

BY-LAW NO.

A By-law to amend CD-1 (82) By-law No. 4671

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. 4671.
2. In section 2, Council strikes out the following:

“Retail Store (Hospital) means a retail store as defined in section 2 of the Zoning and Development By-law limited to the use of premises for a newsstand or flower shop, or for the retail sale or rental of products designed specifically for medical applications including pharmaceuticals, prosthetics, hearing aids, and similar products.”.
3. Council strikes out section 3.2 and substitutes the following:

“3.2 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 in this CD-1 and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

 - (a) Adult Day Care Centre;
 - (b) Cultural and Recreational Uses;
 - (c) Dwelling Uses, limited to Multiple Dwelling, Seniors Supportive or Assisted Housing, and Dwelling Units in conjunction with any of the uses listed in this section;
 - (d) Institutional Uses;
 - (e) Live-Work Use;
 - (f) Office Uses;
 - (g) Retail Uses;
 - (h) Service Uses;
 - (i) Utility and Communication Uses; and
 - (j) Accessory Uses customarily ancillary to the above use.”.
4. In section 4.1, Council strikes out “use is only permitted in Sub-area C as illustrated in Diagram 1” and substitutes “is only permitted in sub-area C”.

5. Council strikes out section 4.2 and substitutes the following:

“4.2 Multiple dwelling is only permitted in sub-area D, to a maximum floor area of 10,730 m².”

6. Council adds new sections 4.3, 4.4, 4.5 and 4.6 as follows:

“4.3 Seniors supportive or assisted housing is permitted in sub-areas A, B, C and D.

4.4 All other dwelling uses are only permitted in sub-areas C and D.

4.5 The design and layout of at least 35% of the units in sub-area D must:

- (a) be suitable for family housing; and
- (b) have 2 or more bedrooms.

4.6 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building, other than the following:

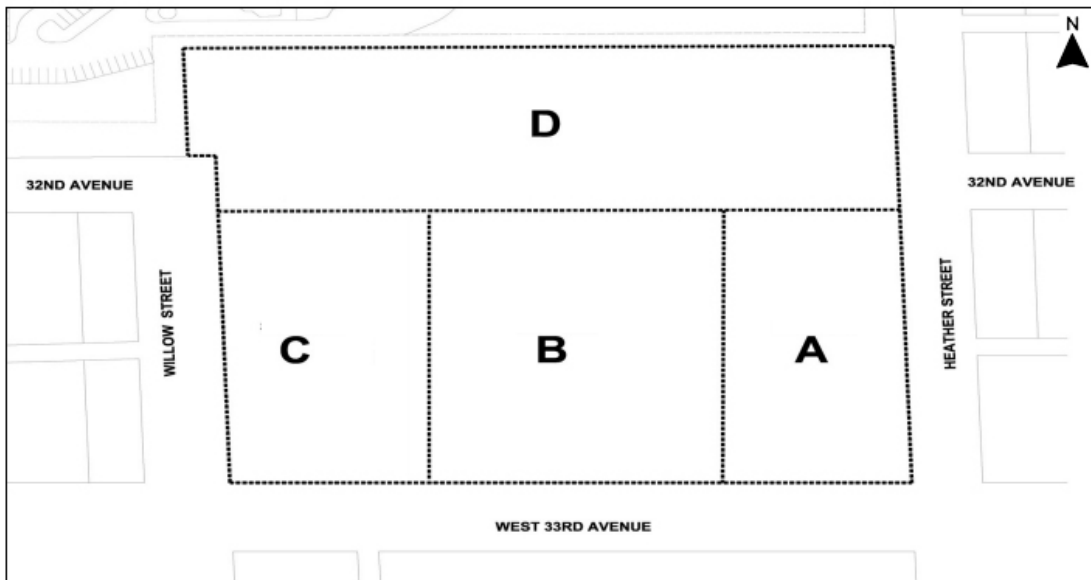
- (a) display of flowers, plants, fruits and vegetables in combination with a permitted use;
- (b) farmers' market;
- (c) neighbourhood public house;
- (d) public bike share; and
- (e) restaurant,

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 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.”.

7. Council strikes out section 5.1 and substitutes the following:

“5.1 The site is to consist of four sub-areas generally as illustrated in Figure 1, solely for the purposes of establishing the conditions of use and the maximum permitted building height for each sub-area.

Figure 1



8. Council:
 - (a) strikes out section 6.3; and
 - (b) rennumbers sections 6.4 through 6.7 as sections 6.3 through 6.6, respectively.
9. In section 6.4(a), Council strikes out “, including earthen floor”.
10. Council strikes out section 6.5 and substitutes the following:

“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, provided that:
 - (i) the total area of these exclusions for each sub-area must not exceed 12% of the floor area provided for that sub-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 or uses that the Director of Planning considers similar to the foregoing, and

- (iii) heating and mechanical equipment, or uses that the Director of Planning considers similar to the foregoing;
- (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 per 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;
- (g) areas of undeveloped floor located:
 - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m; and
- (h) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause does not apply to walls in existence prior to March 14, 2000.”

11. Council strikes out section 6.6 and substitutes the following:

“6.6 The Director of Planning or Development Permit Board may exclude:

- (a) common amenity areas in each sub-area to a maximum of 10% of the total proposed floor area for that sub-area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines;
- (b) floor area for childcare facilities up to 507 m², including indoor and covered outdoor space;
- (c) floor area for cultural and recreational uses up to 300 m²;
- (d) floor area for recreational facilities and meeting rooms in sub-areas A and C; and
- (e) off-street parking located above base surface less than or equal to 200 m².”

12. Council strikes out sections 7.1 and 7.2 and substitutes the following:

“7.1 Building height in each sub-area must not exceed the geodetic elevation set out for that sub-area in Table 1.

7.2 Despite section 7.1 of this by-law and the building height regulations in section 10 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 sub-area B or D, the height of the portions of the building with the permitted common rooftop amenity space or mechanical appurtenances must not exceed the geodetic elevation set out for that sub-area in Table 1.

Table 1: Permitted Building Height

Sub-area	Geodetic elevation in metres	Geodetic elevation for portions of the building with permitted common rooftop amenity spaces or mechanical appurtenances in geodetic metres
A	106.3 m	-
B	131.1 m	136.6 m
C	102.2 m	-
D	131.7 m	135.4 m

13. Council strikes out section 8 and substitutes the following:

“Horizontal Angle of Daylight

8.1 Each habitable room must have at least 1 window on an exterior wall of a building.

8.2 For the purposes of section 8.1 above, habitable room means any room except a bathroom or a kitchen.

8.3 Each exterior window must be located so that a plane or planes extending from the window and formed by an angle of 50 degrees, or 2 angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.

8.4 The plane or planes referred to in section 8.3 above must be measured horizontally from the centre of the bottom of each window.

8.5 An obstruction referred to in section 8.3 above means:

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

8.6 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 considers all applicable Council policies and guidelines; and
- (b) the minimum distance of unobstructed view is at least 3.7 m.”.

