



City of Vancouver *Zoning and Development By-law*

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CD-1 (520)

*10 Terry Fox Way
(Concord Area 5(b) East)*

By-law No. 10403

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

Effective November 29, 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-629(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 (520).
- 2.2 The only uses permitted within CD-1 (520), subject to such conditions as Council may by resolution prescribe, and to the conditions set out in this By law, 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 Artist Studio, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, Library, Museum or Archives, Swimming Pool, or Theatre;
 - (b) Dwelling Uses;
 - (c) Institutional Uses, limited to Child Day Care Facility, Church, Community Care Facility – Class B, Public Authority Use, School - Elementary or Secondary, School - University or College, or Social Service Centre;
 - (d) Office Uses;
 - (e) Parking Uses;
 - (f) Retail Uses, limited to Grocery or Drug Store, Retail Store, Furniture or Appliance Store, Liquor Store, Pawnshop, Secondhand Store, and Small-scale Pharmacy;
 - (g) Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Cabaret, Catering Establishment, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop - Class B Restaurant, School - Arts or Self Improvement, School – Business, School - Vocational or Trade; and
 - (h) Accessory Use customarily ancillary to any of the uses permitted by this section 2.2.

3 Floor area and density

- 3.1 The floor area for all residential uses must not exceed 28 169 m².
- 3.2 The floor area for commercial uses must be at least 4 180 m².
- 3.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.
- 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, except that the total area of all such exclusions must not exceed 8 percent of the residential floor area;
 - (b) patios, roof decks and roof gardens only 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 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 m² 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.

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

- (a) enclosed residential balconies, provided that the Director of Planning 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 percent of the residential floor area being provided, and
 - (ii) no more than 50 percent of the excluded balcony floor area may be enclosed;
- (b) amenity areas, except that the exclusion must not exceed, in aggregate, the lesser of 20 per cent of the permitted floor area or 929 m².

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

4 Building height

The building height, measured above the base surface and to the top of the roof slab above the uppermost habitable floor, excluding parapet wall, must not exceed 91.00 m, except that the building must not protrude into the Cambie Street and Cambie Bridge view corridors, approved by Council in the City of Vancouver View Protection Guidelines.

5 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.

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

6 Parking, loading and bicycle spaces

Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By law, of off street parking, loading and bicycle spaces.

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 the 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 29th day of November, 2011.

