

Heather Lands (South)
4911-5255 Heather Street,
637-657 West 37th Avenue, and
620-689 West 35th Avenue

BY-LAW NO. 14705

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 (927).

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 purposes of calculating the total dwelling unit area for section 6.2 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 7.7 of this by-law;
- (b) "Attainable Housing Initiative Units" means dwelling units which have been offered for sale under the Provincial Attainable Housing Initiative Heather Lands at a minimum 60%/40% purchase financing arrangement for qualified middle income homebuyers as secured by a covenant registered on title to the property; and
- (c) "Below-Market Rental Units" means dwelling units where the maximum starting rents are set at least 20% less than the average rents for all private rental apartment units city-wide, as published by the Canada Mortgage and Housing Corporation in the Rental Market Report, all as secured by a housing agreement registered on title to the property.
- (d) "Ineligible" means any of the following:
 - (i) the Province has not approved, or has withdrawn funding for, the Provincial Attainable Housing Initiative Heather Lands program for an applicable sub-area, or

- (ii) the applicable sub-area is not eligible under the terms of the Provincial Attainable Housing Initiative Heather Lands program.

Sub-areas

3. The site is to consist of seven sub-areas generally as illustrated in Figure 1, solely for the purpose of establishing the conditions of use, floor area and density, and maximum building heights for each sub-area.

Figure 1: Sub-areas



Uses

4. Subject to 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) Agricultural Uses, limited to Urban Farm – Class A and Urban Farm – Class B;
- (b) Cultural and Recreational Uses, limited to Artist Studio, Park or Playground, and Plaza;
- (c) Dwelling Uses, limited to Mixed-Use Residential Building, Multiple Dwelling, Seniors Supportive or Independent Living Housing, and Temporary Modular Housing;

- (d) Institutional Uses, limited to Child Day Care Facility, and School – Elementary or Secondary;
- (e) Retail Uses;
- (f) Service Uses; and
- (g) Accessory uses customarily ancillary to the uses permitted in this section.

Conditions of Use

6.1 In sub-areas B, C and F, uses are limited to dwelling uses, except that retail uses and service uses may be permitted at-grade fronting Heather Street, West 35th Avenue or West 37th Avenue.

6.2 In each of sub-areas B, C and F, 100% of the total dwelling unit area must be attainable housing initiative units, except that if the Provincial Attainable Housing Initiative Heather Lands program is terminated, or if the applicable sub-area becomes ineligible under the Provincial Attainable Housing Initiative Heather Lands program:

- (a) a minimum of 15% of the total dwelling unit area must be secured market rental dwelling units, of which 25% must be below-market rental units; and
- (b) the Director of Planning may permit the units referred to in subsection (a) to be consolidated in any one or more of sub-areas B, C or F, if subsection (a) applies to that sub-area.

6.3 In sub-areas A and E:

- (a) uses are limited to multiple dwelling; and
- (b) all residential floor area must be used for social housing.

6.4 In sub-area D, uses are limited to school – elementary or secondary, and child day care facility.

6.5 In sub-area P, uses are limited to park or playground, plaza, and farmers' market.

6.6 The design and layout of at least 35% of the total number of the attainable housing initiative units and at least 35% of the total number of the strata 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.

6.7 The design and layout of at least 35% of the total number of secured market rental dwelling units, at least 35% of the total number of below-market rental units, and at least 50% of the total number of social housing dwelling units must:

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

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

- (a) Indigenous cultural activities and display of Indigenous cultural goods in combination with a permitted use;
- (b) display of plants, flowers, fruit and vegetables in combination with a permitted use;
- (c) farmers' market;
- (d) neighbourhood public house;
- (a) 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

7.1 The total floor area for all uses combined must not exceed 180,004 m², except that the total floor area for all permitted uses in each sub-area must not exceed the maximum permitted floor area for that sub-area or those sub-areas, as set out in Table 1.

Table 1: Maximum Permitted Floor Area

Sub-Area	Maximum permitted floor area (m ²)
A and E, combined	44,575
B and C, combined	66,037
F	64,692

7.2 In sub-area D, the total floor area for institutional uses must be a minimum of 4,700 m².

7.3 In sub-area F, the total floor area for retail uses and service uses must be a minimum of 501 m².

7.4 A minimum of 2,892 m² of residential amenity floor area must be provided.

7.5 A minimum of 3.7 m² of residential storage space must be provided for each dwelling unit.

7.6 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.

7.7 Computation of the 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 in each sub-area 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; and
- (d) entries, porches and verandas if the Director of Planning first approves the design.

7.8 The Director of Planning or Development Permit Board may exclude:

- (a) school – elementary or secondary and child day care facility uses in sub-area D, secured to the City's satisfaction for public use and benefit; and
- (b) residential amenity areas, to a maximum of 2,892 m²,

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

8.1 Building heights in each sub-area must not exceed the permitted height for that sub-area, as set out in Table 2.

Table 2: Permitted Building Storeys and Building Height

Sub-Area	Maximum permitted storeys	Maximum permitted height in meters
A	30	94
B	24	75
C	17	54
D	4	19
E	21	66
F	46	144
P	1	5

8.2 Despite section 8.1 of this by-law and the building height regulations in section 10 of the Zoning and Development By-law, the Director of Planning, after considering the impact on building placement, massing, views, overlook, shadowing and noise, may permit architectural features, common rooftop amenity space or mechanical appurtenances including elevator overrun and rooftop access structures, or any other appurtenances that the Director of Planning considers similar to the foregoing, to exceed the maximum building height.

Access to Natural Light

9.1 Each habitable room must have at least 1 window on an exterior wall of a building.

9.2 For the purposes of section 9.1 above, habitable room means any room except a bathroom or a kitchen.

Severability

10. 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

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

ENACTED by Council this 2nd day of June, 2026

Signed _____ “Ken Sim”
Mayor

Signed _____ “Jason Twa”
City Clerk

Schedule A

