



# **City of Vancouver** *Zoning and Development By-law*

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## **CD-1 (508)**

*1569 West 6th Avenue*

*By-law No. 10308*

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

***Effective July 12, 2011***

## **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-625(c) 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 (508).
- 2.2 Subject to approval by Council 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 (508) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
- (a) Dwelling Uses;
  - (b) Cultural and Recreational Uses, limited to Artist Studio and Fitness Centre;
  - (c) Institutional Uses, limited to Child Day Care Facility;
  - (d) Office Uses;
  - (e) Retail Uses, limited to Grocery or Drug Store and Retail Store;
  - (f) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, School – Arts or Self – Improvement, and School – Business; and
  - (g) Accessory Uses customarily ancillary to any of the uses listed in this section 2.2.

## **3 Floor area and Density**

- 3.1 The floor space ratio for all permitted uses must not exceed 4.95.
- 3.2 Computation of floor space ratio must include:
- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, above and below ground level, measured to the extreme outer limits of the building; and
  - (b) in the case of Dwelling Uses and Artist Studios, where the distance from a floor to the floor above, or where there is no floor above, to the top of the roof rafters or deck, exceeds 3.7 m, an additional amount equal to the area of the floor area below the excess height, except that the additional amount must not be counted in the case of undeveloped areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies and mechanical penthouses.
- 3.3 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 open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided;
  - (b) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including fitness, recreation and day care facilities, except that the exclusion must not exceed the lesser of 20% of the permitted floor area or 1 000 m<sup>2</sup>;
  - (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 at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;

- (d) 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> 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 152 mm thickness, except that this clause shall not apply to walls in existence prior to 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.

3.4 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) cultural uses secured to the city's satisfaction for public use and benefit; and
- (b) 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:
  - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
  - (ii) enclosure of the excluded balcony floor area must not exceed 50%.

3.5 The use of floor space excluded under section 3.3 or 3.4 must not include any purpose other than that which justified the exclusion.

## **4 Building height**

4.1 The building height must not exceed 46.7 m measured from base surface.

4.2 Section 10.11 of the Zoning and Development By-law is to apply to this By-law, except that the Director of Planning or Development Permit Board may permit a greater height than otherwise permitted for access and infrastructure required to maintain green roofs or urban agriculture, including stair and elevator enclosures, amenity areas, tool sheds, trellises and other garden structures, if the Director of Planning or Development Permit Board first considers:

- (a) all applicable policies and guidelines adopted by Council; and
- (b) the effects on public and private views, shadowing, privacy, and noise impacts.

## **5 Parking 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:

- (a) the Director of Planning may reduce the minimum parking requirement by 10% if the site is within 250 m of two distinct bus routes that run north to south and east to west; and
- (b) visitor parking spaces must be provided as part of the minimum residential parking at a rate of not less than 0.05 space for each dwelling unit.

## **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 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

## **7 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.

## **8 Force and effect**

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

ENACTED by Council this 12th day of July, 2011.



The property outlined in black (  ) is rezoned:  
From **C-3A** to **CD-1**

**Z-625 (c)**

RZ - 1569 W 6th Avenue

map: 1 of 1

scale: NTS



**City of Vancouver**

date: 2010-09-28