

1749-1769 East 33rd Avenue

**BY-LAW NO. 14135**

**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.

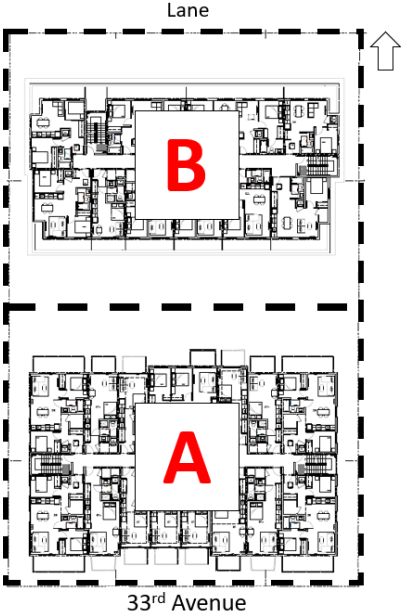
**Designation of CD-1 District**

2. The area shown within the heavy black outline on Schedule A is hereby designated CD-1 (875).

**Sub-areas**

3. The site is to consist of 2 sub-areas generally as illustrated in Figure 1, solely for the purpose of establishing the maximum permitted building height for each sub-area.

**Figure 1 – Sub-areas**



## Uses

4. 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 this CD-1 (875), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses, limited to Apartment; and
- (b) Accessory uses customarily ancillary to the uses permitted in this section.

## Conditions of Use

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

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

## Floor Area and Density

6.1 Computation of floor area must assume that the site area is 2,838 m<sup>2</sup>, being the site area at the time of the application for the rezoning application evidenced by this by-law, and prior to any dedications.

6.2 The maximum floor space ratio for all uses combined is 2.20.

6.3 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.

6.4 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 floor 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 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 m<sup>2</sup> 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.

6.5 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.

### **Building Height**

7.1 Buildings heights in each sub-area must not exceed the maximum permitted height for that sub-area, as set out 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 a sub-area, the height of the portions of the building with the permitted common rooftop amenity space or mechanical appurtenances must not exceed the permitted building height for that sub-area, as set out in Table 1.

**Table 1 – Maximum Permitted Building Height**

<b>Sub-area</b>	<b>Building height</b>	<b>Building height for portions of building with permitted common rooftop amenity spaces or mechanical appurtenances</b>
A	19.1 m	21.7 m
B	14.9 m	16.7 m

### **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 under the zoning on any adjoining site.

8.6 The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirements 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.

### **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 8<sup>th</sup> day of October, 2024

Signed \_\_\_\_\_ "Ken Sim"  
Mayor

Signed \_\_\_\_\_ "Katrina Leckovic"  
City Clerk

**Schedule A**

