

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-740 (d) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of 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) 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, Museum or Archives, Park or Playground, and Theatre;
- (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law;
- (c) Institutional Uses, limited to Social Service Centre and Child Day Care Facility;
- (d) Manufacturing Uses, limited to Jewellery Manufacturing and Printing or Publishing;
- (e) Office Uses;
- (f) Retail Uses, limited to Farmers' Market, Furniture or Appliance Store, Grocery or Drug Store, Grocery Store with Liquor Store, Liquor Store, Public Bike Share, Retail Store, Secondhand Store and Small-scale Pharmacy;
- (g) Service Uses, limited to Animal Clinic, Auction Hall, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laundromat or Dry

Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Studio, Print Shop, Production or Rehearsal Studio, Repair Shop - Class A, Repair Shop - Class B, Restaurant, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, and Wedding Chapel;

- (h) Utility and Communications Uses, limited to Public Utility and Radiocommunications Station; and
- (i) Accessory Uses customarily ancillary to the uses listed in this section 2.

Conditions of use

3.1 All commercial uses permitted in this By-law shall be carried on wholly within a completely enclosed building except for the following:

- (a) Farmers' Market;
- (b) Neighbourhood Public House;
- (c) Public Bike Share;
- (d) Restaurant; and
- (e) display of flowers, plants, fruits and vegetables in conjunction with a permitted use.

3.2 The design and layout of at least 35% of the dwelling units must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms, of which:
 - (i) at least 25% of the total dwelling units must be two-bedroom units,
 - (ii) at least 10% of the total dwelling units must be three-bedroom units; and
- (c) comply with Council's "High-Density Housing for Families with Children Guidelines".

3.3 Interim uses may be permitted if they are associated with BC Place Stadium.

Floor area and density

4.1 The total floor area for all uses must not exceed 37,161 m².

4.2 The floor area for all commercial uses must be at least 5,000 m².

4.3 The floor area for all residential uses must not exceed 27,871 m².

4.4 Computation of floor area must include:

- (a) all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.

4.5 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 the total area of all such exclusions must not exceed 12% of the permitted floor area;
- (b) patios and roof gardens, provided that 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 that are at or below the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) amenity areas, recreational facilities and meeting rooms accessory to a residential use, to a maximum total area of the lesser of 10% of the total permitted floor area or 929 m²; and
- (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.

4.6 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) enclosed residential balconies provided for noise mitigation for units determined to be closest to BC Place Stadium, if the Director of Planning or Development Permit Board first considers the Design Guidelines of this CD-1 By-law, and approves the design and location of any such balcony enclosure, except that the total area of all enclosed balcony exclusions must not exceed 4% of the total residential floor area;
- (b) outdoor amenity spaces on upper levels to a maximum of 550 m²;
- (c) multi-storey building voids associated with the above outdoor amenity spaces; and
- (d) horizontal structured areas extending from the building face for trees, plants, and other vegetation, if the Director of Planning first considers the Design Guidelines of this CD-1 By-law, except that the total area of all such structured area exclusions must not exceed 4% of the total allowable floor area.

4.7 The use of floor area excluded under sections 4.5 and 4.6 must not include any purpose other than that which justified the exclusion.

Building height

5.1 Building height, measured from a base surface of 5.88 m, must not exceed 91.4 m, and no portion of the building shall protrude into the view cones approved by Council, as set out in the City of Vancouver View Protection Guidelines.

5.2 The Development Permit Board may permit an increase in the maximum building height to 121.9 m, measured to the top of the parapet wall on the uppermost habitable floor, provided that it first considers all applicable Council policies and guidelines, including the Design Guidelines for this CD-1 By-law, the Northeast False Creek Plan, and the General Policy for Higher Buildings.

5.3 The Director of Planning or the Development Permit Board may permit a greater height than otherwise permitted by section 5.2 for:

- (a) mechanical appurtenances such as elevator machine rooms;
- (b) access and infrastructure required to maintain green roofs or roof-mounted energy technologies, including solar panels and wind turbines;
- (c) decorative roof and enclosure treatments which, in the opinion of the Director of Planning, enhance the appearance of the building and integrate mechanical appurtenances; and
- (d) items similar to any of the above, if the Director of Planning first considers:
 - (i) the effects on public and private views, shadowing, privacy, and noise impacts, and
 - (ii) all applicable policies and guidelines adopted by Council.

Acoustics

6. A development permit application for dwelling uses must include an acoustical report prepared by a licensed professional acoustical engineer demonstrating that the noise levels in those portions of dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be 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 |

Schedule A

