City of Vancouver *Zoning and Development By-law*
Planning and Development Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7000 fax 604.873.7060
planning@vancouver.ca

CD-1 (559)

6010 - 6050 Oak Street
By-law No. 10855
(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)

Effective February 4, 2014

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-650 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2   Definitions

The definitions in the Zoning & Development By-law apply to this by-law except that:

"Lock-off Unit" means a smaller dwelling unit within a larger principal dwelling unit, which must have separate external access and shared internal access, and which can be locked off from the larger dwelling unit, but does not include a secondary suite; and

"Principal Dwelling Unit with Lock-off Unit" means a larger principal dwelling unit, containing a smaller dwelling unit which must have separate external access and shared internal access, and which can be locked off from the larger principal dwelling unit.

3   Uses

3.1   The description of the area shown within the heavy black outline on Schedule A is CD-1 (559).

3.2   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 (559) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

    (a)   Dwelling Use, limited to Multiple Dwelling and Principal Dwelling Unit with Lock-off Unit; and

    (b)   Accessory Uses customarily ancillary to the uses listed in this section 3.2.

4   Floor Area and Density

4.1   Computation of floor space ratio must assume that the site consists of 2 282.98 m², being the site size at the time of the application for the rezoning evidenced by this By-law.

4.2   Floor space ratio for all uses must not exceed 1.2.

4.3   The number of Principal Dwelling Units on the site must not exceed 19.

4.4   The number of Lock-off Units on the site must not exceed 9.

4.5   Computation of floor area must include:

    (a)   all floors, including earthen floor, measured to the extreme outer limits of the building; and

    (b)   stairways, fire escapes, elevator shafts, and other features, which the Director of Planning considers similar, to be measured by their gross cross-sectional areas, and included in the measurements for each floor at which they are located.

4.6   Computation of floor area 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, provided that the total area of all exclusion does not exceed 8% of permitted floor area;

    (b)   patios and roof gardens, provided that 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 of floors 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, and the maximum exclusion for heating and mechanical equipment must not exceed 1.4 m2 for each principal dwelling unit;

(d) areas of undeveloped floors which are located:
   (i) above the highest storey or half-storey, and to which there is no permanent means of access other than a hatch, or
   (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m; and

(e) all residential storage space below base surface.

4.7 The use of floor area excluded under section 4.6 must not include any purpose other than that which justified the exclusion.

5 Sub-areas

The site is to consist of two sub-areas approximately as illustrated in Figure 1, solely for the purpose of height calculation.

Figure 1

6010-6050 Oak Street - Site Sub-Areas

NORTH

6 Height

The building height, measured above base surface, must not exceed:

(a) 11.43 m in Sub-area A; and

(b) 9.15 m in Sub-area B, except that the Director of Planning may permit portions of the roof, roof access, guards or other features which, in the opinion of the Director of Planning are similar, to exceed the maximum height by a maximum of 1.53 m, if the Director of Planning first considers:
   (i) the effects on public and private views, shadowing, privacy, and noise impacts, and
   (ii) all applicable policies and guidelines adopted by Council.

7 Setbacks

7.1 Setbacks must be at least:

(a) 4.8 m from the west property line;

(b) 3.6 m from the east property line; and

(c) 2.4 m from the north and south property lines.

7.2 Despite section 7.1, the Director of Planning may permit certain portions of the building to project up to 1.14 m into the required setbacks, if:

(a) the Director of Planning first considers all applicable policies and guidelines adopted by Council; and

(b) those portions of the building which project into the required setbacks are:
   (i) balconies, eaves or bays or similar features which measure no more than 7.3 m in height or width, or
   (ii) located below the first storey facing Oak Street, or
   (iii) designed to meet building energy performance goals, required by Council-approved policies and guidelines.

8 Horizontal Angle of Daylight

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

8.2 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.

8.3 Measurement of the plane or planes referred to in section 8.2 must be horizontally from the centre of the bottom of each window.

8.4 If:
(a) the Director of Planning or Development Permit Board first considers all 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.

8.5 An obstruction referred to in section 8.2 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 (559).

8.6 A habitable room referred to in section 8.1 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.

9 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

10 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.

11 Force and effect

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

ENACTED by Council this 4th day of February, 2014.

City of Vancouver
CD-1 (559)   **By-law No. 10855**
6010 - 6050 Oak Street   4   **February 4, 2014**

The properties outlined in black (▬) are rezoned:

From **RS-1** to **CD-1**

Z-650 (b)

RZ - 6010-6050 Oak Street	map: 1 of 1
	scale: NTS
City of Vancouver	date: 2012-10-18