

City of Vancouver *Zoning and Development By-law*

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CD-1 (357)

2725 Arbutus Street

By-law No. 7654

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

Effective November 5, 1996

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

Guidelines:

Arbutus/Vine Industrial Area

CD-1 Guidelines

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 **Intent**

The intent of this By-law is to permit the development of the site with residential uses, in a form which complements, and is compatible with the character of adjacent areas but also to permit commercial uses along Arbutus Street and West 11th Avenue between Arbutus Street and the newly dedicated street to the west.

Development on the site will be consistent with the following objectives:

- (a) achieve a built form which is complementary to the form of development of adjacent areas of Kitsilano, which may include both residential and industrial character;
- (b) achieve housing consistent with the principle of livability and other social and environmental objectives;
- (c) provide pedestrian links to adjacent areas; and
- (d) provide adequate on-site parking and loading spaces for all uses within the site.

3 **Definitions**

Words used in this By-law will have the meaning assigned to them in the Zoning and Development By-law with the following addition:

Interim Use means any use not specifically listed in this By-law and intended to be of only temporary duration.

4 **Uses**

The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (357), 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) Child Day Care Facility;
- (b) Cultural and Recreational Uses;
- (c) Dwelling Units with a minimum of 40 dwelling units, or if more than 135 dwelling units are development. 30 percent of the total number of dwelling units will be developed as two bedrooms or ore and generally designed in accordance with the Council adopted “High Density Housing for Families with Children Guidelines”;
[7774; 97 0 7 22]
- (d) Park or Playground;
- (e) The following uses limited to a total floor area of 1,050 m² and restricted to Arbutus Street and West 11th Avenue between Arbutus Street and the newly dedicated street to the west;
 - (i) Office Uses;
 - (ii) Retail Uses; but not including Adult Retail Store, Gasoline Station - Full Serve, Gasoline Station - Split Island and Vehicle Dealer;
 - (iii) Service Uses; but not including Bed and Breakfast Accommodation, Body-rub Parlour, Drive-through Service, Funeral Home, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Photo finishing or Photography Laboratory, Repair Shop - Class A, and Sign Painting Shop.
- (f) Accessory Uses customarily ancillary to the above uses; and
- (g) Interim Uses and Accessory Uses customarily ancillary thereto provided that:
 - (i) the Development Permit Board considers that the use will be compatible with and not adversely affect adjacent development that either exists or is permitted by this By-law;
 - (ii) the Development Permit Board is satisfied that the use can be easily removed, and is of low intensity or low in capital investment;

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 7654 or provides an explanatory note.*

- (iii) the Development Permit Board is satisfied that there is not increase in risk to the public from contaminated soils either on or adjacent to the subject site; and
- (iv) development permits are limited in time to periods not exceeding 3 years.

5 Floor Space Ratio

5.1 The Development Permit Board may permit a maximum floor space ratio of up to 1.90 provided that it first considers:

- (a) all applicable policies and guidelines adopted by Council;
- (b) the bulk, location and overall design of a building and its effect on the site, surrounding buildings and streets;
- (c) the design and livability of any dwelling uses; and
- (d) the provision of open space, including private patios and balconies and useable common areas.

For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 6 271 m², being the site size at time of application for rezoning, prior to any dedications.

5.2 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.

5.3 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, provided that the total area of all open residential balconies or sundecks, and any other appurtenances does not exceed 8 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;
- (d) amenity areas, accessory to a residential use, including recreation facilities and meeting rooms, provided that the total area being excluded shall not exceed 40 m² for each development parcel, except in the case of non-market housing where the area shall not exceed 100 m²;
- (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; and
- (f) 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]
- (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]

5.4 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]

6 Height

- 6.1** The maximum building height, measured above the base surface, is 15.3 m subject to the relaxation of limitations on building heights set out in Section 10.11.1 of the Zoning and Development By-law.
- 6.2** The Director of Planning may permit a decorative roof, which may include items referred to in Section 10.11.1 of the Zoning and Development By-law, to exceed the maximum height otherwise specified in this By-law, provided that:
 - (a) the Director of Planning is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances;
 - (b) the roof does not add to the floor area otherwise permitted; and
 - (c) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

7 Off-Street Parking and Loading

- 7.1** The provision, development, and maintenance of off-street parking must meet the requirements of the Parking By-law.
- 7.2** For residential uses, the provision, development, and maintenance of off-street parking must meet the requirements of the Parking By-law as if the site is zoned RM-4.
- 7.3** The provision, development, and maintenance of off-street loading must meet the requirements of the Parking by-law, except the number of loading bays that must be provided will be determined by the Director of Planning in consultation with the City Engineer.

[7930; 98 07 28] [8428; 02 02 05] [8564; 02 10 22]

8 Acoustics

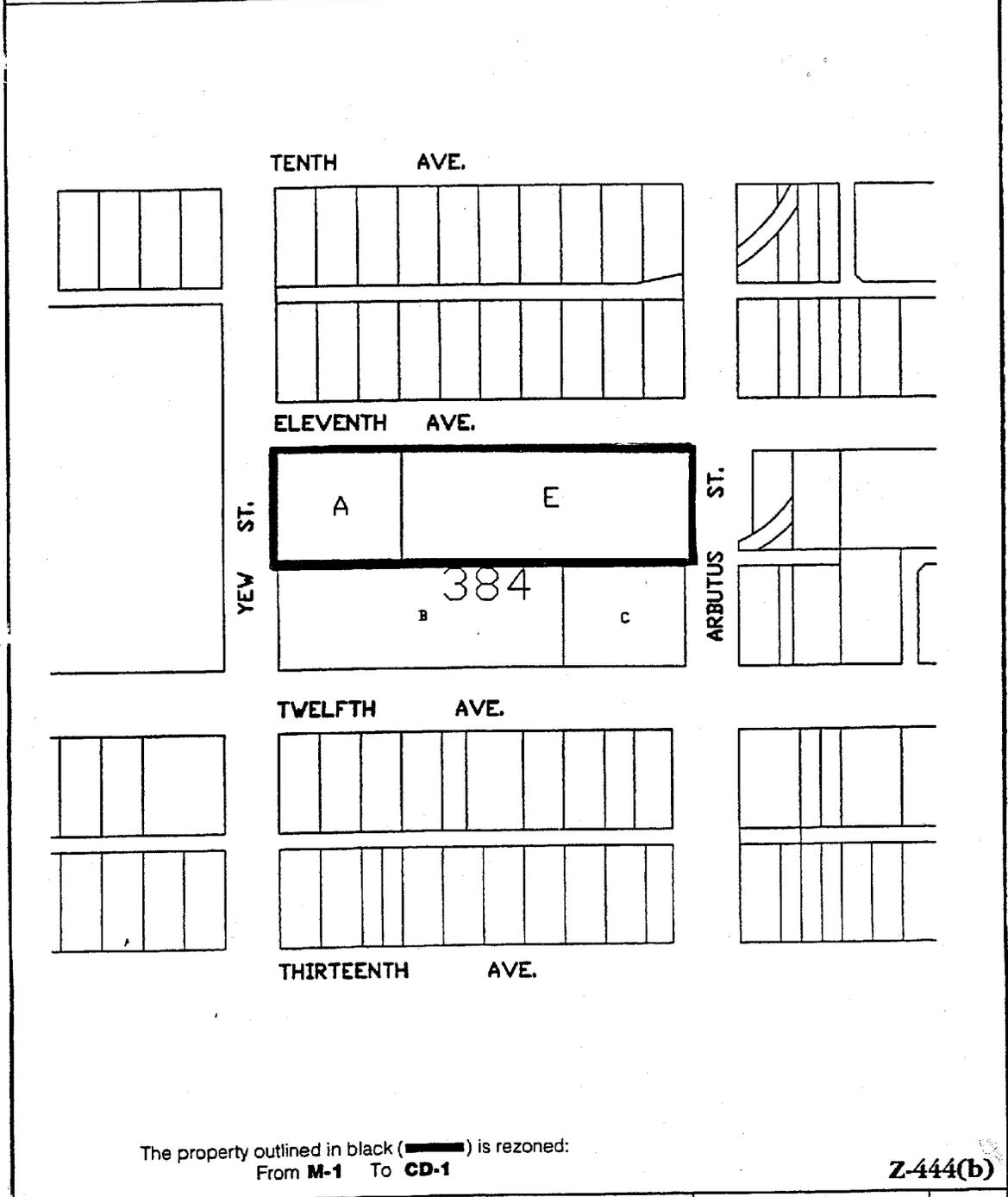
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise level 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 Level (Decibels)
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. 7654 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



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

Z-444(b)

RZ 2725 Arbutus Street

map: 1 of 1

City of Vancouver Planning Department

scale: 1:2000

