

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:

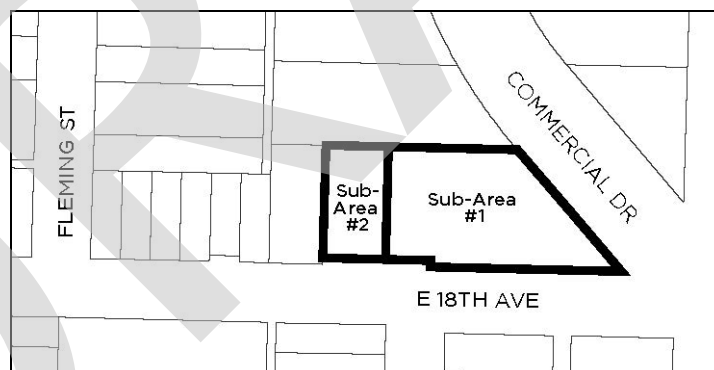
Zoning District Plan Amendment

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-703 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

Sub-Areas

2. The rezoning site is to consist of two sub-areas generally as illustrated in Figure 1, for the sole purpose of computation of floor area and allocation of maximum height and conditions of use.

Figure 1



Uses

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

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

- (a) Dwelling Uses, limited to Multiple Dwelling, Multiple Conversion Dwelling, Infill Two Family Dwelling and Principal Dwelling Unit with Lock-off Unit; and
- (b) Accessory Uses customarily ancillary to the uses listed in this section 3.2.

Conditions of Use in Sub-area 1

- 4.1 The design and layout of at least 25% of dwelling units in Sub-area 1 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 Computation of floor space ratio in Sub-area 1 must assume that the site area is 2,683.5 m², being the site area at the time of the application for the rezoning, as evidenced by this by-law, prior to any dedications.

5.2 Computation of floor space ratio in Sub-area 2 must assume that the site area is 578.3 m², being the site area at the time of the application for the rezoning, as evidenced by this by-law, prior to any dedications.

5.3 The floor area and density for all uses in each sub-area must not exceed the maximum permitted floor area and density set out in the following table:

Sub-area	Maximum Permitted Floor Area (m ²)	Maximum Permitted Density (Floor Space Ratio)
1	7,264 m ²	2.70
2	555 m ²	0.96

- 5.4 The maximum permitted floor area for the site is 7,819 m².
- 5.5 The maximum permitted floor space ratio for the site is 2.40.
- 5.6 Computation of floor area must include:

- (a) all floors, including earthen floors, measured to the extreme outer limits of the buildings; 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.

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:
 - (i) the total area of all such exclusions must not exceed 12% of the permitted floor area,
 - (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 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 base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, including recreation facilities and meeting rooms, except that the total excluded area is not to exceed 10 per cent of the permitted floor area;
- (e) areas of undeveloped floors located:
 - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (f) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) 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 is to be no exclusion for any of the residential storage area above base surface for that unit;

- (h) bicycle storage at or below base surface, except there must be a secured and separate bicycle room equipped with bicycle racks capable of storing at least one bicycle for every four dwelling units; and
- (i) the top landing of any stair that opens on to a rooftop deck and leads to a mechanical, storage or service area, and the mechanical, storage or service area accessed by that stair.

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

Building Height

6.1 In Sub-area 1, building height, measured from base surface, must not exceed 18.34 m.

6.2 In Sub-area 2, building height, measured from base surface, must not exceed 9.4 m.

6.3 Section 10.11 of the Zoning and Development By-law is to apply to this By-law, except that the Director of Planning may permit a greater height than otherwise permitted for mechanical appurtenances such as elevator machine rooms.

Building Setbacks

7.1 In Sub-area 1, the setback from Commercial Drive must not be less than 2.13 m.

7.2 In Sub-area 2, the setback from East 18th Avenue must not be less than 2.74 m.

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 24.0 m.

8.3 Measurement of the plane or planes referred to in section 8.2 must be horizontally from the centre of the bottom of each window.

8.4 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 the unobstructed view is not less than 3.7 m.

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

Acoustics

9. A development permit application will 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 _____, 2016

Mayor

City Clerk

Schedule A

