

1229-1281 Hornby Street

**BY-LAW NO. 11107**

**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:

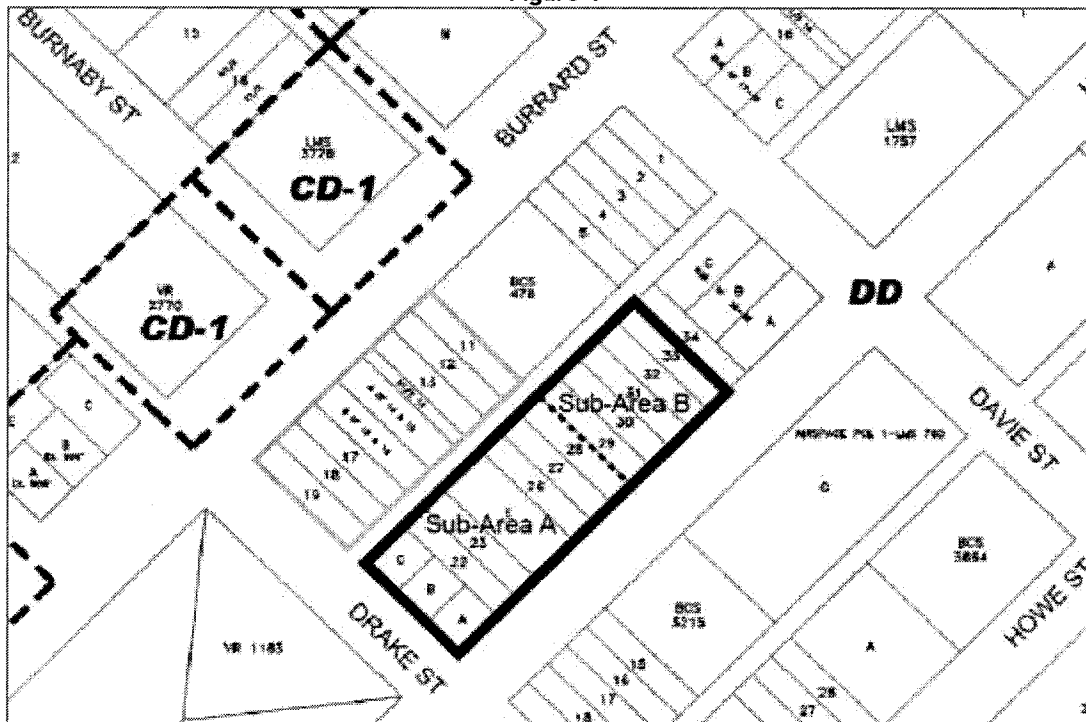
**Zoning District Plan Amendment**

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 marginally numbered Z-668 (d) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

**Sub-areas**

2. The site is to consist of two sub-areas approximately as illustrated in Figure 1, solely for the purpose of allocating floor area and height.

Figure 1



## Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (588).

3.2 Subject to approval by Council of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in the By-law or in a development permit, the only uses permitted and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, limited to Artist Studio, Billiard Hall, Bowling Alley, Club, Community Centre or Neighbourhood House, Fitness Centre, Library, and Theatre;
- (b) Dwelling Uses;
- (c) Institutional Uses, limited to Child Day Care Facility;
- (d) Office Uses;
- (e) Retail Uses, limited to Grocery or Drug Store, Retail Store, Small-scale Pharmacy and Vehicle Dealer;
- (f) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Repair Shop - Class B, Restaurant - Class 1; and
- (g) Accessory Use customarily ancillary to any use permitted by this section.

## Conditions of use

4.1 The design and lay-out of at least 25 % of the dwelling units must:

- (a) be suitable for family housing;
- (b) include two or more bedrooms; and
- (c) comply with Council's "High Density Housing for Families with Children Guidelines".

4.2 On floors located at street level, only retail and service uses are permitted, except for entrances to other uses.

## Floor area and density

5.1 The floor area for all uses must not exceed the maximum floor area set out in the table below.

Sub-Area	Maximum Floor Area
A	44 166.1 m <sup>2</sup>
B	23 264.2 m <sup>2</sup>
Total	67 430.3 m <sup>2</sup>

5.2 Uses are limited as follows:

- (a) grocery or drug store use is limited to a maximum floor area of 1 858 m<sup>2</sup>;
- (b) office, retail and service uses are limited to a maximum floor area of 10 595.3 m<sup>2</sup>;
- (c) in sub-area A, residential use is limited to a maximum of 37 934.5 m<sup>2</sup>; and
- (d) in sub-area B residential use is limited to a maximum of 18 901.0 m<sup>2</sup>.

5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.

5.4 Computation of floor area must exclude:

- (a) open residential balconies or sundecks 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 all such exclusions must not exceed 12 % of the residential floor area, and
  - (ii) the balconies must not be enclosed for the life of the building;
- (b) patios and roof gardens only 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, which are at or below the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length; and
- (d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m<sup>2</sup> for a dwelling unit

there will be no exclusion for any of the residential storage space above base surface for that unit.

5.5 Computation of floor area may exclude:

- (a) amenity areas, at the discretion of the Director of Planning or Development Permit Board, except that the exclusion must not exceed the permitted floor area or 1 858 m<sup>2</sup>;
- (b) fixed external shading devices not to exceed 761.8 m<sup>2</sup>; and
- (c) a space no greater than 0.4 m<sup>2</sup> per residential unit which accommodates a heat pump system or other mechanical system, designed to improve the overall energy performance of the building.

5.6 The use of floor area excluded under section 5.4 or 5.5 must not include any purpose other than that which justified the exclusion.

**Building height**

6.1 The building height, measured above base surface to the top of the roof, must not exceed the maximum heights set out on the table below.

Sub-Area	Maximum Building Heights
A	167.6 m
B	112.2 m to the top of the roof including architectural appurtenances and rooftop mechanical, except that the building may not protrude into the approved view corridors as set out in the City of Vancouver View Protection Guidelines.

**Horizontal angle of daylight**

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

7.2 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.

7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.

7.4 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 the unobstructed view is not less than 3.7 m; the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.

7.5 An obstruction referred to in section 7.2 means:

- (a) any part of the same building including permitted projections; or
- (b) the largest building permitted under the zoning on any site adjoining CD-1 (588).

7.6 A habitable room referred to in section 7.1 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 m<sup>2</sup>.

**Acoustics**

8. All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is 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**

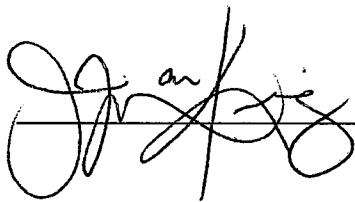
9. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

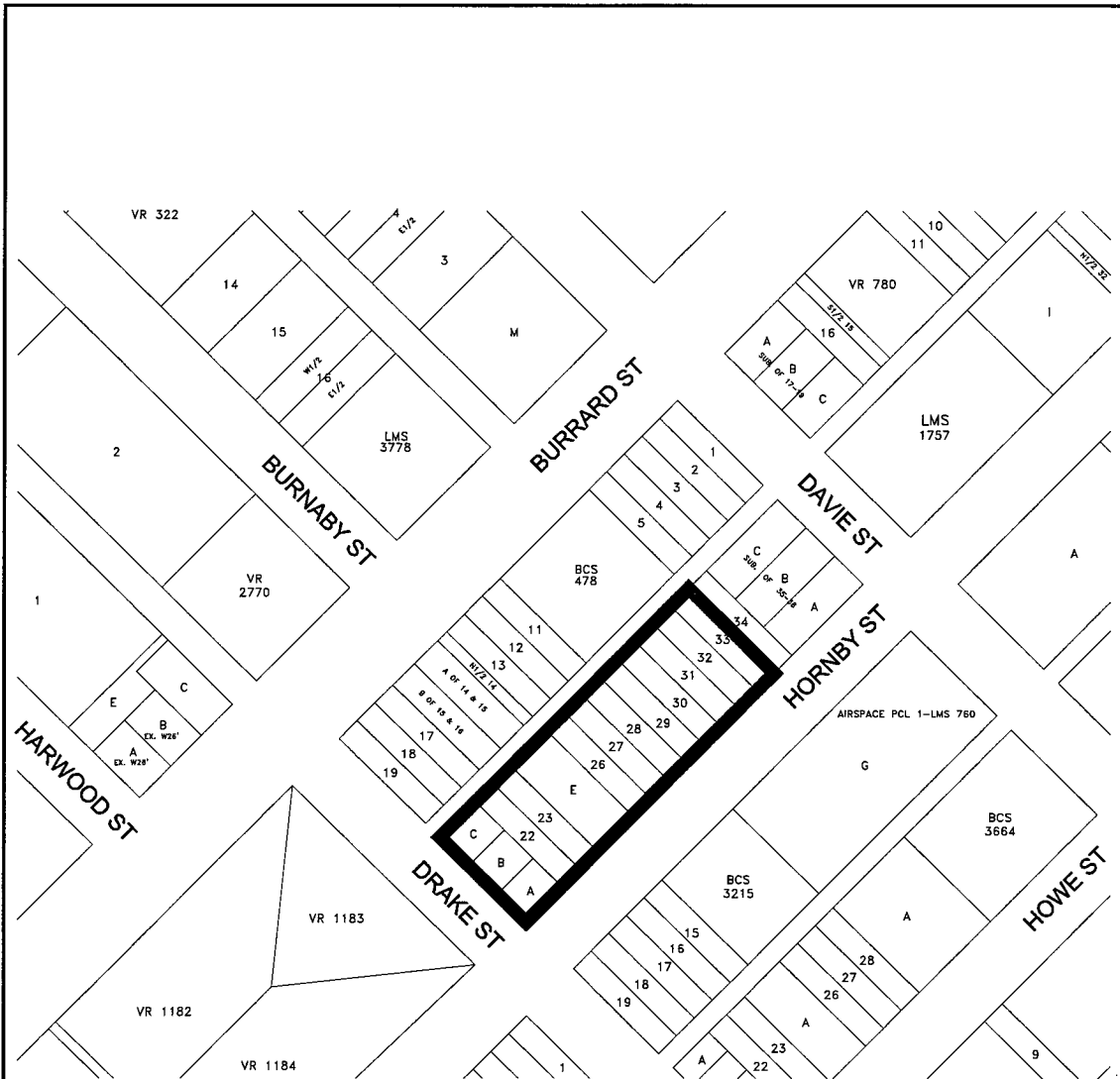
**Force and effect**

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

ENACTED by Council this 28<sup>th</sup> day of October , 2014

  
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Mayor

  
\_\_\_\_\_  
City Clerk



The properties outlined in black ( **█** ) are rezoned:  
 From **DD** to **CD-1**

**Z-668 (d)**

RZ - 1229-1281 Hornby Street

map: 1 of 1  
 scale: NTS



**City of Vancouver**

date: 2013-11-19