

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-759 (a) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

Definitions

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

“Medi-Tech Uses” means the use of premises for the research, development, and testing of medical, scientific, or technological products, information, or processes specifically for medical applications which improve or advance the delivery of human health care.

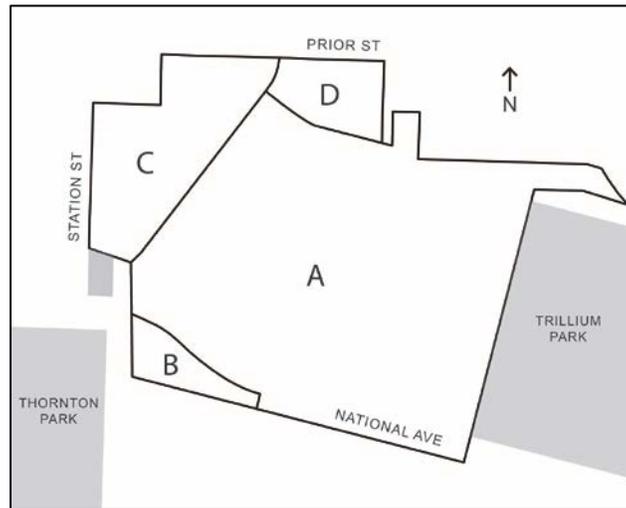
Designation of CD-1 District

3. The area shown within the heavy black outline in Schedule A is hereby designated CD-1 ().

Sub-areas

4. The site is to consist of four sub-areas generally as illustrated in Figure 1, solely for the purpose of establishing maximum permitted floor areas, building heights, and permitted uses for each sub-area.

Figure 1: Sub-Areas for Maximum Permitted Floor Areas, Building Heights, and Permitted Uses



Uses

5.1 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) Agricultural Uses;
- (b) Cultural and Recreational Uses;
- (c) Institutional Uses;
- (d) Medi-Tech Uses;
- (e) Office Uses;
- (f) Parking Uses;
- (g) Retail Uses;
- (h) Service Uses, except that Hotel use is only permitted in sub-areas B and C; and
- (i) Accessory Uses customarily ancillary to the above uses.

5.2 In addition to the uses listed in section 5.1, the following uses are permitted in sub-area A:

- (a) Transportation and Storage Uses, limited to Aircraft Landing Place; and
- (b) Utility and Communication Uses, limited to Public Utility.

5.3 In addition to the uses listed in section 5.1, the following uses are permitted in sub-area D:

- (a) Dwelling Unit in conjunction with other uses;
- (b) Multiple Dwelling; and
- (c) Seniors Supportive or Assisted Housing.

Conditions of Use

6.1 All commercial uses permitted by this By-law shall be carried on wholly within a completely enclosed building except for:

- (a) Farmers' Market;
- (b) Restaurant;
- (c) Neighbourhood Public House; and
- (d) Display of plants, flowers, fruit and vegetables in conjunction with a permitted use.

6.2 The design and layout of at least 35% of all 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".

Floor Area and Density

7.1 The floor area for all permitted uses in each sub-area of Figure 1 must not exceed the maximum permitted floor area as set out in Table A.

Table A: Maximum Permitted Floor Area

Sub-Area of Figure 1	Maximum permitted Floor Area (m²)
A	231,182
B	6,700
C	66,638
D	7,554

7.2 The minimum floor area for hotel use is 13,000 m².

7.3 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be 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.

7.4 Computation of floor area must 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 in any sub-area, and
 - (ii) no enclosure of balconies is permissible 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, 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;
- (d) where floors are used for heating and mechanical equipment or uses which in the opinion of the Director of Planning are similar, those floors or portions thereof so used, which are at or below the base surface or at the top of the building;
- (e) amenity areas accessory to a residential use, including recreation facilities and meeting rooms provided that the total area being excluded for amenity areas shall not exceed the lesser of 10% of the permitted floor area or 1,000 m²; and
- (f) 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.

7.5 The floor area excluded under section 7.4 must not include any use other than that which justified the exclusion.

Building Height

8.1 In sub-area A, building height must not exceed the geodetic elevation of 63.1 m, except that the Director of Planning or the Development Permit Board may approve an increase in height provided that the buildings do not protrude into the approved view corridors, as set out in the City of Vancouver View Protection Guidelines.

8.2 In sub-area B, building height must not exceed 39.0 m above the base surface.

8.3 In sub-area C, building height must not exceed the geodetic elevation of 66.1 m, except that the Director of Planning or the Development Permit Board may approve an increase in height provided that the buildings do not protrude into the approved view corridors, as set out in the City of Vancouver View Protection Guidelines.

8.4 In sub-area D, building height must not exceed 24.0 m above the base surface.

Horizontal Angle of Daylight

9.1 Each habitable room in dwelling use must have at least one window on an exterior wall of a building.

9.2 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.

9.3 Measurement of the plane or planes referred to in section 9.2 must be horizontally from the centre of the bottom of each window.

9.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirements in section 9.2 and 9.3 if the Director of Planning or Development Permit Board first considers any applicable policies and guidelines.

9.5 An obstruction referred to in section 9.2 means:

- (a) any part of the same building or an adjacent building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 ().

9.6 A habitable room referred to in section 9.1 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

10. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic engineer demonstrating that the noise levels in those portions of the 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

Zoning and Development By-law

11. Sections 2 through 14 of the Zoning and Development By-law apply to this CD-1 ().

Severability

12. 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

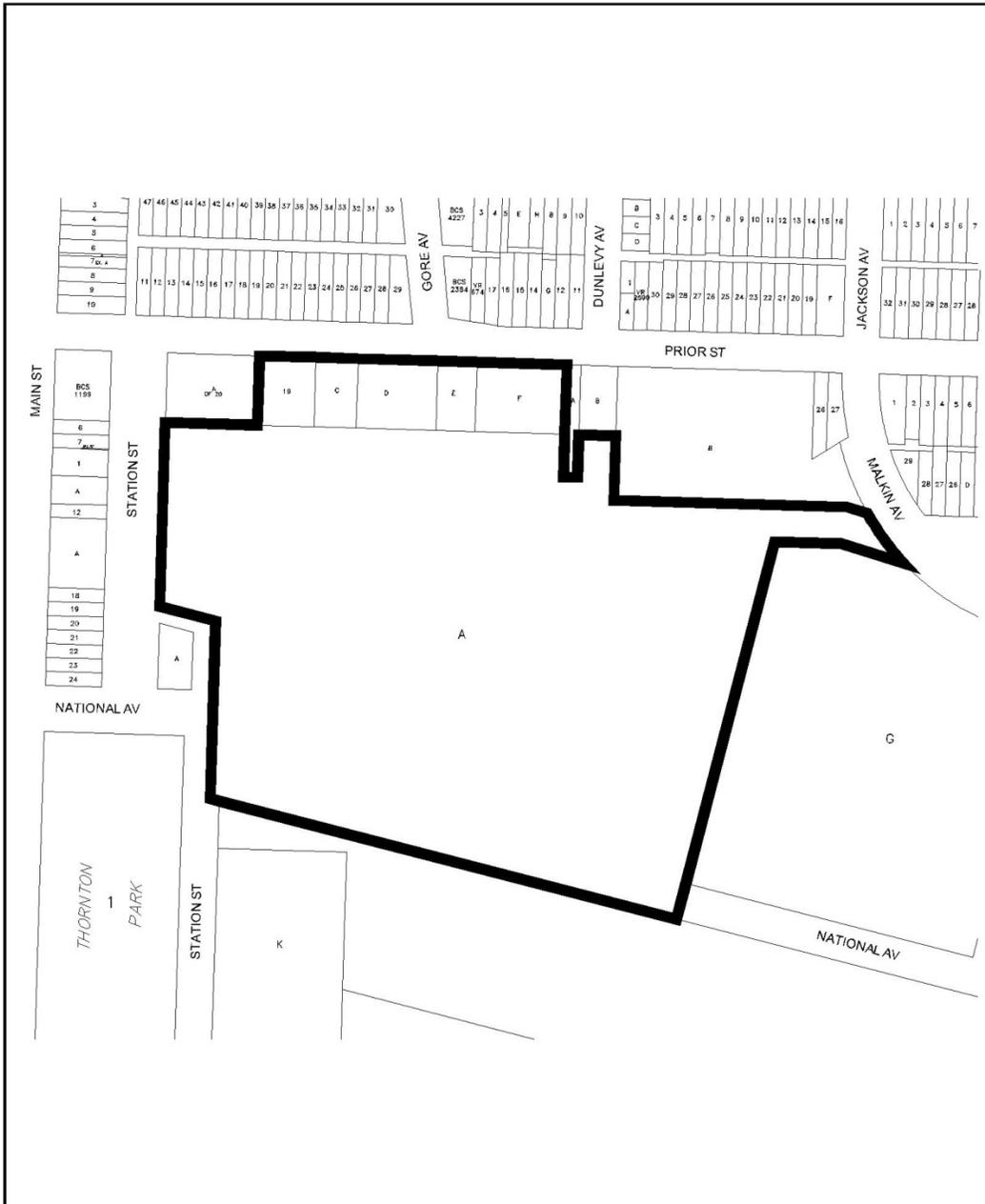
13. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this day of , 2019

Mayor

City Clerk

Schedule A



The properties outlined in black (**█**) are rezoned:
 From **I-2 & I-3** to **CD-1**

Z-759 (a)

RZ - 1002 Station Street & 250-310 Prior Street

map: 1 of 1
 scale: NTS



City of Vancouver

date: 2019-07-29