

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.

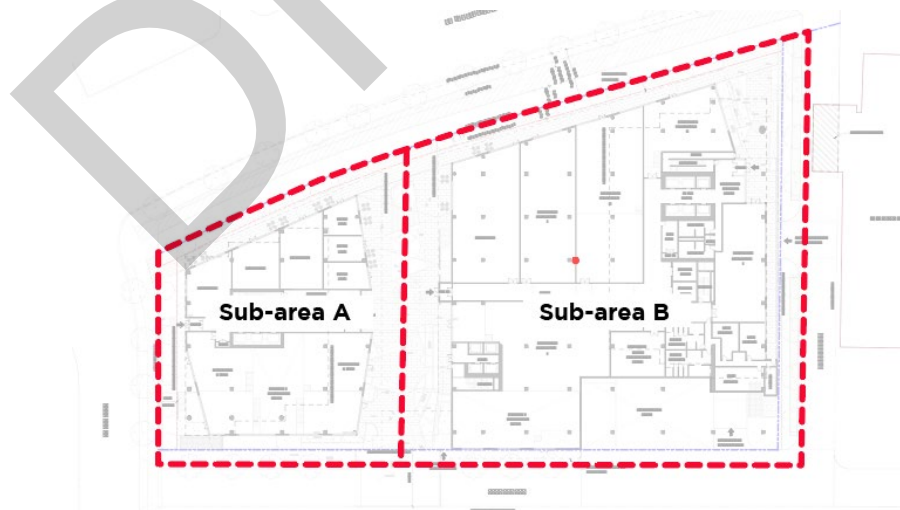
Designation of CD-1 District

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 two sub-areas generally as illustrated in Figure 1, solely for the purposes of establishing the maximum permitted 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 this 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) Institutional Uses;
- (c) Manufacturing Uses;
- (d) Office Uses;
- (e) Retail Uses;
- (f) Service Uses;
- (g) Utility and Communication Uses; and
- (h) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

5. All commercial uses and accessory uses listed in this section shall be carried on wholly within a completely enclosed building other than the following:

- (a) display of flowers, plants, fruits and vegetables in combination with a permitted use;
- (b) farmers' market;
- (c) neighbourhood public house;
- (d) public bike share; and
- (e) restaurant,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions that the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this by-law.

Floor Area and Density

6.1 Computation of floor space ratio must assume that the site consists of 12,615 m², being the site size at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.

- 6.2 The maximum floor space ratio for all uses combined is 4.63.
- 6.3 A minimum floor space ratio of 1.50 for industrial uses must be provided.
- 6.4 A minimum of 429 m² of floor area must be used for a child day care facility, secured to the City's satisfaction, for public use and benefit.
- 6.5 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.
- 6.6 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, provided that:
 - (i) the total area of these exclusions must not exceed 12% of the permitted floor area, and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof decks, if the Director of Planning considers the impact on privacy and outlook;
 - (c) floors or portions thereof that are used for:
 - (i) off-street parking and loading located at or below base surface, provided that the maximum exclusion for a parking space does not exceed 7.3 m in length,
 - (ii) bicycle storage, and
 - (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing; and
 - (d) all storage area below base surface.
- 6.7 The Director of Planning or Development Permit Board may exclude from the computation of floor area:
- (a) common amenity areas, to a maximum of 10% of the total permitted floor area; and
 - (b) additional floor area as required to meet licensing requirements for the child day care facility,

if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.

Building Height

7.1 Building heights in each sub-area must not exceed the permitted height for that sub-area, as set out in Table 1.

7.2 Despite section 7.1 of this by-law and section 10.1 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures in a sub-area, the height of the portions of the building with the permitted common rooftop amenity space or mechanical appurtenances must not exceed the permitted building height for that sub-area, as set out in Table 1.

Table 1: Permitted Building Height

Sub-area	Building height	Building height for portions of building with permitted common rooftop amenity spaces or mechanical appurtenances
A	79 m	82.1 m
B	56.9 m	60.2 m

Severability

8. 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

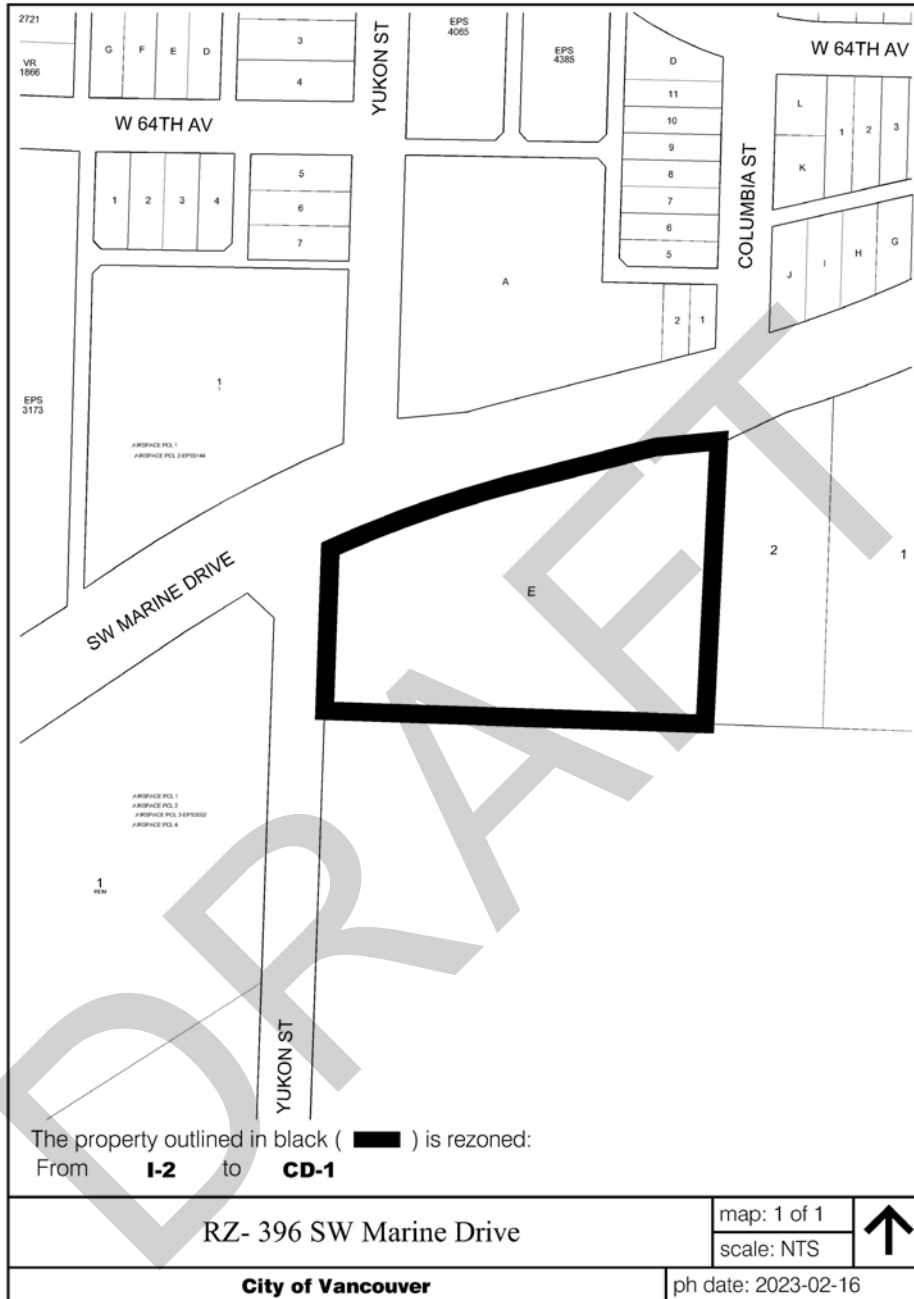
9. This by-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this day of , 2023

Mayor

City Clerk

Schedule A



The property outlined in black () is rezoned:
From **I-2** to **CD-1**

RZ- 396 SW Marine Drive

map: 1 of 1

scale: NTS



City of Vancouver

ph date: 2023-02-16