

1030 and 1056 Burnaby Street

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 (___).

Definitions

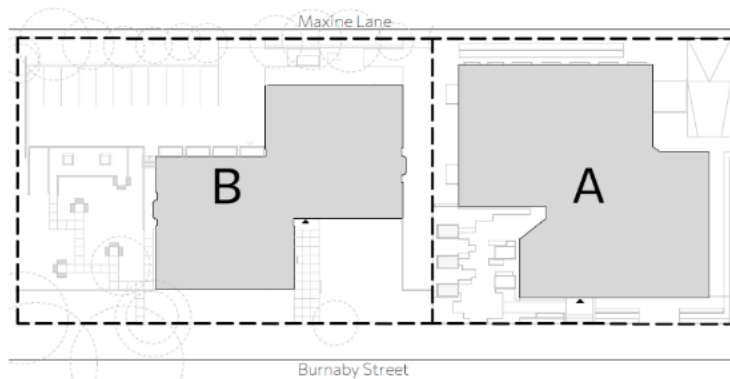
3. Words in this by-law have the meaning given to them in the Zoning and Development By-law, except that:

- (a) for the purposes of calculating the total dwelling unit area for section 6.2 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 7.3 of this by-law; and
- (b) "Below-Market Rental Dwelling Units" means dwelling units that meet the requirements of approved Council policies and guidelines for below-market rental housing, as secured by a housing agreement and registered on title to the property.

Sub-Areas

4. The site is to consist of 2 sub-areas generally as illustrated in Figure 1, solely for the purposes of establishing the conditions of use, total floor area, and maximum permitted building height for each sub-area.

Figure 1 Sub-Areas



Uses

5.1 Subject to 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) Dwelling Uses, limited to Multiple Dwelling and Mixed-Use Residential;
- (c) Institutional Uses;
- (d) Live-Work Use;
- (e) Manufacturing Uses;
- (f) Office Uses;
- (g) Retail Uses;
- (h) Service Uses;
- (i) Utility and Communication Uses; and
- (j) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

6.1 In sub-area A, only multiple dwelling and accessory uses customarily ancillary to multiple dwelling are permitted.

6.2 In sub-area A, a minimum of 20% of the total dwelling unit area must be below-market rental dwelling units.

6.3 In sub-area A, the design and layout of at least 35% of the total number of below-market rental dwelling units and at least 35% of the total number of other dwelling units must:

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

Floor Area and Density

7.1 The total floor area for all uses combined must not exceed 15,075.9 m², and the total floor area for all permitted uses in each of the sub-areas must not exceed the maximum permitted floor area for that sub-area, as set out in the following table:

Table 1: Maximum Permitted Floor Area

Sub-Area	Maximum Permitted Floor Area (m ²)
A	5,498.7
B	9,577.2

7.2 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.

7.3 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, 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;
- (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; and
- (f) all storage area below base surface for non-dwelling uses.

7.4 The Director of Planning or Development Permit Board may exclude common amenity areas from the computation of floor area, to a maximum of 10% of the total permitted floor area, if the Director of Planning or Development Permit Board considers the intent of this by-law and all applicable Council policies and guidelines.

7.5 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 dwelling units as storage area.

Building Height

8.1 Building height in each sub-area must not exceed the permitted height for that sub-area, as set out in Table 2.

8.2 Despite section 8.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, the Director of Planning, after considering the impact on building placement, massing, views, overlook, shadowing and noise, may permit architectural features, common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, or any other appurtenances that the Director of planning considers similar to the foregoing, to exceed the maximum building height.

Table 2: Permitted Building Height

Sub-Area	Building Height
A	22.0 m
B	40.9 m

8.3 Despite sections 8.1 and 8.2 of this by-law, no part of the development shall protrude into an approved view corridor, as set out in the City of Vancouver’s View Protection Guidelines.

Access to Natural Light

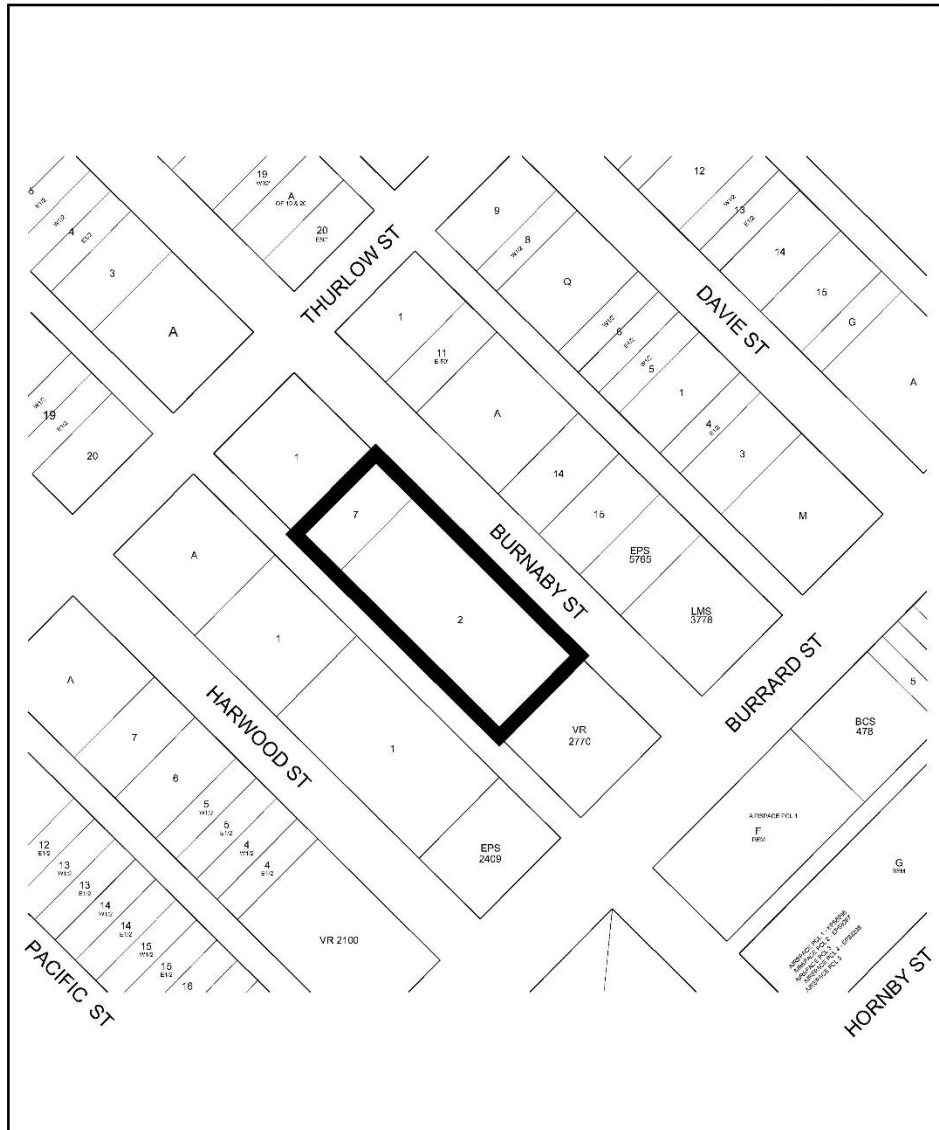
9.1 Each habitable room must have at least 1 window on an exterior wall of a building.

9.2 For the purposes of section 9.1 above, habitable room means any room except a bathroom or a kitchen.


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.

Schedule A



The property outlined in black (**█**) is rezoned:
 From **RM-5A** to **CD-1**

<p>RZ - 1030-1056 Burnaby Street</p>	<p>map: 1 of 1 scale: NTS</p>	
<p>City of Vancouver</p>		