

7249 Cypress Street

BY-LAW NO. 11074

**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-664 (d) 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 (584).

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 (584), 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;
- (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law, and Multiple Dwelling;
- (c) Institutional Uses, limited to Child Day Care Facility;
- (d) Office Uses, limited to General Office, Financial Institution, Health Care Office, and Health Enhancement Centre;
- (e) Retail Uses, limited to Farmers' Market, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, Secondhand Store, and Small-scale Pharmacy;
- (f) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, Print Shop, Repair Shop Class - B, Restaurant - Class 1, School - Arts or Self-Improvement, School - Business, and School - Vocational or Trade; and

- (g) Accessory uses customarily ancillary to the uses permitted in this Section 2.2.

Floor Area and Density

3.1 Computation of floor space ratio must assume that the site consists of 820 m², being the site size at the time of the application for the rezoning evidenced by this By-law.

3.2 Floor space ratio for all uses must not exceed 1.2, and the number of dwelling units must not exceed 6.

3.3 Computation of floor area must include:

- (a) all floors, including earthen floor, measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
- (c) where the distance from a floor to the floor above or, where there is no floor area to the top of the roof joists, exceeds 3.7 m, an amount equal to the area of the floor below the excess height.

3.4 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 the total area of all exclusions must not exceed 8% of the permitted residential floor area;
- (b) patios and roof gardens, 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, 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 the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length and the maximum exclusion for heating and mechanical equipment shall not exceed 1.4 m² in each unit;
- (d) areas of undeveloped floor 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, or
 - (iii) under covered verandas or porches as described in subsection (f), and to which there is no permanent means of access;

- (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; and
- (f) covered porches if:
 - (i) they are located at the basement or first storey,
 - (ii) that portion facing the street or rear property line is open or protected by guard rails, the height of which must not exceed the minimum specified in the Building By-law,
 - (iii) the total area being excluded does not exceed 5% of the permitted floor area, and
 - (iv) the ceiling height, including roof structures, of the total area being excluded does not exceed 3.1 m measured from the porch floor.

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

Building Height

4. Building height, measured from base surface, must not exceed 10.7 m.

Setbacks

5.1 Setbacks for multiple dwellings on the site must be a minimum of:

- (a) 2.4 m from the east property line;
- (b) 0.5 m from the west property line; and
- (c) 2.5 m from the north property line.

5.2 Despite the provisions of section 5.1, the Director of Planning may allow projections into the required setbacks if:

- (a) the Director of Planning first considers all applicable Council policies and guidelines; and
- (b) those portions of buildings which project into the required setbacks are:
 - (i) steps,
 - (ii) bay windows which project no more than 0.6 m into a required setback or 0.6 m from the building face,

- (iii) balconies, eaves, bays or similar features,
- (iv) canopies, if:
 - a) they are cantilevered;
 - b) they do not project more than 1.2 m measured at right angles to the face of the building; and
 - c) they are not located closer than 0.3 m measured horizontally from any window of a habitable room where any part of such window is located below the level of the canopy;
- (v) entry porches located at the basement or first storey,
- (vi) cantilevered eaves forming part of a porch,
- (vii) chimneys or piers,
- (viii) underground parking and storage structures located entirely below grade,
- (ix) access structures to underground parking, and
- (x) hydro and gas utility meters, vaults or similar equipment.

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 If:

- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
- (b) the minimum distance of the unobstructed view is not less than 3.7 m,

the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

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 (584).
- 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 m².

Acoustics

7. A development permit application for dwelling uses shall 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

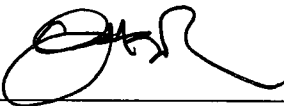
Severability

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.

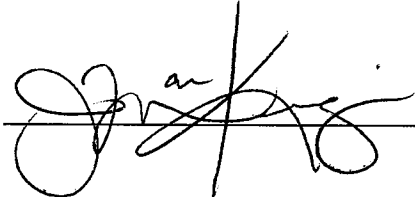
Force and Effect

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

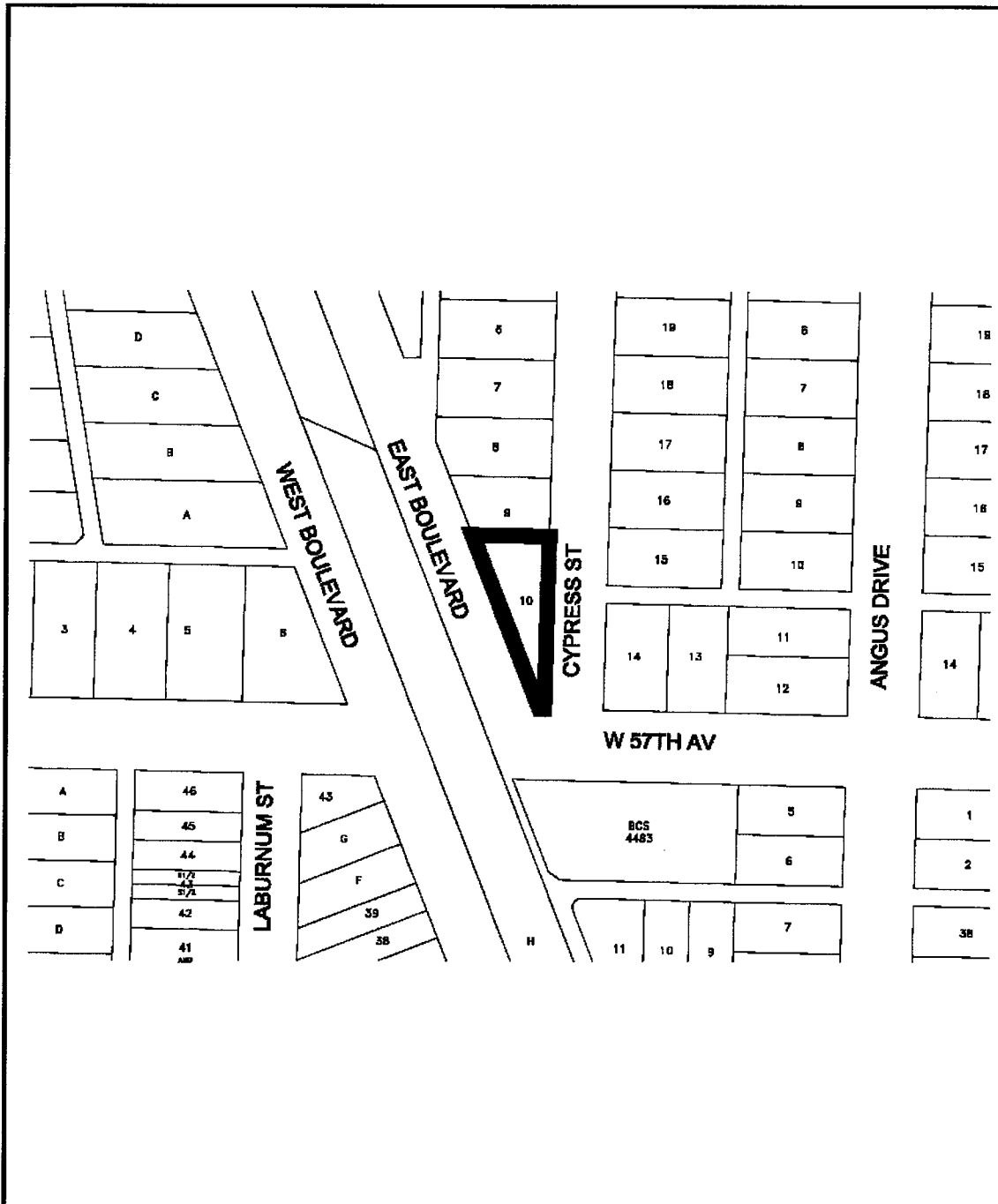
ENACTED by Council this 30th day of September, 2013



 Mayor



 City Clerk



The property outlined in black () is rezoned:
 From **RS-6** to **CD-1**

Z-664 (d)

RZ - 7249 Cypress Street

map: 1 of 1

scale: NTS



City of Vancouver

date: 2013-07-31