



City of Vancouver *Zoning and Development By-law*

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CD-1 (439)

1760 West 3rd Avenue

By-law No. 9165

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

Effective November 1, 2005

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 description of the area shown within the heavy black outline on Schedule A is CD-1 (439).

2.2 Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (439) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses;
- (b) Office Uses;
- (c) Retail Uses, but not including Gasoline Station - Full Service, Gasoline Station – Split Island, Liquor Store and Vehicle Dealer;
- (d) Service Uses, excluding Animal Clinic, Auction Hall, Body-rub Parlour, Cabaret, Catering Establishment, Drive-through Service, Funeral Home, Hotel, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Neighbourhood Public House, Production or Rehearsal Studio, Repair Shop - Class A, Repair Shop – Class B, Restaurant – Class 2, Restaurant Drive-in, School – Vocational or Trade, Sign Painting Shop, and other uses and designs the Director of Planning does not consider compatible with residential use; and
- (e) Accessory Use customarily ancillary to any of the uses permitted by this section 2.2.

3 Density

3.1 The floor space ratio must not exceed 1.36, except that:

- (a) the maximum floor space ratio for dwelling units must not exceed 1.0;
- (b) the maximum floor space ratio for office uses must not exceed 1.0;
- (c) the maximum floor space ratio for service uses must not exceed 1.0; and
- (d) the maximum floor area for retail uses must not exceed 1 000 m².

3.2 Computation of floor space ratio must include:

- (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.

3.3 Computation of floor space ratio must exclude:

- (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 if the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, 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, except that the maximum exclusion for a parking space must not exceed 7.3 m 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, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, not to exceed 10% of the total permitted floor area;
- (e) areas of undeveloped floors 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;
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m³ for a dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and
- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause does not apply to walls in existence prior to March 14, 2000.

4 Building height

The building height, measured above base surface, must not exceed 11.9 m.

5 Parking and loading, and bicycle storage

Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle storage, except that parking for dwelling units must comply with the RM-4 District Schedule parking requirements of the Parking By-law.

6 Acoustics

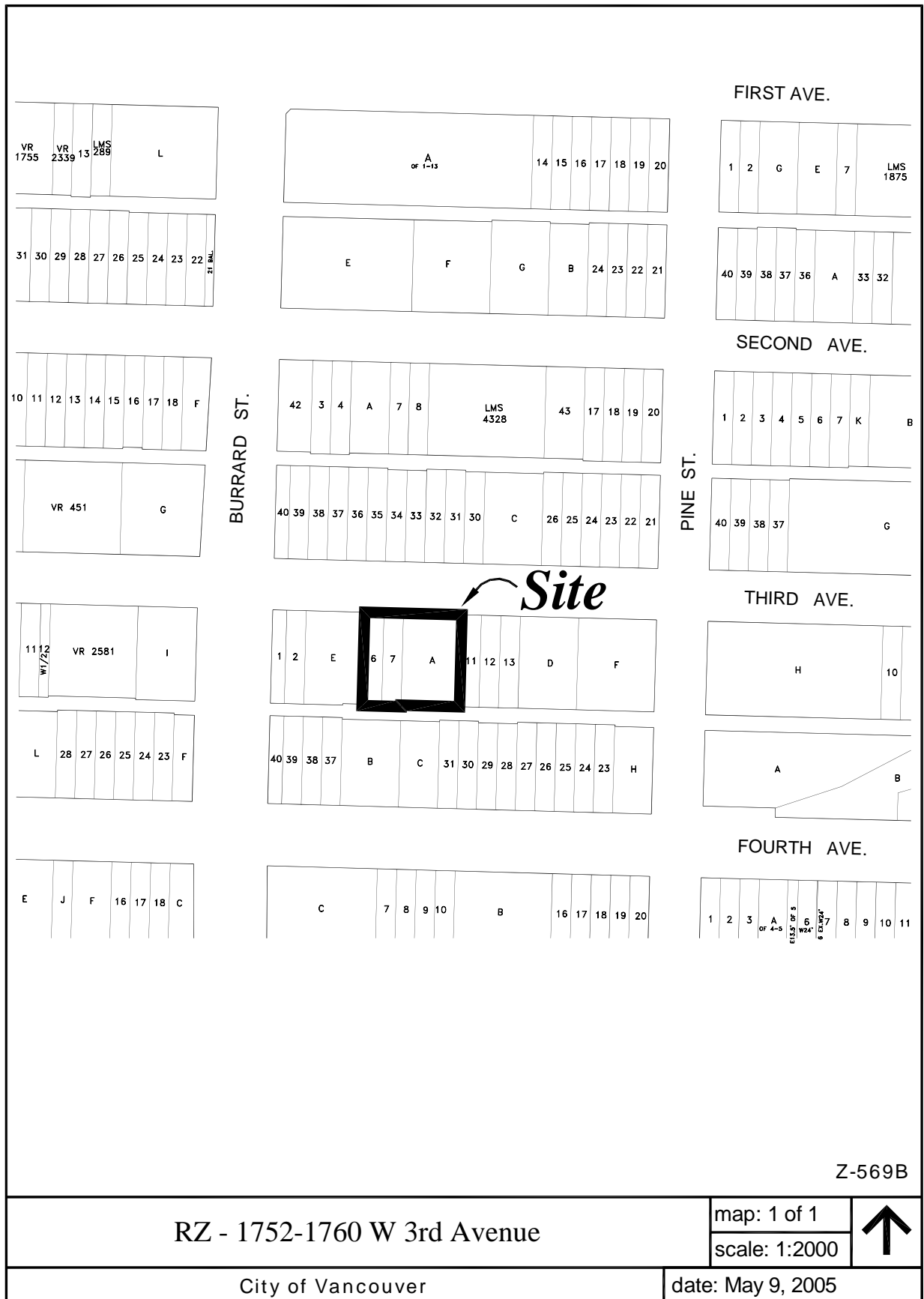
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is 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 |

7 Severability

A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law.

8 *[Section 8 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]*



Z-569B

RZ - 1752-1760 W 3rd Avenue

map: 1 of 1

scale: 1:2000



City of Vancouver

date: May 9, 2005

