



City of Vancouver *Zoning and Development By-law*

Planning, Urban Design and Sustainability Department

453 West 12th Avenue, Vancouver, BC V5Y 1V4 | tel: 3-1-1, outside Vancouver 604.873.7000 | fax: 604.873.7100
website: vancouver.ca | email: planning@vancouver.ca | app: VanConnect

CD-1 (487)

2330 - 2372 Kingsway and 2319 East 30th Avenue
By-law No. 10094

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

Effective July 20, 2010

(Amended up to and including By-law No. 12084, dated May 1, 2018)

1 Zoning District Plan amendment

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-575 attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2 Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD 1 (487).

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 (487) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses, limited to:
 - (i) Multiple Dwelling, and
 - (ii) Dwelling Unit in conjunction with any use listed in this section 2.2;
- (b) Residential Unit associated with and forming an integral part of an Artist Studio;
- (c) Cultural and Recreational Uses, limited to Artist Studio, Billiard Hall, Bowling Alley, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, Library, Museum or Archives, Rink, Swimming Pool, and Theatre;
- (d) Institutional Uses, limited to Child Day Care Facility, Church, Public Authority Use, School - Elementary or Secondary, School - University or College, Social Service Centre, and Special Needs Residential Facility;
- (e) Manufacturing Uses, limited to Jewellery Manufacturing and Printing or Publishing;
- (f) Office Uses;
- (g) Retail Uses limited to Furniture or Appliance Store, Grocery or Drug Store, Neighbourhood Grocery Store, Grocery Store with Liquor Store, Liquor Store, Retail Store, Small-scale Pharmacy, and Secondhand Store; [12084; 18 05 01]
- (h) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Bed and Breakfast Accommodation, Cabaret, Catering Establishment, Hotel, Neighbourhood Public House, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class B, Restaurant - Class 1, Restaurant - Class 2, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, School - University or College, Sign Painting Shop, and Wedding Chapel;
- (i) Utility and Communication Uses, limited to Public Utility and Radiocommunication Station;
- (j) Wholesale Uses, limited to Wholesaling - Class A and Wholesaling - Class B;
- (k) Interim Parking Use if the Director of Planning, in consultation with the General Manager of Engineering Services, approves a parking management plan; and
- (l) Accessory Uses customarily ancillary to any of the uses permitted by this section 2.2.

3 Conditions of use

Despite section 2.2, a Bowling Alley, Fitness Centre, Hall, Rink, Swimming Pool, Club, Dwelling Use, School - Elementary or Secondary, School - University or College, Special Needs Residential Facility, General Office except for an insurance agency, travel agency or real estate office, Auction Hall, Bed and Breakfast Accommodation, Cabaret, School - Arts or Self Improvement, School - Business, or School - Vocational or Trade, except for entrances to such uses, must not be situate at grade on any frontage adjacent to Kingsway or Nanaimo Street.

4 Density

4.1 The floor space ratio must not exceed 3.6.

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 10094 or provides an explanatory note.

4.2 Computation of floor area must:

- (a) assume that the site includes all parcels to which this By-law applies, and consists of 8 072.3 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications; and
- (b) include all floors of all buildings, including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.3 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, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
- (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 the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length, or
 - (ii) above the base surface and where developed as off-street parking, are situate in an accessory building in the rear yard, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreational facilities, and meeting rooms, accessory to a residential use, not to exceed 10% of the total permitted floor area, if, with respect to child day care facilities, the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) 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 will be no exclusion for any of the residential storage space above base surface for that unit; and
- (f) 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 prior to March 14, 2000.

4.4 The Director of Planning may allow the exclusion of enclosed residential balconies from the computation of floor space ratio but:

- (a) the Director of Planning must first consider all applicable policies and guidelines adopted by Council;
- (b) the Director of Planning must approve the design of the balcony enclosure;
- (c) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided; and
- (d) enclosure of the excluded balcony floor area must not exceed 50%.

5 Building height

The building height, measured above the base surface, must not exceed 65 m, and the building must not exceed 22 storeys, except that the Development Permit Board may allow an increase for mechanical appurtenances and elevator machine rooms.

6 Horizontal angle of daylight

6.1 All habitable rooms in buildings used for residential or hotel purposes must have at least one window on an exterior wall that complies with the following:

- (a) the location of the window must be such that 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, are unobstructed over a distance of 24.0 m; and
- (b) measurement of the plane or planes referred to in subsection (a) must be horizontal from the centre of the bottom of the window.

6.2 For the purpose of section 6.1, obstructions include:

- (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) if this site adjoins a C or M site, the maximum size building permitted under the appropriate C or M District Schedule in the Zoning and Development By law.

6.3 For the purpose of section 6.1, habitable rooms do not include:

- (a) bathrooms; or
- (b) kitchens, unless the floor area is more than 10% of the total floor area of the dwelling unit or 9.3 m², whichever is greater.

7 Parking, loading, bicycle, and passenger 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, bicycle spaces, and passenger spaces, all as defined under the Parking By-law, except that for a child day care facility:

- (a) there must be at least two parking spaces for staff;
- (b) there must be at least four and no more than six parking spaces for persons who park for the purpose of taking a child to or from the facility, except that if the capacity of the facility increases or decreases then the minimum number of such parking spaces must comply with the following appropriate requirement:

| | |
|------------------------------|----------------------|
| 0 to 4 child capacity | No requirement |
| 5 to 14 child capacity | One parking space |
| 15 to 24 child capacity | Two parking spaces |
| 25 to 34 child capacity | Three parking spaces |
| 35 to 44 child capacity | Four parking spaces |
| 45 to 59 child capacity | Five parking spaces |
| 60 or greater child capacity | Six parking spaces |

8 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 dwelling units listed below do not exceed the noise levels 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 levels in decibels.

| Portions of dwelling units | Noise levels (Decibels) |
|----------------------------------|-------------------------|
| Bedrooms | 35 |
| Living, dining, recreation rooms | 40 |
| Kitchen, bathrooms, hallways | 45 |

9 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.

10 Force and effect

This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 20th day of July, 2010.



Z-575

RZ - 2330-2372 Kingsway / 2319 E 30th Avenue

map: 1 of 1

scale: 1:2000



City of Vancouver

date: Jan. 4, 2006

