



City of Vancouver *Zoning and Development By-law*

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CD-1 (139)

Champlain Heights South **By-law No. 5381**

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

Effective August 12, 1980

(Amended up to and including By-law No. 8169, dated March 14, 2000)

Guidelines:

1. *Champlain Heights South*
CD-1 Guidelines (Sub-Areas 2-5)
2. *Champlain Heights South*
CD-1 Guidelines (Sub-Area 1, Church Site)
3. *Fraser Lands*
Champlain Heights South
Guidelines for CD-1

- 1 *[Section 1 is not reprinted here. It contains a standard clause amending Schedule D (Zoning District Plan) to reflect this rezoning to CD-1.]*
- 2 The area shown outlined in black on the said plan is rezoned CD-1 and the only uses permitted within the said area, the only uses for which development permits will be issued, and the regulations pertaining to those uses, are as set out in the attached Schedule; subject to such conditions as Council may by resolution prescribe.
- 3 *[Section 3 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's Signatures to pass the by-law and to certify the by-law number and date of enactment.]*

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 5381 or provides an explanatory note.*

Schedule
Champlain Heights South
[6537; 89 08 01]

1 Intent

The intent of this By-law is to facilitate the development of a medium-density residential district with a mixture of housing forms and tenures in a manner that is compatible with the adjacent industrial and residential district. In addition, this By-law accommodates a significant buffer area, a neighbourhood park and a church site.

2 Definitions

For the purpose of this By-law:

- a “townhouse” means a dwelling unit in a building containing 3 or more dwelling units where each unit has its principal access at or near grade and other than through a common hallway; a “stacked townhouse” means a unit having its principal living area above or below another townhouse;
- an apartment” means a dwelling unit with its principal living area above or below another dwelling unit and which is located in a building containing 3 or more dwelling units where no unit has its principal exterior access at or near grade; and
- notwithstanding section 2 of the Zoning and Development By-law, a “site” includes a strata lot.

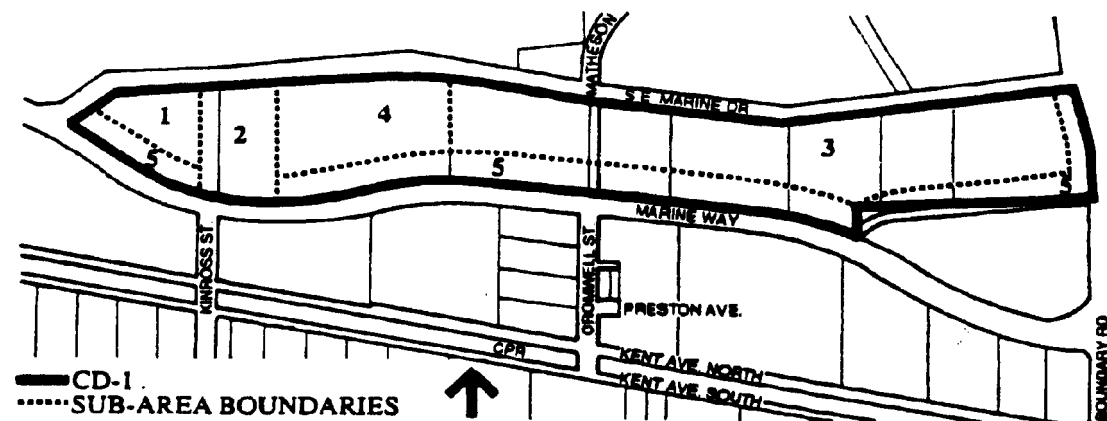
3 Uses

3.1 The only uses permitted within the areas shown included within the heavy black outline on Schedule “D”, subject to section 3.3 and 3.4 and such conditions as Council may by resolution prescribe, including design guidelines, and the only uses for which development permits will be issued, are:

- townhouse, including stacked townhouses;
- apartments;
- church;
- child day care facility; [7923; 98 07 21]
- park or playground;
- accessory uses and buildings customarily ancillary to the foregoing.

3.2 The areas shown outlined on Schedule “D” shall consist of 5 subareas as delineated by dotted lines in Diagram 1 below:

Diagram 1



[6682; 90 06 19]

3.3 Within sub-areas 1, 2, 3 and 4, as referred to in section 3.2, the uses permitted shall be as illustrated in Table 1 below:

Table 1

Permitted Uses	Sub-areas			
	1	2	3	4
Townhouse			x	x
Stacked Townhouse			x	x
Apartment			x	x
Church	x			
Child Day Care Facility	x			
Park		x		
Accessory buildings	x		x	x
Accessory uses	x		x	x

[6702; 90 07 31] [7923; 98 07 21]

3.4 Sub-area 5 shall consist of a setback/buffer area extending northerly 30.48 m (100 ft.) perpendicularly or radially distant from the Marine Way property line and from the north property line of the lane north of Marine Way for sub-areas 1, 3 and 4, and extending westerly 21.33 m (70 ft.) perpendicularly distant from the Boundary Road property line for sub-area 3. No portion of the setback/buffer area shall be used in the calculation of site area, floor space ratio, site coverage, or dwelling unit density calculations for any development in sub-areas 1, 3 or 4. [6682; 90 06 19]

4 Regulations

4.1 Maximum Use Percentage

4.1.1 Within sub-areas 3 and 4, stacked townhouses and apartments shall together not exceed a maximum of 50 percent of the total number of dwelling units on a site.

4.2 Site Area

4.2.1 The minimum site area for an apartment building shall be 900 m² (9,688 sq. ft.).

4.2.2 The minimum site area for a townhouse or stacked townhouse building shall be 675 m² (7,266 sq. ft.).

4.3 Floor Space Ratio

4.3.1 The floor space ratio shall not exceed:

- (a) 0.61 for sub-area 1, and [7923; 98 07 21]
- (b) 0.77 for sub-areas 3 and 4. [7139; 93 07 06]

4.3.2 The following shall be included in the computation of floor space ratio:

- all floors having a minimum ceiling height of 1.22 m (4 ft.) including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building;

- 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.

4.3.3 The following shall be excluded in the computation of floor space ratio:

- open balconies, canopies, sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- where floors are used for off-street parking and loading, 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:
 - (i) are at or below the base surface, to a maximum exclusion for a parking space of 24 feet in length; or
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, to a maximum exclusion for a parking space of 24 feet in length;
- amenity areas, including day care facilities, recreational facilities and meeting rooms, to a maximum total of 5 percent of the total allowable floor area;
- areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a half-storey with a ceiling height of less than 1.22 m (4 ft.), and to which there is no permanent means of access other than a hatch.
- where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000. [8169; 00 03 14]

4.3.4 The Director of Planning may permit a covered entranceway to be excluded in the computation of floor space ratio in sub-area 1, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and that he approves the design of the covered entranceway, and provided further that the total area excluded does not exceed 185. [7120; 93 06 08]

4.4 Site Coverage

4.4.1 The maximum site coverage for buildings shall be:

- (a) 50 percent of the site area for sub-area 1; and [7923; 98 07 21]
- (b) 50 percent of the site area for sub-areas 3 and 4.

4.4.2 For the purpose of section 4.4.1, site coverage shall be based on the projected area of the outside of the outermost walls of all buildings and includes carports, but excludes steps, eaves, balconies and sundecks.

4.4.3 The maximum site coverage for off-street parking, off-street loading and associated vehicular maneuvering aisles shall be:

- (a) 30 percent of the site area for sub-area 1; and
- (b) 20 percent of the site area for sub-areas 3 and 4. [6702; 90 07 31]

4.4.4 The Director of Planning may relax the maximum site coverage provision of section 4.4.3 up to a maximum site coverage of 40 percent for sub-area 1 and 30 percent for sub-areas 3 and 4 where he is satisfied that the proposed development is consistent with the intent of this By-law, provided that before making a decision he has regard to any applicable policies or guidelines approved by Council. [6702; 90 07 31]

4.5 Dwelling Unit Density

4.5.1 For sub-areas 3 and 4 the dwelling unit density shall not exceed 60 units per hectare (24.3 units per acre). [7139; 93 07 06]

4.6 Off-Street Parking and Loading

4.6.1 Off-street parking shall be provided and maintained in accordance with the Parking By-law, except as otherwise set out in this section.

4.6.2 For sub-area 1 the minimum number of parking spaces will be:

- (a) for Church, a minimum of 1 space for each 9.3 m² of floor area used for assembly purposes, except that where two or more separate areas of assembly exist within a site and are not used concurrently, the Director of Planning may require parking for only the largest of these areas;
- (b) for all other uses, including accessory uses to Church, a minimum of 1 space for each 35 m² of gross floor area exceeding the first 750 m², except that the Director of Planning, in consultation with the City Engineer and taking into account the time-varying demand of uses, may deem that one or more parking spaces simultaneously may be applied to meet the separate requirements for more than one accessory use in the development.
[7923; 98 07 21]

4.6.3 For sub-areas 3 and 4 the minimum number of parking spaces, including visitor parking, shall be 1.40 spaces per dwelling unit for sites designated for low income, non-market family housing under the National Housing Act and 1.75 spaces per dwelling unit for all other residential uses.
[6853; 91 06 25] [7923; 98 07 21]

4.6.4 Vehicle access shall not be provided from Marine Way or Boundary Road. [7923; 98 07 21]

4.7 Building Envelope

4.7.1 The maximum permitted height for any building, measured in accordance with provisions of the Zoning and Development By-law, measured to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and the ridge of a gable, hip or gambrel roof, shall be as follows:

- (a) townhouse, stacked townhouses or apartments within sub-areas 3 and 4: 10 m (32.8 ft.) or 3 storeys, whichever is the lesser;
- (b) accessory buildings: 3.66 m (12 ft.); and
- (c) church: 10.67 m (35 ft.), except that the Director of Planning may permit:
 - (i) for any portion of the building located within 24.4 m (80 ft.) of the northerly boundary of the setback/buffer area for sub-area 5 required by section 3.4, an increase in the maximum height of up to 15.0 m (50 ft.), provided he first considers:
 - (A) the height, bulk and location of the building and its effects on the site, surrounding buildings, adjacent properties and streets, and existing views;
 - (B) the amount of open space, and the effects of the overall design on the general amenity of the area;
 - (C) the intent of this By-law, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby park lands; and
 - (D) the submission of any advisory group, property owner or tenant; and
 - (ii) religious symbolic structures, such as spires or towers, within 10.67 m (35 ft.) of the church building provided that:
 - (A) he is satisfied that the structure is compatible with the overall appearance of the building;
 - (B) the height of such structure shall not exceed 21.34 m (70 ft.); and
 - (C) the width of such structure shall not exceed 20 percent of the width of the church measured on any elevation drawing;

and shall be subject to the following: [7923; 98 07 21]

- (d) the northerly boundary of sub-area 5 shall, where applicable, be used as a boundary of the site for the purpose of determining corners and establishing the base surface; and
- (e) the Director of Planning may, after considering the intent of this by-law, the recommendations of any advisory groups and any applicable policies or guidelines approved by Council, prescribe an average existing grade where there exists an abnormality in the existing grade at a specific location. [6682; 90 06 19]

4.7.2 A landscaped setback shall be provided as follows:

- (a) a minimum of 8 m (26.2 ft.) from all property boundaries and the northerly limit of sub-area 5, except as provided in 4.7.2(b) below; and
- (b) a minimum of 3 m (9.8 ft.) from all public pedestrian walkways, from the west limit of sub-area 2 and from S.E. Marine Drive; [6702; 90 07 31]

and shall be subject to the following:

- (c) no building or structure of any kind, shall be permitted above the base surface within the setback area;
- (d) except for walkways, driveways or areas for parking which in the opinion of the Director of Planning may be required to provide direct access to a building on the site, the setback area shall be fully graded and landscaped with trees, shrubs and lawn to the satisfaction of the Director of Planning; and
- (e) the Director of Planning may relax the landscaped setback requirement of section 4.7.2(a), (b), (c) and (d) after considering the intent of this By-law, the recommendations of any advisory groups and any plans or guidelines approved by Council.

4.8 Acoustics

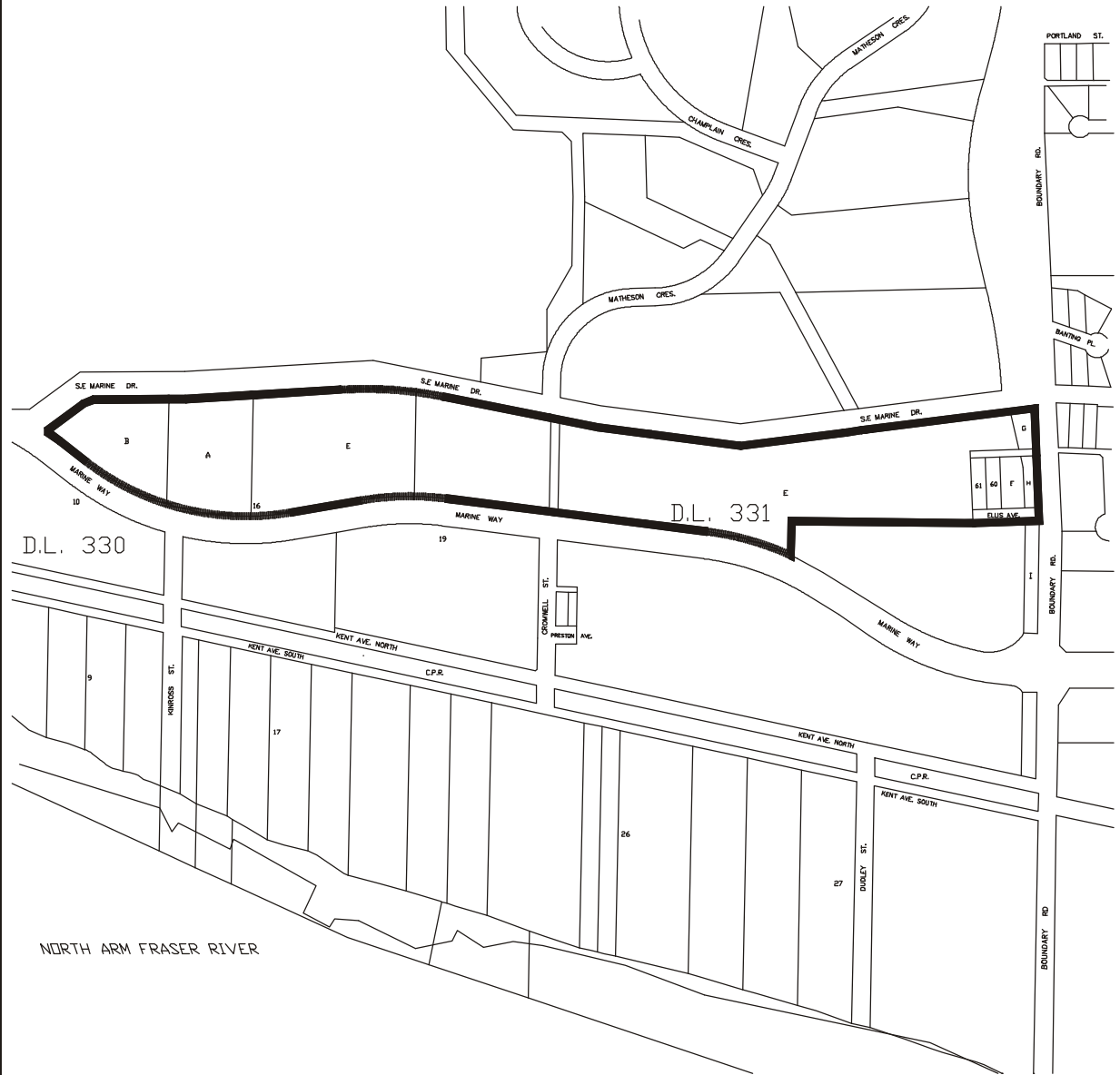
4.8.1 All Development Permit applications shall require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units or church use area: [6702; 90 07 31]

Portion of Dwelling Unit or Church Use Area [6702; 90 07 31]	Noise Level*
(a) Bedrooms	35
(b) Living, dining, recreation rooms	40
(c) Kitchen, bathrooms, hallways	45
(d) Assembly spaces	40
(e) Office/Work areas	40

[7515; 96 01 11] *A - weighted day - night average (Ldn)

4.8.2 For the purposes of the report and recommendations referred to in section 4.8.1, the calculation of noise levels from other properties shall be based on an assumed generation of noise at a level of 70 decibels continuous for 15 hours during the daytime and 65 decibels continuously during the nighttime emanating from the centre of any property that is used or zoned for commercial or industrial purposes but measured at its property line.

**By-law No. 5381 being a By-law to amend By-law No. 3575
being the Zoning & Development By-law**



The property outlined in black (**█**) is rezoned:
From **RT-2** to **CD-1**

Z-241(b)

RZ - 462 S.E. Marine Drive

map: 1 of 1
scale: 1:7000



City of Vancouver

