



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

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## **CD-1 (350)**

*3211-3245 Oak Street*

*By-law No. 7601*

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

**Effective July 30, 1996**

*(Amended up to and including By-law No. 8760, dated December 9, 2003)*

**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**

The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1(350), 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) Multiple Dwelling;
- (b) Office Uses, but limited to Financial Institution, General Office and Health Care Office;
- (c) Retail Uses, but limited to Grocery or Drug Store and Retail Store;
- (d) Service Uses, but limited to Barber Shop or Beauty Salon, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class B and Restaurant - Class 1; and
- (e) Accessory Uses customarily ancillary to the above uses.

**3** **Floor Space Ratio**

**3.1** The floor space ratio must not exceed 1.60. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 1 336 m<sup>2</sup>, 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 having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be 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.

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

- (a) open residential balconies or sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (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, 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, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; and
  - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total building floor area;
- (e) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a storey of half-storey, with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> 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]
- (g) trellises, canopies, gazebos, covered walkways, external stairs, and a free-standing elevator shaft, provided that the Director of Planning first approves their location and design;

*Note: Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 7601 or provides an explanatory note.*

- (h) 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 Height**

The maximum building height measured above the base surface is 13.1 m, except that the Director of Planning may permit protrusions for architectural appurtenances and decorative roofs provided that no protrusion extends more than 1.1 m above the height limitation.

The building must not extend beyond four storeys, except that there must not be more than three storeys at the southwest corner of the site within 18.3 m of the south and west property lines.

#### **5 Setbacks**

The minimum setback of a building is 2.1 m from the south property boundary and 7.6 m from the west property boundary, except that sundecks, trellises, streetwall architectural elements, bay projections, bay windows other than as provided for in section 10.7 of the Zoning and Development By-law, and the residential entrance, including the elevator and covered walkways and stairs, may be permitted in the setback areas.

#### **6 Horizontal Angle of Daylight**

**6.1** All habitable rooms in buildings containing 3 or more dwelling units must have at least 1 window on an exterior wall which complies with the following:

- (a) the window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, will be unobstructed over a distance of 24.0 m; and
- (b) the plane or planes are to be measured horizontally from the centre of the bottom of the window.

**6.2** For the purpose of section 6.1 the following will be considered as obstructions:

- (a) the theoretically equivalent buildings located on any adjoining sites in any R District in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property lines of the proposed site;
- (b) part of the same building including permitted projections;
- (c) accessory buildings located on the same site as the principal building;
- (d) the maximum size building permitted under the appropriate C or M district schedule in the site adjoins a C or M site.

**6.3** For the purposes of section 6.1, the following will not be considered as habitable rooms:

- (a) bathrooms; and
- (b) kitchens, unless the floor area is greater than 10 percent of the total floor area of the dwelling unit, or 9.3 m<sup>2</sup>, whichever is the greater.

**6.4** The Director of Planning may relax the horizontal angle of daylight requirement of section 6.1, having regard to the livability of the resulting dwelling units and providing that a minimum distance of 3.7 m of unobstructed view is maintained.

#### **7 Off-Street Parking and Loading**

Off-street parking and loading must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that a minimum of one off-street parking space for each 70 m<sup>2</sup> of gross floor area in multiple dwelling use must be provided.

**8 Acoustics**

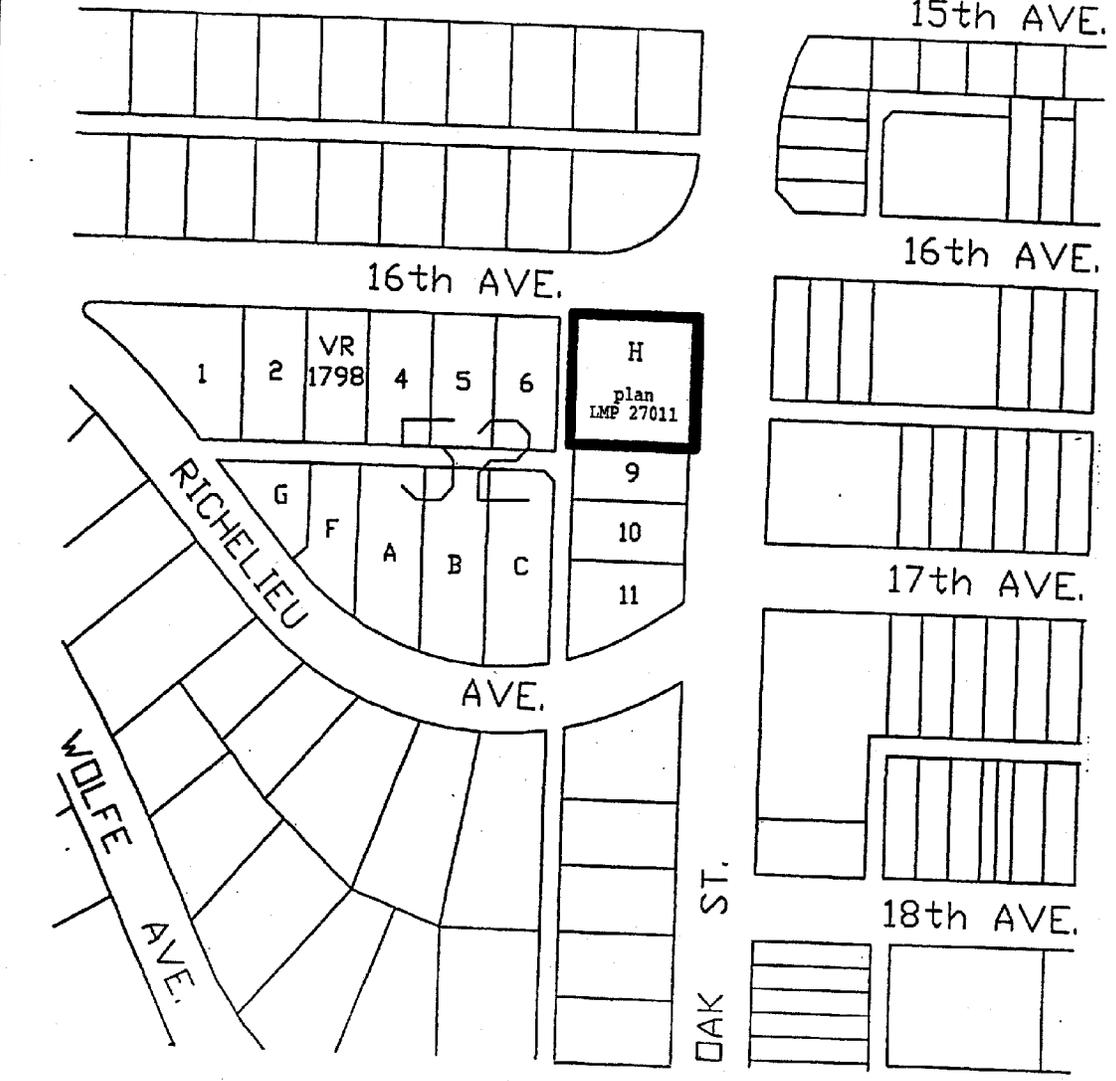
All development permit applications will require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise 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.

<b>Portions of Dwelling Units</b>	<b>Noise Level (Decibels)</b>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

[7874; 98 04 21]

**9** *[Section 9 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. 7601 BEING A BY-LAW TO AMEND BY-LAW No. 3575  
 BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black (█) is rezoned:  
 From **RM-3A&C-1** To **CD-1**

**Z-438(c)**

<b>RZ 3211-3245 Oak Street</b>	map: 1 of 1	
	scale: 1:2000	
<b>City of Vancouver Planning Department</b>		