523-549 East 10th Avenue

BY-LAW NO. 14385

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 (903).

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 purpose of calculating the total dwelling unit area for section 5.1 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 6.6 of this by-law; and

(b)   "Below-market Rental Housing 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.

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 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 Mixed-Use Residential Building;

(c)   Institutional Uses, limited to Child Day Care Facility;

(d) Live-Work Use;

(e) Office Uses;

(f) Retail Uses;

(g) Service Uses;

(h) Utility and Communication Uses; and

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

Conditions of Use

5.1 A minimum of 20% of the total dwelling unit area must be below-market rental housing.

5.2 The design and layout of at least 35% of the total number of below-market rental housing 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, of which:

(i) at least 25% of the total dwelling units must be 2-bedroom units, and

(ii) at least 10% of the total dwelling units must be 3-bedroom units.

5.3 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building, other than the following:

(a) display of flowers, plants, fruits and vegetables in combination with a permitted use;

(b) farmers' market;

(c) neighbourhood public house;

(d) public bike share; and

(e) restaurant,

except that the Director of Planning may vary this regulation to permit the outdoor display of retail goods, and the Director of Planning may impose any conditions the Director of Planning considers necessary, having regard to the types of merchandise, the area and location of the display with respect to adjoining sites, the hours of operation and the intent of this by-law.

Floor Area and Density

6.1 Computation of floor area must assume that the site area is 1,871 m^2, being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.

6.2   The floor space ratio for all uses combined must not exceed 5.80 and must include a combination of residential use and either commercial use or child day care facility, or both.

6.3   The floor space ratio for commercial use and child day care facility combined must not exceed 0.30.

6.4   A minimum of 246 m^2 must be provided for either commercial use, child day care facility, or both.

6.5   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.

6.6   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 m^2 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.

6.7   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

6.8   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 housing units as storage area.

Building Height

7.1   Building height must not exceed 61.6 m.

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, the height of the portions of the building with the permitted common rooftop amenity space or mechanical appurtenances must not exceed 66.1 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 on any adjoining site.

8.6   The Director of Planning or Development Permit Board may vary the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board considers all applicable Council policies and guidelines and:

(a)   the minimum distance of unobstructed view is at least 3.7 m.

(b)   the habitable room is within a unit assigned to below-market rental housing units containing a minimum of 3 bedrooms, where the horizontal angle of daylight requirement is varied for no greater than 1 of the habitable rooms in the unit.

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   17ᵗʰ   day of   June, 2025

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Signed   "Ken Sim"

Mayor

Signed   "Katrina Leckovic"

City Clerk

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E BROADWAY

E 10TH AV

ST. GEORGE ST

CAROLINA ST

E 11TH AV

FLORENCE NIGHTINGALE SCHOOL

The properties outlined in black (▬) are rezoned:
From **RT-5** to **CD-1**

RZ- 523-549 East 10th Avenue	map: 1 of 1
	scale: NTS
City of Vancouver	ph date: 2024-11-12