

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-692 (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 ().

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) Multiple Dwelling; and
- b) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

Conditions of use

3. The design and layout 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

4.1 Computation of floor space ratio must assume that the site consists of 1,606.4 m², being the site size at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.

4.2 The floor space ratio for all uses must not exceed 6.96.

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

4.4 Computation of floor area must exclude:

- a) open residential balconies or sundecks and any other appurtenances that, 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 permitted floor area, and
 - (ii) the balconies must not be enclosed for the life of the building;
- 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 that, 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 base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- d) amenity areas, recreational facilities, and meeting rooms accessory to a residential use, to a maximum of 10% of the total permitted floor area; and
- e) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

4.5 The use of floor area excluded under section 4.4 must not include any use other than that which justified the exclusion.

Building height

5.1 Building height, measured from base surface, must not exceed 58.0 m.

5.2 Despite the provision of section 5.1 and of section 10.11 of the Zoning and Development By-law, the Director of Planning may permit a greater height than otherwise permitted for mechanical appurtenances such as elevator machine rooms and for access and infrastructure required to maintain green roofs or urban agriculture, or roof-mounted energy technologies including solar panels and wind turbines, if the Director of Planning first considers:

- a) their siting and sizing in relation to views, overlook, shadowing, and noise impacts; and
- b) all applicable policies and guidelines adopted by Council;

and the Director of Planning must not permit any structure to exceed 3 m in height or 14 m in width.

Setbacks

6.1 Setbacks must be, at minimum:

- a) 3.7 m from the east property line;
- b) 2.1 m from the west property line;
- c) 3.7 m from the north property line (along Pendrell Street); and
- d) 4.0 m from the south property line.

6.2 Despite the provisions of section 6.1, the Director of Planning may allow projections into the required setbacks, if no additional floor area is created and the projections comply with the provisions of section 10.7 of the Zoning and Development By-law.

6.3 Despite the provisions of sections 6.1 and 6.2, the Director of Planning may allow projections into the required setbacks for open balconies, if the Director of Planning first considers:

- a) their siting and sizing in relation to views, overlook, shadowing, and noise impacts; and
- b) all applicable policies and guidelines adopted by Council;

and the Director of Planning must not permit a projection more than 5 m in width or 2 m in depth into the required setbacks.

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 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, 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.

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 ().

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. 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

9. 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

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

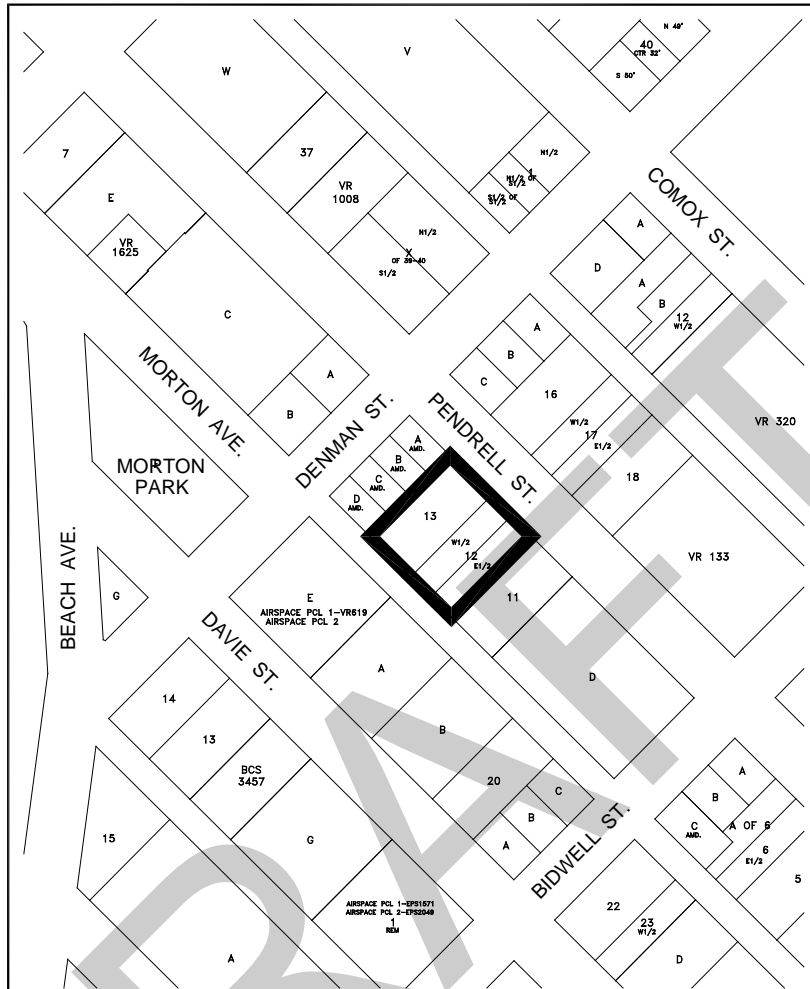
ENACTED by Council this _____ day of _____, 2015

Mayor

City Clerk

DRAFT

Schedule A



The properties outlined in black () are rezoned:
From RM-5A to CD-1

Z-692 (a)

RZ- 1754-1772 Pendrell Street	map: 1 of 1	
	scale: NTS	
City of Vancouver	date: 2015-06-16	