



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

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## **CD-1 (513)**

*2402 East Broadway*

*By-law No. 10382*

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

***Effective October 18, 2011***

*(Amended up to and including By-law No. 10455, dated March 27, 2012)*

## **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-602(a), 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 (513).
- 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 (513), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
- (a) Dwelling Uses, in conjunction with any of the uses listed in this section 2.2; [10455; 12 03 27]
  - (b) Office Uses, limited to Financial Institution and General Office, limited to real estate or insurance offices, and travel agencies;
  - (c) Retail Uses, limited to Grocery or Drug Store, and Retail Store;
  - (d) Service Uses, limited to Barber Shop or Beauty Salon, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Repair Shop - Class A, Restaurant - Class 1, and School - Arts or Self-Improvement; and
  - (e) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

## **3 Density**

- 3.1 Computation of floor area must assume that the site consists of 1 144.7 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.
- 3.2 The floor space ratio for all uses combined, must not exceed 2.4.
- 3.3 The number of dwelling units must not exceed 30.
- 3.4 Computation of floor space ratio must include all floors of all buildings, including accessory buildings, both above and below ground, measured to the extreme outer limits of the building.
- 3.5 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 at or below base surface, except that the maximum 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 is to be no exclusion for any of the residential storage space above base surface for that unit;

*Note: Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 9594 or provides an explanatory note.*

- (e) amenity areas, recreation facilities, and meeting rooms accessory to residential uses, except that the total area excluded must not exceed 10% of the permitted floor area; 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.

3.6 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 Building height**

The building height, measured above base surface, must not exceed 15.3 m, except that mechanical appurtenances such as elevator machine rooms may project above the maximum height, and the building must not exceed four storeys.

#### **5 Horizontal angle of daylight**

5.1 Each habitable room must have at least one window on an exterior wall of a building.

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 If:

- (a) the Director of Planning or Development Permit Board first considers 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.

5.6 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 m<sup>2</sup>.

## **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.

## **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

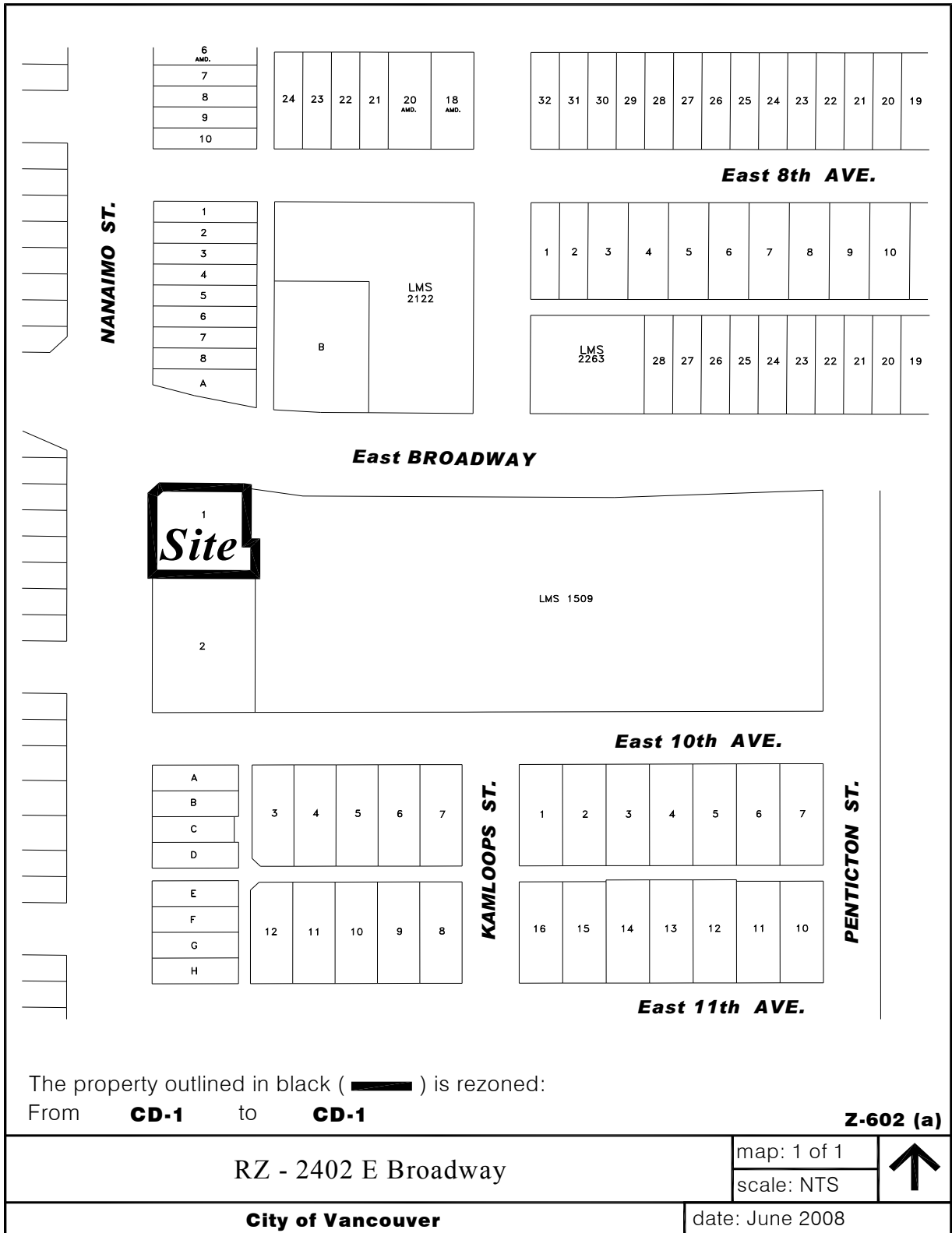
## **8 Severability**

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 18th day of October, 2011.



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

**Z-602 (a)**

RZ - 2402 E Broadway

map: 1 of 1

scale: NTS



**City of Vancouver**

date: June 2008