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

Designation of CD-1 District

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 (___).

Uses

3. 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;

(b) Utility and Communication Uses; and

(c) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

4. All residential floor area must be used for social housing.

Floor Area and Density

5.1 Computation of floor area must assume that the site area is 1,797.6 m^2, being the site area at the time of the application for the rezoning evidenced by this By-law, prior to any dedications.

5.2 The floor space ratio for all uses combined must not exceed 4.4.

5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below base surface, measured to the extreme outer limits of the building.

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5.4 Computation of floor area must exclude:

(a) balconies and 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 floor area being provided for dwelling uses, and

(ii) the balconies must not be enclosed for the life of the building;

(b) patios and roof decks, 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 that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;

(d) all residential storage area above or below base surface, except that if residential storage area above base surface exceeds 3.7 m^2 for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

5.5 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board, amenity areas accessory to a residential use, to a maximum of 10% of the total floor area being provided for dwelling uses.

Building Height

6.1 Building height, measured from base surface to top of parapet, must not exceed 47.1 m.

6.2 Despite section 6.1 of this By-law and section 10.18 of the Zoning and Development By-law, the Director of Planning may permit a greater height not to exceed 50.9 m for rooftop appurtenances such as stairs and elevators for rooftop access, elevator machine rooms, mechanical rooms, mechanical screens, a vestibule accessing a green roof, or similar features, if the Director of Planning first considers:

(a) siting and sizing in relation to views, overlook, shadowing, and noise impacts; and

(b) all applicable policies and guidelines adopted by Council.

Horizontal Angle of Daylight

7.1 Each habitable room must have at least one window on an exterior wall of a building.

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7.2 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.

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 excluding permitted projections; or

(b) the largest building permitted under the zoning on any adjoining site.

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 m^2.

Acoustics

8. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustical 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

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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 , 2022

_____
Mayor

_____
City Clerk

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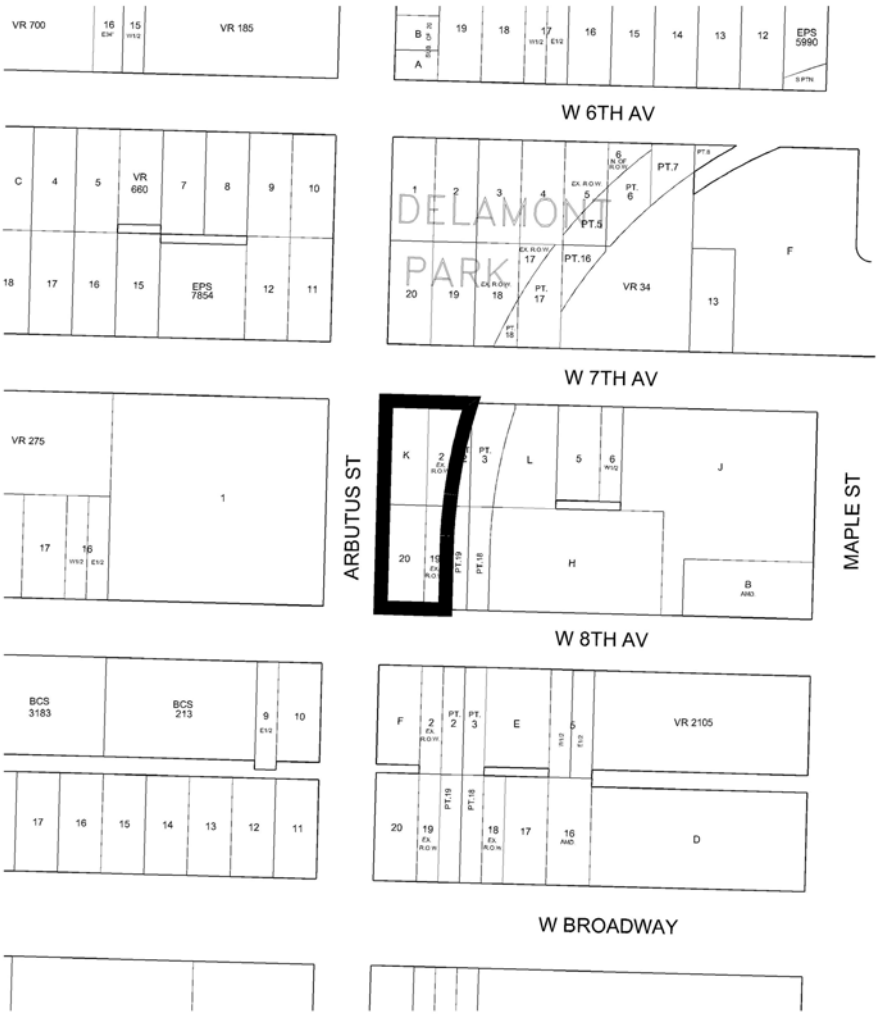
Schedule A



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

RZ - 2086-2098 West 7th Avenue & 2091 West 8th Avenue	map: 1 of 1 scale: NTS
City of Vancouver	ph date: 2022-06-28