Commercial Unit in Kensington Area
For Lease

5261 Victoria Dr, Vancouver





Must See! Aprrox.891 SqFt retail unit is available for lease in Vancouver Kensington-Cedar Cottage area. Located on the corner of busy Victoria Drive and E 37th Ave, good exposure with lots of foot traffic, with walking distance to bus stops. Under C-2 zoning suit for most of retail, office and service usage. A rare opportunity for people who are going to run business in such busiest commercial road in Vancouver East. **Don't hesitate, call now for more details!**

Property Information

Address:	5261 VICTORIA DR, VANCOUVER
Legal:	LOT B, BLOCK B, PLAN VAP7947, DISTRICT LOT 704, GROUP 1, NEW WESTMINSTER LAND DISTRICT
P.I.D.:	013-734-962, 013-734-971, 010-291-270
Zoning:	C-2 COMMERCIAL
Unit Size:	891 SqFt

Basic Rent

$25 per SF

$22,275 per annum, and $1,856.25 per month

Additional Rent

$17.5 per SF (Projected)

$15,592.5 per annum, $1,299.38 per month



Award Winning Services!

DIAMOND TITAN CHAIRMAN'S PLATINUM

Over 30 Years Experiences

Raymond Leung 梁國權

Personal Real Estate Corporation

604-644-6482

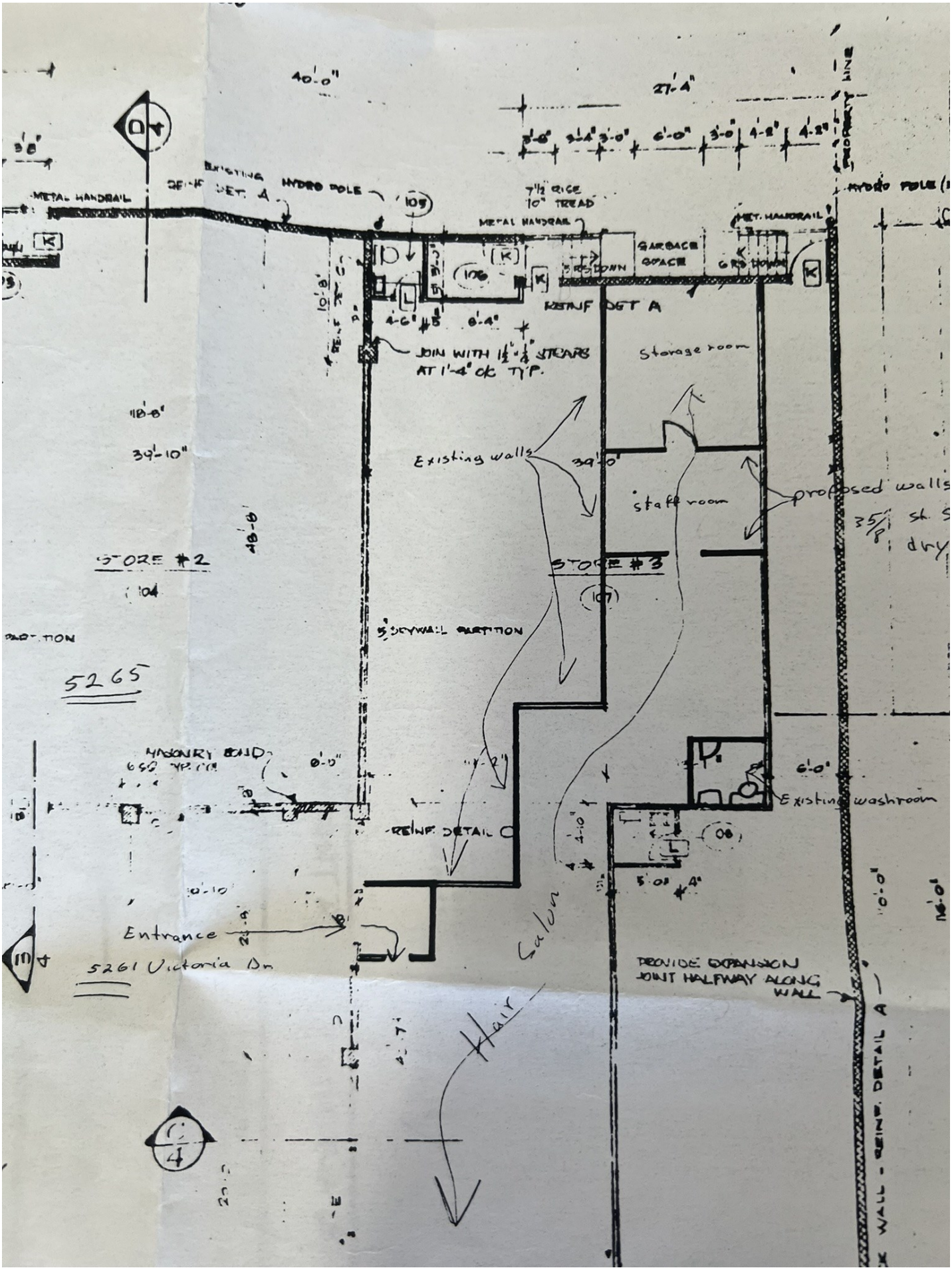
- No. 1 Re/Max Commercial Western Canada 2015
- No. 1 in Sales with Re/Max Realty Associates 5 years
- Re/Max International Lifetime Achievement Award since 2006
- Re/Max Canada Commercial Top 5 Winner 2011
- Re/Max International Top 9 Winner 2011
- Re/Max Circle of Legend Award since 2017
- Re/Max Diamond Club Team Award Winner 2022
- Re/Max Platinum Club Team Award Winner 2023
- Re/Max City Realty Commercial Most Expensive Property Sold 2023
- Re/Max City Realty Commercial Rent Collected 2023
- Re/Max Chairman's Club Team Award Winner 2021 & 2024

RE/MAX CIRCLE OF LEGENDS RE/MAX HALL OF FAME RE/MAX LIFETIME ACHIEVEMENT

Re/Max City Realty #101 – 2806 Kingsway, Vancouver, BC V5R 5T5 Fax: 604-439-2299

Leung Real Estate Group Email: Raymondkleung@hotmail.com WebSite: 410Commercial.com

**Information herein deemed reliable but not guaranteed and must be verified by the buyer. This communication is not intended to cause or induce breach of an existing agency agreement.*



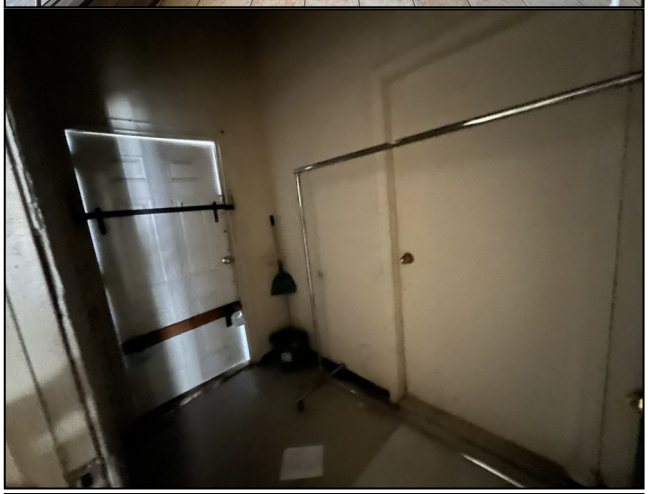
40'-0"
27'-4"
PROPERTY LINE
METAL HANDRAIL
EXISTING REINF DET. A
HYDRO POLE
105
7½" RISE
10" TREAD
METAL HANDRAIL
GARBAGE SPACE
MET. HANDRAIL
HYDRO POLE
106
REINF DET A
JOIN WITH 1½"x¼" STRAPS AT 1'-4" o/c TYP.
Storage room
Existing walls
39'-0"
staff room
proposed walls
STORE #2
104
STORE #3
107
5" DRYWALL PARTITION
5265
MASONRY BOND
REINF. DETAIL C
Existing washroom
08
Entrance
5261 Victoria Dr
Hair Salon
PROVIDE EXPANSION JOINT HALFWAY ALONG WALL
WALL - REINF. DETAIL A


TIP TOP
DRY CLEANERS


PARKING ONLY
ZED VEHICLES WILL BE
OWNER'S EXPENSE

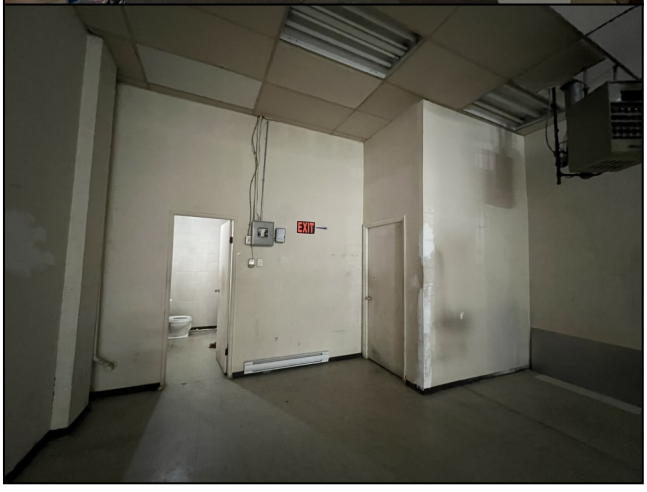









EXIT


EXIT

Zoning Map



6/23/2021, 12:29:30 PM

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.08 km

Zoning Districts

Comprehensive Development

Local Areas

Zoning Types

One-Family Dwelling

Tie Lines

Commercial

Local Area Labels

Property Address Numbers

C-2

District Schedule

1 INTENT AND OVERVIEW

1.1 Intent

The intent of this schedule is to provide for a wide range of commercial uses serving both local and city-wide needs, as well as dwelling uses along arterial streets. This schedule emphasizes building design that promotes compatibility among uses, ensures liveability, limits impact on adjacent residential sites, and contributes to pedestrian interest and amenity. In addition, this schedule encourages mixed-use residential buildings that contain secure rental housing by including provisions for residential rental tenure buildings.

Without limitation, applicable Council policies and guidelines for consideration include the **C-2 Guidelines** and the **C-2, C-2B, C-2C, and C-2C1 Guidelines for Residential Rental Tenure Buildings**.

1.2 Overview

The table below provides an overview of outright and conditional approval uses in the C-2 district, categorized by the minimum site area required, where applicable. Applicable density, form and placement regulations in section 3 of this schedule are cross-referenced in the third column.

Minimum Site Area	Use	Density, Form and Placement Regulations
--	Mixed-Use Residential Building that is a residential rental tenure building	3.1
	Other uses in section 2.1 of this schedule	3.2

2 USE REGULATIONS

2.1 Outright and Conditional Approval Uses

All outright and conditional approval uses are subject to all other provisions of this by-law, including **Section 2**, **Section 10** and **Section 11**, and compliance with the regulations of this schedule including section 2.2.

The uses identified in the table below as outright approval uses are permitted in this district and will be issued a permit.

The uses identified in the table below as conditional approval uses may be approved in this district by the Director of Planning or Development Permit Board, with or without conditions, if the Director of Planning or Development Permit Board considers:

(a) the intent of this schedule and all applicable Council policies and guidelines; and

(b) the submission of any advisory group, property owner or tenant.

Uses are listed under their general land use category. Applicable use-specific regulations in section 2.2 of this schedule are cross-referenced in the third column. Cross-references to applicable use-specific regulations are provided for information purposes only and do not form part of this by-law.

Use	Approval	Use-Specific Regulations
Agricultural Uses		
Urban Farm - Class B	Conditional	
Cultural and Recreational Uses		
Arcade	Conditional	2.2.1
Artist Studio	Conditional	2.2.1
Arts and Culture Event	Outright	2.2.1
Billiard Hall	Conditional	2.2.1
Bowling Alley	Outright	2.2.1
Club	Conditional	2.2.1
Community Centre or Neighbourhood House	Conditional	2.2.1
Fitness Centre	Outright	2.2.1
Hall	Conditional	2.2.1
Library	Outright	2.2.1
Museum or Archives	Outright	2.2.1
Park or Playground	Conditional	
Rink	Outright	2.2.1
Swimming Pool	Outright	2.2.1
Theatre	Conditional	2.2.1
Zoo or Botanical Garden	Conditional	2.2.1
Dwelling Uses		
Mixed-Use Residential Building	Conditional	2.2.2, 2.2.3, 2.2.4
Multiple Conversion Dwelling, resulting from the conversion of a building existing prior to June 18, 1956	Conditional	2.2.4, 2.2.5

Use	Approval	Use-Specific Regulations
Multiple Dwelling	Conditional	2.2.4, 2.2.6
Principal Dwelling Unit with Lock-Off Unit	Conditional	2.2.7
Residential Unit associated with and forming an integral part of an Artist Studio	Conditional	
Seniors Supportive or Independent Living Housing	Conditional	
Institutional Uses		
Ambulance Station	Conditional	2.2.1
Child Day Care Facility	Conditional	2.2.1
Church	Conditional	2.2.1
Community Care or Assisted Living Facility - Class B	Conditional	2.2.1
Detoxification Centre	Conditional	2.2.1
Group Residence	Conditional	2.2.1
Hospital	Conditional	2.2.1
Public Authority Use	Conditional	2.2.1
School - Elementary or Secondary	Conditional	2.2.1
School - University or College	Conditional	2.2.1
Social Service Centre	Conditional	2.2.1
Manufacturing Uses		
Jewellery Manufacturing	Conditional	2.2.1
Printing and Publishing	Conditional	2.2.1
Office Uses		
Financial Institution	Outright	2.2.1
General Office	Outright	2.2.1
Health Care Office	Outright	2.2.1
Health Enhancement Centre	Conditional	2.2.1
Parking Uses		
Parking Uses	Conditional	
Retail Uses		
Adult Retail Store	Conditional	2.2.1
Cannabis Store	Conditional	2.2.1
Farmers' Market	Conditional	2.2.8
Furniture or Appliance Store	Conditional	2.2.1
Gasoline Station - Full Serve	Conditional	
Gasoline Station - Split Island	Conditional	

Use	Approval	Use-Specific Regulations
Grocery or Drug Store, except for Small-Scale Pharmacy	Outright	2.2.1
Grocery Store with Liquor Store	Conditional	2.2.1
Liquor Store	Conditional	2.2.1
Pawnshop	Conditional	2.2.1
Public Bike Share	Conditional	
Retail Store	Outright	2.2.1
Secondhand Store	Conditional	2.2.1
Shared E-Scooter System	Conditional	
Small-Scale Pharmacy	Conditional	2.2.1
Vehicle Dealer	Conditional	
Service Uses		
Animal Clinic or Shelter	Conditional	2.2.1
Animal Services	Conditional	2.2.1
Auction Hall	Outright	2.2.1
Barber Shop or Beauty Salon	Outright	2.2.1
Beauty and Wellness Centre	Outright	2.2.1
Bed and Breakfast Accommodation	Conditional	2.2.1
Cabaret	Conditional	2.2.1
Catering Establishment	Outright	2.2.1
Drive-Through Service	Conditional	
Funeral Home	Conditional	2.2.1
Hotel	Conditional	2.2.1
Laundromat or Dry Cleaning Establishment	Outright	2.2.1
Motor Vehicle Repair Shop	Conditional	2.2.1
Motor Vehicle Wash	Conditional	2.2.1
Neighbourhood Public House	Conditional	
Photofinishing or Photography Laboratory	Conditional	2.2.1
Photofinishing or Photography Studio	Outright	2.2.1
Print Shop	Outright	2.2.1
Repair Shop - Class A	Conditional	2.2.1
Repair Shop - Class B	Outright	2.2.1
Restaurant - Class 1	Outright	
Restaurant - Class 2	Conditional	2.2.1
Restaurant - Drive-In	Conditional	

Use	Approval	Use-Specific Regulations
School - Arts or Self-Improvement	Conditional	2.2.1
School - Business	Outright	2.2.1
School - Vocational or Trade	Conditional	2.2.1
Short Term Rental Accommodation	Conditional	2.2.1
Sign Painting Shop	Conditional	2.2.1
Wedding Chapel	Conditional	2.2.1
Transportation and Storage Uses		
Taxicab or Limousine Station	Conditional	
Utility and Communication Uses		
Public Utility	Conditional	2.2.1
Radiocommunication Station	Conditional	2.2.1
Recycling Depot	Conditional	2.2.1
Wholesale Uses		
Lumber and Building Materials Establishment	Conditional	
Wholesaling - Class A	Conditional	2.2.1
Wholesaling - Class B	Conditional	2.2.1
uncategorized		
Accessory Buildings, customarily ancillary to any use listed in this section 2.1	Outright	2.2.1, 2.2.9
Accessory Uses, customarily ancillary to any outright approval use listed in this section 2.1	Outright	2.2.1, 2.2.10
Accessory Uses, customarily ancillary to any use listed in this section 2.1	Conditional	2.2.1, 2.2.11
Any other use that is not specifically listed and defined as a use in Section 2 of this by-law	Conditional	2.2.1, 2.2.12
Deposition or extraction of material, which alters the configuration of the land	Conditional	

2.2 Use-Specific Regulations

2.2.1 All commercial uses listed in section 2.1 of this schedule must be carried on wholly within a completely enclosed building, other than the following:

(a) arts and culture event;

(b) display of flowers, plants, fruits and vegetables;

(c) drive-through service;

(d) farmers' market;

(e) gasoline station - full serve;

(f) gasoline station - split island;

(g) lumber and buildings material establishment;

(h) neighbourhood public house;

(i) outdoor eating area in combination with a cabaret, club, grocery or drug store, restaurant - class 2, or retail store, subject to any conditions that the Director of Planning considers necessary, having regard to the area and location of the eating area with respect to adjoining sites, the hours of operation and the intent of this schedule;

(j) parking and loading facilities;

(k) public bike share;

(l) restaurant - class 1;

(m) restaurant - drive-in;

(n) shared e-scooter system;

(o) taxicab or limousine station;

(p) urban farm - class B; and

(q) vehicle dealer,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this schedule.

2.2.2 Any of the non-dwelling uses listed in section **2.1** of this schedule are permitted in a mixed-use residential building.

2.2.3 No portion of the first storey of a mixed-use residential building, to a depth of 10.7 m from the front wall of the building and extending across its full width, may be used for residential purposes except for entrances to the residential portion.

2.2.4 Development on any site consisting of 3 or more dwelling units that:

(a) requires the demolition, or change of use or occupancy of a rental housing unit on that site; or

(b) would have required such demolition, or change of use or occupancy had a person, during the 3 years preceding the date of application for a development permit, not demolished 1 or more rental housing units or changed their use or occupancy,

is subject to the **Rental Housing Stock Official Development Plan**.

2.2.5 Multiple conversion dwelling, resulting from the conversion of a building existing prior to June 18, 1956, may be permitted if:

(a) the Director of Planning considers:

(i) the quality and liveability of the resulting units,

(ii) the suitability of the building for conversion in terms of age and size, and

(iii) the impact of the conversion on adjacent properties and the character of the area; and

(b) there are no additions to the building.

2.2.6 Multiple dwelling may be permitted if the Director of Planning considers the site suitable for dwelling use.

2.2.7 Principal dwelling unit with lock-off unit is permitted only in a multiple dwelling or mixed-use residential building.

2.2.8 Farmers' market may be permitted if the Director of Planning considers the appropriateness of the use with respect to compatibility with nearby sites, parking, traffic, noise, hours of operation, size of facility and pedestrian amenity.

2.2.9 Accessory buildings customarily ancillary to any use listed in section 2.1 of this schedule are permitted as an outright approval use if:

(a) no accessory building exceeds 3.7 m in height measured to:

(i) the highest point of a flat roof,

(ii) the deck line of a mansard roof, or

(iii) the mean height between the eaves and the ridge of a gable, hip or gambrel roof,

provided that no portion of an accessory building exceeds 4.6 m in building height;

(b) all accessory buildings are located:

(i) in the rear yard, and

(ii) at least 3.1 m from the ultimate centre line of any rear or flanking lane; and

(c) the total floor area of all accessory buildings, measured to the extreme outer limits of the building, does not exceed 15% of the total site area,

except that the Director of Planning may vary the maximum height, the location regulations, and the floor area regulations to a maximum total floor area not exceeding 33.3% of the gross floor area of the principal use.

2.2.10 Accessory uses customarily ancillary to any outright approval use listed in section 2.1 of this schedule are permitted provided that the total floor area of all accessory uses does not exceed 25% of the gross floor area of the principal use, unless permitted as an outright approval use pursuant to section 2.1 of this

schedule or the accessory use is a home-based business, except that the Director of Planning may vary the floor area regulations to a total floor area not exceeding 33.3% of the gross floor area of the principal use.

2.2.11 Accessory uses customarily ancillary to any conditional approval use listed in section **2.1** of this schedule must comply with the provisions in section **2.2.10** above.

2.2.12 Any other use that is not specifically listed and defined as a use in **Section 2** of this by-law may be permitted if the Director of Planning considers the use to be comparable in nature to the uses listed in this schedule, having regard to the intent of this schedule.

3 DENSITY, FORM AND PLACEMENT REGULATIONS

This section contains density, form and placement regulations organized by use.

3.1 Mixed-Use Residential Building that is a Residential Rental Tenure Building

Mixed-use residential building that is a residential rental tenure building is subject to the following regulations. For the purposes of this schedule, “residential rental tenure building” means a building:

(a) that is located outside of sub-area A, which is illustrated in **Map 1: Sub-Area A** at the end of this schedule;

(b) that is a mixed-use residential building and contains at least 3 dwelling units;

(c) where all of the dwelling units are non-stratified and secured as residential rental tenure;

(d) where at least 35% of the total dwelling units have 2 or more bedrooms; and

(e) where the third storey and above, measured from the front property line, is limited to dwelling use only.

3.1.1 Density and Floor Area

3.1.1.1 The maximum floor space ratio is 3.50 for all uses combined, provided that the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35.

3.1.1.2 Despite section **3.1.1.1** above, for a corner site, the maximum floor space ratio is 3.70 for all uses combined, provided that:

(a) the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35;

(b) the length of the front property line facing the street is at least 45.7 m; and

(c) the site has a minimum site area of 1,672 m^2.

3.1.1.3 Despite sections **3.1.1.1** and **3.1.1.2** above, the Director of Planning may increase the permitted floor space ratio by up to 0.05 for exterior circulation located above the first storey.

3.1.2 Building Form and Placement

	Regulations	C-2
3.1.2.1	Maximum building height:	
	(a) where the floor-to-floor height for non-dwelling uses located on the first storey, facing the street is:	
	(i) 5.2 m or greater	22.0 m and 6 storeys
	(ii) less than 5.2 m	19.8 m and 6 storeys
	(b) for portions of a building located within 4.6 m of the ultimate rear property line	6.1 m
3.1.2.2	Minimum front yard depth for:	
	(a) buildings located in sub-area B on **Map 3: Sub-Area B** at the end of this schedule	4.6 m
	(b) all other buildings	2.5 m
3.1.2.3	Minimum side yard width or setback for a side yard that:	
	(a) adjoins a site located in any R district, without the intervention of a lane, for portions of a building below the fourth storey	3.7 m
	(b) adjoins a site located in any R district, without the intervention of a lane, for portions of a building at or above the fourth storey	10.7 m
	(c) does not adjoin a site located in an R district	not required
3.1.2.4	Minimum rear yard depth and rear setback for portions of a building:	
	(a) containing non-dwelling uses only, and less than 6.1 m in height	1.5 m
	(b) containing non-dwelling uses only, and 6.1 m or more in height	4.6 m
	(c) containing dwelling uses	4.6 m

Building Height

3.1.2.5 Building height in section **3.1.2.1(a)** above is measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line.

3.1.2.6 The maximum building height in section **3.1.2.1(b)** above does not apply to portions of buildings where the rear yard has been decreased under section **3.1.2.13** below.

3.1.2.7 Despite the maximum building height in sections **3.1.2.1** and **3.1.2.6** above, no portion of the building may extend above an envelope formed by a vertical line measuring 15.3 m in height at the front property line and a plane formed by an angle of 135 degrees measured from the vertical, except where:

(a) the site frontage faces a street:

(i) with a total width measuring 24.4 m or greater, measured from property line to property line or, where any building lines exist, measured from the building line or lines, and

(ii) generally running north-south; or

(b) the site frontage faces a street with a total width measuring more than 27.5 m, measured from property line to property line or, where any building lines exist, measured from the building line or lines.

3.1.2.8 The Director of Planning or Development Permit Board may increase the maximum building height if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

Diagram: Maximum building height for residential rental tenure building

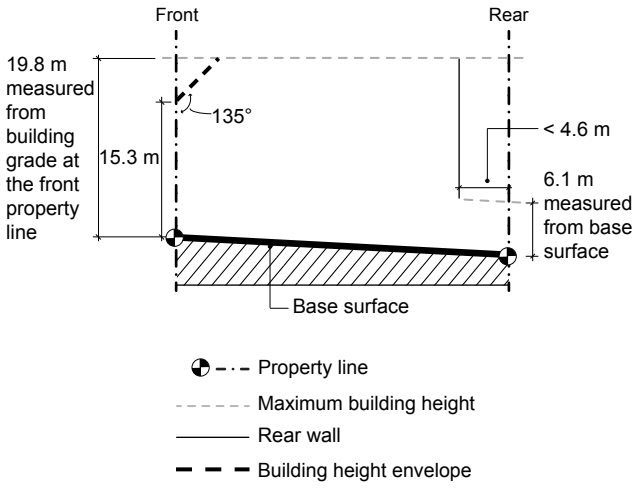
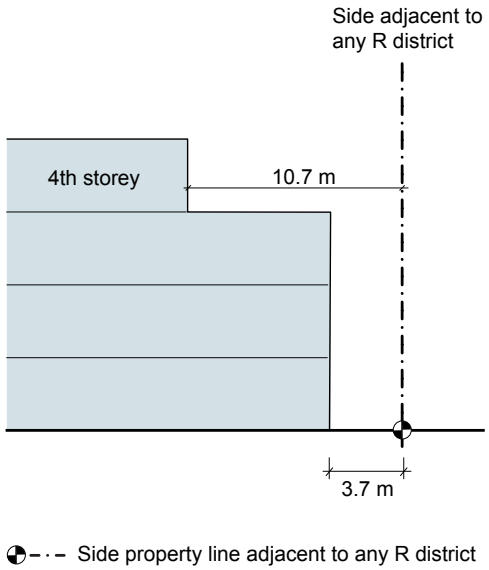


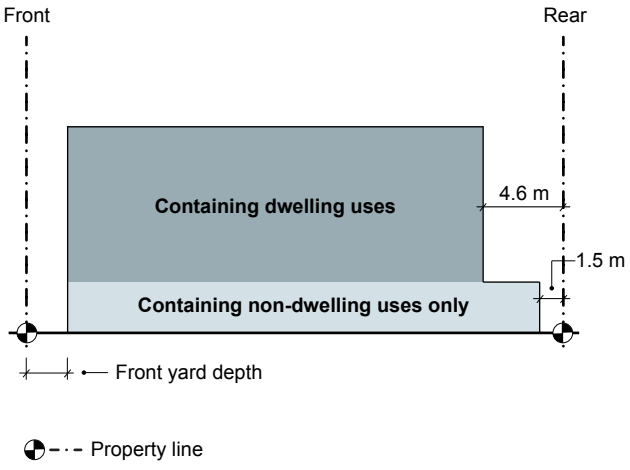
Diagram: Side yard and side setback for residential rental tenure buildings



Front Yard

3.1.2.9 The Director of Planning may decrease the minimum front yard depth if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Diagram: Front yard, rear yard and rear setback for a building where the first floor contains non-dwelling uses only



Side Yard and Side Setback

3.1.2.10 Despite the minimum side yard width in section 3.1.2.3(c) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

3.1.2.11 Despite the minimum yard width in sections 3.1.2.3 and 3.1.2.10 above, in the case of a corner site, the exterior side yard requirements are the same as the front yard requirements in section 3.1.2.2 above.

3.1.2.12 The Director of Planning may decrease the side yard width or side setback in sections 3.1.2.3(a) and 3.1.2.1(b) above if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Rear Yard and Rear Setback

3.1.2.13 Despite the minimum rear yard depth and rear setback in section 3.1.2.4(a) above, if the rear of the site adjoins the side yard of a site located in an R district, without the intervention of a lane, the minimum rear yard depth and rear setback is 3.1 m.

3.1.2.14 Despite the minimum rear yard depth and rear setback in sections 3.1.2.4(b) and 3.1.2.4(c) above, in the case of a corner site, the rear yard depth and rear setback may be decreased to a minimum of 1.5 m if the portion of the building for which the rear yard is decreased:

(a) is located at least 22.8 m from an adjoining site; and

(b) does not exceed 25.3 m in width, measured from the ultimate exterior side property line,

except that if the rear of the site adjoins the side yard of a site located in an R district, without the intervention of a lane, the minimum rear yard depth and rear setback may not be decreased.

3.1.2.15 Despite the minimum rear yard depth and rear setback in section 3.1.2.4(c) above, roof decks and balconies may project into the setback.

3.1.2.16 The Director of Planning may decrease the minimum rear yard depth or rear setback if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

3.2 Other Uses

Uses not regulated by section 3.1 of this schedule are subject to the following regulations.

3.2.1 Density and Floor Area

3.2.1.1 The maximum floor space ratio is 0.75, except that if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may increase the permitted floor space ratio to a maximum of:

(a) 2.15 for multiple dwelling; and

(b) 2.50 for all uses combined, provided that the floor space ratio for non-dwelling uses on the first storey facing the street is at least 0.35.

3.2.1.2 For the purposes of section **3.2.1.1** above, where there is a residential unit associated with and forming an integral part of an artist studio, the artist studio is also considered a dwelling use.

3.2.2 Building Form and Placement

	Regulations	C-2
3.2.2.1	Maximum unit frontage for any commercial use in buildings located in the area shown on **Map 2: Nanaimo Street C-2 Areas with Maximum Commercial Frontages and Land Dedications** at the end of this schedule	15.3 m
3.2.2.2	Maximum building height:	
	(a) where the floor-to-floor height for non-dwelling uses located at the first storey facing the street is:	
	(i) 5.2 m or greater	15.3 m
	(ii) less than 5.2 m	13.8 m
	(b) for portions of a building located within 6.1 m of the ultimate rear property line	6.1 m
3.2.2.3	Minimum front yard depth for:	
	(a) buildings located in sub-area B on **Map 3: Sub-Area B** at the end of this schedule	4.6 m
	(b) all other buildings	2.5 m
3.2.2.4	Minimum side yard width or setback for a side yard that:	
	(a) adjoins a site located in an R district, without the intervention of a lane, for portions of a building below the fourth storey	3.7 m

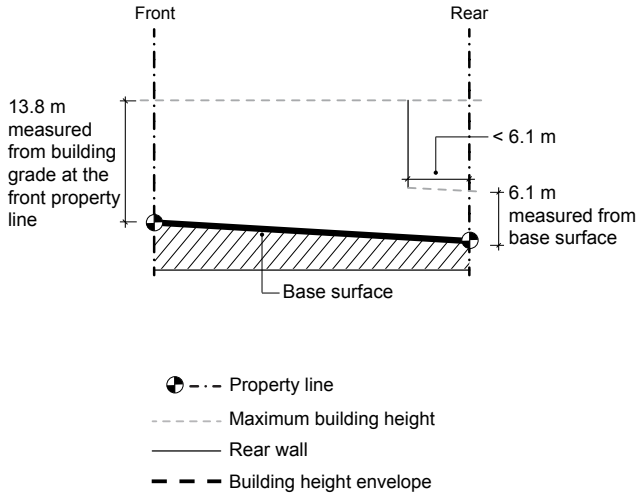
	Regulations	C-2
	(b) adjoins a site located in an R district, without the intervention of a lane, for portions of a building at or above the fourth storey	10.7 m
	(c) does not adjoin a site located in an R district	not required
3.2.2.5	Minimum rear yard depth and rear setback for portions of a building:	
	(a) containing non-dwelling uses only	1.5 m
	(b) containing dwelling uses	6.1 m

Building Height

3.2.2.6 Building height in section 3.2.2.2(a) above is measured from a plane formed by lines extending horizontally back from the officially established building grades at the front property line.

3.2.2.7 The Director of Planning or Development Permit Board may increase the maximum building height if the Director of Planning or Development Permit Board considers the intent of this schedule, all applicable Council policies and guidelines, and the submission of any advisory group, property owner or tenant.

Diagram: Building height



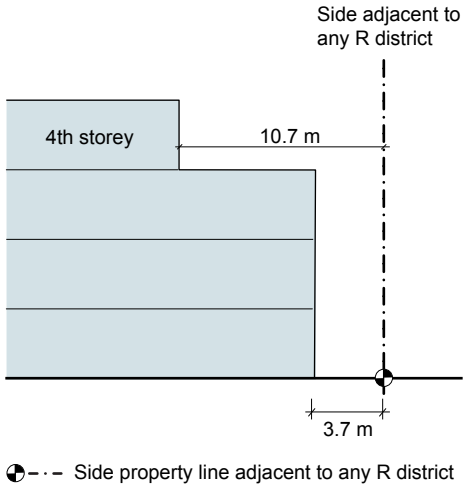
Side Yard and Side Setback

3.2.2.8 Despite the minimum side yard width in section 3.2.2.4(c) above, where a side yard is provided, although not required, the minimum side yard width is 0.9 m.

3.2.2.9 Despite the minimum yard width in sections 3.2.2.4 and 3.2.2.8 above, in the case of a corner site, the exterior side yard requirements are the same as the front yard requirements in section 3.2.2.3 above.

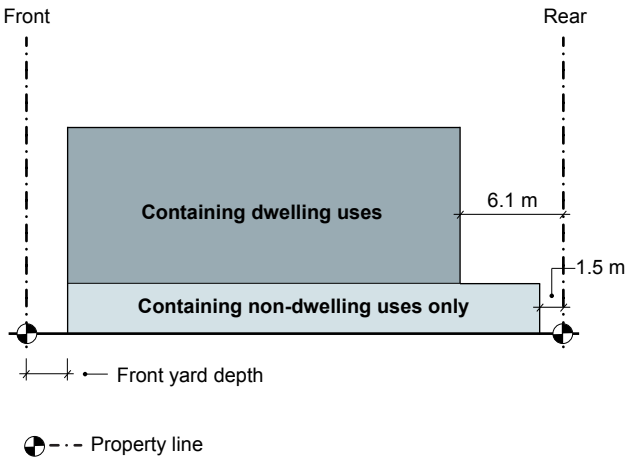
3.2.2.10 The Director of Planning may decrease the side yard width or side setback in 3.2.2.4(a) and 3.2.2.4(b) above if the Director of

Diagram: Side yard and side setback



Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Diagram: Front yard, rear yard and rear setback for a building where the first floor contains non-dwelling uses only



Rear Yard and Rear Setback

3.2.2.11 Despite the minimum rear yard depth and rear setback in section **3.2.2.5(a)**, without the intervention of a lane, the minimum depth of the rear yard or rear setback is 3.1 m.

3.2.2.12 Despite the minimum rear yard depth and rear setback in section **3.2.2.5(b)** above, roof decks and balconies may project into the setback.

3.2.2.13 The Director of Planning may decrease the minimum rear yard depth or rear setback if the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines.

Discretion to Vary Other Regulations

3.2.2.14 If the Director of Planning considers the intent of this schedule and all applicable Council policies and guidelines, the Director of Planning may vary:

(a) the maximum unit frontage; and

(b) the minimum front yard depth.

4 GENERAL REGULATIONS

All uses in this district are subject to the following regulations.

4.1 Computation of Floor Area

4.1.1 Computation of floor area must include all floors of all buildings, including accessory buildings, both above and below ground level, measured to the extreme outer limits of the building.

4.1.2 Computation of floor area must exclude:

(a) balconies and decks, and any other appurtenances that the Director of Planning considers similar to the foregoing, provided that the total area of these exclusions does not exceed 8% of the permitted floor area;

(b) patios and roof decks, if the Director of Planning considers the impact on privacy and overlook;

(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 that the Director of Planning considers similar to the foregoing, those floors or portions thereof, which are located:

(i) at or below the base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length, or

(ii) above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for parking space does not exceed 7.3 m in length;

(d) amenity areas, including child day care facilities, recreational facilities and meeting rooms accessory to a dwelling use, to a maximum floor area of 10% of the total permitted floor area if, in the case of child day care facilities, the Director of Planning is satisfied that there is a need for a child day care facility in the immediate neighbourhood; and

(e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

4.1.3 For buildings other than residential rental tenure buildings, the Director of Planning may permit enclosed residential balconies to be excluded in the computation of floor area, if the Director of Planning considers all applicable Council policies and guidelines and approves the design of any balcony enclosure, except that:

(a) the total area of all open and enclosed balcony or deck exclusions may not exceed 8% of the permitted residential floor area; and

(b) no more than 50% of the excluded balcony floor area may be enclosed.

4.2 Access to Natural Light

4.2.1 Each habitable room must have at least 1 window on an exterior wall of a building.

4.2.2 For the purposes of section **4.2.1** above, habitable room means any room except a bathroom or kitchen.

4.3 Dedication of Land

4.3.1 Dedication for Lane Purposes

4.3.1.1 For development sites located in sub-area A shown on **Map 1: Sub-Area A** at the end of this schedule, where a site does not abut a lane, or abuts a lane that is less than 6.1 m in width, a portion of the site, as determined by the City Engineer, to a maximum of 3.1 m, must be dedicated for lane purposes.

4.3.1.2 Where a dedication is made, it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.

4.3.2 Dedication of Land and Statutory Right of Way for Sidewalk and Boulevard Purposes

4.3.2.1 For development sites located in sub-area A shown on **Map 1: Sub-Area A** that adjoin the streets identified below, a portion of the site must be dedicated for sidewalk and boulevard improvements to achieve a distance from the centre line of the street to the property line of the development site, measured at right angles of:

(a) 15.1 m on Nanaimo Street, from William Street to Graveley Street; or

(b) 16.1 m on Nanaimo Street, from East 6th Avenue to East 11th Avenue.

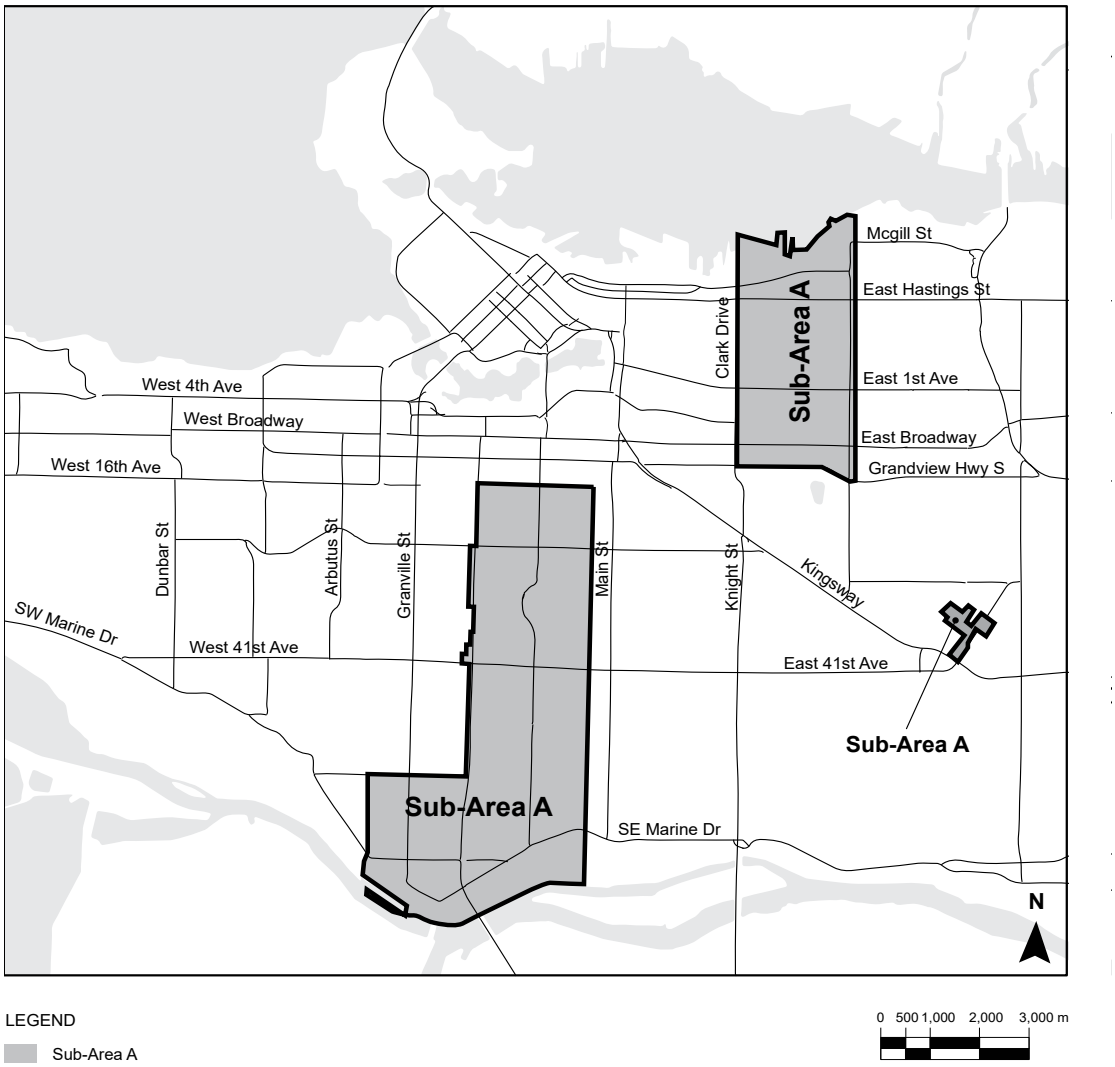
4.3.2.2 Where a dedication is made, it will be deemed not to reduce the site area for the purpose of calculating floor space ratio.

4.3.2.3 For all new buildings, a surface statutory right of way on a portion of the site must be provided to the City for sidewalk and boulevard improvements to achieve a distance of 2.5 m from the front property line.

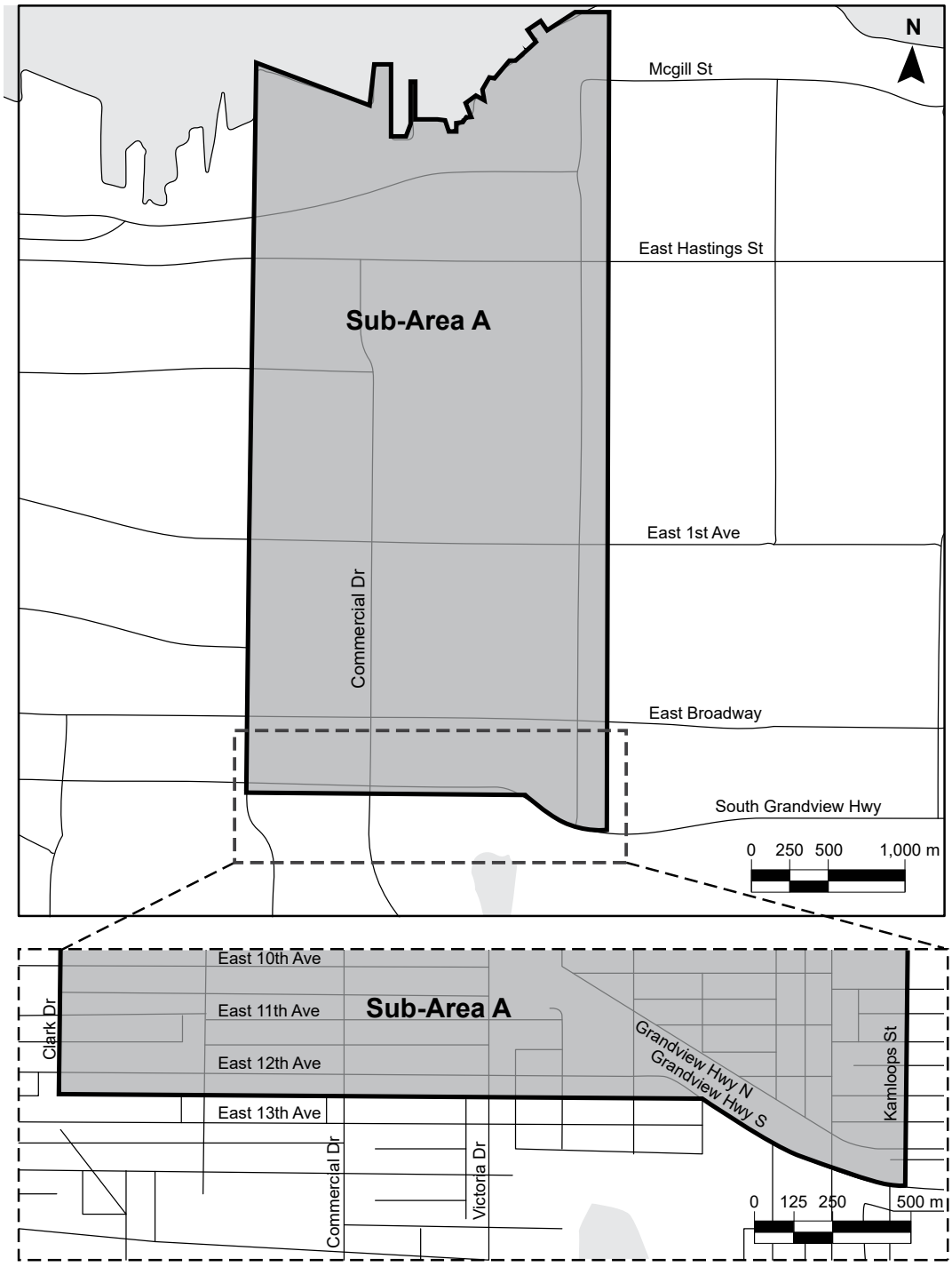
4.3.2.4 Despite section **4.3.2.3** above, the Director of Planning or Development Permit Board may permit a reduced surface statutory right of way if the Director of Planning or Development Permit Board considers the intent of this schedule and all applicable Council policies and guidelines.

Map 1: Sub-Area A

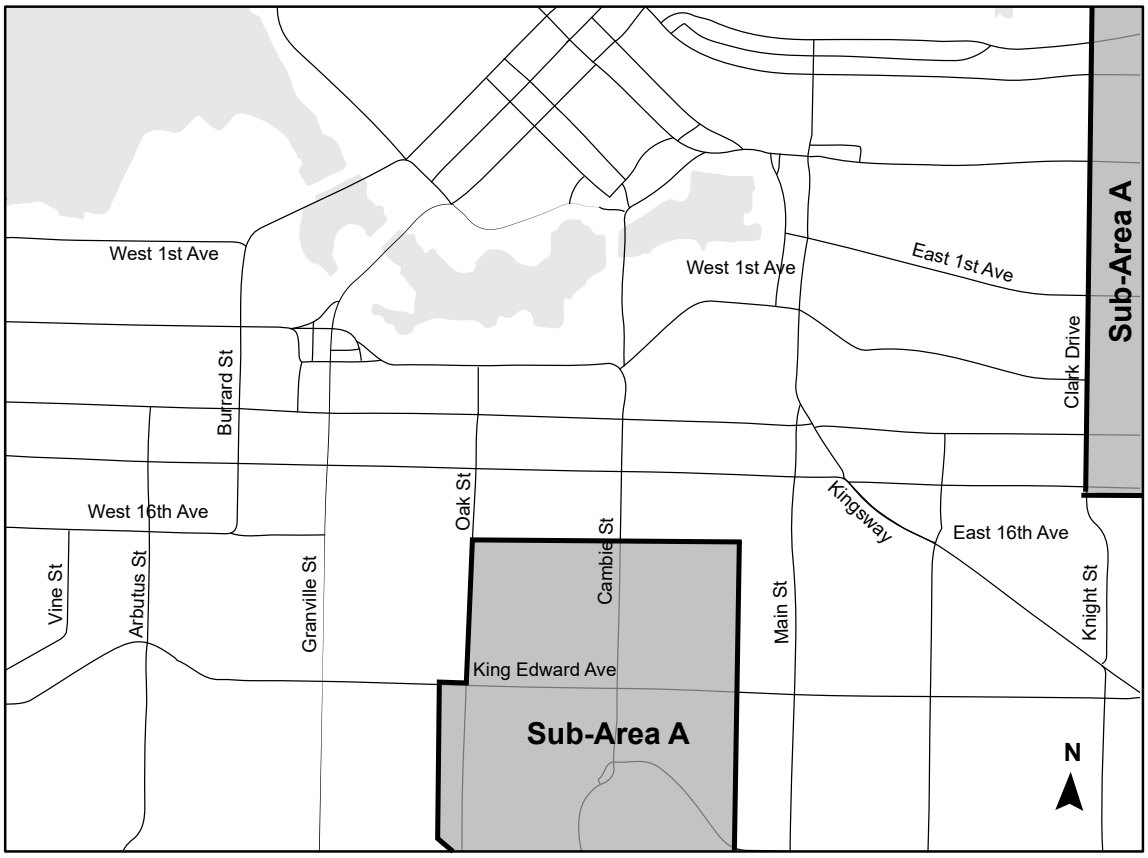
Sub-area A, as shown in Map 1 below, is further illustrated by Maps 1A, 1B, 1C, 1D and 1E.



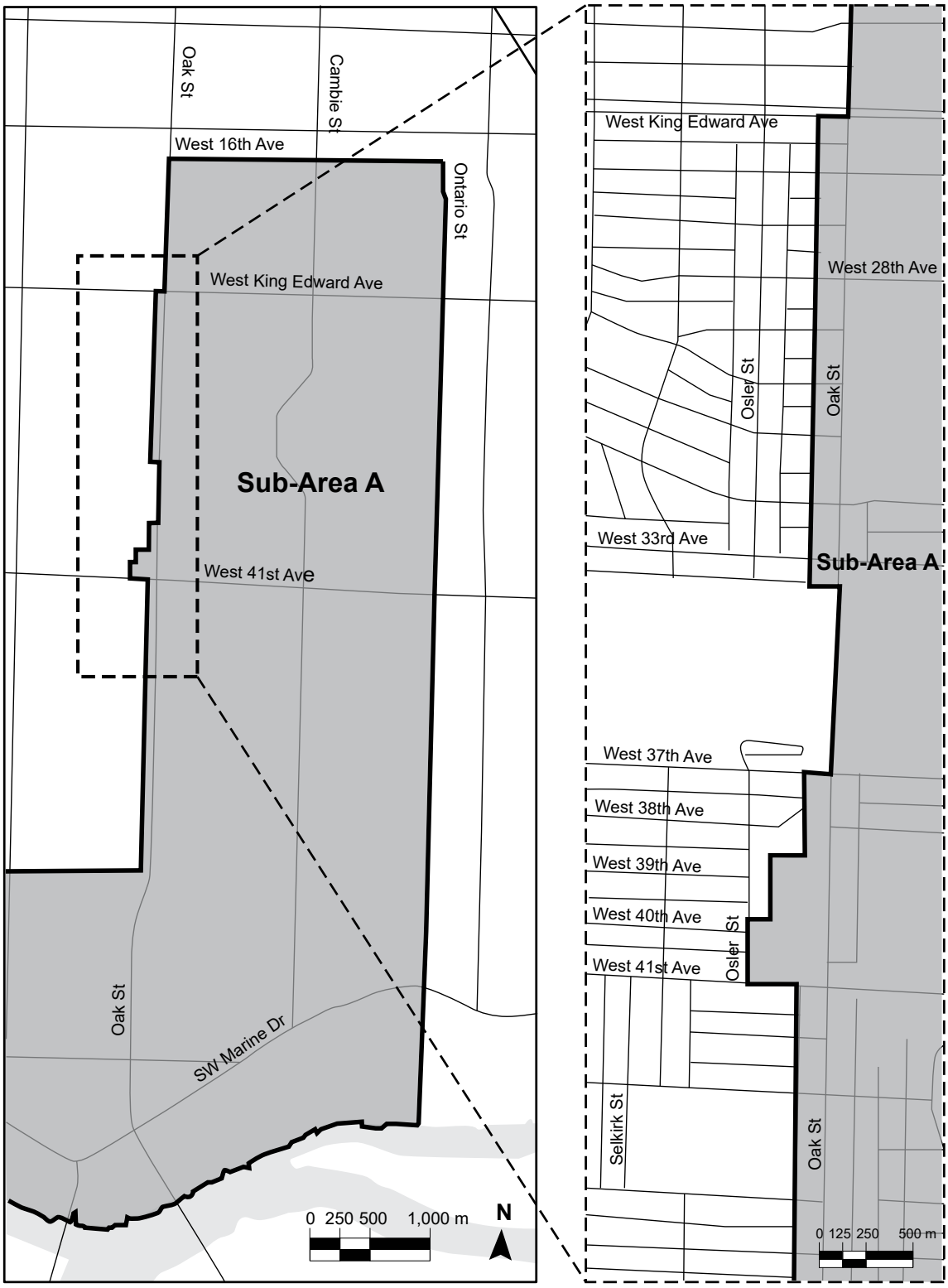
Map 1A: Sub-Area A



Map 1B: Sub-Area A



Map 1C: Sub-Area A



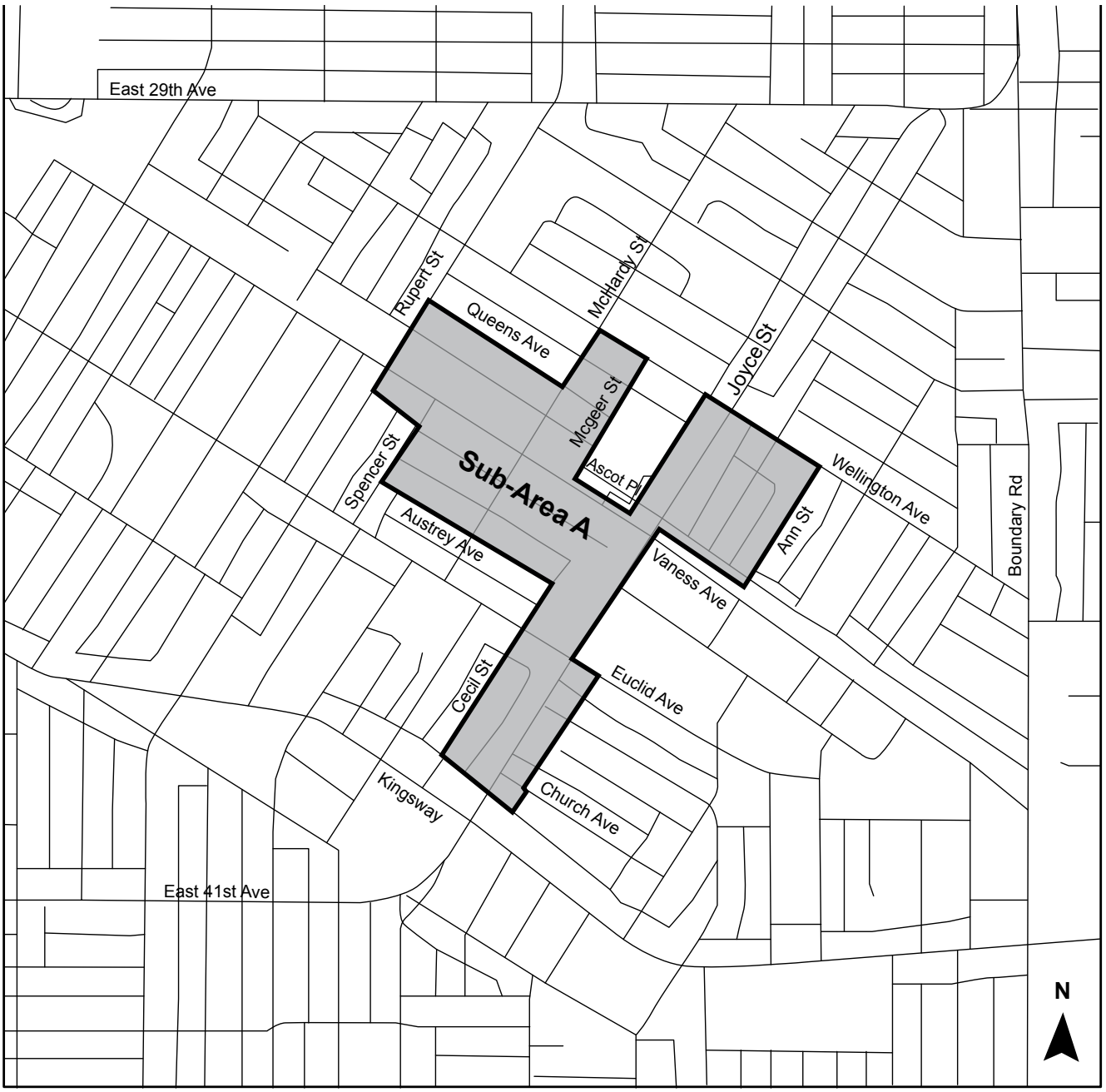
LEGEND

Sub-Area A

Map 1D: Sub-Area A



Map 1E: Sub-Area A



Map 2: Nanaimo Street C-2 Areas with Maximum Commercial Frontages and Land Dedications





Map 3: Sub-Area B

