

# **CD-1 (738)**

3560-3570 Hull Street and  
2070-2090 East 20th Avenue

## **By-law No. 12537**

Being a By-law to Amend Zoning and Development By-law No. 3575

Effective September 10, 2019

*Amended up to and including:*

By-law No. 12568, dated November 5, 2019

### **Consolidated for Convenience Only**

**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to this CD-1 By-law or provides an explanatory note.

## **Zoning District Plan Amendment**

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-740 (c) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

### **Uses**

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (738).
- 2.2 Subject to Council approval 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 (738), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:
  - (a) Dwelling Uses, limited to Infill One-Family Dwelling, Infill Two-Family Dwelling, Multiple Conversion Dwelling, Multiple Dwelling, and One-Family Dwelling with Secondary Suite;
  - (b) Retail Uses, limited to Public Bike Share; and
  - (c) Accessory Uses customarily ancillary to the uses permitted in this Section.

### **Conditions of use**

3. The design and layout of at least 35% of the dwelling units must:
  - (a) be suitable for family housing;
  - (b) include two or more bedrooms; and
  - (c) comply with Council's "High-Density Housing for Families with Children Guidelines".

### **Floor area and density**

- 4.1 Computation of floor space ratio must assume that the site area is 4,676.2 m<sup>2</sup>, being the site area at the time of the application for the rezoning evidenced by this By-law, and before any dedications. [12568; 2019 11 05]
- 4.2 The floor space ratio for all uses must not exceed 1.50. [12568; 2019 11 05]
- 4.3 Computation of floor area must include all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.

4.4 Computation of floor area 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, except that:
  - (i) the total area of all such exclusions must not exceed 12% of permitted floor area; and
  - (ii) the balconies must not be enclosed for the life of the building;
- (b) patios and roof decks/gardens;
- (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 are at or below base surface, except that the minimum exclusion for a parking space must not exceed 7.3 m in length; and
- (d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m<sup>2</sup> per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

4.5 Computation of floor area may exclude amenity areas, except that the total exclusion for amenity areas must not exceed 10% of permitted floor area.

4.6 The use of floor area excluded under sections 4.4 and 4.5 must not include any use other than that which justified the exclusion.

### **Building height**

5. Building height, measured from base surface to the top of the parapet, must not exceed 12.8 m.

### **Horizontal angle of daylight**

6.1 Each habitable room must have at least one window on an exterior wall of a building.

6.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

6.3 Measurement of the plane or planes referred to in Section 6.2 must be horizontally from the centre of the bottom of each window.

6.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement, if:

- (a) the Director of Planning or Development Permit Board first considers all of the applicable policies and guidelines adopted by Council; and

(b) the minimum distance of unobstructed view is not less than 3.7 m.

6.5 An obstruction referred to in Section 6.2 means:

(a) any part of the same building including permitted projections; or

(b) the largest building permitted under the zoning on any site adjoining CD-1 (738).

6.6 A habitable room referred to in section 6.1 does not include:

(a) a bathroom; or

(b) a kitchen whose floor area is the lesser of:

(i) 10% or less of the total floor area of the dwelling unit, or

(ii) 9.3 m<sup>2</sup>.

### Acoustics

7. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic engineer demonstrating that the noise levels in those portions of dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) 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

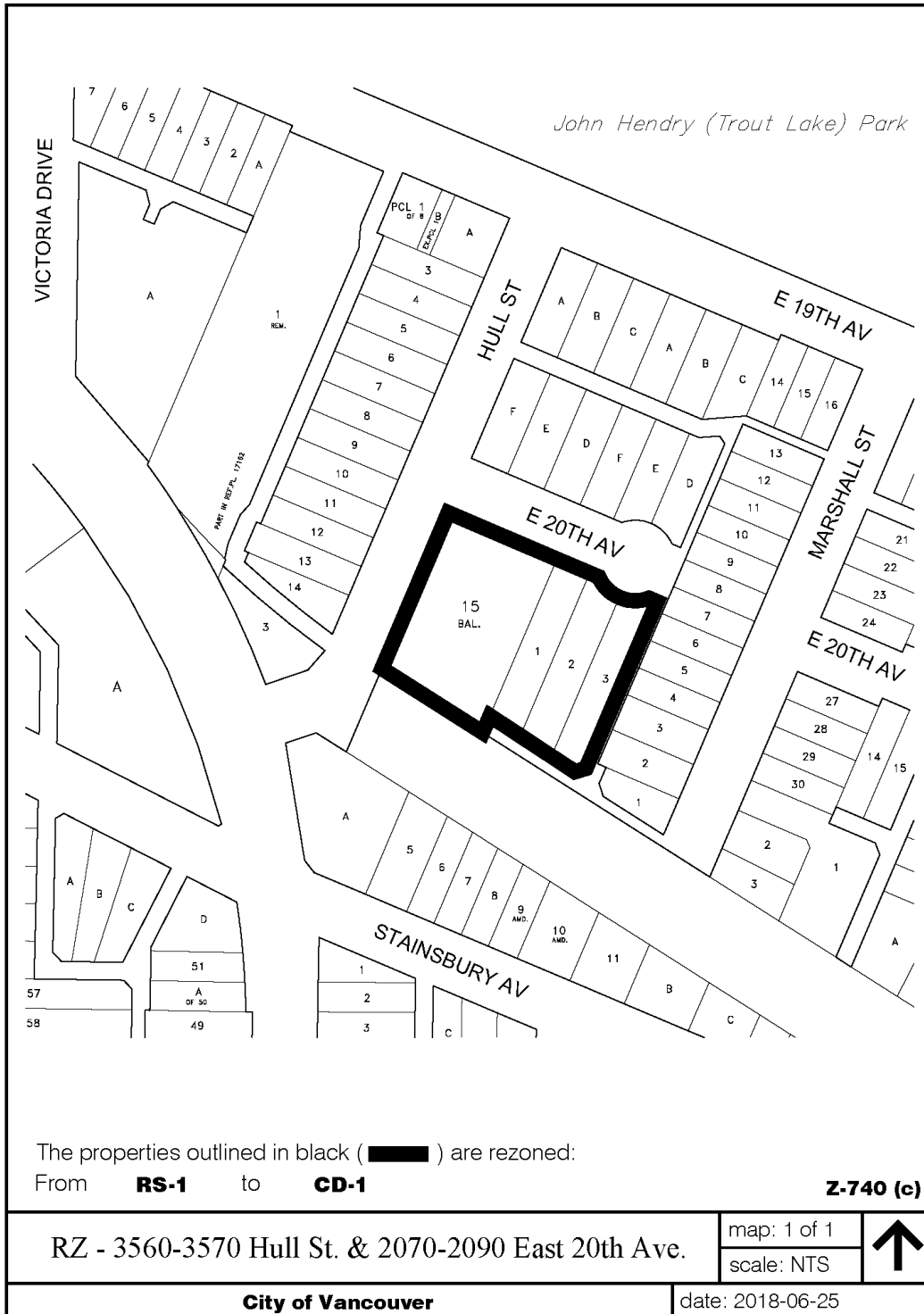
### Severability

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

### Force and effect

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.]*

**Schedule A**



Public Hearing – July 10, 2018 – Item 4 – [Agenda](#)

Approved – July 11, 2018 – Item 1 of Unfinished Business – [Agenda](#)

Summary – Rezone from RS-1 to permit 3.5-storey townhouses, a 4-storey apartment building, and a relocated and rehabilitated heritage home to be added to the Vancouver Heritage Register in the “C” category, the exterior of which is to be designated as protected heritage property, containing a total of 69 residential units.

By-law enacted on September 10, 2019– [By-law No. 12537](#)

Public Hearing – October 22, 2019 – Item 2 – [Agenda](#)

Summary – Amend CD-1 (738), By-law No. 12537, to correct the site area and correspondingly adjust the FSR, due to an error found after required dedications were clarified.

By-law enacted on November 5, 2019 – [By-law No. 12568](#)