



City of Vancouver *Zoning and Development By-law*

Planning, Urban Design and Sustainability Department

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CD-1 (529)

2667 - 2703 Kingsway

By-law No. 10472

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

Effective April 17, 2012

(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-635 (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 (529).

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 (529) 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 Fitness Centre, Library, Museum or Archives, Arcade, Artist Studio, Billiard Hall, Club, or Community Centre or Neighbourhood House;
- (b) Dwelling Uses, limited to Dwelling Uses and Principal Dwelling Unit combined with a Secondary Dwelling Unit, in conjunction with any use listed in this section 2.2, 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, may be used for residential purposes, except for entrances to the residential portion;
- (c) Institutional Uses, limited to Child Day Care Facility, Church, Hospital, Public Authority Use, School - Elementary or Secondary, School - University or College, or Social Service Centre;
- (d) Manufacturing Uses, limited to Jewellery Manufacturing and Printing or Publishing;
- (e) Office Uses;
- (f) Retail Uses, limited to Adult Retail Store, Furniture or Appliance Store, Liquor Store, Secondhand Store, Grocery or Drug Store, Grocery Store with Liquor Store, Retail Store, Small-scale Pharmacy; [12084; 18 05 01]
- (g) Service Uses, limited to Animal Clinic, Auction Hall, Barbershop or Beauty Salon, Beauty and Wellness Centre, Cabaret, Catering Establishment, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, Print Shop, Repair Shop - Class A, Repair Shop - Class B, Restaurant – Class 1, Restaurant – Class 2, Restaurant-Drive-in, School – Arts or Self Improvement, School – Business, School – Vocational or Trade, Wedding Chapel;
- (h) Utility and Communication Uses, limited to Public Utility or Radiocommunication Station; and
- (i) 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 2 521.3 m², 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 3.8, except that:

- (a) floor space ratio must be a maximum of 3.45 for dwelling uses in conjunction with other uses, in storeys located above the front street level storey; and
- (b) floor space ratio must be a minimum of 0.35 for non-residential uses, in the front street level storey or below.
[10536; 12 07 10]

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 10472 or provides an explanatory note.

3.3 Computation of floor space ratio must include all floors of all buildings, having a minimum ceiling height of 1.2 m, including earthen floors and accessory buildings, 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, sundecks, porches 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) 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 balconies must not exceed 8% of residential floor area, and
 - (ii) no more than 50% of excluded balcony floor area may be enclosed;
- (d) the floors or portions of floors 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, 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) in the case of off-street parking, above the base surface in an accessory building in the rear yard, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (e) amenity areas, including child day care facilities, recreational facilities and meeting rooms accessory to a residential use, to a maximum total of 10% of total permitted floor area, provided that for 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;
- (f) 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 is to be no exclusion for any of the residential storage space above base surface for that unit;
- (g) 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 is not to apply to walls in existence before March 14, 2000; and
- (h) 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) of this section meets the standards set out therein.

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

4 Building height

The building height, measured above base surface, must not exceed 36 m.

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 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.

5.5 An obstruction referred to in section 5.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 (529).

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) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

6 Parking, loading, and bicycle spaces

Any development or use of the site requires the provision and maintenance of off-street parking spaces, loading spaces, and bicycle spaces, in accordance with the Parking By-law, except that the minimum required parking must be 10% less than the minimum parking requirements in the Parking By-law on November 2, 2010.

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.

Portions of dwelling units	Noise levels (Decibels)
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 17th day of April, 2012.



