

CD-1 (369)

901-967 and 940-990 Seymour Street

By-law No. 7673

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

Effective November 26, 1996

Amended up to and including:

By-law No. 7693, dated January 7, 1997

By-law No. 7694, dated January 7, 1997

By-law No. 8760, dated December 9, 2003

By-law No. 14249, dated February 4, 2025

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. The “Zoning District Plan” annexed to By-law No. 3575 as Schedule “D” is hereby amended according to the plan marginally numbered Z-454(b) and attached to this By-law as Schedule “A”, and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule “A” of this By-law, and Schedule “A” of this By-law is hereby incorporated as an integral part of Schedule “D” of By-law No. 3575.

Designation of CD-1 District

2. The area shown included within the heavy black outline on Schedule “A” to this By-law and on Schedule “A” to By-law No. 7693 shall be more particularly described as CD-1 (369), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are [7694; 1997 01 07].
 - (a) Dwelling Uses, limited to Mixed-Use Residential Building; [14249; 2025 02 04]
 - (b) Cultural and Recreational Uses; [14249; 2025 02 04]
 - (c) Institutional Uses,
 - (d) Office Uses,
 - (e) Parking Uses,
 - (f) Retail Uses; [14249; 2025 02 04]
 - (g) Service Uses, except that Print Shop and Production or Rehearsal Studio are limited to the building existing as of November 26, 1996 located on the northeasterly 125 feet of Site 1 shown on the diagram forming part of section 4.1; [14249; 2025 02 04]
 - (h) Utility and Communication Uses; and [14249; 2025 02 04]
 - (i) Accessory Uses customarily ancillary to the above uses.

Conditions of Use

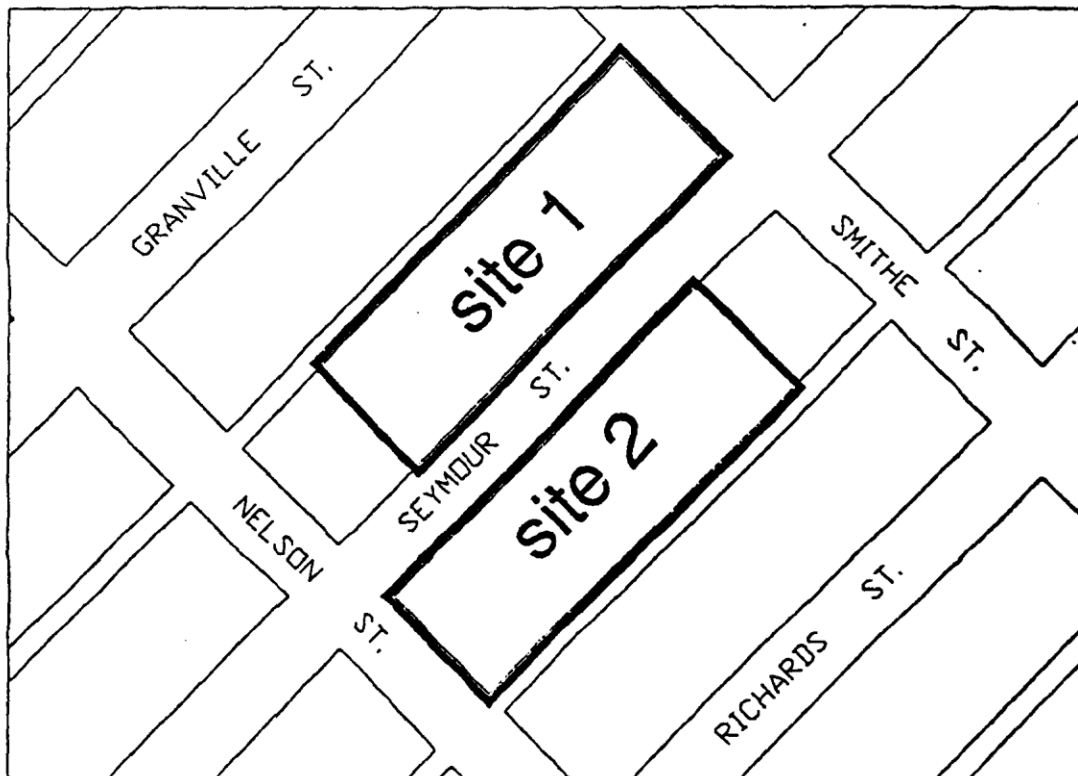
3. Retail and Service uses shall be limited to the first and second storeys, except that this limitation shall not apply to the building existing as of November 26, 1996 located on the north-easterly 125 feet of Site 1 shown on the diagram forming part of section 4.1. The design and layout of at least 35% of the dwelling units must:

Floor Space Ratio

4.1 The floor space ratio must not exceed 4.41 on Site 1 and 6.71 on Site 2, as shown on the diagram below, except that the following uses shall not in total exceed a floor space ratio of 1.50 on each site:

- (a) cultural and recreational uses;
- (b) institutional uses;
- (c) office uses;
- (d) retail uses; and
- (e) service uses.

Figure 1. Diagram



For the purposes of computing floor space ratio, the site size for each of Sites 1 and 2 shall be deemed to be 4 168 m², being the parcel sizes at the time of the application prior to rezoning and prior to any dedications.

4.2 The following will be included in the computation of floor space ratio:

- (a) all floors having a minimum ceiling height of 1.2 m including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building; and

- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

4.3 The following will be excluded in the computation of floor space ratio:

- (a) open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing and contribute to the amenity or environment of the Downtown District, provided that the total area of all exclusions does not exceed eight percent of the provided residential floor area;
- (b) patios and roof gardens, provided that any sunroofs or walls are approved by the Director of Planning;
- (c) where floors are used for off-street parking and loading, 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, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; and
- (d) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; [8760; 2003 12 09]
- (e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000. [8169; 00 03 14]

4.4 The following may be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
 - (i) the total area of all open and enclosed balcony or sun deck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed.
- (b) interior public space, including atria and other similar spaces. provided that:
 - (i) the excluded area shall not exceed the lesser of 10 percent of the permitted floor area or 600 m²;
 - (ii) the excluded area shall be secured by covenant and right of way in favour of the City of Vancouver which set out public access and use; and

- (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

4.5 The following ancillary facilities will be excluded in the computation of floor space ratio provided that the area of such excluded facilities does not exceed 20 percent of the allowable floor space ratio or 1 000 m², whichever is the lesser:

- (a) saunas;
- (b) tennis courts;
- (c) swimming pools;
- (d) squash courts;
- (e) gymnasiums and workout rooms;
- (f) games rooms and hobby rooms;
- (g) day care centres;
- (h) libraries (public);
- (i) other uses of a public service, social or recreational nature which, in the opinion of the Development Permit Board, are similar to the above.

Bonuses for a Provision of Social and Recreational Facilities

5. Where a need for any public, social, or recreational facility has been demonstrated to the satisfaction of the Development Permit Board, the Board may authorize an increase in the permitted floor space ratio subject to prior approval by City Council.

In determining the increase in floor area or density that may be authorized, the Development Permit Board shall consider:

- (a) the construction cost of the facility;
- (b) any costs to the developer of continuing maintenance required for the facility;
- (c) the rental value of the increased floor area; and
- (d) the value of any authorized relaxation of other restrictions.

If appropriate, such facilities shall be preserved in the public domain by way of a registered agreement and operated by the City or its delegates.

Height

6. The maximum building height measured above the base surface is 64.3 m on Site 1 and 91.5 m on Site 2, except that the Director of Planning may relax the maximum building height on Site 1 where it is demonstrated that such relaxation will not adversely affect Council-adopted guidelines for view corridors.

Off-Street Parking and Loading

7. Off-street parking and loading must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that:

- (a) Parking requirements for commercial uses:

Parking for commercial uses for both the east and west sites is to be provided as per Section 4.3.1, Area II of the Parking By-law. For a designated heritage building, parking shall be provided as per Section 4.4.2.

Section 4.1.9 of the Parking By-law relating to permitting a reduction for shared-use shall apply.

- (b) Parking requirements for residential use:

Dwelling Uses shall provide a minimum of 0.5 parking space for every dwelling unit less than 65 m² gross floor area in size, or a minimum of 1.0 parking space for every dwelling unit greater than or equal to 65 m² gross floor area in size, but subject to a maximum of 0.6 spaces for every dwelling unit and one additional space for each 100 m² of gross floor area, or 2.3 spaces per dwelling unit, whichever is less.

- (c) Loading requirements for residential uses:

Loading spaces for residential uses shall be based on one space required for buildings with unit counts of 100-299 units (minimum of one per tower).

Acoustics

8. All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise level set opposite such portions. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Leq) 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

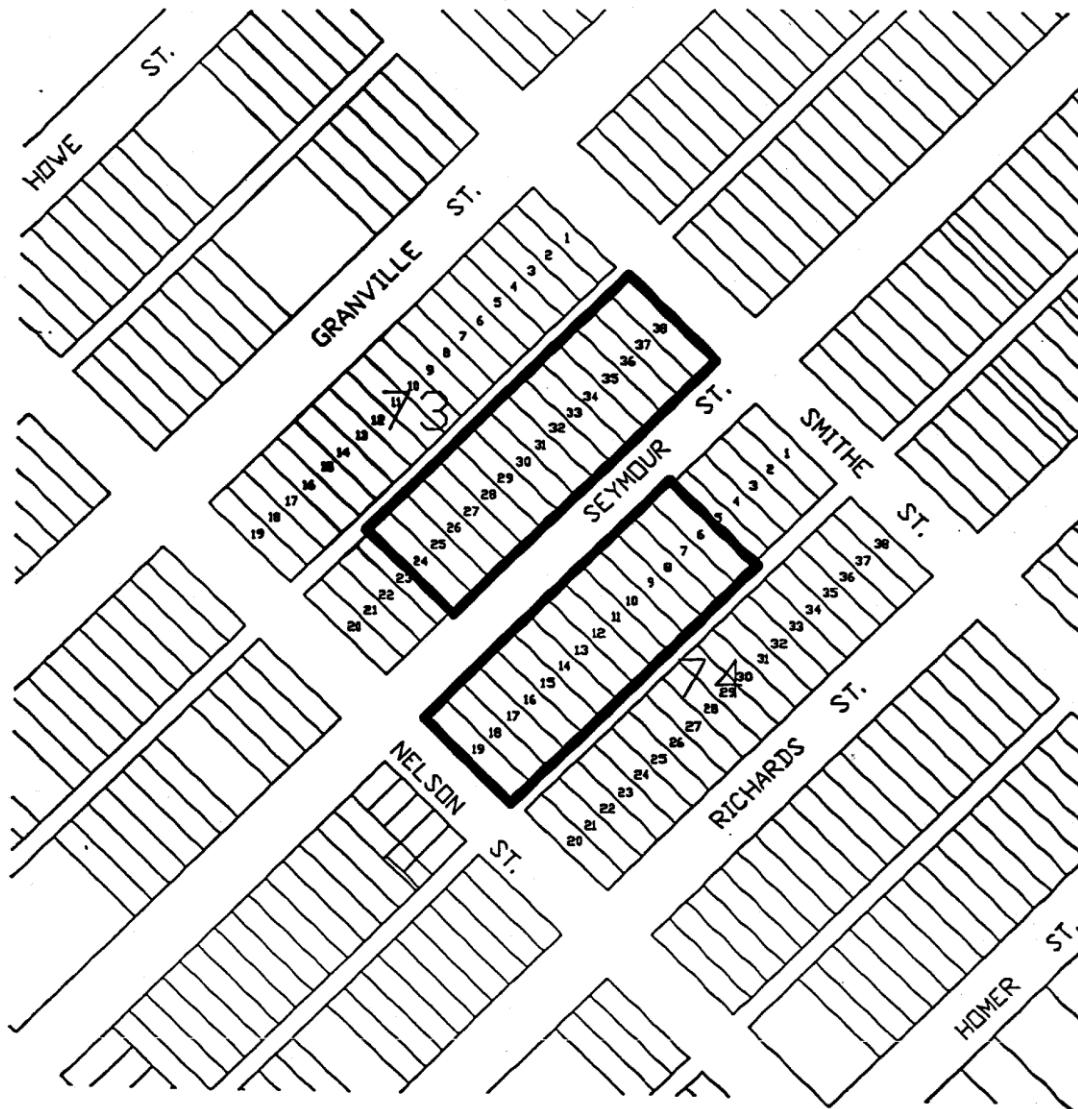
9. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

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

BY-LAW No. ~~3575~~ **14249** BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black (—) is rezoned:
From **DD** To **CD-1**

Z-454(b)

RZ 901-967 & 940-990 Seymour Street

map: 1 of 1

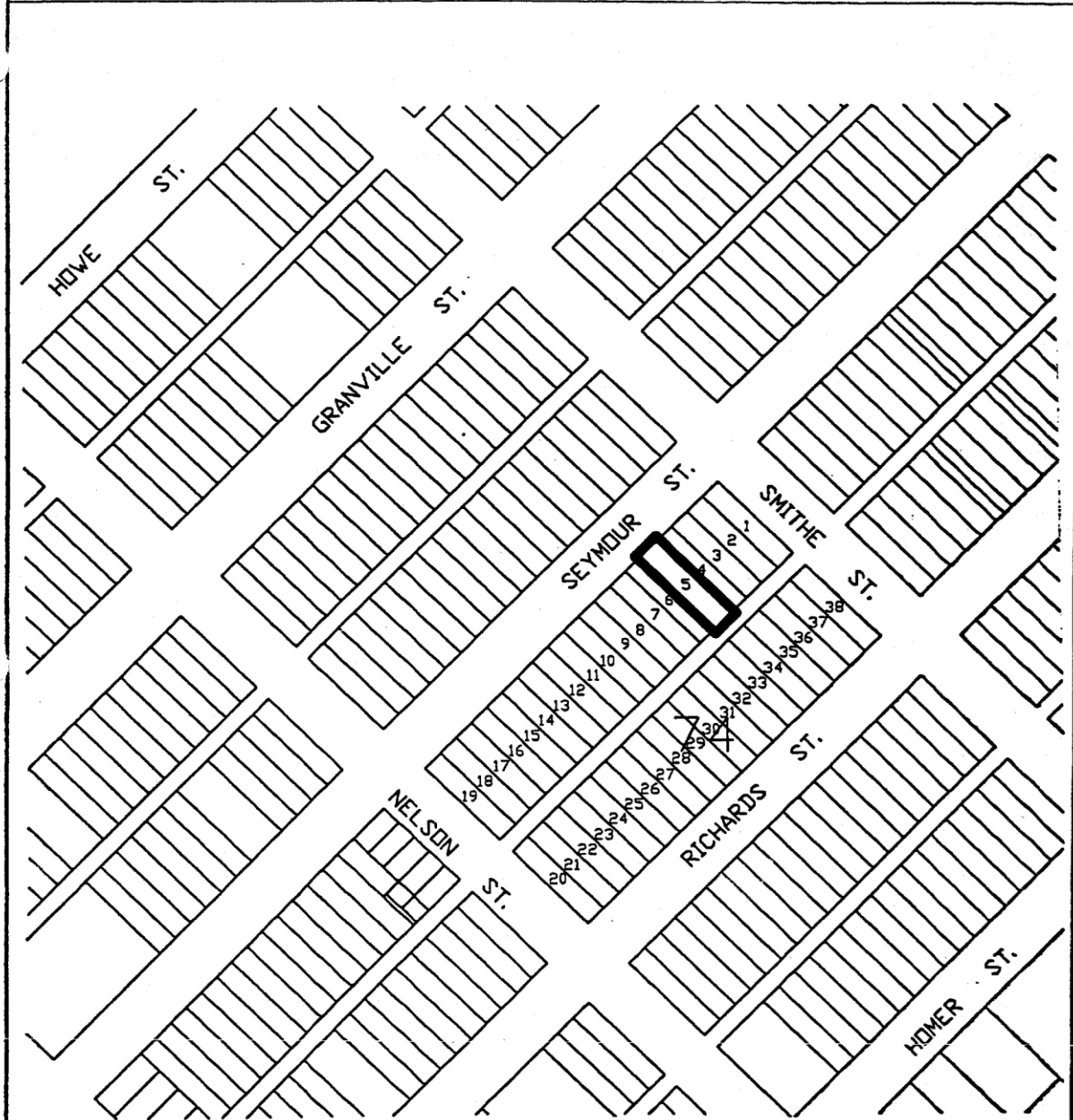
City of Vancouver Planning Department

scale: 1:2000



SCHEDULE A

BY-LAW No. **7693** BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black () is rezoned:
From **DD** To **CD-1**

Z-454(b)(i)

RZ 901-967 & 940-990 Seymour Street

map: 1 of 1

City of Vancouver Planning Department

scale: 1:2000



[7693; 1997 01 07]

Public Hearing – June 27, 1996 – Item 2(a) – [Agenda](#)

Summary – Rezone from DD Downtown District to CD-1 Comprehensive Development District, to permit the transfer of 7 125.4 m² (76,000 sq. ft.) of developable floor area (heritage bonus and residual density) from 901-967 Seymour Street, across the street to 940-990 Seymour Street, thereby allowing the rehabilitation and heritage designation of the former Dominion Motors Building and preservation of a Council-approved view corridor. Subsequent development of the remaining portions of the two Sites to be generally controlled by Downtown South Guidelines.

By-law enacted on November 26, 1996 – [By-law No. 7673](#)

Regular Council – January 7, 1997 – By-law 4 – [Agenda](#) | [Minutes](#)

Summary – To amend CD-1 (369), By-law No. 7673, where a parcel was unintentionally missed in Schedule A map Z-454(b). The by-law corrects the omission by adding Schedule A map Z-454(b)(i) to CD-1, By-law No. 7673. Together, Schedule A map Z-454(b) and Schedule A map Z-454(b)(i) represent the area described as CD-1 (369).

By-law enacted on January 7, 1997 – [By-law No. 7693](#)

Regular Council – January 7, 1997 – By-law 5 – [Agenda](#) | [Minutes](#)

Summary – To amend CD-1 (369), By-law No. 7673, to reflect the addition of Schedule A map Z-454(b)(i) which depicts a parcel that was unintentionally omitted by staff at the time of approval of By-law No. 7673. Together, Schedule A map Z-454(b) and Schedule A map Z-454(b)(i) represent the area described as CD-1 (369).

By-law enacted on January 7, 1997 – [By-law No. 7694](#)

Public Hearing – November 20, 2003 – Item 1 – [Agenda](#)

Summary – To amend various District Schedules of the Zoning and Development By-law, Official Development Plans and CD-1 By-laws, to ensure that residential storage space exclusions are consistent with current administrative practice by amending wording and section numbers and inserting wording, where appropriate

By-law enacted on December 9, 2003 – [By-law No. 8760](#)

Public Hearing – April 13, 2021 – Item 1 – [Agenda](#)

Summary – To amend CD-1 (369) By-law No. 7673, to permit a wider range of commercial uses, generally as presented in Appendix A of the Report.

By-law enacted on February 4, 2025 – [By-law No. 14249](#)