

BY-LAW NO.

**A By-law to amend
CD-1 (313) By-law No. 7196**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of By-law No. 7196.
2. In section 2, Council:
 - (a) strikes out the title “Uses” and substitutes “Designation of CD-1 District”; and
 - (b) strikes out “, and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:
 - (a) Community Care Facility - Class B; [9674; 08 06 24]
 - (b) Accessory Uses customarily ancillary to the above use”.

3. Council strikes out sections 3 through 5 and substitutes the following:

“3 Definitions

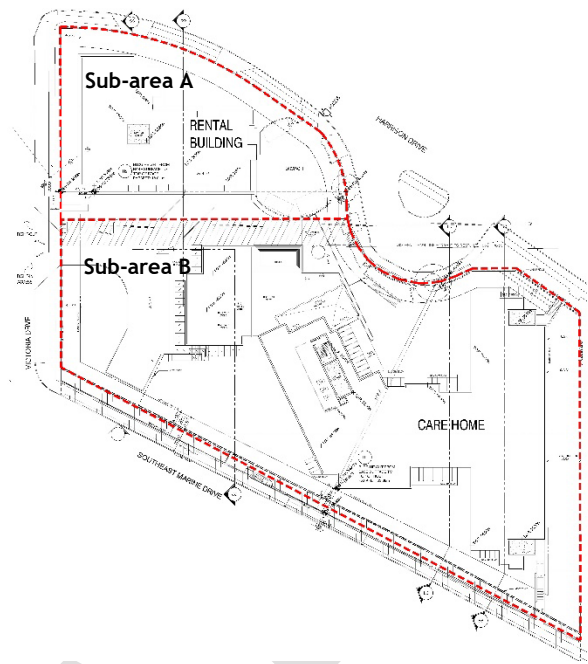
Words in this By-law have the meaning given to them in the Zoning and Development By-law, except that:

- (a) for the purposes of calculating the total dwelling unit area for section 6.1 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 requirements of approved Council policies and guidelines for Moderate Income Rental Housing, as secured by a housing agreement registered on title to the property.

4 Sub-areas

The site is to consist of two sub-areas generally as illustrated in Figure 1, solely for the purpose of establishing the maximum permitted building height for each sub-area.

Figure 1 – Sub-areas



5 Uses

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

- (a) Community Care Facility – Class B;
- (b) Dwelling Uses, limited to Multiple Dwelling; and
- (c) Accessory Uses customarily ancillary to the above uses.

6 Conditions of Use

6.1 A minimum of 20% of the total dwelling unit area must be below-market rental housing units.

6.2 The design and layout of at least 35% of the total number of below-market dwelling units and at least 35% of the total number of other dwelling units must:

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

7 Floor Area and Density

- 7.1** For the purpose of computing the floor space ratio, the site shall be all parcels covered by this By-law, and shall be deemed to be 9,784 m², being the site size at time of application for rezoning, prior to any dedications.
- 7.2** The maximum floor space ratio for all uses combined must not exceed 2.02.
- 7.3** The total floor area for residential uses must not exceed 5,357 m².
- 7.4** The following shall be included in the computation of floor space ratio:
- (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, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.
- 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 for dwelling and care facility uses; and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (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, 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 the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
 - (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum total of 10 percent of the total building-floor area;
 - (e) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a storey or half-storey, with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
 - (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit;

- (g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000; and
- (h) where floor area associated with residential storage area is excluded, a minimum of 20% of excluded floor area above base surface must be located within the below-market rental housing units as storage area.

8 Height

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

Figure 2 – Maximum Permitted Building Height

Sub-area	Building Height
A	18.1 m
B	23.4 m

9 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 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.
- 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 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.

10 Acoustics

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".

- 4. Council renumbers sections 6 and 7 as sections 11 and 12, respectively.
- 5. 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