CD-1 (847)

133-159 West 49th Avenue
(Formerly 131-163 West 49th Avenue)

By-law No. 13626

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

Effective March 7, 2023

Amended up to and including:

By-law No. 13626, dated June 2, 2026

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 (847).

Uses

3. 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 (847) 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 section;

    (c) Institutional Uses;

    (d) Office Uses;

    (e) Retail Uses;

    (f) Service Uses;

    (g) Utility and Communication Uses; and

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

Conditions of Use

4.1 The design and layout of at least 35% of the total number of dwelling units must:

    (a) be suitable for family housing; and

    (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.

4.2 No portion of the first storey of a building to a depth of 10.7 m from the front wall of the building and extending across its full width may be used for residential purposes except for entrances to the residential portion.

4.3 All commercial uses and accessory uses must be carried on wholly within a completely enclosed building except for:

(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.

4.4 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 that 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

5.1 Computation of floor area must assume that the site area is 2,868 m^2, being the site area at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.

5.2 The floor space ratio for all uses combined must not exceed 2.62. [2026 06 02]

5.3 The total floor area for office uses must not be less than 1,000 m^2.

5.4 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.

5.5 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 these exclusions must not exceed 12% of the floor area being provided for dwelling uses; and

(ii) the balconies must not be enclosed for the life of the building;

(b) patios and roof decks, if 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 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 that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length; and

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

5.6 Computation of floor area may exclude, at the discretion of the Director of Planning or Development Permit Board, amenity areas accessory to a residential use, to a maximum of 10% of the total floor area being provided for dwelling uses.

Building Height

6.1 Building height, measured from base surface, must not exceed 17.7 m.

6.2 Despite section 6.1 of this by-law and section 10.18 of the Zoning and Development By-law, if the Director of Planning permits common indoor rooftop amenity space and mechanical room and appurtenances, the height of the portion of the building used for the common amenity space, mechanical room and appurtenances, elevator overrun and rooftop access structures, must not exceed 21.3 m.

Horizontal Angle of Daylight

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

7.2 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.

7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.

7.4 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 the applicable policies and guidelines adopted by Council; and

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

7.5 An obstruction referred to in section 7.2 means:

(a) any part of the same building excluding permitted projections; or

(b) the largest building permitted under the zoning on any adjoining site.

7.6 A habitable room referred to in section 7.1 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

8. 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.

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

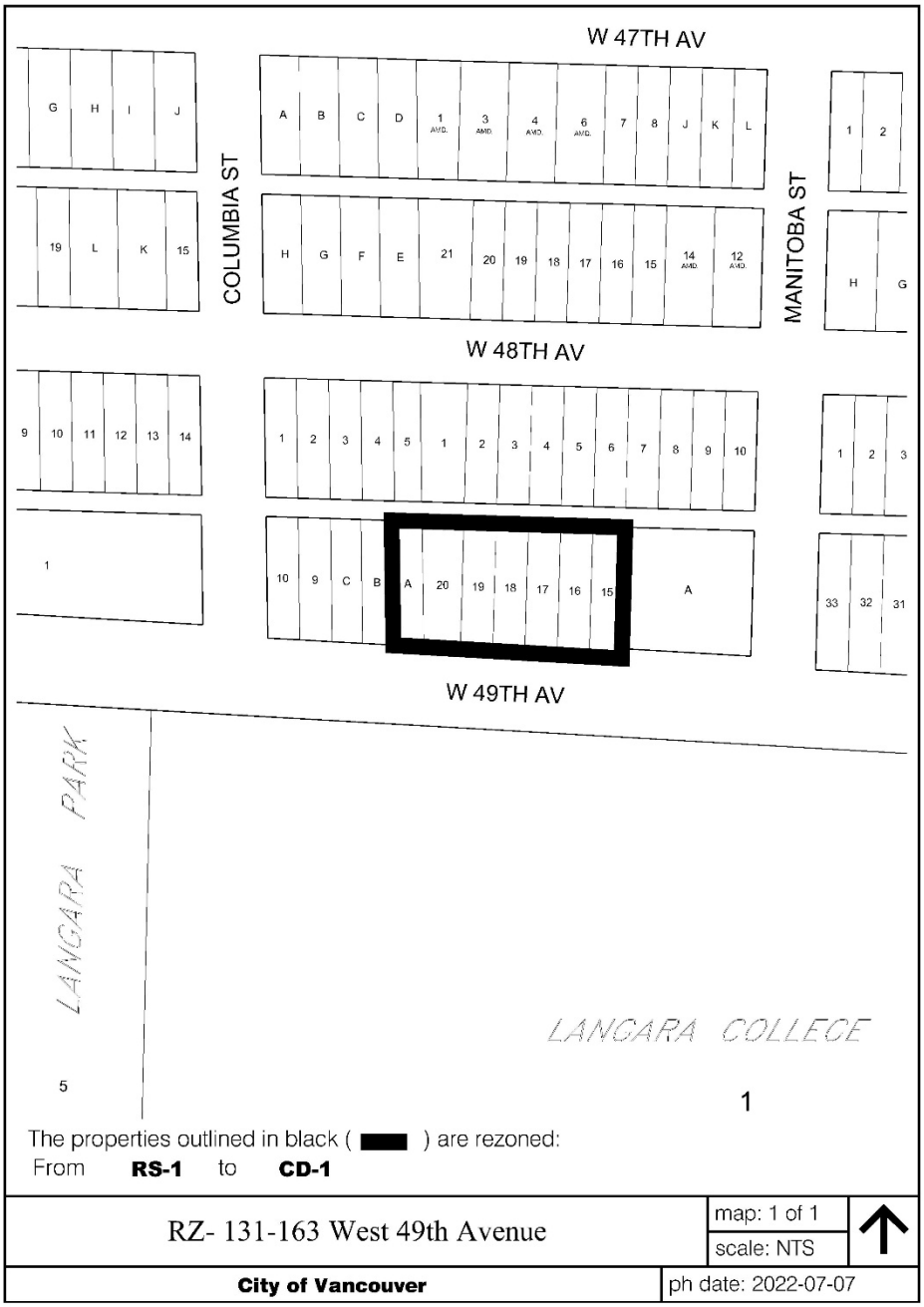
Severability

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. [Section 10 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.]

Schedule A


W 47TH AV
W 48TH AV
W 49TH AV
COLUMBIA ST
MANITOBA ST
LANGARA PARK
LANGARA COLLEGE
The properties outlined in black ( ) are rezoned:
From RS-1 to CD-1
RZ- 131-163 West 49th Avenue
map: 1 of 1
scale: NTS
City of Vancouver
ph date: 2022-07-07

Public Hearing – July 7, 2022 – Item 4 – Agenda | Minutes
Summary – Rezone 131-163 West 49th Ave from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a four-storey mixed-use building with ground-floor commercial space, office space and 68 strata-titled residential units.
By-law enacted on March 7, 2023 – By-law No. 13626

Council meeting – May 19, 2026 – Item 12 – Agenda | Minutes
Summary – Amend CD-1 (847), By-law No. 13626, to increase the floor space ratio (FSR) from 2.50 to 2.62 to permit mezzanine spaces within existing double-height spaces of ground-floor commercial retail units.
By-law enacted on June 2, 2026 – By-law No. 14712