



City of Vancouver *Zoning and Development By-law*

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CD-1 (393)

5750 Oak Street

By-law No. 8055

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

Effective July 29, 1999

(Amended up to and including By-law No. 9674, dated June 24, 2008)

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(393), 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) Institutional Uses, but not including Ambulance Station, Detoxification Centre, Hospital, or Any Community Care Facility and Group Residence, [9674; 08 06 24]
- (b) Multiple Dwelling accommodation consisting of a maximum of 61 dwelling units, and
- (c) Accessory Uses customarily ancillary to the above uses.

3 **Floor Space Ratio**

3.1 The floor space ratio must not exceed 2.20, with the following composition:

- (a) the floor space ratio for Institutional Uses shall not exceed 0.58; and
- (b) the floor space ratio for Residential Uses shall not exceed 1.44.

For the purposes of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 3 786.5 m², being the site size at time of application for rezoning, prior to any dedications.
[9061; 05 06 14]

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, 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:
 - (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;
- (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 which are 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;

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 8055 or provides an explanatory note.*

- (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; [8760; 03 12 09]
- (g) below-grade residential lobby area to a maximum exclusion of 41 m²,
- (h) below-grade institutional storage space and lobby areas to a maximum exclusion of 267 m²;
- (i) 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] [8298; 01 02 20]

3.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided;
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed; and
 - (iii) a minimum of two wall planes, being exterior glazed walls, shall extend a minimum of 0.6 m beyond at least one exterior wall of the building.

4 Height

The maximum building height measured above the base surface is

- (a) 18.0 m to the top of the cornice and five storeys for institutional uses, and 19.5 m for a decorative roof or building element at the corner of West 41st Avenue and Oak Street, and
- (b) 15.4 m to the top of the cornice and five storeys for residential uses and 16.2 m for the circulation core.

5 Off-Street Parking and Loading

Parking, loading and bicycle spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law.

6 Acoustics

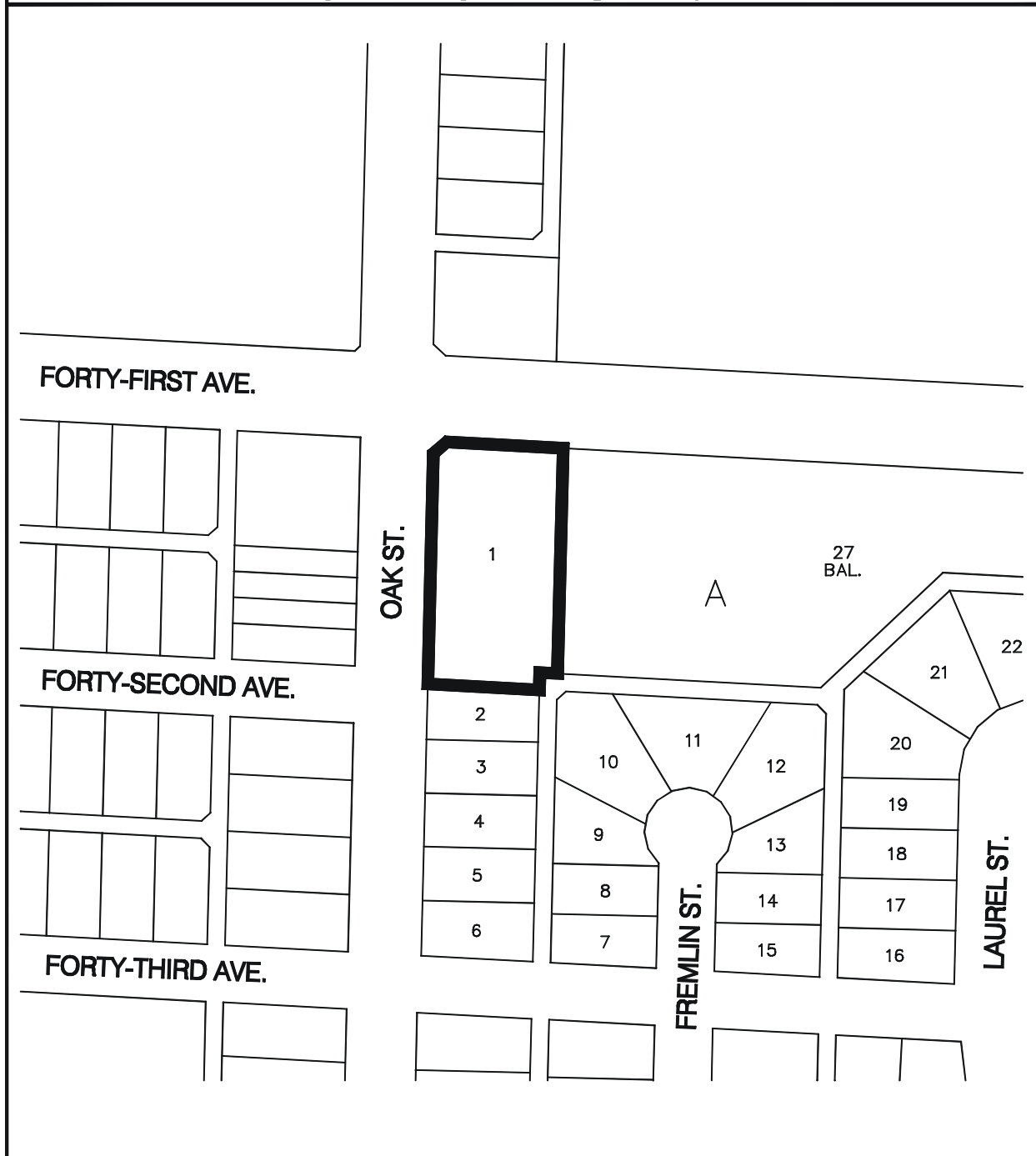
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below do not exceed the noise level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

7 *[Section 7 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. 8055 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-491 (b)

RZ - 5750 Oak Street (formerly 990 W. 41st Ave.)

map: 1 of 1
scale: 1:2000



City of Vancouver