



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

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# **CD-1 (355)**

*7400 Oak Street*

*By-law No. 7649*

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

***Effective November 22, 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**

**2.1** The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (355), 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 Dwellings, containing a maximum of 122 dwelling units,
- (b) Multiple Conversion Dwelling, containing a maximum of 6 dwelling units, and
- (c) Accessory Uses customarily ancillary to the above uses.

## **3 Conditions of Use**

**3.1** No use will be permitted and no building will be permitted to be occupied or continued to be occupied unless the Director of Planning is satisfied that the trees identified on the Plan referred to in section 7 are retained in a healthy condition on the site, except that the Director of Planning may permit removal or alteration of hazardous or diseased trees pursuant to the Private Property Tree By-law.

## **4 Floor Space Ratio**

**4.1** The floor space ratio must not exceed 0.90. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 19 057 m<sup>2</sup>, being the site size at time of application for rezoning, prior to any dedications.

**4.2** 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; and
- (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.

**4.3** 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;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs or 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 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 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;

**Note:** *Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 7649 or provides an explanatory note.*

- (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) 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]

## **5 Height**

- 5.1 On that portion of the site located west of a hypothetical line drawn 145 m west of an perpendicular to Laurel Street the maximum building height measured above the base surface is 14.6 m and the building must not extend beyond 4 storeys.
- 5.2 For multiple dwellings on that portion of the site not described in section 5.1 the maximum building height measured above the base surface is 9.2 m, except that for that portion of the site south of a hypothetical line drawn 23.5 m north of and parallel to 59<sup>th</sup> Avenue and east of and parallel to a hypothetical line drawn 24.9 m west of Laurel Street and the maximum building height measured above the base surface is 10.7 m.

## **6 Setbacks**

- 6.1 The minimum setback of a building is 5.5 m from the south property line.
- 6.2 The minimum setback of a building is 6.0 m from the west property line.
- 6.3 The minimum setback of a building is 5.5 m from the north property line, except that west of a hypothetical line drawn 80 m west of and perpendicular to Laurel Street, the minimum setback of a building is 6.7 m.

## **7 Landscaping and Trees**

Before any development permit can be approved for the site a site plan showing mature landscaping and trees which will be retained must be approved by the Director of Planning. For the purpose of this section the plan labelled "OAKHERST PROJECT 7400 OAK STREET TREE RETENTION PLAN", which is attached to and forms part of this By-law, shall be deemed to be the site plan referred to in this section and in section 3.1 All landscaping and trees must be maintained in a healthy condition.

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

- 8.1 Off-street parking and loading must be provided, developed and maintained in accordance with the RM-4 provisions of the Parking By-law, except that a minimum of 1.75 off-street parking spaces for every dwelling unit in a multiple dwelling of less than 4 storeys must be provided, and a minimum of one parking space for each dwelling unit in a multiple conversion dwelling must be provided.
- 8.2 If the Director of Planning determines that relaxing any particular requirement of section 8.1 will create no adverse impacts on surrounding sites, the Director of Planning, on advice from the City Engineer, may relax such requirement. [8626; 03 02 11]

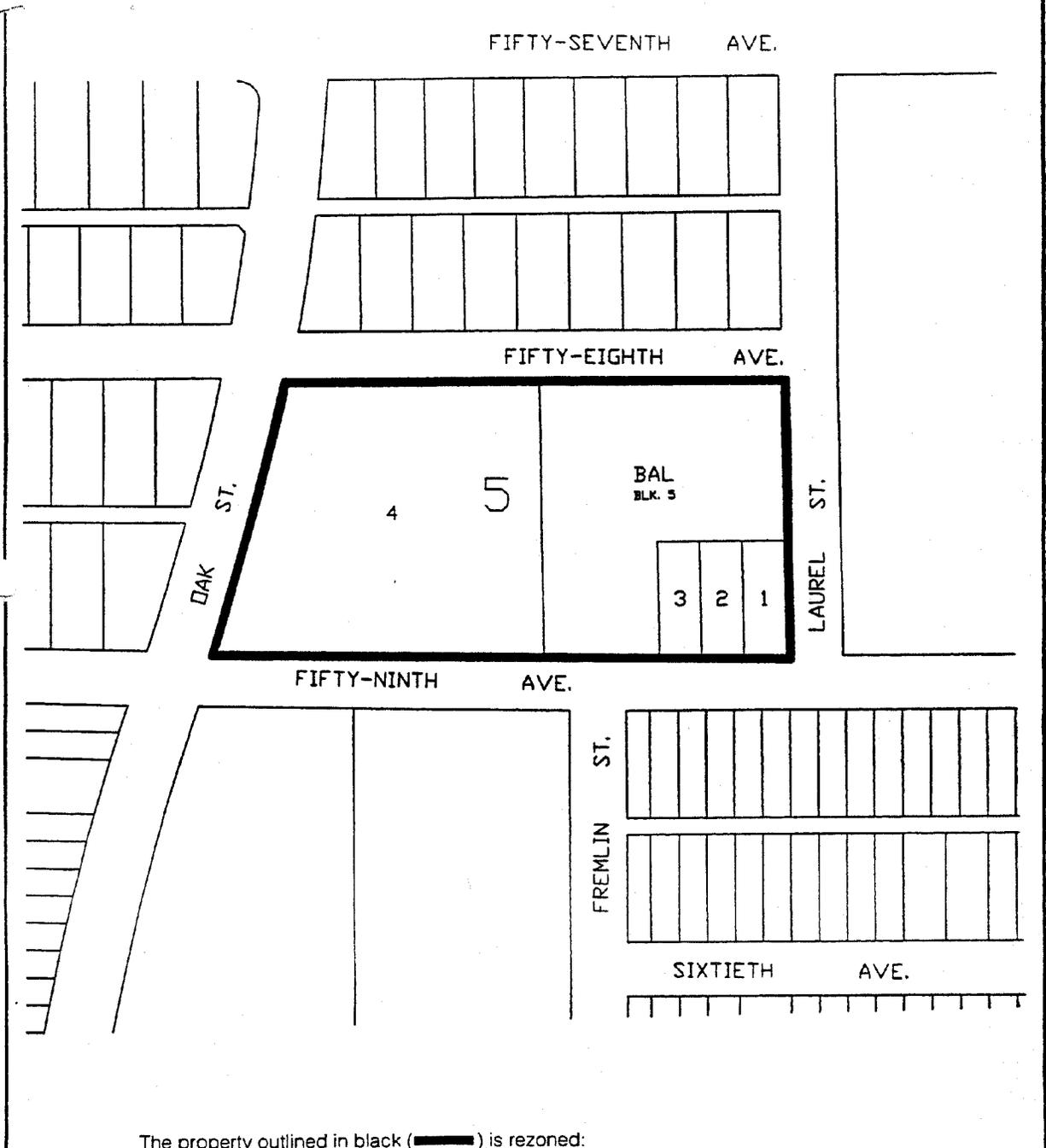
## **9 Acoustics**

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 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 Levels (Decibels)</b>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways [7874; 98 04 21]	45

- 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 to certify the by-law number and date of enactment.]*

BY-LAW No. 7649 BEING A BY-LAW TO AMEND BY-LAW No. 3575  
BEING THE ZONING & DEVELOPMENT BY-LAW



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

**Z-454(d)**

<b>RZ 7400 Oak Street</b>	map: 1 of 1	
	scale: 1:2000	
<b>City of Vancouver Planning Department</b>		