

# **CD-1 (823)**

8460 Ash Street and  
8495 Cambie Street

## **By-law No. 13475**

Being a By-law to Amend Zoning and Development By-law No. 3575

Effective July 19, 2022

*Amended up to and including:*

By-law No. 13604, dated January 17, 2023

### **Consolidated for Convenience Only**

**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to this CD-1 By-law or provides an explanatory note.

## 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 (823).

## Sub-areas

3. The site is to consist of three sub-areas generally as illustrated in Figure 1, solely for the purposes of establishing the permitted uses and 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 CD-1 (823), 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 Dwelling Units in conjunction with any of the uses listed in this By-law, and Multiple Dwelling;
- (c) Institutional Uses;
- (d) Office Uses;
- (e) Service Uses; and
- (f) Accessory uses customarily ancillary to the uses permitted in this section.

### **Conditions of Use**

- 5.1 The design and layout of at least 50% of the social housing units and at least 35% of the secured rental dwelling units must:
  - (a) be suitable for family housing; and
  - (b) include two or more bedrooms.
- 5.2 All commercial uses and accessory uses listed in this section shall be carried on wholly within a completely enclosed building except for:
  - (a) Farmers' Market
  - (b) Neighbourhood Public House;
  - (c) Public Bike Share;
  - (d) Restaurant; and
  - (e) Display of flowers, plants, fruits and vegetables in conjunction with a permitted use.
- 5.3 The Director of Planning may vary the use conditions of section 5.2 to permit the outdoor display of retail goods, and may include such other conditions as the Director of Planning deems 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
- 5.4 Commercial uses shall only be permitted in Sub-area C.

### **Floor Area and Density**

- 6.1 Computation of floor space ratio must assume that the site consists of 5,900.3 m<sup>2</sup>, being the site size 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 8.26.

- 6.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, measured to the extreme outer limits of the building.
- 6.4 The total floor area for social housing must not be less than 10,810 m<sup>2</sup>.
- 6.5 The total floor area for commercial uses must not be less than 180 m<sup>2</sup>.
- 6.6 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, except that:
    - (i) the total area of all such exclusions must not exceed 12% of the floor area being provided for dwelling uses and 8% of the floor area being provided for all other uses; and
    - (ii) the balconies must not be enclosed for the life of the building;
  - (b) patios and roof decks only if the Director of Planning first approves the design of sunroofs and walls; and
  - (c) where floors are used for off-street parking and loading, the taking on 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 the base surface, except that the exclusion for a parking space must not exceed 7.3 m in length.
  - (d) amenity areas accessory to a residential use, to a maximum of 10% of the total floor area being provided for dwelling uses; and
  - (a) 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> for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

## **Building Height**

- 7.1 Buildings in each sub-area must not exceed the maximum height for that sub-area, measured from base surface, as set out in Figure 2.
- 7.2 Despite section 7.1 of this by-law and section 10.18 of the Zoning and Development By-law, if the Director of Planning permits common rooftop amenity space, mechanical and architectural appurtenances, and access in a sub-area, the height of the portion of the building with the common amenity space, mechanical and architectural appurtenances, and access must not exceed the maximum permitted height for that sub-area, as set out in Figure 2.

**Figure 2 – Maximum Permitted Building Height**

<b>Sub-area</b>	<b>Building height</b>	<b>Building height including common rooftop amenity space, mechanical and architectural appurtenances, and access</b>
A	84 m	92 m
B	54 m	62 m
C	95 m	103 m

[13518; 2023 01 17]

**Horizontal Angle of Daylight**

- 8.1 Each habitable room must have at least one window on an exterior wall of a building.
- 8.2 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.
- 8.3 Measurement of the plane or planes referred to in section 8.2 must be horizontally from the centre of the bottom of each window.
- 8.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council and the minimum distance of unobstructed view is not less than 3.7 m.
- 8.5 An obstruction referred to in section 8.2 means:
  - (a) any part of the same building including permitted projections; or
  - (b) the largest building permitted under the zoning on any adjoining site.
- 8.6 A habitable room referred to in section 8.1 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<sup>2</sup>.

**Acoustics**

- 9. A development permit application for dwelling uses must include an acoustical report prepared by a registered 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.

<b>Portions of dwelling units</b>	<b>Noise levels (Decibels)</b>
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

### **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. *[Section 11 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and certify the by-law number and date of enactment.]*



Public Hearing – November 18, 2021 – Item 3 – [Agenda](#)

Summary – To rezone 8460 Ash Street and 8495 Cambie Street from RT-2 (Residential) District to CD-1 (Comprehensive Development) District, to permit a mixed-use development with 16-storey, 27-storey and 31-storey buildings with ground floor commercial space, 125 social housing units and 524 secured market rental units. A height of 103 m (338 ft.) and a floor space ratio (FSR) of 8.26 are proposed.

By-law enacted on July 19, 2022 – [By-law No. 13475](#)

Public Hearing – December 8, 2022 – Item 1 – [Agenda](#)

Summary – To make miscellaneous amendments to: CD-1 (835) at 443 Seymour Street; CD-1 (823) at 8460 Ash Street and 8495 Cambie Street; CD-1 (828) at 1837-1863 East 11th Avenue and 2631-2685 Victoria Drive; CD-1 (643) at 1335 Howe Street; and CD-1 (809) at 810 Kingsway to improve clarity, update references, correct inadvertent errors or omissions, and/or improve the administration of the by-laws.

By-law enacted on January 17, 2023 – [By-law No. 13604](#)