



**City of Vancouver** *Zoning and Development By-law*  
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## **CD-1 (296)**

*5837-5897 Oak Street  
(Oak Gardens)*

*By-law No. 7135*

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

**Effective June 22, 1993**

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

**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**

The area shown included within the heavy black outline on Schedule 'A' shall be more particularly described as CD-1(296), 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:

- (a) Multiple Dwelling containing a maximum of 45 dwelling units occupied by households of which at least one member is 55 years of age or older.
- (b) Accessory Uses customarily ancillary to the above use.

**3** **Floor Space Ratio**

**3.1** The floor space ratio shall not exceed 1.25. 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 3 438.6 m<sup>2</sup>, 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;
- (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 are at or below the base surface, provided that the maximum exclusion for a parking space shall be 7.3 m in length; or
- (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 not less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; [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]

*Note: Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 7135 or provides an explanatory note.*

## **4 Height**

**4.1** The maximum building height measured above the base surface shall be 9.2 m and the building shall not extend beyond 3 storeys.

**4.2** Notwithstanding the height limitation in section 4.1, the Director of Planning may permit a building to exceed a height of 9.2 m but not to exceed a height of 10.7 m provided that he considers:

- (a) the impact of the increased height on views from surrounding development;
- (b) the extent to which the increased height improves the roof lines of the building; and
- (c) the effect of the increased height on adjacent properties and the character of the area.

## **5 Setbacks**

The minimum setback of a building from the front property boundary shall be 6.0 m.

The minimum setback of a building from the side property boundary shall be 5.0 m.

The minimum setback of a building from the rear property boundary shall be 8.0 m.

## **6 Off-Street Parking and Loading**

Off-street parking shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that a minimum of 1.1 off-street parking spaces for every dwelling unit plus one space for each 200 m<sup>2</sup> of gross floor area shall be provided.

## **7 Acoustics**

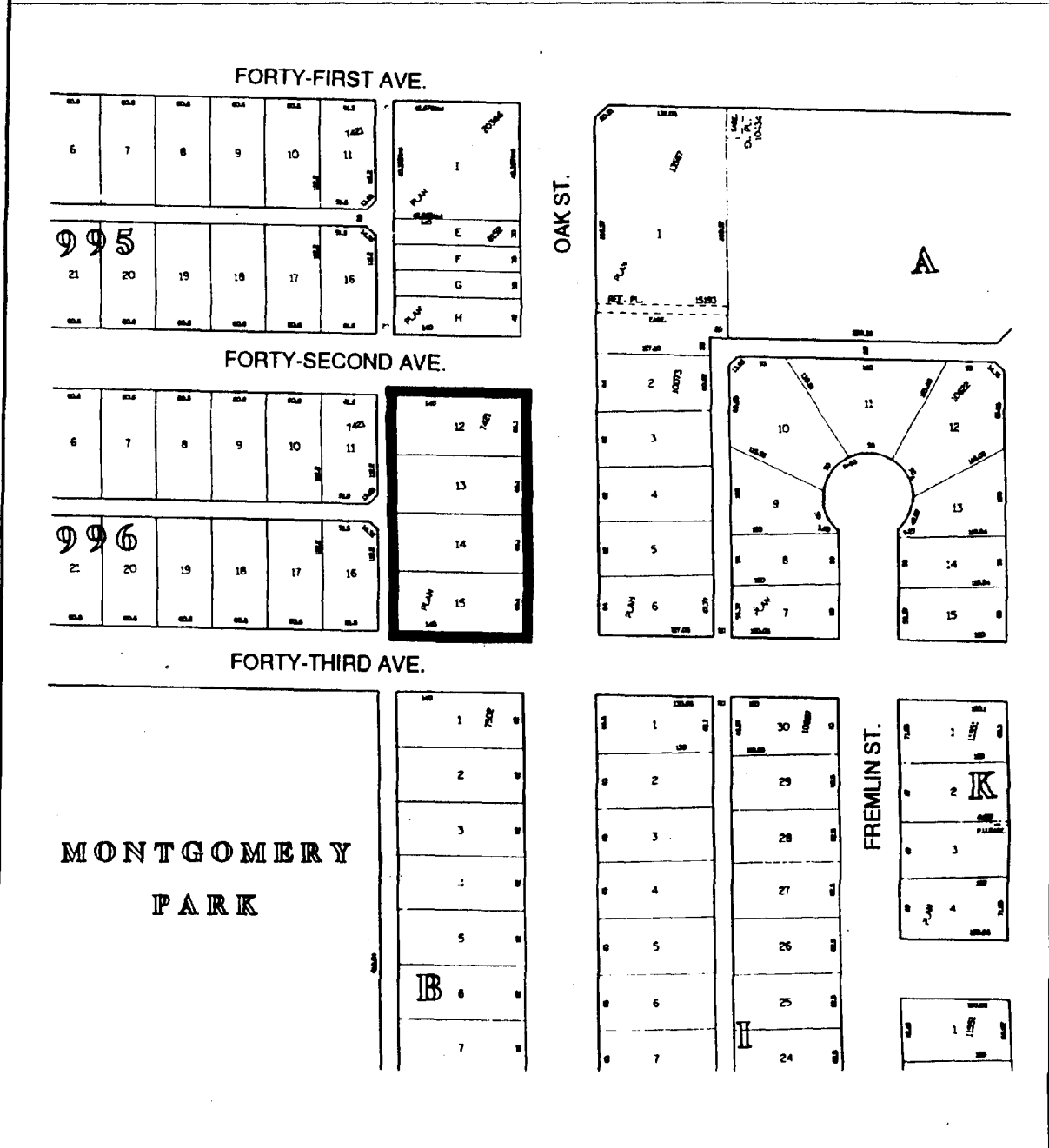
All development permit applications shall require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise 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.

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

[7515; 96 01 11]

**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.]*

BY-LAW No. 7135 BEING A BY-LAW TO AMEND BY-LAW No. 3575  
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black (■) is rezoned:  
From **RS-1** To **CD-1**

**Z-412 (b)**

<b>RZ-5837-5897 Oak Street</b>	map: 1 of 1	
	:	
<b>City of Vancouver Planning Department</b>	scale: 1:2000	

