

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-669 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

Definitions

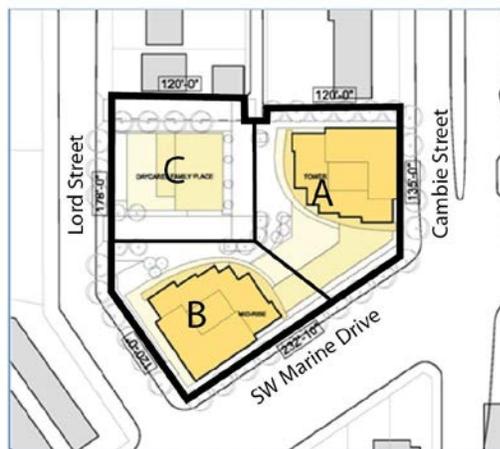
2. Words in this By-law have the meanings given to them in the Zoning and Development By-law except that:

Geodetic Datum means the current vertical reference surface adopted and used by the City of Vancouver.

Sub-areas

3. The site is to consist of three sub-areas approximately as illustrated in Figure 1, solely for the purpose of allocating height.

Figure 1 - Sub-Areas



Uses

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

4.2 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 (), 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, Fitness Centre, Library, Museum or Archives, Park or Playground, or Theatre;
- (b) Dwelling Uses, in conjunction with any of the uses listed in this section;
- (c) Institutional Uses;
- (d) Office Uses;
- (e) Retail Uses, limited to Farmer's Market, Grocery or Drug Store, Liquor Store, Retail Store, Small-Scale Pharmacy, and Secondhand Store;
- (f) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laundromat or Dry Cleaning Establishment; Neighbourhood Public House, Photofinishing or Photography Studio, Repair Shop - Class B, Restaurant; School - Arts or Self Improvement, School - Business; and
- (g) Accessory Use customarily ancillary to any use permitted by this section 4.2.

Conditions of use

5.1 All commercial uses permitted by this By-law shall be carried on wholly within a completely enclosed building except for:

- (a) Farmer's Market;
- (b) Restaurant;
- (c) Neighbourhood Public House; and
- (d) Display of plants, flowers, fruit and vegetables in conjunction with a permitted use.

5.2 The design and lay-out of at least 25% of the dwelling units 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

6.1 For the purposes of computing floor area, the site is deemed to be 4,629 m², being the site size at the time of application for rezoning, prior to any dedications.

6.2 The floor space ratio shall not exceed 6.14.

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

6.4 Computation of floor area 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:
 - (i) the total area of all such exclusions must not exceed 12 percent of the residential floor area, and
 - (ii) no enclosure of balconies is permissible for the life of the building;
- (b) patios and roof gardens only 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 the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) 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
- (e) floor area used for the purpose of a Child Day Care Facility or Community Centre or Neighbourhood House.

6.5 Computation of floor area may exclude amenity areas, except that the total exclusion for amenity areas must not exceed the lesser of 20% of permitted floor area or 929 m².

6.6 The use of floor area excluded under sections 6.4 and 6.5 must not include any purpose other than that which justified the exclusion.

Building height

7.1 Building height on the site must be measured in metres referenced to Geodetic Datum.

7.2 Building height, measured from the top of the roof slab above the uppermost habitable floor, excluding parapet wall, must not exceed the maximum heights set out on the table below.

Sub Area	Maximum building height
A	100.28 m
B	51.82 m
C	27.44 m

7.3 Despite the provisions of section 7.2, the Director of Planning may permit portions of buildings to exceed the permitted maximum height by no more than 7.6 m, if:

- (a) the Director of Planning first considers the location and sizing of such portions of buildings in relation to views, overlook, shadowing, and noise impacts;
- (b) the Director of Planning first considers all applicable Council policies and guidelines; and
- (c) those portions of buildings which exceed the permitted maximum height are:
 - (i) mechanical appurtenances such as elevator machine rooms,
 - (ii) access and infrastructure required to maintain green roofs or urban agriculture, roof-mounted energy technologies including solar panels and wind turbines,
 - (iii) decorative roof and enclosure treatments provided that the roof and enclosure treatment enhances the overall appearance of the building and appropriately integrates mechanical appurtenances, or
 - (iv) items similar to any of the above.

Horizontal angle of daylight

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

8.2 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 m.

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

8.4 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.

8.5 An obstruction referred to in section 8.2 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 (---).

8.6 A habitable room referred to in section 8.1 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.

Acoustics

9. 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

10. 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

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

ENACTED by Council this day of , 2014

Mayor

City Clerk

DRAFT



The properties outlined in black () are rezoned:
 From **C-1 & RS-1** to **CD-1**

Z-669 (b)

RZ - 8175 Cambie Street, 519 SW Marine Drive
 & 8180-8192 Lord Street

map: 1 of 1
 scale: NTS



City of Vancouver

date: 2014-01-06