

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-673 (b) 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 ().

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

- (a) Institutional Uses, limited to Community Care Facility - Class B; and
- (b) Accessory Uses customarily ancillary to the uses listed in this Section 2.2.

Floor area and density

3.1 Computation of floor space ratio must assume that the site consists of 2 758.2 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 must not exceed 2.08.

3.3 Computation of floor area 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 area must exclude:

- (a) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;
- (b) open balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed 8% of the residential floor area being provided;
- (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; and
- (d) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a 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.

3.5 Computation of floor area may exclude, at the discretion of the Director of Planning:

- (a) enclosed balconies, provided that the Director of Planning first considers all applicable policies and guidelines approved by Council, and approves the design of balcony enclosures, except that:
 - (i) the total floor area of all open and enclosed balcony or sun deck exclusions must not exceed 8% of the total floor area, and
 - (ii) no more than 50% of excluded balcony floor area may be enclosed.

3.6 The use of floor area excluded under section 3.4 and 3.5 must not include any purpose other than that which justified the exclusion.

Building height

4. Building height, measured from base surface, must not exceed 12.9 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 24.0 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 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirements in section 5.2 and 5.3 provided that he first considers any applicable policies and guidelines.

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 ().

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

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.

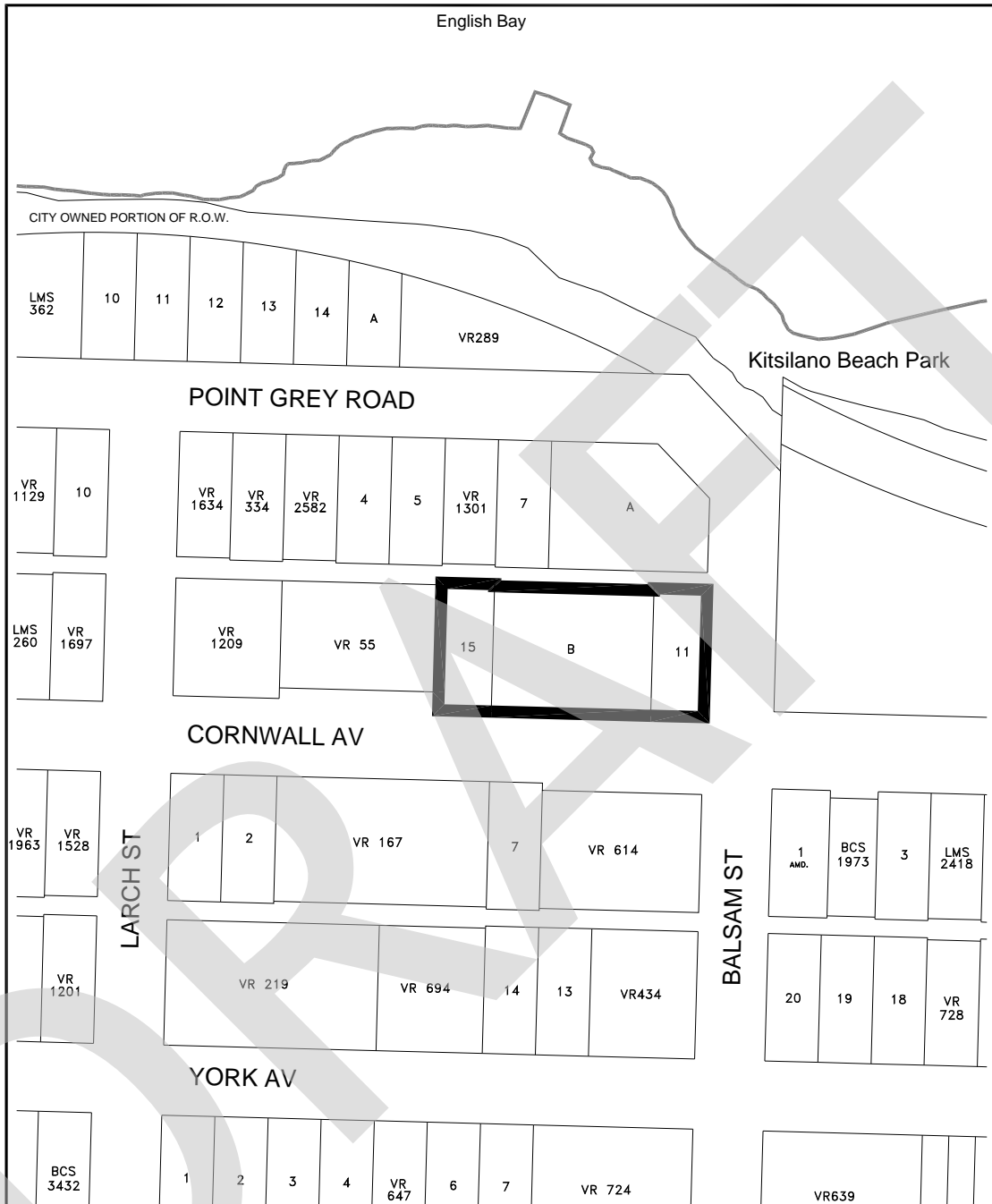
Force and effect


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

ENACTED by Council this _____ day of _____, 2014

Mayor

City Clerk



The properties outlined in black () are rezoned:
From RM-4 to CD-1

Z-673 (b)

RZ- 2405-2445 Cornwall Avenue

map: 1 of 1

scale: NTS



City of Vancouver

date: 2014-02-12