

**BY-LAW NO. 11853**

**CD-1 (537) By-law No. 10566  
amending by-law regarding  
use and floor area exclusions**

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. 10566.
2. In section 2.2 (f), after "Hotel", Council strikes out "existing as of October 16, 2012".
3. Council strikes out section 2.3 and substitutes:  
"2.3 Hotel uses must not be located above Level 3."
4. In Section 3 Floor area and Density, Council:
  - (a) in section 3.3, strikes out "floor space ratio" and substitutes "floor area";
  - (b) in section 3.4:
    - (i) strikes out "floor space ratio" and substitutes "floor area",
    - (ii) strikes out subsection (a) and substitutes:  
"(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;"
    - (iii) strikes out subsection (c) and substitutes:  
"(c) amenity areas, including child day care facilities, recreation facilities and meeting rooms accessory to a residential use, to a maximum floor area of the lesser of 10% of the total permitted floor area or 929 m<sup>2</sup>, except that, in the case of a child day care facility, the Director of Planning must be satisfied, on the advice of the Managing Director of Social Development, that

there is a need for a child day care facility in the immediate neighbourhood;";

- (iv) at the end of subsection (d) adds "and",
- (v) in subsection (e) strikes out "space" wherever it appears and substitutes "area" and at the end of subsection (e) strikes out ";" and substitutes ".", and
- (vi) strikes out subsections (f) and (g).

5. Council strikes out section 3.5 and substitutes:

"3.5 The use of floor area excluded under section 3.4 must not include any use other than that which justified the exclusion."

6. 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.

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

ENACTED by Council this 11<sup>th</sup> day of July, 2017

Signed \_\_\_\_\_ "Gregor Robertson"  
Mayor

Signed \_\_\_\_\_ "Janice MacKenzie"  
City Clerk