

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.

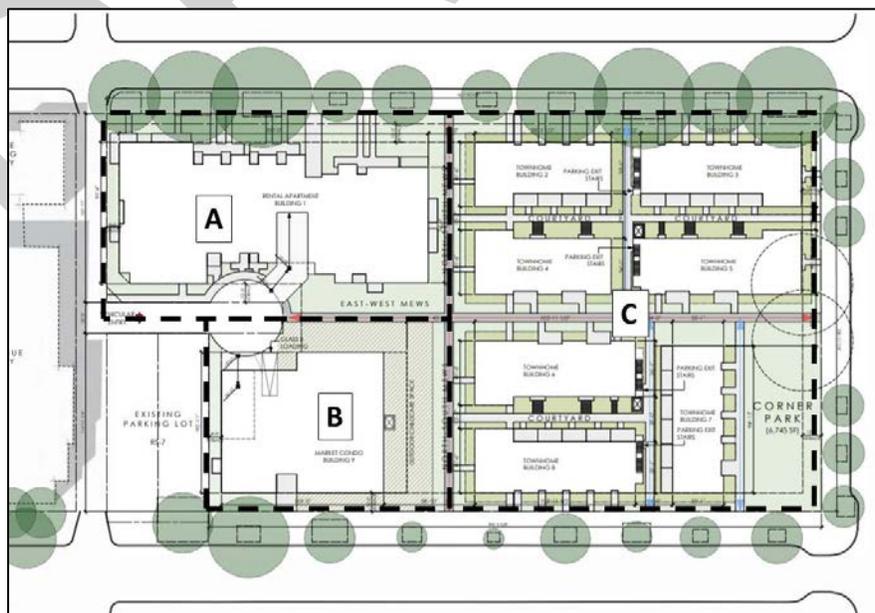
Designation of CD-1 District

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

Sub-areas

3. The site is to consist of three sub-areas generally as illustrated in Figure 1, solely for the purposes of establishing the maximum permitted building height and maximum permitted floor area for each sub-area.

Figure 1: Sub-areas



Definitions

4. Words in this by-law have the meaning given to them in the Zoning and Development By-law except that:

- (a) for the purpose of calculating the total dwelling unit area for section 6.3 of this By-law, "Dwelling Unit Area" is the floor area of each dwelling unit, measured to the inside of all perimeter walls excluding any floor area as required by section 7.5 of this By-law; and
- (b) "Below-Market Rental Housing Units" means dwelling units that meet the rental rates and operating requirements of approved Council policies and guidelines for Moderate Income Rental Housing, as secured by a housing agreement registered on title to the property.

Uses

5. 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) Institutional Uses, limited to Child Day Care Facility; and
- (c) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

6.1 The design and layout of at least 35% of the secured market rental dwelling units and at least 35% of the below-market rental housing units must:

- (a) be suitable for family housing; and
- (b) include two or more bedrooms.

6.2 The design and layout of at least 35% of the total number of strata dwelling units must:

- (a) be suitable for family housing; and
- (b) include two or more bedrooms, of which:
 - (i) at least 25% of the total dwelling units must be two-bedroom units; and
 - (ii) at least 10% of the total dwelling units must be three-bedroom units.

6.3 A minimum of 22% of the total rental dwelling unit area must be below-market rental housing units.

Floor Area and Density

7.1 Computation of floor area must assume that the site area is 10,202.4 m², being the site area at the time of the application for rezoning evidenced by this By-law, prior to any dedications.

7.2 The floor space ratio for all uses combined must not exceed 1.81.

7.3 Despite section 7.2 of this By-law, floor areas in each sub-area must not exceed the maximum permitted floor area for that sub-area, as set out in Table 1.

Table 1: Maximum Permitted Floor Area

Sub-area of Figure 1	Maximum Permitted Floor Area (m ²)
A	6,665.5
B	4,056.9
C	7,752.8

7.4 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.

7.5 Computation of floor area and dwelling unit 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 these exclusions must not exceed 12% of the floor area being provided; 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 the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) entries, porches and verandahs if the Director of Planning first approves the design;
- (e) all residential storage area above or below base surface, except that if 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;
- (f) all storage area below base surface for non-dwelling uses; and

(g) covered outdoor space associated with the child day care facility

7.6 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board, common amenity areas, to a maximum of 10% of the total floor area being provided.

7.7 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board, Child Day Care Facility floor area contained in an airspace parcel transferred to the City for public use and benefit, to a maximum of 460 m² indoor area and 90 m² covered outdoor area.

Building Height

8.1 Buildings in each sub-area must not exceed the maximum permitted height for that sub-area, measured from base surface, as set out in Table 2.

8.2 Despite section 8.1 of this By-law and section 10.18 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space and mechanical appurtenances in a sub-area, the height of the portion of the building with the common rooftop amenity space, mechanical room, mechanical appurtenances and access, elevator overrun and architectural appurtenances must not exceed the maximum permitted height for that sub-area, as set out in Table 2.

Table 2: Maximum Permitted Building Height

Sub-area of Figure 1	Maximum Building Height	Maximum Permitted Building Height (including common rooftop amenity spaces, mechanical room, mechanical appurtenances and access, elevator overrun and architectural appurtenances)
A	18.8 m	23.4 m
B	21.0 m	25.6 m
C	14.6 m	14.6 m

Horizontal Angle of Daylight

9.1 Each habitable room 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 vary 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.

9.5 An obstruction referred to in section 9.2 means:

- (a) any part of the same building excluding permitted projections; or
- (b) the largest building permitted under the zoning on any adjoining site.

9.6 A habitable room referred to in section 9.1 is a room in a dwelling unit and 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 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

Severability

11. 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

12. 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

DRAFT

Schedule A



RZ- 906-982 W 18th Avenue & 907-969 W 19th Avenue

map: 1 of 1
scale: NTS



City of Vancouver

ph date: 2022-07-05