



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

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## **CD-1 (538)**

*5761 - 5775 St. George Street*

*By-law No. 10567*

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

***Effective October 16, 2012***

*(Amended up to and including By-law No. 10610, dated November 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-645 (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 (538).
- 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 the By-law or in a development permit, the only uses permitted and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
- (a) Multiple Dwelling; and
  - (b) Accessory Use customarily ancillary to any use permitted by this section.

## **3 Density**

- 3.1 For the purposes of computing floor space ratio, the site is deemed to be 2 071.9 m<sup>2</sup> being the site size at the time of application for rezoning, prior to any dedications.
- 3.2 The floor space ratio for all uses must not exceed 1.03.
- 3.3 The number of dwelling units on the site must not exceed 16.
- 3.4 Computation of floor space ratio must include:
- (a) 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;
  - (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
  - (c) where the distance from a floor to the floor above or, where there is no floor above to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height.
- 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 such exclusions must not exceed 8 percent of the permitted residential floor area;
  - (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 the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length, and the exclusion for heating and mechanical equipment must not exceed 1.4 m<sup>2</sup> in each unit;
  - (d) areas of undeveloped floors located:
    - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch,
    - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m, or

*Note: Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 9193 or provides an explanatory note.*

- (iii) under covered verandas or porches as described in subsection (f), and to which there is no permanent means of access;
- (e) 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;
- (f) covered verandas or porches if:
  - (i) they are located at the basement or first storey,
  - (ii) that portion facing the street or rear property line is open or protected by partial walls or guard rails, the height of which must not exceed the minimum specified in the Building By-law,
  - (iii) the total area of such exclusions does not exceed 5% of the permitted floor area, and
  - (iv) the ceiling height, including roof structures, of the total area of such exclusions does not exceed 3.1 m measured from the porch floor.

#### **4 Building height**

The building height, measured above base surface, must not exceed 10.7 m.

#### **5 Setbacks**

The setback of each building must be at least:

- (a) 4.45 m from the west property line;
- (b) 4.00 m from the east property line;
- (c) 1.21 m from the north property line; and
- (d) 1.65 m from the south property line.

[10610; 12 11 27]

#### **6 Horizontal Angle of Daylight**

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

6.2 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.

6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.

6.4 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 the 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.

6.5 An obstruction referred to in section 6.2 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 (538).

6.6 A habitable room referred to in section 6.1 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 m<sup>2</sup>.

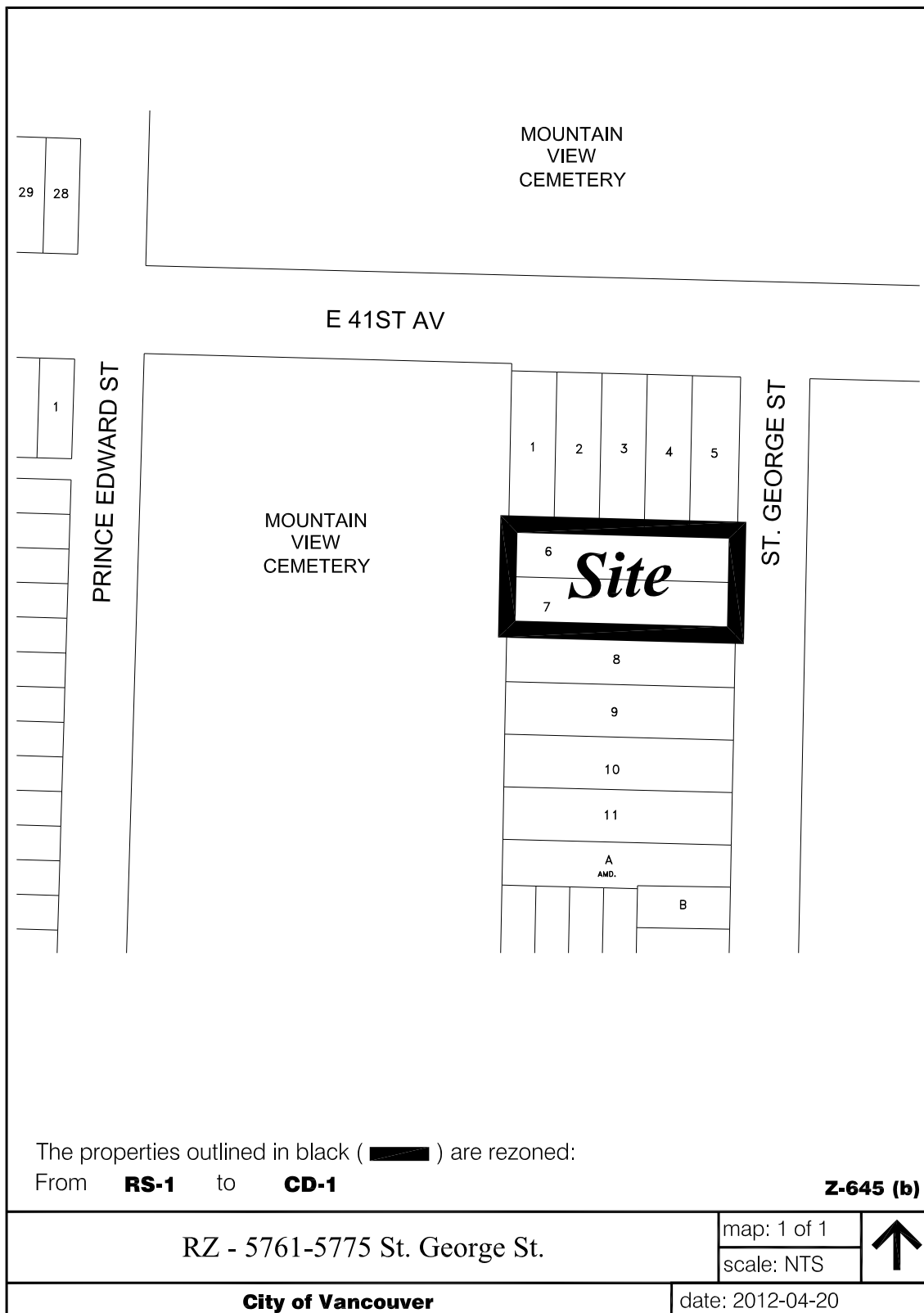
**7 Severability**

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 16th day of October, 2012.



The properties outlined in black (  ) are rezoned:  
 From **RS-1** to **CD-1**

**Z-645 (b)**

RZ - 5761-5775 St. George St.

map: 1 of 1

scale: NTS



**City of Vancouver**

date: 2012-04-20