



City of Vancouver *Zoning and Development By-law*

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CD-1 (461)

3203-3229 West 10th Avenue

By-law No. 9588

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

Effective January 15, 2008

(Amended up to and including By-law No. 9619, dated April 1, 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

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (461).

2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (461) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses, limited to Multiple Dwelling containing no more than 20 dwelling units;
- (b) Parking Uses, limited to Parking Garage containing no more than 37 parking spaces; and
- (c) Accessory Uses, limited to one resident manager's office for the Multiple Dwelling.

3 Density

3.1 Computation of floor area must assume that the site consists of 1 409.7 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

3.2 The floor space ratio for all uses must not exceed 1.25.

3.3 Computation of floor space ratio must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, 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, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

3.4 Computation of floor space ratio must exclude:

- (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, if 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 are:
 - (i) at or below base surface, or
 - (ii) above base surface and where developed as off-street parking are situate in an accessory building situate in the rear yard, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, recreation facilities, and meeting rooms accessory to residential uses, not to exceed 10% of the permitted floor area;
- (e) undeveloped floor area 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;
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit; and

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 9588 or provides an explanatory note.

- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause does not apply to walls in existence before March 14, 2000.

4 Building height

The building height must not exceed 10.7 m, measured above the base surface.

5 Horizontal angle of daylight

5.1 Each habitable room in a building containing three or more dwelling units must have at least one window on an exterior wall.

5.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

5.3 Measurement of the plane or planes referred to in section 5.2 must be horizontally from the centre of the bottom of each window.

5.4 An obstruction referred to in section 5.2 means:

- (a) the theoretically equivalent buildings located on any adjoining sites in any R District in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property lines of the proposed site;
- (b) part of the same building including permitted projections;
- (c) accessory buildings located on the same site as the principal building; and
- (d) the maximum size building permitted under the appropriate C or M district schedule if the site adjoins a C or M site.

5.5 A habitable room referred to in section 5.1 does not include:

- (a) a bathroom; or
- (b) a kitchen whose floor area is the lesser of:
 - (i) less than 10% of the total floor area of the dwelling unit, or
 - (ii) less than 9.3 m².

5.6 If:

- (a) the Director of Planning or Development Permit Board first considers the intent of this CD-1 By-law and all the applicable policies and guidelines adopted by Council; and
- (b) the minimum distance of unobstructed view is not less than 3.7 m;

the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

[9619; 08 04 01]

6 Parking, loading, and bicycle spaces

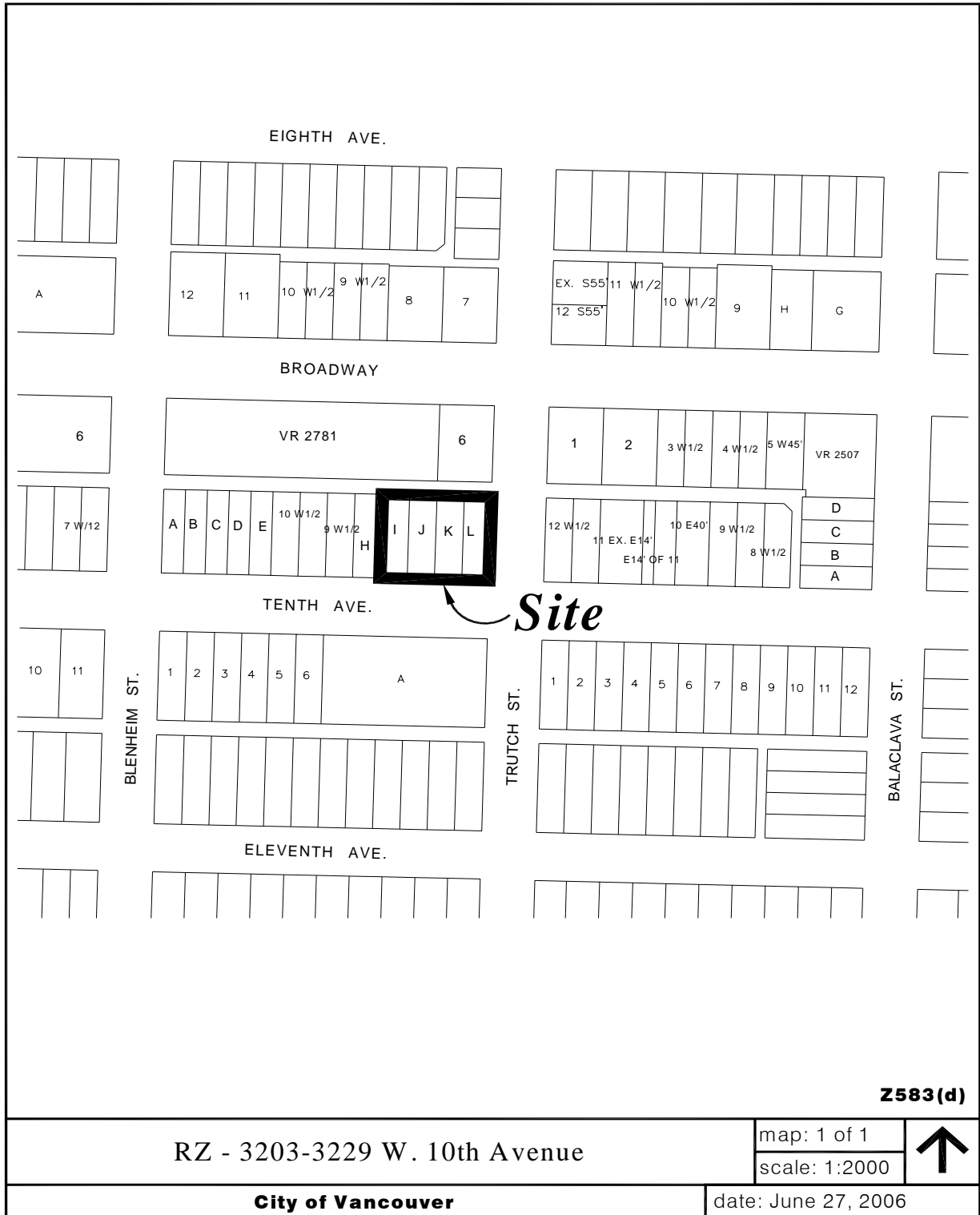
Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law, except that there must be at least one parking space for each 70 m² of gross floor area of residential use and no more than 2.2 parking spaces are mandatory.

7 **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

8 **Severability**
A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

9 *[Section 9 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.]*



Z583(d)

RZ - 3203-3229 W. 10th Avenue

map: 1 of 1

scale: 1:2000



City of Vancouver

date: June 27, 2006