

BY-LAW NO. _____

**A By-law to amend
Zoning and Development By-law No. 3575
regarding CD-1(349)**

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

Zoning District Plan Amendment

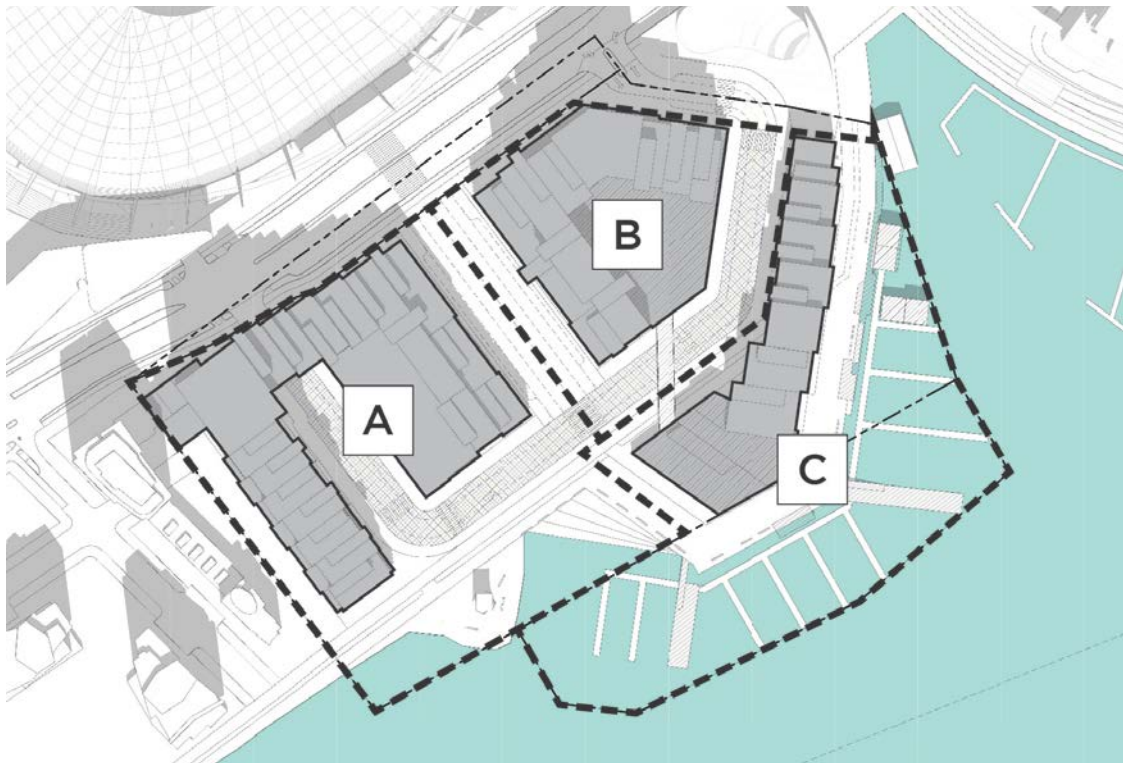
1. This By-law amends the indicated provisions of By-law No. 7592.
2. Council strikes out sections 2 through 9 and substitutes the following:

“

Sub-areas

2. The site is to consist of three sub-areas generally as illustrated in Figure 1, solely for the purpose of establishing the maximum permitted floor area for residential and commercial uses, and the maximum permitted building height, for each sub-area.

Figure 1 – Sub-areas



Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (349).

3.2 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 (349), 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 Arcade, Artist Studio, Arts and Culture Indoor Event, Billiard Hall, Bowling Alley, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, Library, Marina, Museum or Archives, Park or Playground, Rink, and Theatre;
- (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law, and Temporary Modular Housing;
- (c) Institutional Uses, limited to Child Day Care Facility, Public Authority Use and Social Service Centre;
- (d) Manufacturing Uses, limited to Jewellery Manufacturing and Printing or Publishing;
- (e) Office Uses;
- (f) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Grocery Store with Liquor Store, Liquor Store, Public Bike Share, Retail Store, Secondhand Store and Small-scale Pharmacy;
- (g) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Cabaret, Catering Establishment, Hotel, Laboratory, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop - Class A, Repair Shop - Class B, Restaurant, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, and Wedding Chapel;
- (h) Transportation and Storage, limited to Marine Terminal or Berth;
- (i) Utility and Communications Uses, limited to Public Utility and Radiocommunications Station; and
- (j) Accessory Uses customarily ancillary to the uses listed in this section 3.

Conditions of use

4.1 All commercial uses permitted in this By-law shall be carried on wholly within a completely enclosed building except for the following:

- (a) Farmers' Market;
- (b) Neighbourhood Public House;
- (c) Public Bike Share;
- (d) Restaurant;
- (e) Marina;
- (f) Marine Terminal or Berth;
- (g) outdoor performances associated with a permitted use; and
- (h) display of flowers, plants, fruits and vegetables in conjunction with a permitted use.

4.2 The design and layout of at least 35% of the dwelling units that are not used for social housing, must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms, of which:
 - (i) at least 25% must be two-bedroom units, and
 - (ii) at least 10% must be three-bedroom units; and
- (c) comply with Council's "High-Density Housing for Families with Children Guidelines".

4.3 The design and layout of at least 50% of the dwelling units used for social housing must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms; and
- (c) comply with Council's "High-Density Housing for Families with Children Guidelines".

Floor area and density

5.1 The total floor area for residential and commercial uses must not exceed 181,625 m².

5.2 The total floor area for residential uses in each sub-area must not exceed the maximum permitted floor area as set out in Figure 2:

Figure 2 — Maximum Floor Area for Residential Uses

Sub-area	Maximum Permitted Residential Floor Area (m²)
A	77,429
B	54,025
C	17,655

5.3 The total floor area for commercial uses in each sub-area must not be less than the minimum floor area as set out in Figure 3:

Figure 3 — Minimum Floor Area for Commercial Uses

Sub-area	Minimum Commercial Floor Area (m²)
A	16,126
B	2,710
C	13,680

5.4 The total excluded floor area for civic uses must not exceed:

- (a) 4,645 m² for Community Centre use;
- (b) 1,951 m² for Ice Rink use;
- (c) 765 m² for Child Day Care Facility use, except that the Director of Planning may allow for additional floor area as required to meet licensing requirements and the Childcare Design and Technical Guidelines for the facility; and
- (d) 1,858 m² for Cultural and Recreational Uses other than Community Centre use and Ice Rink use.

5.5 Residential floor area must include:

- (a) enclosed residential balconies;
- (b) a minimum of 1,350 m² of amenity areas, recreational facilities and meeting rooms accessory to a residential use; and
- (c) 3.7 m² of residential storage space for each dwelling unit.

5.6 Computation of floor area must include:

- (a) all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building; and

- (b) below grade circulation space, such as elevator lobbies and stairs.

5.7 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 such exclusions must not exceed 12% of the permitted floor area;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls; and
- (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 that are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length.

5.8 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) horizontal structured areas extending from the building face for trees, plants, and other vegetation, if the Director of Planning first considers the Design Guidelines of this CD-1 By-law, except that the total area of all such structured area exclusions in each sub-area must not exceed 4% of the total allowable residential floor area for that sub-area.

5.9 The use of floor area excluded under sections 5.7 and 5.8 must not include any purpose other than that which justified the exclusion.

Building height

6. Buildings in each sub-area, measured from a base surface of 4.8 m, must not exceed the maximum permitted height for that sub-area, as set out in Figure 4, and no portion of the building shall protrude into the view cones approved by Council, as set out in the City of Vancouver View Protection Guidelines:

Figure 4 — Maximum Permitted Building Height

Sub-area	Maximum Permitted Building Height
A	85.3 m
B	89.9 m
C	48.8 m

Horizontal angle of daylight

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

7.2 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.

7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.

7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement for one habitable room in dwelling units with three or more bedrooms, if the Director of Planning or Development Permit Board first considers the Design Guidelines of this CD-1 By-law and the High-Density Housing for Families with Children Guidelines, and where the design of the habitable room has:

- (a) borrowed daylight access through an interior clerestory, and/or other window, fixed or opening, with a minimum area of 1.0 m²; and
- (b) a minimum doorway opening width of 1.2 m.

7.5 An obstruction referred to in section 7.2 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 (349).

7.6 A habitable room referred to in section 7.1 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

8. A development permit application for dwelling uses must include an acoustical report prepared by a licensed professional acoustical engineer demonstrating that the noise levels in those portions of dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be 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

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.

Force and effect

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

ENACTED by Council this day of , 2018

Mayor

City Clerk