

1030 Denman Street

BY-LAW NO. 10566

**A By-law to amend
Zoning and Development By-law No. 3575
to rezone an area to CD-1**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

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-632 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (537).

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 (537) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses limited to Artist Studio, Billiard Hall, Club, Community Centre or Neighbourhood House, Fitness Centre, Library, Museum or Archives, or Theatre;
- (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this section 2.2, residential unit associated with and forming an integral part of an Artist Studio, or Senior's Supportive or Assisted Housing;
- (c) Institutional Uses, limited to Child Day Care Facility, Public Authority Use, School - Elementary or Secondary, School - University or College, or Social Service Centre;
- (d) Office Uses;
- (e) Retail Uses, limited to Adult Retail Store, Furniture or Appliance Store, Grocery or Drugstore, Liquor Store, Pawnshop, Retail Store, Secondhand Store, or Small-scale Pharmacy;

- (f) Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Cabaret, Catering Establishment, Hotel existing as of October 16, 2012, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class B, Restaurant - Class 1, Restaurant - Class 2, School - Arts or Self-Improvement, School - Business, or School - Vocational or Trade;
- (g) Utility and Communication Uses, limited to Public Utility; and
- (h) Accessory Uses customarily ancillary to any of the uses listed in this section 2.2.

2.3 Hotel uses as listed in section 2.2 are permitted within CD-1 (537), except that the Director of Planning or Development Permit Board must not issue a development permit to change any existing use to Hotel use.

Floor area and Density

3.1 Computation of floor space ratio must assume that the site consists of 7 972 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

3.2 The floor space ratio for a building existing on or before October 16, 2012 must not exceed 5.07.

3.3 Computation of floor space ratio must include all floors of all buildings having a minimum ceiling height of 1.2 m, including earthen floor, above and below ground level, measured to the extreme outer limits of the building.

3.4 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, except that the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided;
- (b) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;
- (c) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum floor area of 10% of the total permitted floor area, except that, in the case of a child day care facility, the Director of Planning must be satisfied, on the advice of the Managing Director of Social Development, that there is a need for a child day care facility in the immediate neighbourhood;
- (d) 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 exclusion for a parking space must not exceed 7.3 m in length;

- (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;
- (f) 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 shall not apply to walls in existence prior to March 14, 2000; and
- (g) with respect to exterior:
 - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
 - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),

the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any wall referred to in subsection (ii) meets the standards set out therein.

3.5 The use of floor space excluded under section 3.4 must not include any purpose other than that which justified the exclusion.

Building height

4. The building height for a building existing as of October 16, 2012 must not exceed 91 m measured from base surface.

Parking and bicycle spaces

5.1 Parking, loading, and bicycle spaces must be provided and maintained according to the provisions of the Parking By-law, including those concerning exemptions, relaxations, and mixed use reductions, except that for residential uses there must be:

- (a) at least 0.075 and no more than 0.15 visitor parking spaces per dwelling unit; and
- (b) a minimum of eight visitor parking spaces reserved as full-time residential visitor parking.

5.2 Any future changes of use of the site must require that parking, loading, and bicycle spaces be provided and maintained, according to the provisions of the Parking By-law, including those concerning exemptions, relaxations, and mixed use reductions, and to the satisfaction of the Director of Planning after consultation with the General Manager of Engineering Services, except that for residential uses there must be:

- (a) at least 0.075 and no more than 0.15 visitor parking spaces per dwelling unit; and
- (b) a minimum of eight visitor parking spaces reserved as full-time residential visitor parking.

Acoustics

6. 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 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

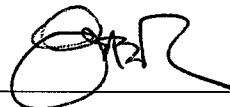
Severability

7. 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.

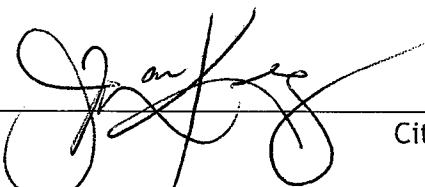
Force and effect

8. This By-law is to come into force and take effect on the date of its enactment.

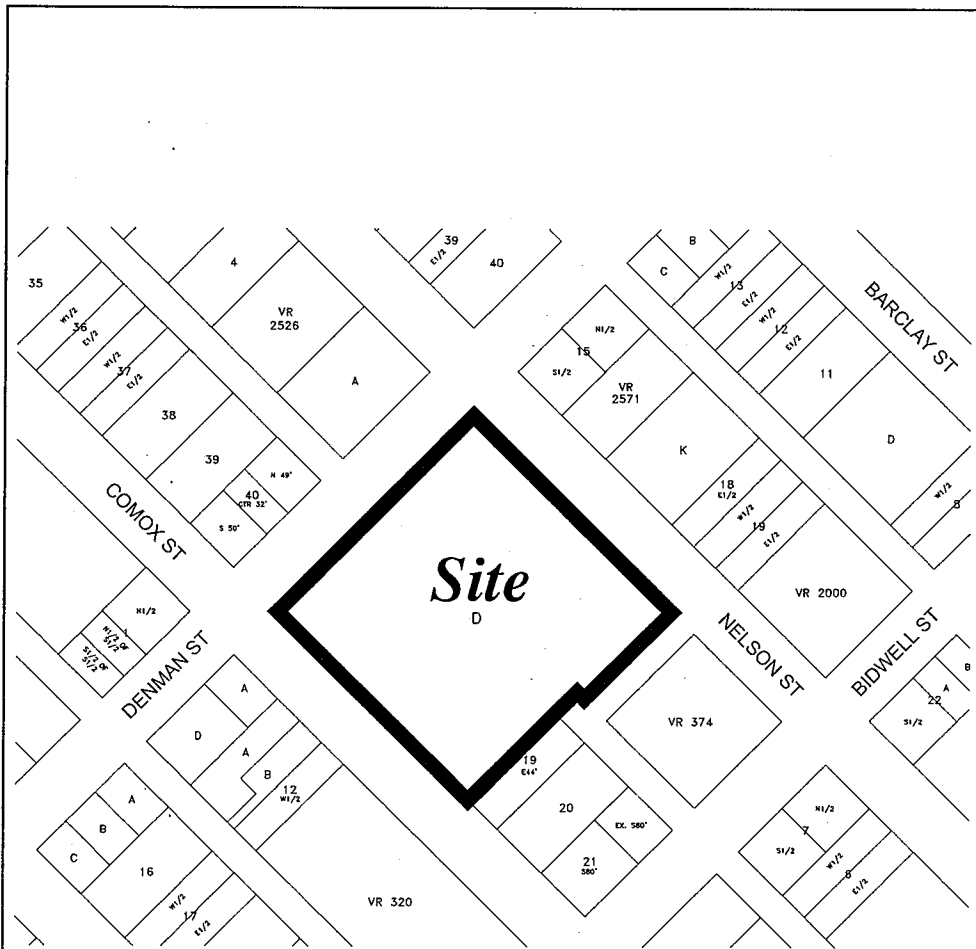
ENACTED by Council this 16th day of October , 2012




Mayor



City Clerk



The property outlined in black () is rezoned:
 From **C-5** to **CD-1**

Z-632 (b)

RZ - 1030 Denman Street

map: 1 of 1

scale: NTS



City of Vancouver

date: 2011-02-21