CD-1 (347)

2897 West 41st Avenue
By-law No. 7552
(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)

Effective April 2, 1996
(Amended up to and including By-law No. 8760, dated December 9, 2003)

Consolidated for Convenience Only

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   Uses

2.1   The area shown included within the heavy black outline on Schedule "A" shall be more particularly described as CD-1 (347), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

(a)   Health Care Offie,
(b)   General Office, limited to law, accounting, engineering, planning, surveying and architecture,
(c)   One Dwelling Unit, and
(d)   Accessory Uses customarily ancillary to the above uses.

3   Floor Space Ratio

3.1   The floor space ratio must not exceed 0.60, of which a maximum of 105 m² may be used for office uses. For the purposes of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 329.5 m², being the site size at time of application for rezoning, prior to any dedications.

3.2   The following will be included in the computation of floor space ratio:

(a)   all floors of all buildings including accessory buildings, both above and below ground level, to be measured to the extreme outer limits of the building.

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

(a)   open residential balconies, 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 exclusions does not exceed eight percent of the residential floor area being provided;
(b)   patios and roof gardens for residential purposes only, 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, 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, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
(d)   amenity areas, including child day care facilities, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of 10 percent of the total building floor area, provided that for child day care facilities the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood;
(e)   all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; [8760; 03 12 09]
(f)   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]

Note: *Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 7552 or provides an explanatory note.*

3.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

(a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, subject to the following
(i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
(ii) no more than fifty percent of the excluded balcony floor area may be enclosed.
[7874; 98 04 21]

4 Height
The maximum building height measured above the base surface is 10.7 m.

5 Setbacks
The minimum setback of a building is 5.2 m from MacKenzie Street, 2.6 m from 41st Avenue, 5.6 m from the ast property line, and 1.5 m from the north property line.

6 Off-Street Parking and Loading
Off-street parking and loading spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that a minimum of five off-street parking spaces must be provided.

7 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 the dwelling units listed below will 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 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

[7874; 98 04 21]

8
[Section 8 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.]

BY-LAW No. _7552_ BEING A BY-LAW TO AMEND BY-LAW No. 3575
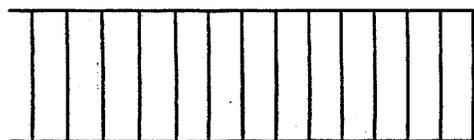BEING THE ZONING & DEVELOPMENT BY-LAW

THIRTY-NINTH AVE.

FORTIETH

10

A B

2

3

4

A

B

A

B

C

9

41

FORTY-FIRST AVE.

3

4

MACKENZIE ST.

5

6
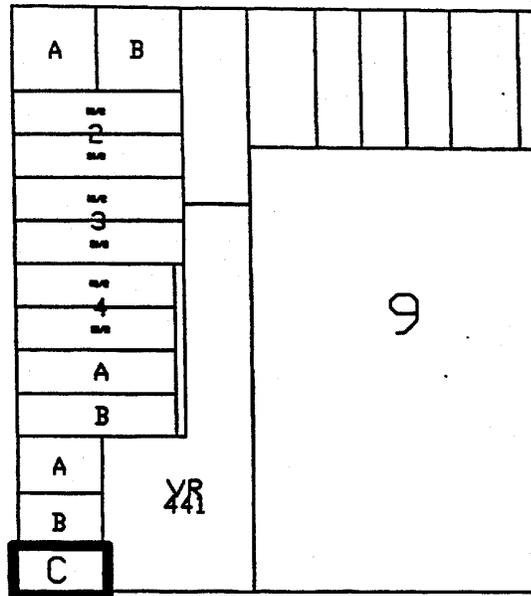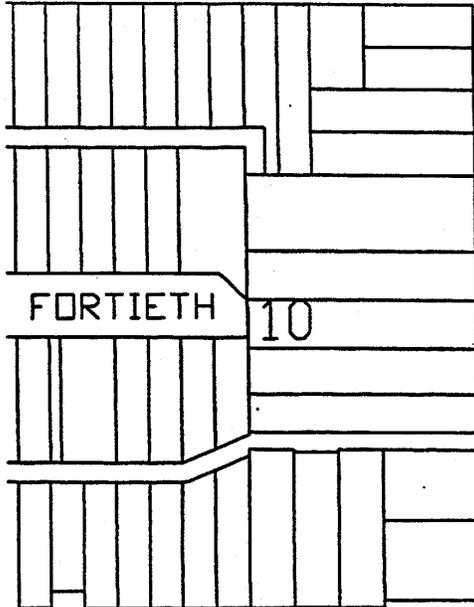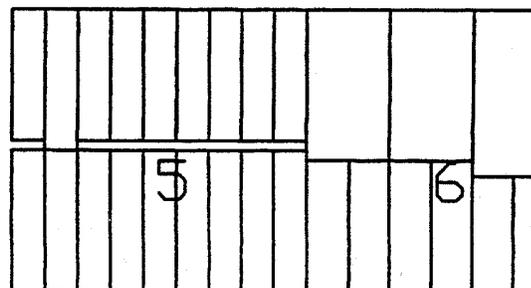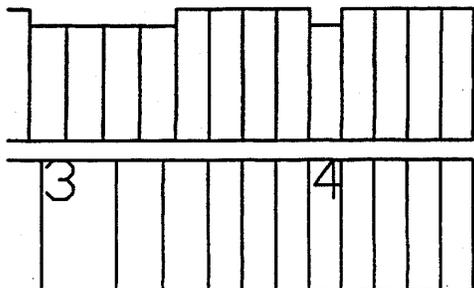
FORTY-SECOND AVE.

The property outlined in black (▬▬▬) is rezoned:
From **RS-1** To **CD-1**

Z-450(a)

RZ 2897 W. 41st Ave.	map: 1 of 1
City of Vancouver Planning Department	scale: 1:2000

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