

CD-1 (828)

1837-1863 East 11th Avenue and
2631-2685 Victoria Drive

By-law No. 13480

Being a By-law to Amend Zoning and Development By-law No. 3575

Effective July 19, 2022

Amended up to and including:

By-law No. 13603, dated January 17, 2023

Consolidated for Convenience Only

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to this CD-1 By-law or provides an explanatory note.

Zoning District Plan Amendment

1. 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 attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

Designation of CD-1 District

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 (828).

Uses

3. 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 (828), and the only uses for which the Director of Planning or the Development Permit Board will issue development permits are:
 - (a) Dwelling Uses, limited to Multiple Dwelling and Multiple Conversion Dwelling; and [13480; 2023 01 17]
 - (b) Accessory Uses customarily ancillary to the uses listed in this section.

Conditions of Use

4. The design and layout of at least 35% of the dwelling units must:
 - (a) be suitable for family housing; and
 - (b) include two or more bedrooms.

Floor Area and Density

- 5.1 Computation of floor space ratio must assume that the site consists of 2,704.5 m² being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.
- 5.2 The floor space ratio for all uses must not exceed 2.87.
- 5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.
- 5.4 Computation of floor area must exclude:
 - (a) balconies and decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that:

- (i) the total floor area of these exclusions must not exceed 12% of the floor area being provided for dwelling uses, and
- (ii) the balconies must not be enclosed for the life of the building;
- (b) patios and roof decks, 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 that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length; and
- (d) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit;
- (e) entries, porches and verandahs located in the heritage building provided that:
 - (i) they are open or protected by guards that do not exceed the required minimum height;
 - (ii) the ceiling height, excluding roof structure, of the total area being excluded does not exceed 3.1 m measured from the entry, porch or verandah floor; and
 - (iii) the total area being excluded, when combined with the balcony and deck exclusions under subsection 5.4(a), does not exceed 12% of the floor area being provided.

5.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board, amenity areas accessory to a residential use, to a maximum of 10% of the total floor area being provided for dwelling uses.

Building Height

6 Building height, measured from base surface, must not exceed 20.5 m.

Horizontal Angle of Daylight

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

7.2 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.

7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.

- 7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement 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.
- 7.5 An obstruction referred to in section 7.2 means:
- (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site.
- 7.6 A habitable room referred to in section 7.1 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.

Acoustics

8. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be 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

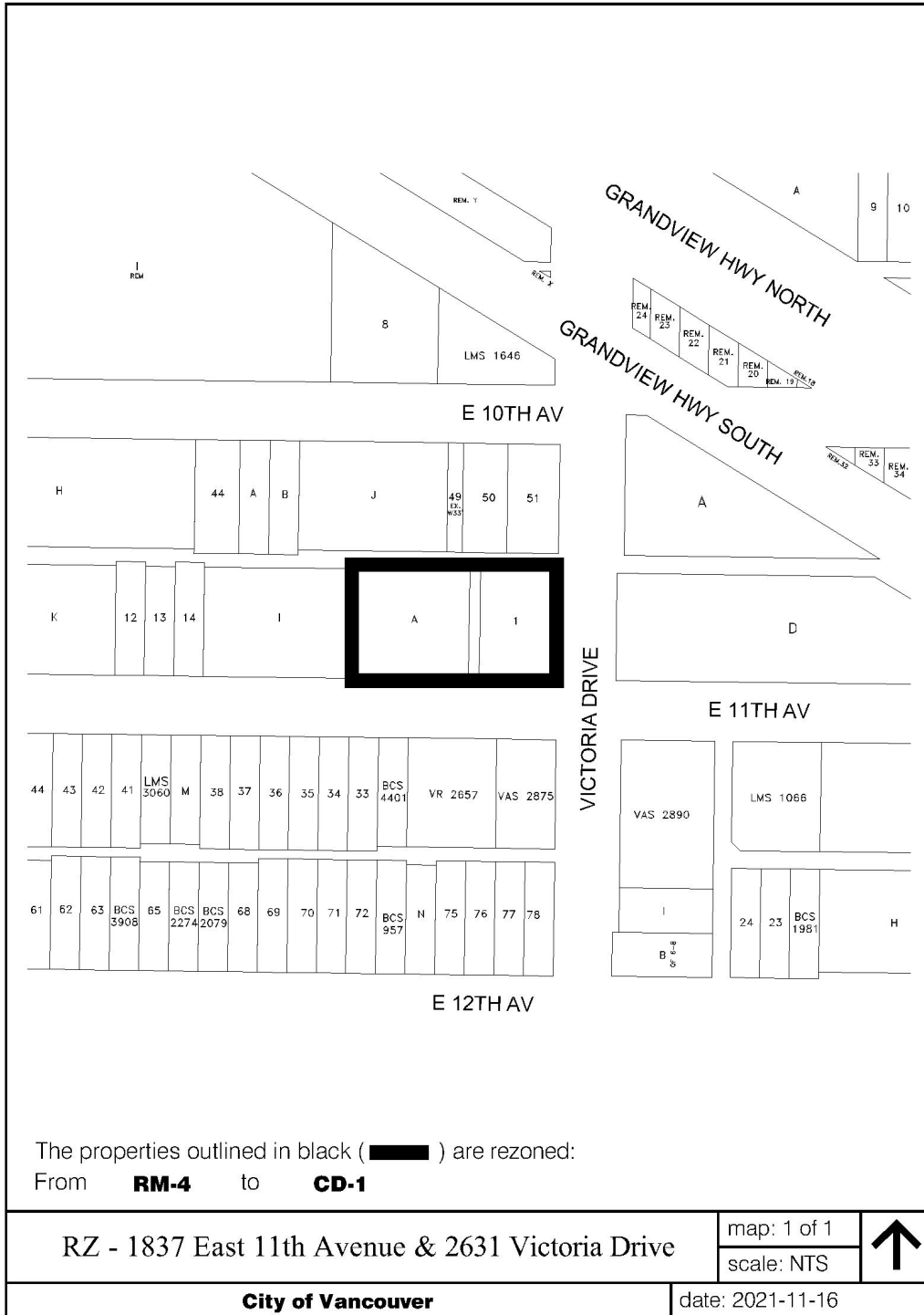
Severability

9. 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.

Force and effect

10. *[Section 10 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and certify the by-law number and date of enactment.]*

Schedule A



Public Hearing – November 16, 2021 – Item 3 – [Agenda](#)

Summary – To rezone 1837-1863 East 11th Avenue and 2631-2685 Victoria Drive from RM-4 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building, and the retention and conservation of a designated heritage building, consisting of 136 secured market rental units. A height of 20.5 m (67 ft.) and a floor space ratio (FSR) of 2.87 are proposed.

By-law enacted on July 19, 2022 – [By-law No. 13480](#)

Public Hearing – December 8, 2022 – Item 1 – [Agenda](#)

Summary – To make miscellaneous amendments to: CD-1 (835) at 443 Seymour Street; CD-1 (823) at 8460 Ash Street and 8495 Cambie Street; CD-1 (828) at 1837-1863 East 11th Avenue and 2631-2685 Victoria Drive; CD-1 (643) at 1335 Howe Street; and CD-1 (809) at 810 Kingsway to improve clarity, update references, correct inadvertent errors or omissions, and/or improve the administration of the by-laws.

By-law enacted on January 17, 2023 – [By-law No. 13603](#)