

1870 East 1st Avenue and
1723 Victoria Drive

BY-LAW NO. 11084

**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-644 (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 (583).

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

- (a) Dwelling Uses;
- (b) Institutional Uses, limited to Child Day Care Facility, Community Care Facility - Class B, Group Residence, and Social Service Centre;
- (c) Accessory Building; and
- (d) Accessory Use customarily ancillary to any use permitted by this section.

Density

3.1 Computation of floor area must assume that the site consists of 1 145.3 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 Floor space ratio for all uses must not exceed 1.5.

3.3 Computation of floor space ratio must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floors, both above and below ground level, to be 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, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
- (c) the floor area of bay windows, regardless of seat height, location on building or relationship to yard setbacks, in excess of the product of the total floor area permitted times 0.01.

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, provided that the total area of all exclusions does not exceed eight percent of the residential floor area being provided;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) the floors or portions of floors 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, that, for each area, is at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, provided that the area excluded does not exceed 10 percent of the total floor area;
- (e) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m and to which there is no permanent means of access other than a hatch;
- (f) covered verandahs or porches, provided that:
 - (i) the portion facing the street or rear property line shall be open or protected by guard rails, the height of which shall not exceed the minimum specified in the Building By-law; and
 - (ii) the total area of these exclusions, when combined with the balcony and deck exclusions, does not exceed 13 percent of the permitted floor space;

- (g) 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; and
- (h) above grade floor area built as open to below, designed in combination with venting skylights, opening clerestory windows or other similar features which, in the opinion of the Director of Planning, reduce energy consumption or improve natural light and ventilation to a maximum exclusion of one percent of permitted floor area.

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, measured above base surface, must not exceed 13.7 m.

Horizontal Angle of Daylight

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

5.2 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.

5.3 Measurement of the plane or planes, referred to in section 5.2, must be horizontally from the centre of the bottom of each window.

5.4 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 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.

5.5 An obstruction referred to in section 5.2 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 (583).

5.6 A habitable room referred to in section 5.1 does not include:

- (a) a bathroom; or

- (b) a kitchen, whose floor area is the lesser of:
 - (i) 10 percent or less, of the total floor area of the dwelling unit; or
 - (ii) 9.3 m².

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.

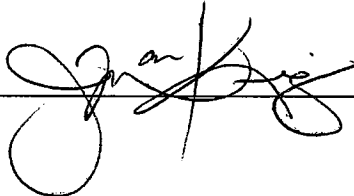
Force and effect

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

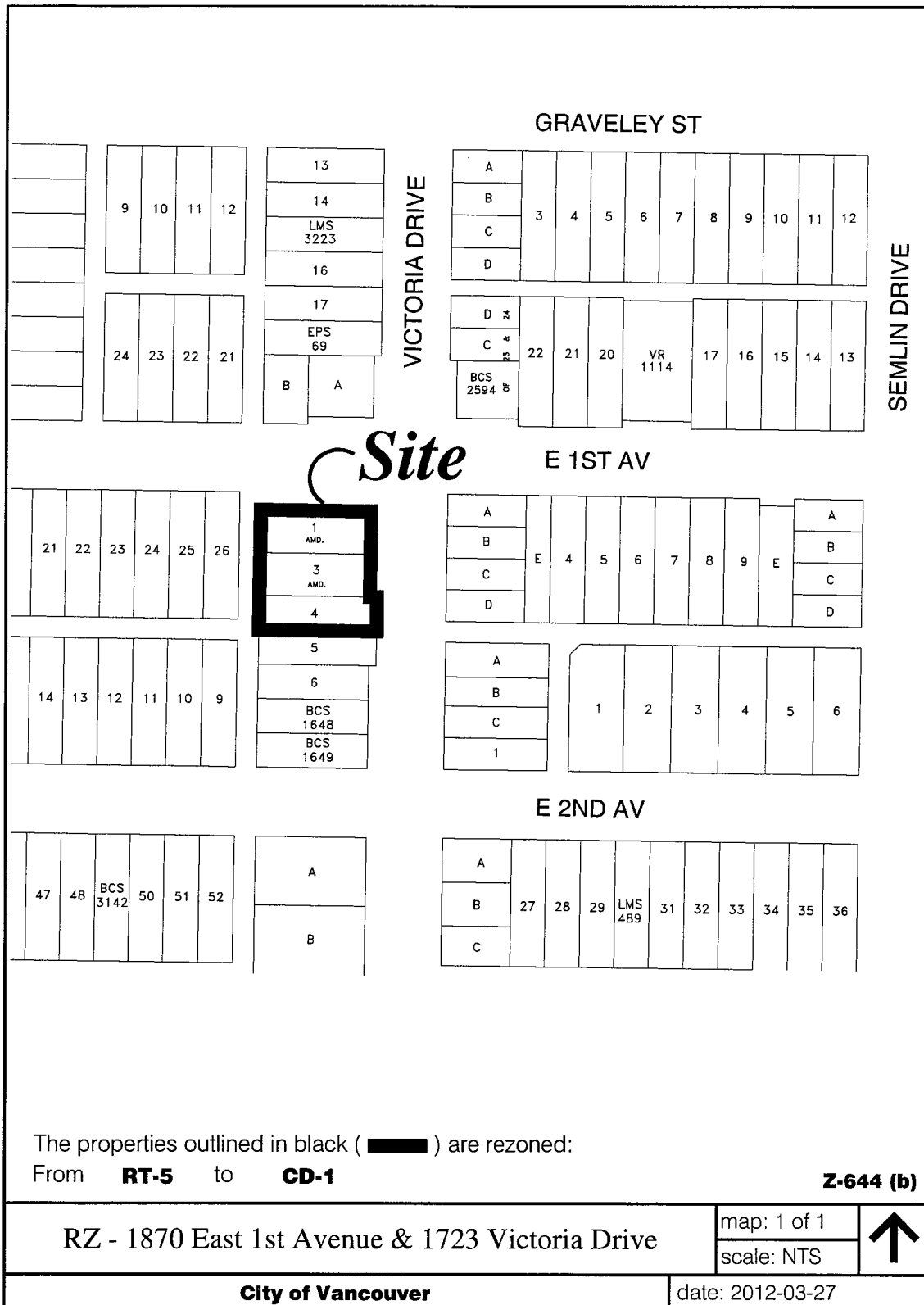
ENACTED by Council this 14th day of October, 2014



Mayor



City Clerk



Site

The properties outlined in black () are rezoned:
From **RT-5** to **CD-1**

Z-644 (b)

RZ - 1870 East 1st Avenue & 1723 Victoria Drive

map: 1 of 1
scale: NTS



City of Vancouver

date: 2012-03-27