



City of Vancouver *Zoning and Development By-law*

Planning, Urban Design and Sustainability Department

453 West 12th Avenue, Vancouver, BC V5Y 1V4 | tel: 3-1-1, outside Vancouver 604.873.7000 | fax: 604.873.7100
website: vancouver.ca | email: planning@vancouver.ca

CD-1 (582)

1768 Cook Street (201 West 2nd Avenue)

[By-law No. 11069](#)

(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)

Effective September 30, 2014

Amended up to and including:

[By-law No. 11366](#), dated November 17, 2015

[By-law No. 11751](#), dated March 7, 2017

[By-law No. 12421](#), dated May 14, 2019

1 Zoning District Plan Amendment

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 marginally numbered Z-585(a) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

2 Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (582).

2.2 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 (582) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses, limited to Multiple Dwelling and dwelling units in conjunction with any other uses that are listed in this Section 2.2 and that are permitted in conjunction with dwelling uses; [11751; 2017 03 07]
- (b) Institutional Uses, limited to Child Day Care Facility, Social Service Centre, and Special Needs Residential Facility;
- (c) Live-Work Use;
- (d) Manufacturing Uses, limited to Bakery Products Manufacturing, Batteries Manufacturing, Clothing Manufacturing, Dairy Products Manufacturing, Electrical Products or Appliances Manufacturing, Food or Beverage Products Manufacturing - Class B, Furniture or Fixtures Manufacturing, Ice Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Miscellaneous Products Manufacturing - Class B, Non-metallic Mineral Products Manufacturing - Class B, Plastic Products Manufacturing, Printing or Publishing, Rubber Products Manufacturing, Shoes or Boots Manufacturing, Software Manufacturing, Textiles or Knit Goods Manufacturing, Tobacco Products Manufacturing, and Wood Products Manufacturing - Class B;
- (e) Office Uses;
- (f) Parking Uses;
- (g) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, Liquor Store, and Vehicle Dealer;
- (h) Service Uses, limited to Barber Shop or Beauty Salon, Bed and Breakfast Accommodation, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Restaurant - Class 1, School - Arts or Self-Improvement, and School - Business;
- (i) Accessory Uses customarily ancillary to the uses listed in this section 2.2; and
- (j) Interim Uses not listed in this section 2.2, and accessory uses customarily ancillary to them, if:
 - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,
 - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,
 - (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD-1 (582), and
 - (iv) any development permit for an interim use has a time limit of three years.

3 Conditions of Use

3.1 Dwelling units are in an “intermediate zone” as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 11069 or provides an explanatory note.

- 3.2 The design and lay-out of at least 25% of the dwelling units must:
- (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council's "High Density Housing for Families with Children Guidelines".
- 3.3 All uses except dwelling uses must have direct access to grade.
- 3.4 Any development permit issued for live-work uses must stipulate as permitted uses:
- (a) dwelling units;
 - (b) general office, health care office, barber shop or beauty salon, photofinishing or photography studio, or artist studio – class A; and
 - (c) dwelling unit combined with any uses set out in subsection (b).
- 4 Density
- 4.1 Computation of floor area must assume that the site consists of 5 329.15 m², being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.
- 4.2 The floor space ratio for all uses must not exceed 3.7. [12421; 2019 05 14]
- 4.3 Computation of floor space ratio must include:
- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground, measured to the extreme outer limits of the building;
 - (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
 - (c) in the case of dwelling uses and live-work use, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 4.3 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.
- 4.4 Computation of floor space ratio must exclude:
- (a) open residential balconies or sundecks 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 residential floor area being provided, and
 - (ii) the balconies must not be enclosed for the life of the building;[11366; 2015 11 17]
 - (b) patios and roof gardens, 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, which are at or below base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
 - (d) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
 - (e) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit;
 - (f) amenity areas including day care facilities, recreation facilities, and meeting rooms except that the total area excluded must not exceed 1 000 m²; and

- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness.

4.5 Computation of floor space ratio may exclude, at the discretion of the Director of Planning or Development Permit Board:

- (a) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (b) unenclosed outdoor areas at grade level underneath building overhangs, if:
 - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
 - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
- (c) despite section 4.3(c), open to below spaces or double height volumes on the second storey units if the location of the first floor is within 2 m of grade to a maximum of 15% of the floor area of the first floor of that unit for residential and live-work units;
- (d) passive solar appurtenances to reduce solar gain; and
- (e) garden structures such as pergolas, trellises, and tool sheds which support the use of intensive green roofs and urban agriculture.

[11366; 2015 11 17]

4.6 The use of floor space excluded under section 4.4 or 4.5 must not include any purpose other than that which justified the exclusion.

5 Building Height

5.1 The building height, measured above base surface, and to the top of the pool deck slab above the uppermost habitable floor, excluding parapet wall, must not exceed 53.25 m. [12421; 2019 05 14]

5.2 Despite section 5.1, maximum building height does not include a mechanical penthouse, or garden structures such as pergolas, trellises, and tool sheds which support the use of intensive green roofs or urban agriculture, as provided by section 10.11 of the Zoning and Development By-law.

6 Horizontal Angle of Daylight

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

6.2 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.

6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.

6.4 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;

the Director of Planning or Development Permit Board may reduce the horizontal angle of daylight requirement.

- 6.5 An obstruction referred to in section 6.2 means:
- (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 (582).

- 6.6 A habitable room referred to in section 6.1 does not include:
- (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) less than 10% of the total floor area of the dwelling unit, or
 - (ii) less than 9.3 m².

7 Parking, Loading, and Bicycle Spaces

Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law.

8 Acoustics

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 dwelling units listed below do 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 is 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

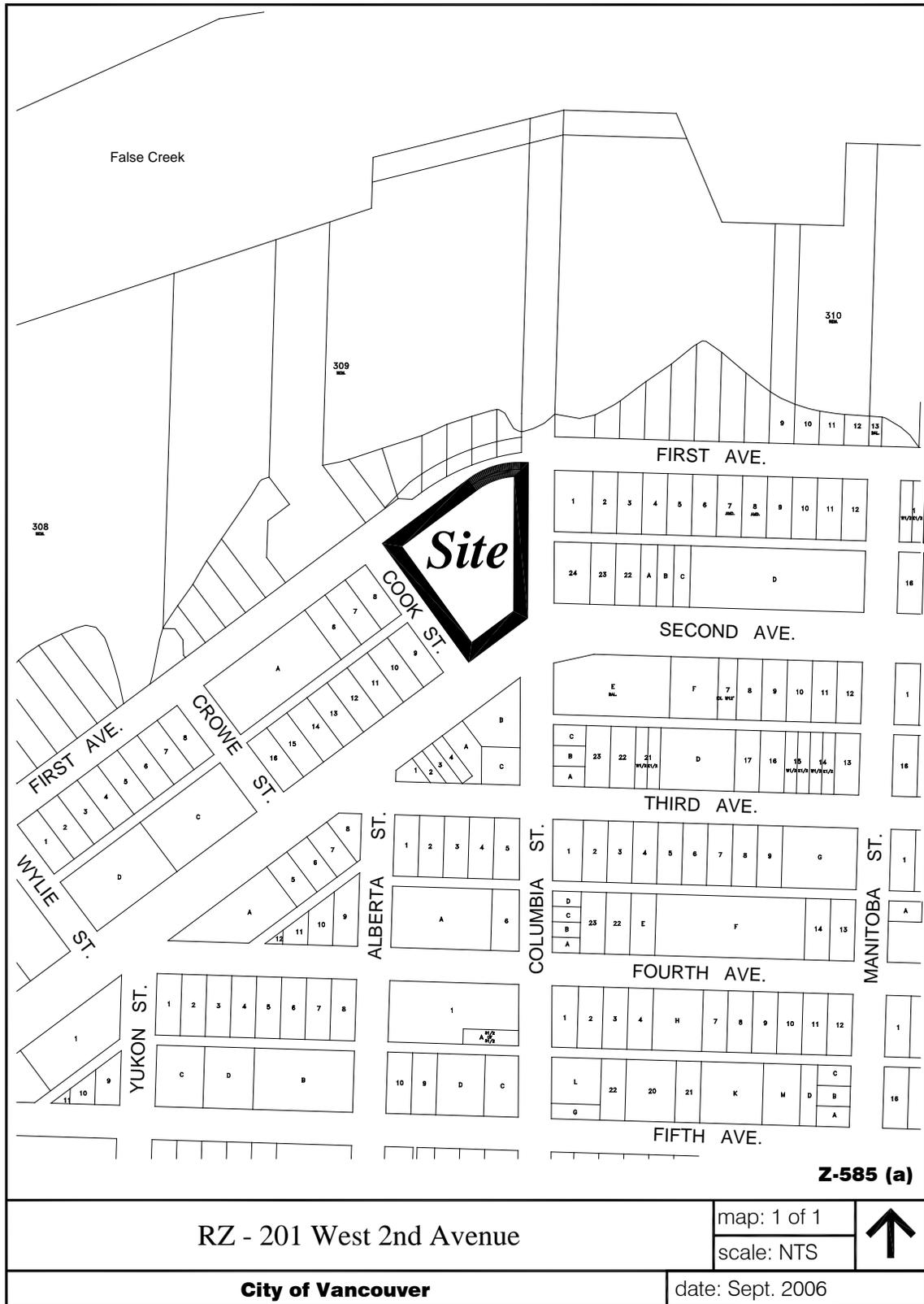
9 Severability

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.

10 Force and Effect

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

ENACTED by Council this 30th day of September, 2014.



CD-1 (582)
Back-up Notes Summary Page
1768 Cook Street (201 West 2nd Avenue)

Public Hearing – *October 17, 2006* – Item 4 – [Agenda](#) | [Minutes](#)

Summary – Rezone from M-2 (Industrial) District to permit development of a 16-storey mixed-use building with a total density of 3.5 FSR.

By-law enacted on *September 30, 2014* – [By-law No. 11069](#) (Zoning and Development)

By-laws enacted on *October 14, 2014* – [By-law No. 11081](#) (Noise), [By-law No. 11082](#) (Sign)

Public Hearing – *October 20, 2015* – Item 8 – [Agenda](#) | [Minutes](#)

Summary – Amend CD-1 (582) to increase the exclusion of floor area for open balconies from 8% to 12% of the residential floor area being provided.

By-law enacted on *November 17, 2015* – [By-law No. 11366](#) (Zoning and Development)

Public Hearing – *January 24, 2017* – Item 1 – [Agenda](#) | [Minutes](#)

Summary – Amend CD-1 (582) to include a use that was inadvertently omitted from the by-law in Section 2.2 (a), which is consistent with the intention of the original application to permit mixed-use development.

By-law enacted on *March 7, 2017* – [By-law No. 11751](#) (Zoning and Development)

Public Hearing – *March 12, 2019* – Item 5 – [Agenda](#) | [Minutes](#)

Summary – Amend CD-1 (582) to permit additional floor area on levels 16 and 17 and the addition of a penthouse level, at an increase in maximum building height from 47.0 m to 53.3. m, the number of storeys from 17 to 18 storeys, and the floor space ratio (FSR) from 3.5 to 3.7.

By-laws enacted on *May 14, 2019* – [By-law No. 12421](#) (Zoning and Development), [By-law No. 12422](#) (SEFC ODP)