5809-5811 Main Street (198 Ontario Place)

BY-LAW NO. 12658

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-741 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

Uses

2.1   The description of the area shown within the heavy black outline on Schedule A is CD-1 (740).

2.2   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 within CD-1 (740), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

   (a)   Dwelling Uses, limited to Multiple Dwelling;

   (b)   Cultural and Recreational Uses, limited to Club; and

   (c)   Accessory uses customarily ancillary to the uses permitted in this section.

Conditions of use

3.   The design and layout of at least 35% of the dwelling units must:

   (a)   be suitable for family housing;

   (b)   include two or more bedrooms, of which:

      (i)   at least 25% of the total dwelling units must be two-bedroom units, and

      (ii)   at least 10% of the total dwelling units must be three-bedroom units; and

   (c)   comply with Council's "High-Density Housing for Families with Children Guidelines".

Floor area and density

4.1   Computation of floor space ratio must assume that the site area is 621.1 m^2, being the site area at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

4.2   The floor space ratio for all uses must not exceed 1.62.

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

4.4   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 the total floor area of all such exclusions must not exceed 12% of permitted floor area;

(b)   patios and roof gardens, provided that 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 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 base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length; and

(d)   all residential storage area above or below surface, except that if the residential storage area above base surface exceeds 3.7 m^2 per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

4.5   Computation of floor area may exclude amenity areas, except that the total exclusion for amenity areas must not exceed 20% of the total permitted floor area.

4.6   The use of floor area excluded under sections 4.4 and 4.5 must not include any use other than that which justified the conclusion.

Building height

5.   Building height, measured from base surface, must not exceed 14.1 m.

Horizontal angle of daylight

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

6.2   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.

6.3   Measurement from the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.

6.4   The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement, if:

(a)   the Director of Planning or Development Permit Board first considers all of the applicable policies and guidelines adopted by Council; and

(b)   the minimum distance of unobstructed view is not less than 3.7 m.

6.5   An obstruction referred to in section 6.1 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 (740).

6.6   A habitable room referred to in section 6.1 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^2.

Acoustics

7.   A development permit application for dwelling uses must include an acoustical report prepared by a licensed professional acoustical engineer demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be 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

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   10th   day of March, 2020

                                                                  Signed   "Kennedy Stewart"
                                                                                                        Mayor

                                                                  Signed   "Katrina Leckovic"
                                                                                                     City Clerk

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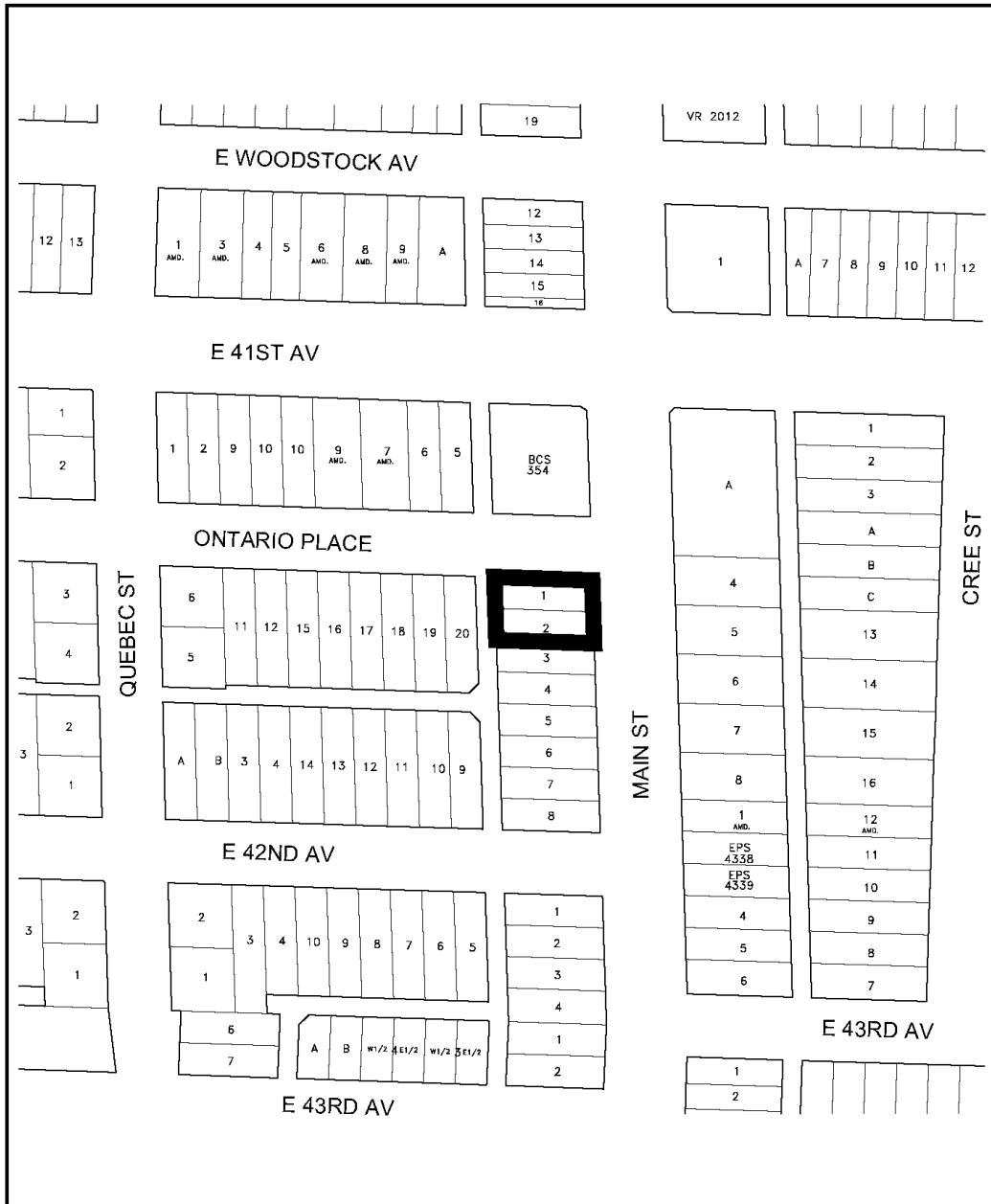
The properties outlined in black (▬▬) are rezoned:

From **RT-2** to **CD-1**

Z-741 (b)

RZ - 5809-5811 Main Street

map: 1 of 1

scale: NTS

City of Vancouver

date: 2018-06-28