



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

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## CD-1 (568)

### *2610 Victoria Drive*

### *By-law No. 10933*

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

***Effective May 13, 2014***

*(Amended up to and including By-law No. 11218, dated May 12, 2015)*

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 (c) 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:

“Living Room” in section 8.4 of this By-law means a habitable room which is used for communal purposes. [11218; 15 05 12]

3 Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (568).

[11218; 15 05 12]

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

- (a) Social Service Centre;
- (b) Financial Institution, limited to Automated Banking Machine, in conjunction with Social Service Centre;
- (c) Dwelling Uses in conjunction with Social Service Centre; and
- (d) Accessory Uses customarily ancillary to the uses listed in this section 3.2.

[11218; 15 05 12]

4 Conditions of Use

Financial Institution is limited to a maximum floor area of 10 m<sup>2</sup>.

[11218; 15 05 12]

5 Floor Area and Density

5.1 Computation of floor space ratio must assume that the site consists of 2 253.6 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law. [11218; 15 05 12]

5.2 Floor space ratio for all uses must not exceed 2.5. [11218; 15 05 12]

5.3 Computation of floor area 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, to be 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.

[11218; 15 05 12]

**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 10933 or provides an explanatory note.

#### 5.4 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 in a building located within 8.4 m of the rear property line, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (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;
- (e) floors located at or below finished grade with a ceiling height less than 1.2 m; and
- (f) all residential storage space at, 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 will be no exclusion for any of the residential storage space above base surface for that unit.

[11218; 15 05 12]

#### 5.5 The use of floor area excluded under section 5.4 must not include any purpose other than that which justified the exclusion. [11218; 15 05 12]

### 6 Height

The building height, measured above base surface, must not exceed 20.4 m.

[11218; 15 05 12]

### 7 Setbacks

There must be a minimum setback of 1.2 m from the south property line at the lane.

[11218; 15 05 12]

### 8 Horizontal Angle of Daylight

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

[11218; 15 05 12]

#### 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. [11218; 15 05 12]

#### 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. [11218; 15 05 12]

#### 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 for Living Rooms, or 1.7 m for all other habitable rooms,

the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

[11218; 15 05 12]

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 (568).

[11218; 15 05 12]

8.6 A habitable room referred to in sections 8.1 and 8.4 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>.

[11218; 15 05 12]

## 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.

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

[11218; 15 05 12]

## 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.

[11218; 15 05 12]

## 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 13th day of May, 2014.

[11218; 15 05 12]

