

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 indicated provisions of By-law No. 3568.
2. Council strikes out section 1 and substitutes:

“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-672 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.”
3. Council strikes out the map marked as Schedule A forming part of By-law No. 3568 and substitutes the map attached as Schedule A to this By-law.
4. Council strikes out Sections 2, 3, 3.1 and 4.
5. Council renumbers section 5 as section 10.
6. After section 1, Council adds:

“Definitions

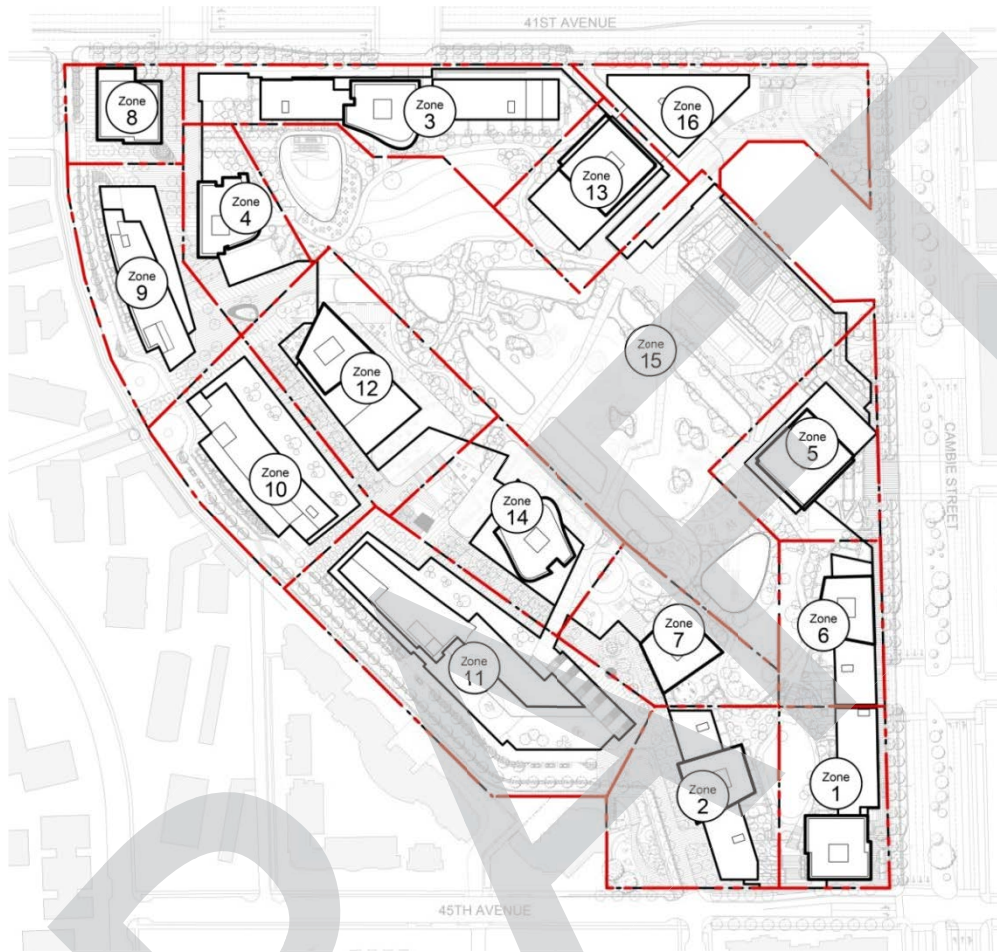
2. Words in this By-law have the meanings given to them in the Zoning and Development By-law except that:

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

Sub-areas

3. The site is to consist of 16 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 Arcade, Artist Studio, Arts and Culture Indoor Event, Billiard Hall, Bowling Alley, Club, Community Centre or Neighbourhood House, Fitness Centre, Hall, Library, Park or Playground, Swimming Pool or Theatre;
- (b) Dwelling Uses in conjunction with any use listed in this section 4.2;
- (c) Institutional Uses, limited to Child Day Care Facility, Church, Community Care Facility, Public Authority Use, School - Elementary or Secondary, School - University or College or Social Service Centre;
- (d) Manufacturing Uses, limited to Brewing or Distilling;
- (e) Office Uses;
- (f) Parking Uses;
- (g) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Liquor Store, Public Bike Share, Retail Store, Secondhand Store, Small-scale Pharmacy or Vehicle Dealer;
- (h) Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Cabaret, Catering Establishment, Hotel, Laboratory, Laundromat or Dry Cleaning Establishment, Motor Vehicle Wash, 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, School - Business, School - Vocational or Trade, or Wedding Chapel; and
- (i) Accessory Uses customarily ancillary to the above uses.

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 shall:

- (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".

5.3 No general office except for entrances thereto shall be located within a depth of 10.7 m of the front wall of the building and extending across its full width on that portion of a storey having an elevation within 2.0 m of street grade on the fronting street.

Floor area and density

6.1 For the purposes of computing floor space ratio, the site is deemed to be 11.45ha, being the site size at the time of application for rezoning, prior to any dedications.

6.2 The floor space ratio shall not exceed 3.71.

6.3 There shall be a maximum of 256,541 m² of floor area for dwelling use.

6.4 There shall be a minimum of 3,716 m² of floor area for grocery or drug store use.

6.5 There shall be a minimum of 39,000 m² of floor area for office use.

6.6 There shall be a maximum of 168,059 m² of floor area for non-residential use.

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

6.8 Computation of floor area shall 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 % 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) those floors or portions of floors used for heating and mechanical equipment or structural transfer;

- (d) 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;
- (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 will be no exclusion for any of the residential storage space above base surface for that unit; and
- (f) floor area used for the purpose of a Child Day Care Facility, Library or Community Centre or Neighbourhood House.

6.9 Computation of floor area may exclude amenity areas, except that the total exclusion for amenity areas shall not exceed 2,600 m².

6.10 The use of floor area excluded under section 6.8 or 6.9 shall not include any purpose other than that which justified the exclusion.

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 in the following table:

| Sub-area | Maximum building heights (in meters) |
|----------|--------------------------------------|
| 1 | 143.9 m |
| 2 | 166.3 m |
| 3 | 191.9 m |
| 4 | 180.7 m |
| 5 | 213.2 m |
| 6 | 186.3 m |
| 7 | 191.9 m |
| 8 | 149.0 m |
| 9 | 116.0 m |
| 10 | 127.2 m |
| 11 | 115.4 m |
| 12 | 194.9 m |
| 13 | 221.5 m |
| 14 | 184.2 m |
| 15 | 112.9 m |
| 16 | 118.2 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, urban agriculture, or roof-mounted energy technologies including solar panels and wind turbines,
 - (iii) decorative roof and enclosure treatments if, in the opinion of the Director of Planning, 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 8.4 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

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 _____ day of _____, 2014

Mayor

City Clerk

