1 Off-street parking shall be provided, developed and maintained in accordance with the provisions of the Parking By-law except that for multiple dwellings, including units designated solely for families of low income under the provisions of the National Housing Act, no less than the greater of 1 space per 70 m² (750 sq. ft.) or 1.2 spaces per unit shall be provided, of which no less than 1 space for every 5 units shall be for visitor parking.
- 7.2 A minimum of 90% of the off-street parking spaces required for multiple dwellings shall be provided underground.

Vehicular Access

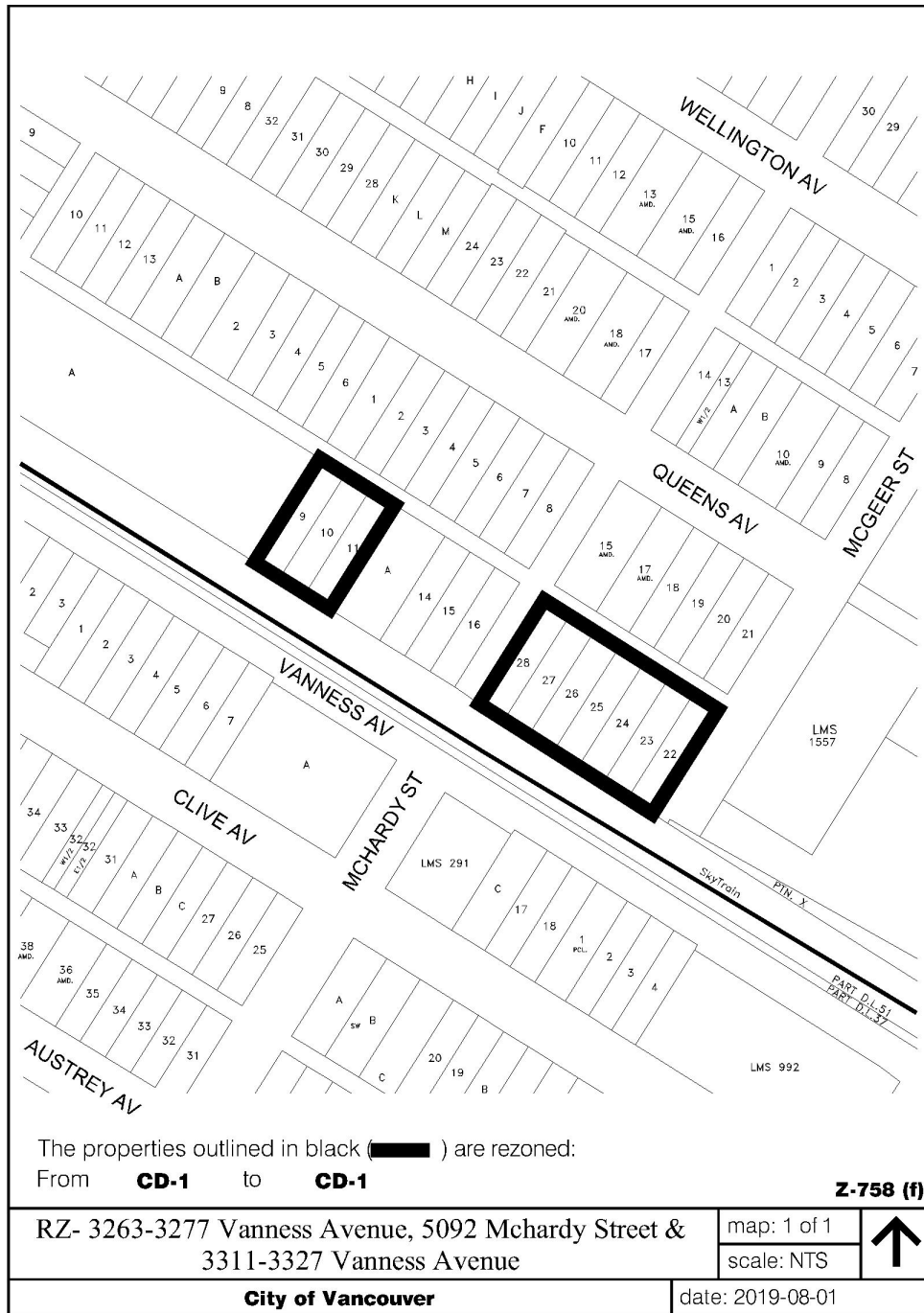
8. Vehicular access to underground off-street parking spaces shall be provided to both Sites A and B from McHardy Street.

Stormwater Storage

9. No development permit shall be issued for any development which will:
- (a) have the effect of reducing the pervious area of the site; and
 - (b) result in the site having a pervious area of less than 50% of the site area;
- until the property owner has entered into a covenant or other instrument satisfactory to the Director of Legal Services to ensure compliance with the following:
- (c) a stormwater storage system shall be constructed on the site which:
 - (i) provides a minimum storage capacity equal to the depth of 5.6 millimetres over the entire site; and
 - (ii) includes a device to restrict the maximum stormwater flow from the site into the public sewer to 54.0 litres per second per hectare;
 - (d) the stormwater storage system shall be designed and inspected by a Professional Engineer registered in the Province of B.C. who shall certify that the system is designed and constructed in accordance with the minimum standards set out in clause (c) above;

- (e) maintenance of the stormwater storage system shall be the responsibility of the property owner; and
- (f) the property owner shall enter into a release and indemnity agreement with the City, to the satisfaction of the Director of Legal Services, regarding the stormwater storage system.

10. *[Section 10 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and certify the by-law number and date of enactment.]*



Public Hearing – May 12, 1988 – Item 5

Summary – Rezone from RS-1 (Residential District) to CD-1 (Comprehensive District).

By-law enacted on June 21, 1988 – [By-law No. 6363](#)

Public Hearing – September 12, 1995

Summary – To amend various CD-1 By-laws.

By-law enacted on January 11, 1996 – [By-law No. 7515](#)

Public Hearing – December 12, 2006 – Item 2 – [Agenda](#)

Summary – To amend various CD-1 By-laws to allow “one-family dwelling with secondary suite” as a use in CD-1s that currently permit one-family dwellings.

By-law enacted on December 12, 2006 – [By-law No. 9414](#)

Public Hearing – October 1, 2019 – Item 3 – [Agenda](#)

Summary – To rezone from CD-1 (225) (Comprehensive Development) District to a new CD-1 District to permit the development of a six-storey, residential building with 102 social housing units. A height of 22.42 metres (73.55 feet) and a floor space ratio (FSR) of 3.42 are proposed.

By-law enacted on December 8, 2021 – [By-law No. 13209](#)