

EXPLANATION**Noise Control By-law amending by-law
Re: 15 and 97 East 2nd Avenue**

This amendment approved by Council on July 20, 2010, adds 15 and 97 East 2nd Avenue to the Noise Control By-law.

Director of Legal Services
July 26, 2011

15 and 97 East 2nd Avenue



BY-LAW NO. _____

A By-law to amend
Noise Control By-law No. 6555

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

1. To Schedule B of By-law No. 6555, at the end, Council adds:
"CD-1(506) By-law No.10307 15 and 97 East 2nd Avenue"
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2011

Mayor

City Clerk

EXPLANATION

**A By-law to amend the Sign By-law
Re: 15 and 97 East 2nd Avenue**

After the public hearing on July 20, 2010, Council resolved to amend the Sign By-law to add this site to Schedule E. The Director of Planning has advised that all prior to conditions have been met, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
July 26, 2011

15 and 97 East 2nd Avenue



BY-LAW NO. _____

A By-law to amend Sign By-law No. 6510

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

1. To Schedule E of the Sign By-law, Council adds:

“15 and 97 East 2nd Avenue CD-1 (506) By-law No. 10307 B (DD)”

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

ENACTED by Council this _____ day of _____, 2011

Mayor

City Clerk

EXPLANATION**Noise Control By-law amending by-law
Re: 1569 West 6th Avenue**

This amendment approved by Council on October 19, 2010, adds 1569 West 6th Avenue to the Noise Control By-law.

Director of Legal Services
July 26, 2011

1569 West 6th Avenue



BY-LAW NO. _____

**A By-law to amend
Noise Control By-law No. 6555**

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

1. To Schedule B of By-law No. 6555, at the end, Council adds:
"CD-1(508) By-law No. 10308 1569 West 6th Avenue"
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2011

Mayor

City Clerk

EXPLANATION**A By-law to amend the Sign By-law
Re: 1569 West 6th Avenue**

After the public hearing on October 19, 2010, Council resolved to amend the Sign By-law to add this site to Schedule E. The Director of Planning has advised that all prior to conditions have been met, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
July 26, 2011

1569 West 6th Avenue



BY-LAW NO. _____

A By-law to amend Sign By-law No. 6510

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

1. To Schedule E of the Sign By-law, Council adds:

“1569 West 6th Avenue CD-1 (508) By-law No. 10308 B (C-3A)”

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

ENACTED by Council this day of , 2011

Mayor

City Clerk

EXPLANATION**Noise Control By-law amending by-law
Re: 1025 Robson Street**

This amendment approved by Council on March 15, 2011, adds 1025 Robson Street to the Noise Control By-law.

Director of Legal Services
July 26, 2011

1025 Robson Street



BY-LAW NO. _____

**A By-law to amend
Noise Control By-law No. 6555**

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

1. To Schedule A of By-law No. 6555, at the end, Council adds:
"CD-1 (509) By-law No. 10310 1025 Robson Street"
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2011

Mayor

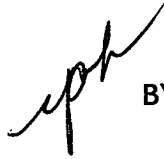
City Clerk

EXPLANATION**A By-law to amend the Sign By-law
Re: 1025 Robson Street**

After the public hearing on March 15, 2011, Council resolved to amend the Sign By-law to add this site to Schedule E. The Director of Planning has advised that all prior to conditions have been met, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
July 26, 2011

1025 Robson Street



BY-LAW NO. _____

A By-law to amend Sign By-law No. 6510

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

1. To Schedule E of the Sign By-law, Council adds:

“1025 Robson Street CD-1 (509) By-law No. 10310 B (DD)”

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

ENACTED by Council this _____ day of _____, 2011

Mayor

City Clerk

EXPLANATION**A By-law to amend CD-1 By-law No. 9733**

At a public hearing on July 12, 2011, Council approved amendments to CD-1 By-law 9733. The Director of Planning advises that this amendment is required to remove from this By-law the East Fraser Lands areas now covered by CD-1 #498 and #499. Enactment of the attached By-law will implement this resolution.

Director of Legal Services
July 26, 2011

East Fraser Lands Non-High Street

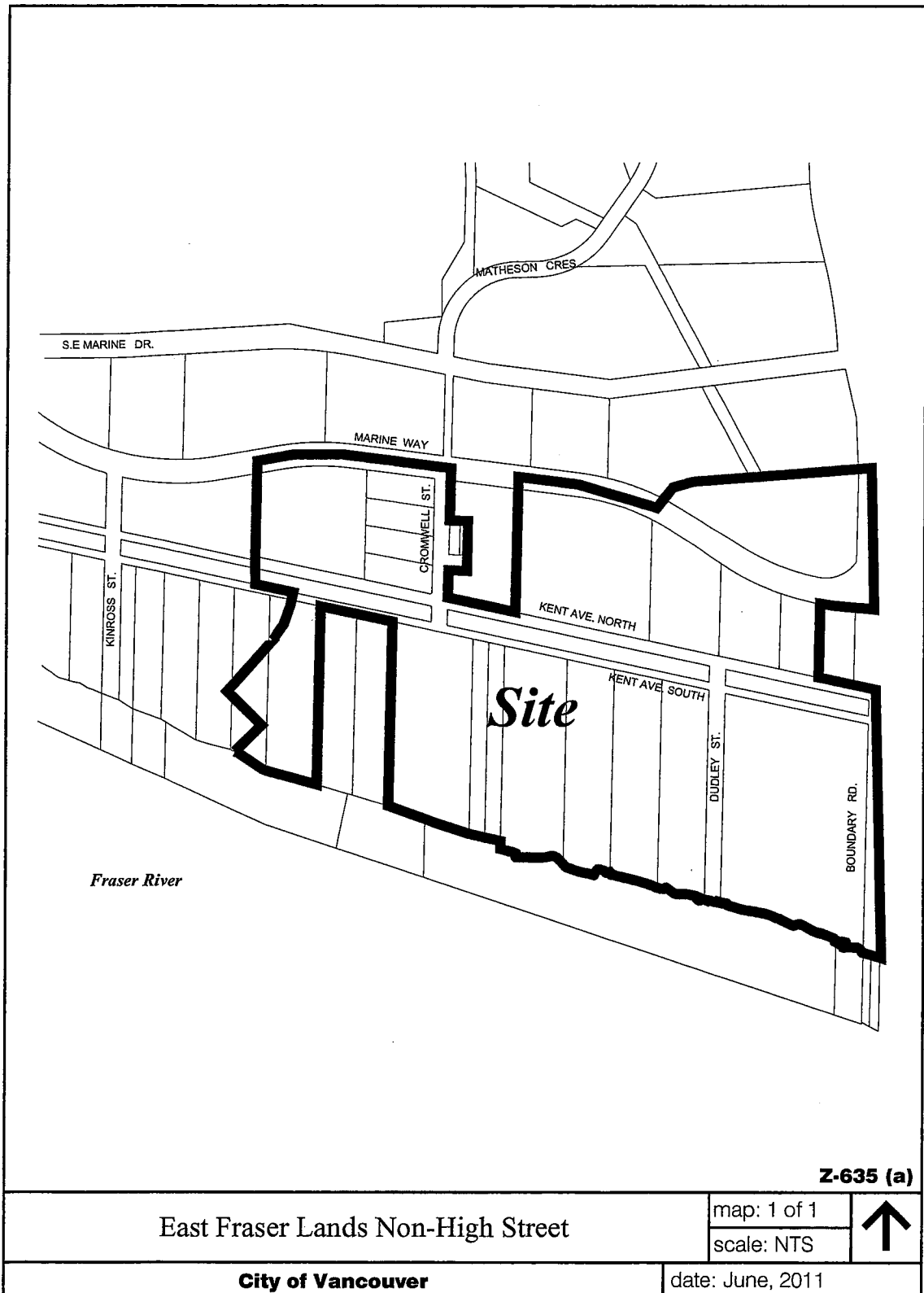
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BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 9733

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

1. This By-law amends the indicated provisions of By-law 9733.
2. In section 1, Council deletes "Z-603 (c)", and substitutes "Z-635 (a)".
3. Council repeals Schedule A and substitutes:



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

ENACTED by Council this day of , 2011

Mayor

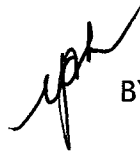
City Clerk

EXPLANATION**A By-law to amend CD-1 By-law No. 9454
Re: Olympic Village**

At a public hearing on July 12, 2011, Council approved amendments to CD-1 By-law 9454 to correct an oversight regarding service uses. Enactment of the attached By-law will implement this resolution.

Director of Legal Services
July 26, 2011

Olympic Village Service Uses



BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 9454

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

1. This By-law amends the indicated provisions of By-law 9454.
2. Council repeals subsection 3.2 (h), and substitutes:

“(h) Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Bed and Breakfast Accommodation, Catering Establishment, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop - Class B, Restaurant, School - Arts or Self-Improvement, and School - Business;”
3. 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.
4. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2011

Mayor

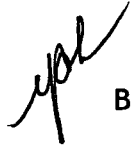
City Clerk

EXPLANATION**A By-law to amend CD-1 By-law No. 10249**

At a public hearing on July 12, 2011, Council approved amendments to CD-1 By-law 10249. The Director of Planning advises that there are no prior to conditions. Enactment of the attached By-law will implement this resolution.

Director of Legal Services
July 26, 2011

1304 Howe Street



BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 10249

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

1. This By-law amends the indicated provisions of CD-1 By-law No. 10249.
2. In section 5.2(a), Council renumbers subsections (i), (ii), and (iii) as (iii), (iv), and (v) respectively and adds:
 - “(i) architectural appurtenances, provided no additional floor space is created,
 - (ii) mechanical appurtenances, such as elevator machine rooms,”
3. In section 6 Council:
 - a) repeals subsection 6(a);
 - b) renames subsection 6(b) as 6(a); and
 - c) renames subsection 6(c) as 6(b).
4. 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.
5. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2011

Mayor

City Clerk

EXPLANATION**A By-law to amend the Zoning and Development By-law
Re: 1134 Burrard Street**

After the public hearing on March 23, 2010, Council resolved to amend the Zoning and Development By-law to create a CD-1 by-law for 1134 Burrard Street. The Director of Planning has advised that all prior to conditions have been met, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
July 26, 2011



BY-LAW NO. _____

**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-620 (a) 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 (510).

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

- (a) Dwelling Uses, limited to Dwelling Units and Seniors Supportive or Assisted Housing, in conjunction with any use listed in this section 2.2;
- (b) Cultural and Recreational Uses;
- (c) Institutional Uses, limited to Social Service Centre and Special Needs Residential Facility;
- (d) Parking Uses; and
- (e) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

Conditions of use

3. Dwelling units are in an "intermediate zone" as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.

Density

4.1 Computation of floor space ratio must assume that the site consists of 1 115 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

4.2 The floor space ratio for all uses must not exceed 6.54.

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

4.4 Computation of floor space ratio must exclude:

- (a) open residential balconies or sun decks, 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 residential floor area being provided;
- (b) patios and roof gardens, if 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 base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) 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;
- (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 is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) amenity areas including day care facilities, recreation facilities, and meeting rooms except that the total area excluded must not exceed 1 000 m²;
- (g) floor space for a social service center, public, social or recreational facility, in respect of which the Province of British Columbia, an agency of the Province, a non-profit society, or the city has an interest registered by way of charge in the Vancouver/New Westminster Land Title Office, and which the Province, an agency of the Province, a non-profit society, or the city operates;
- (h) 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; and

(i) 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 this section meets the standards set out therein.

4.5 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies, if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (c) unenclosed outdoor areas at grade level underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
- (d) open to below spaces or double height volumes on the second storey units, if the location of the first floor is within 2 m of grade to a maximum of 15% of the floor area of the first floor of that unit, for residential units;
- (e) features generally on the westerly facades of buildings to reduce solar gain, which may be in the form of french balconies and horizontal extensions; and

- (f) trellises and other garden structures which support the use of intensive green roofs or urban agriculture.

4.6 The use of floor space excluded under section 4.4 or 4.5, must not include any purpose other than that which justified the exclusion.

Building height

5.1 The building height, measured above base surface calculated from the official established building grades, and to the top of the roof slab above the uppermost habitable floor, excluding parapet wall, must not exceed 54 m.

5.2 Section 10.11 of the Zoning and Development By-law is to apply, except that despite section 10.11 and section 5.1 of this By-law, the Director of Planning or Development Permit Board, as the case may be, may permit a greater height than otherwise permitted for a mechanical penthouse, solar panels for energy collection, trellises, and other garden structures which support the use of intensive green roofs or urban agriculture.

Parking, loading, and bicycle spaces

6. Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law, except that there must be:

- (a) at least one parking space for each 10 dwelling units;
- (b) at least one parking space for each 400 m² of gross floor area for the social service centre; and
- (c) one loading space, Class A and one loading space, Class B.

Acoustics

7. 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

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.

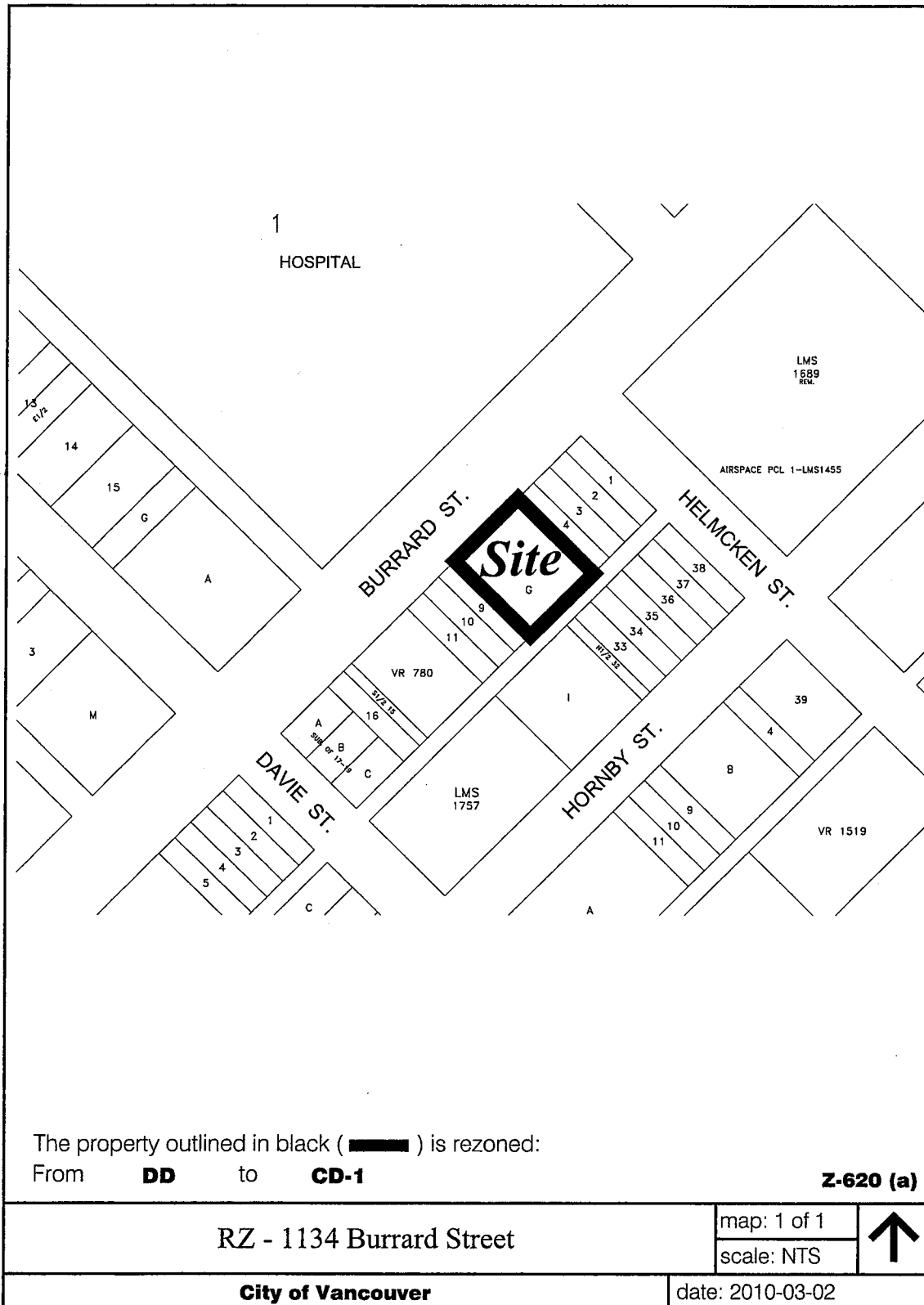
Force and effect

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

ENACTED by Council this day of , 2011

Mayor

City Clerk



EXPLANATION**A By-law to amend the Zoning and Development By-law
Re: 138 East 7th Avenue**

After the public hearing on July 19, 2011, Council resolved to amend the Zoning and Development By-law to create a CD-1 By-law for 138 East 7th Avenue. The Director of Planning has advised that there are no prior to conditions, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
July 26, 2011

138 East 7th Avenue



BY-LAW NO. _____

**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-636 (a) 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 (511).

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 (511) 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, Club, Community Centre or Neighbourhood House, and Museum or Archives;
- (b) Institutional Uses, limited to Church, Public Authority Use, School - Elementary or Secondary and School - University or College;
- (c) Manufacturing Uses;
- (d) Office Uses, limited to General Office and Health Care Office;
- (e) Parking Uses;
- (f) Service Uses, limited to Laboratory, Photofinishing or Photography Studio, Production or Rehearsal Studio, School - Arts or Self Improvement, School - Business, and School - Vocational or Trade;
- (g) Transportation and Storage Uses, limited to Mini-Storage Warehouse;
- (h) Wholesales Uses, limited to Wholesale Class A and Wholesale Class B; and
- (i) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

Density

3.1 Floor space ratio for all uses must not exceed 3.0, except that maximum floor space ratio:

- (a) must not exceed 3.0 for Transportation and Storage, Wholesale, Laboratory, and Production or Rehearsal Studio uses;
- (b) must not exceed 2.0 for Office uses; and
- (c) must not exceed 1.5 for all other uses combined.

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

3.3 Computation of floor space ratio must exclude:

- (a) 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 maximum exclusion for a parking space must not exceed 7.3 m in length; and
- (b) storage space below base surface associated with an Artist Studio - Class B, except that the maximum exclusion for each Artist Studio - Class B, must not exceed 20 m².

3.4 The use of floor space excluded under section 3.3 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 18.3 m.

Parking, loading, and bicycle spaces

5. Any development or use of the site requires the provision and maintenance of off-street parking spaces, loading spaces, and bicycle spaces, in accordance with the Parking By-law.

Severability

6. 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

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

ENACTED by Council this day of , 2011

Mayor

City Clerk



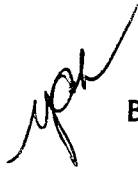
EXPLANATION

**A By-law to amend CD-1 By-law No. 9600
Re: 99 West 2nd Avenue**

At a public hearing on May 17 and 19, 2011, Council approved amendments to CD-1 By-law 9600 regarding increases in height and floor area. The Director of Planning advises that all prior to conditions have been satisfied. Enactment of the attached By-law will implement this resolution.

Director of Legal Services
July 26, 2011

99 West 2nd Avenue



BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 9600

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

1. This By-law amends the indicated provisions of By-law No. 9600.
2. Council strikes out section 6.1, and substitutes:
"6.1 The floor area for all uses in Sub-area 2 must not exceed 13 766 m²."
3. Council strikes out section 6.2, and substitutes:
"6.2 The floor area for all uses in Sub-areas 1 and 3 combined, must not exceed 22 340 m²."
4. From section 7.2, Council strikes out "35.63", and substitutes "41.2".
5. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2011

Mayor

City Clerk

EXPLANATION**Water Shortage Response By-law amending by-law
Re: 2011 Water Shortage Response Plan**

The attached housekeeping By-law will correct an error and implement Council's resolution of July 14, 2011, to amend the Water Shortage Response By-law regarding clean water response.

Director of Legal Services
July 26, 2011



BY-LAW NO. _____

**A By-law to amend Water Shortage Response By-law No. 8912
regarding 2011 Water Shortage Response Plan**

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

1. This By-law amends the indicated provisions and schedules of the Water Shortage Response By-law.
2. In section 2.6, Council:
 - a) Repeals:
 - “• even-numbered addresses may sprinkle only on Wednesdays, and that odd-numbered addresses may sprinkle only on Thursdays”
3. 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.
4. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2011

Mayor

City Clerk

EXPLANATION**A By-law to amend the Zoning and Development By-law
Re: 3522 Porter Street**

After the public hearing on January 18, 2011, Council resolved to amend the Zoning and Development By-law to create a CD-1 by-law for 3522 Porter Street. The Director of Planning has advised that all prior to conditions have been met, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services
July 26, 2011

3522 Porter Street



BY-LAW NO. _____

**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-628 (a) 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 (512).

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

- (a) Dwelling units;
- (b) Residential Unit associated with and forming an integral part of an Artist Studio - Class B;
- (c) Retail Store;
- (d) Service Uses, provided that the Director of Planning or Development Permit Board is satisfied that the specific uses and designs are residentially compatible, but not including Animal Clinic, Auction Hall, Body-rub Parlour, Cabaret, Catering Establishment, Drive-through Service, Funeral Home, Hotel, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Neighbourhood Public House, Production or Rehearsal Studio, Repair Shop - Class A, Repair Shop - Class B, Restaurant - Class 2, Restaurant Drive-in, School - Trade or Vocational, Sign Painting Shop; and
- (e) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

Density

3.1 Computation of floor area must assume that the site consists of 4 473 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 all uses, combined, must not exceed 2.50.

3.3 Computation of floor space ratio must include:

- (a) all floors, including earthen floors, measured to the extreme outer limits of the building; and
- (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.

3.4 Computation of floor space ratio must exclude:

- (a) open residential balconies, sun decks, porches 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 residential floor area being provided;
- (b) patios and roof gardens, if 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, which are:
 - (i) at or below the base surface except that the exclusion for a parking space must not exceed 7.3 m in length, or
 - (ii) in the case of off-street parking, are above the base surface in an accessory building in the rear yard except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) areas of undeveloped floors 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;

- (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 is to be no exclusion for any of the residential storage space above base surface for that unit;
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) amenity areas including recreation facilities and meeting rooms, except that the total area excluded must not exceed 10% of the total floor space ratio;
- (h) 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 does not apply to walls in existence prior to March 14, 2000; and
- (i) 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 this subsection meets the standards set out therein.

3.5 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies if the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure, except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%.

Building height

4.1 The building height must not exceed 14.85 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 24.4 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 (512).

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) less than 10% of the total floor area of the dwelling unit, or
 - (ii) less than 9.3 m².

Parking, loading, and bicycle spaces

6. Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law.

Acoustics

7. 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

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 day of , 2011

Mayor

City Clerk

Schedule A

