



# **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](mailto:planning@vancouver.ca) | app: VanConnect

## CD-1 (496)

### *2250 Commercial Drive*

### *By-law No. 10260*

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

***Effective May 17, 2011***

*(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-621 (b) 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 (496).

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

(a) Cultural and Recreational Uses, limited to:

(i) Artist Studio, except that:

- A. where an Artist Studio is combined with a residential unit, the studio may only be used by the individuals residing in the residential unit associated with and forming an integral part of the Artist Studio, and
- B. the maximum size for an Artist Studio shall be 500 m<sup>2</sup>, and

(ii) Billiard Hall, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall or Library;

(b) Dwelling Uses, limited to:

(i) Dwelling Uses in conjunction with any of the uses listed in this By-law except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width shall be used for any residential purpose except as entrances to the residential portion,

(ii) Principal Dwelling Unit combined with a Secondary Dwelling Unit in conjunction with any of the uses listed in this By-law, except that no portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width, shall be used for any residential purpose except as entrances to the residential portion,

(iii) Residential Unit associated with and forming an integral part of an Artist Studio, except that no more than 2 persons may occupy the residential unit associated with an Artist Studio, but the Director of Planning may relax this occupancy limit for the residential unit associated with an artist studio, if:

- A. a ventilated workshop space is provided in a room separated from the residential unit, and
- B. the Director of Planning considers the submission of any advisory group, property owner or tenant and all applicable policies and guidelines adopted by Council;
- C. notify adjacent property owners and any others that he deems necessary,
- D. consider all applicable policies and guidelines adopted by Council,

**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 10260 or provides an explanatory note.

- E. in the case of a specifically designed facility, which is not a conversion, establish the minimum site area, having regard to the type of service and number of residents in the proposed facility, and the character of development within the adjacent neighbourhood, and
  - F. in the case of a conversion of an existing building, determine that the building is suitable for conversion, having regard to the size of the site and building, open space on the site, and the proximity of adjacent buildings;
- (c) Institutional Uses, limited to:
- (i) Child Day Care Facility, Church, Public Authority Use, School - Elementary or Secondary, School - University or College, Social Service Centre, and
  - (ii) Community Care Facility – Class B or Group Residence, except that, before issuing a Development Permit for those uses, the Director of Planning must:
    - A. determine that the landscaping and open space provision is appropriate for the size and nature of the development,
    - B. consider the effect of the design of all buildings and the provision and location of off-street parking and loading on the amenity of the neighbourhood,
    - C. notify adjacent property owners and any others that he deems necessary,
    - D. consider all applicable policies and guidelines adopted by Council,
    - E. in the case of a specifically designed facility, which is not a conversion, establish the minimum site area, having regard to the type of service and number of residents in the proposed facility, and the character of development within the adjacent neighbourhood, and
    - F. in the case of a conversion of an existing building, determine that the building is suitable for conversion, having regard to the size of the site and building, open space on the site, and the proximity of adjacent buildings;
- (d) Office Uses;
- (e) Retail Uses, limited to:
- (i) Grocery or Drug Store, Grocery Store with Liquor Store, Retail Store, Furniture or Appliance Store, Liquor Store, Secondhand Store, and; [12084; 18 05 01]
  - (ii) Small-scale Pharmacy, except that:
    - A. a Small-scale Pharmacy must include at least 25 m<sup>2</sup> of publicly accessible space, except that if the Director of Planning first considers all applicable guidelines and policies adopted by Council and potential impacts on the site and the surrounding properties, the Director of Planning may allow a lesser amount of space, and
    - B. any development permit for a Small-scale Pharmacy must be limited in time to two years from the date of issuance;

- (f) Service uses, limited to Animal Clinic, Auction Hall, Catering Establishment, Neighbourhood Public House, Print Shop, Restaurant - Class 1, School - Arts or Self Improvement, School – Business, School - Vocational or Trade, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Repair Shop - Class B; and
- (g) Accessory Use customarily ancillary to any use permitted by this section 2.2.

### 3 Conditions of use

3.1 All commercial uses permitted by this By-law shall be carried on wholly within a completely enclosed building except for:

- (a) Restaurant – Class 1;
- (b) Neighbourhood Public House; and
- (c) Display of plants, flowers, fruit and vegetables in conjunction with a permitted use.

3.2 No general office, except for entrances thereto, shall be located within a depth of 10.7 m of the front wall of the building and extending across its full width on that portion of a storey having an elevation within 2.0 m of street grade on the fronting street, except for an insurance, travel agency or real estate office. In the case of a site abutting more than one street, the fronting street is to be determined by the Director of Planning.

### 4 Floor area and density

4.1 Computation of floor space ratio must assume that the site consists of 1 814.34 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

4.2 The floor space ratio for all uses combined must not exceed 3.0, except that the floor space ratio for Office Uses must not exceed 1.20.

4.3 Computation of floor space ratio must include all floors having a minimum ceiling height of 1.2 m, both above and below ground level, measured to the extreme outer limits of the building.

4.4 Computation of floor space ratio must exclude:

- (a) open residential balconies or sun decks 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 such exclusions must not exceed 8% of the residential floor area;
- (b) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors or portions of 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 at or below the base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) 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> for a dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;

- (e) 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 51 mm thickness, except that this clause is not to apply to walls in existence before March 14, 2000; and
- (f) with respect to exterior:
  - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
  - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),

the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any wall referred to in subsection (ii) meets the standards set out therein.

4.5 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board, enclosed residential balconies if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided; and
- (b) enclosure of the excluded balcony floor area must not exceed 50%.

4.6 The use of floor space excluded under section 4.4 or 4.5 must not include any purpose other than that which justified the exclusion.

## 5 Building height

5.1 The building height, measured above base surface calculated from the official established building grades, and to the top of the roof slab above the uppermost habitable floor, excluding parapet wall, must not exceed 19.2 m.

5.2 Section 10.11 of the Zoning and Development By-law is to apply, except that despite section 10.11 and section 5.1 of this By-law, the Director of Planning or Development Permit Board, as the case may be, may permit a greater height than otherwise permitted for a mechanical penthouse, solar panels for energy collection, trellises, and other garden structures which support the use of intensive green roofs or urban agriculture.

## 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:

- (a) a minimum of one parking space for each 100 m<sup>2</sup> of gross floor area up to a maximum of 1.25 spaces for each dwelling unit;
- (b) a minimum of 0.1 visitor parking spaces for each dwelling unit up to a maximum of 0.2 spaces for each dwelling unit; and
- (c) a minimum of 0.03 car sharing spaces for each dwelling unit.

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 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.

<b>Portions of dwelling units</b>	<b>Noise levels (Decibels)</b>
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 Force and effect

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

ENACTED by Council this 17<sup>th</sup> day of May, 2011.

