

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.

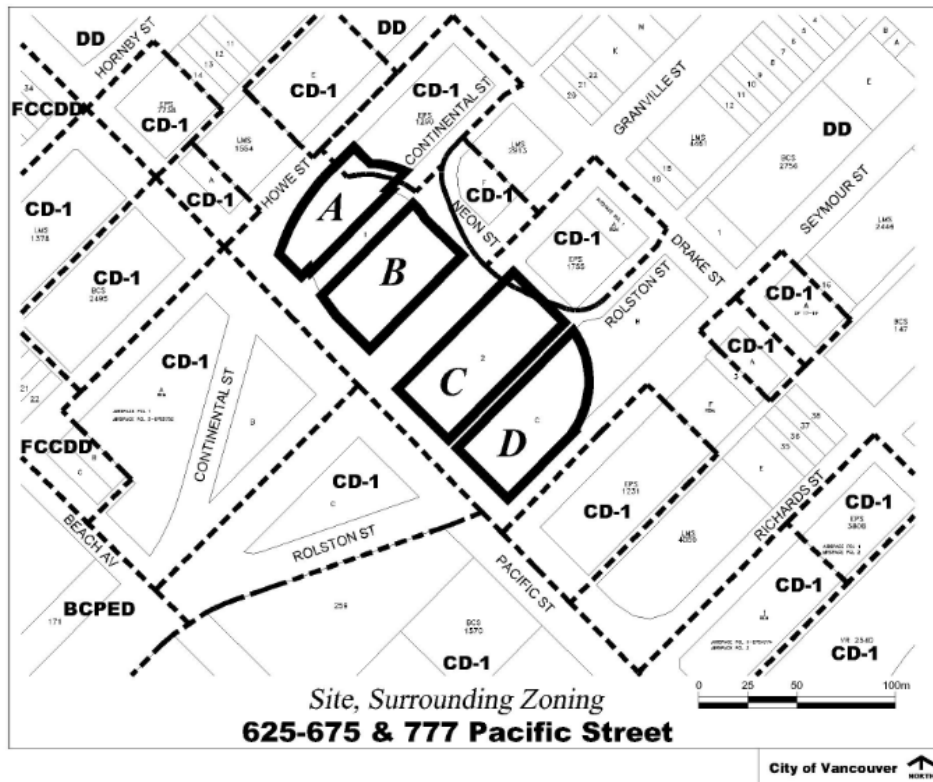
Designation of CD-1 District

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 four sub-areas generally as illustrated in Figure 1, solely for the purposes of regulating use, density and building height for each sub-area.

Figure 1 – Sub-areas



Uses

4. 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;
- (b) Dwelling Uses, limited to Multiple Dwelling and to Dwelling Units in conjunction with any use listed in this section;
- (c) Institutional Uses;
- (d) Office Uses;
- (e) Retail Uses;
- (f) Service Uses; and
- (g) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

5.1 The design and layout of at least 35% of the total number of strata dwelling units in each of sub-areas A, B and D, 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.

5.2 The design and layout of at least 35% of the total number of the market rental dwelling units in sub-area B, must:

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

5.3 The design and layout of at least 50% of the total number of dwelling units in sub-area C must:

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

5.4 All residential floor area of sub-area C must be used for social housing.

Floor Area and Density

6.1 The floor area for all permitted uses in each sub-area 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 (m ²) for all uses combined	Maximum Permitted Floor Area (m ²) for dwelling uses
A	24,463 m ²	24,463 m ²
B	20,547 m ²	19,203 m ²
C	16,940 m ²	15,458 m ²
D	24,416 m ²	24,416 m ²

6.2 A minimum of 15,240 m² of floor area in sub-area C must be used for dwelling use.

6.3 A minimum of 429 m² of floor area in sub-area C must be used for child day care facility.

6.4 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.

6.5 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 floor 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 the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care, provided that: (i) the total area being excluded shall not exceed the lesser of 10% of the total floor area being provided or 1000m²; and (ii) in the case of a child day care centre, the Director of Planning, on the advice of the Director of Social Planning, is satisfied of the need for the facility in the immediate neighbourhood; and
- (e) 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.

6.6 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board, unenclosed outdoor areas at grade underneath building overhangs, except that they must remain unenclosed for the life of the building.

Building Height

7.1 Building height in each sub-area must not exceed the maximum permitted height for that sub-area, measured from base surface, as set out in Table B:

Table B

Sub-Area of Figure 1	Maximum Permitted Height
A	120.5 m
B	83.7 m
C	83.7 m
D	120.5 m

7.2 Despite Section 7.1 of this by-law, and Section 10.18 of the Zoning and Development By-law, the Director of Planning or the Development Permit Board may permit a greater height than otherwise permitted for mechanical appurtenances such as elevator machine rooms located at least 3.0 m from the roof perimeter, and common roof-top amenity structures contiguous with

common outdoor amenity spaces that do not exceed a height of 4.7 m, if the Director of Planning or the Development Permit Board first considers:

- (a) their siting and sizing in relation to views, overlook, shadowing, and noise considerations; and
- (b) all applicable policies and guidelines adopted by Council;

except that no part of a development shall be permitted to protrude into Council-approved protected public views.

Horizontal Angle of Daylight

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

8.2 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.

8.3 Measurement of the plane or planes referred to in section 8.2 must be horizontally from the centre of the bottom of each window.

8.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council and the minimum distance of the unobstructed view is not less than 3.7 m.

8.5 An obstruction referred to in section 8.2 means:

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

8.6 A habitable room referred to in section 8.1 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

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

10. 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

11. 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

