



City of Vancouver *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 604.873.7060
planning@vancouver.ca

CD-1 (418)

488 Robson Street

By-law No. 8740

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

Effective November 4, 2003

(Amended up to and including By-law No. 9311, dated June 13, 2006)

- 1 *[Section 1 is not reprinted here. It contains a Standard clause amending Schedule D (Zoning District Plan) to reflect this rezoning to CD-1.]*
- 2 Uses
- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (418).
- 2.2 The only uses permitted within CD-1 (418), subject to such conditions as Council may by resolution prescribe, and to the conditions set out in this By-law, 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;
 - (c) Institutional Uses;
 - (d) Office Uses;
 - (e) Retail Uses;
 - (f) Service Uses; and
 - (g) Accessory Use customarily ancillary to any of the uses permitted by this section 2.2.
- 3 Conditions of Use
Dwelling units are in an “activity 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.
- 4 Density
- 4.1 For the purpose of computing floor space ratio, Council deems the site size to be 1 115.3 m², being the site size at the time of the rezoning application and before dedication of any part of the site.
- 4.2 The floor space ratio for all permitted uses must not exceed 5.0, and for dwelling units must not exceed 3.0, unless section 4.3 allows a higher floor space ratio.
- 4.3 The Development Permit Board may approve an increase in:
- (a) floor area for dwelling uses not to exceed 974.7 m²;
 - (b) floor space ratio for any use not to exceed 10% of the total permitted floor space ratio if the increase results from a transfer of heritage density, and, for this purpose, “heritage density” means the floor space on a site where a heritage by-law has designated the site or a building or structure as protected heritage property, and, according to the development limitation mechanism regulating land for that site, is available for transfer to another site, and is located within areas shown as transfer of density areas for heritage preservation illustrated in the Transfer of Density Policy and Procedure adopted by Council and in effect at the time of application for relaxation under this section 4.3(b); and
 - (c) floor area for any building that contains one or more public, social, or recreational facilities if the Development Board first considers:
 - (i) the need for such a facility,
 - (ii) the construction cost of the facility,
 - (iii) the cost to the developer of continuing maintenance required for the facility,
 - (iv) the rental value of the increased floor area of the facility, and
 - (v) the value of any authorized relaxation of other restrictions,and if, in the event the Development Permit Board considers preservation of such facility in the public domain necessary, the owner of the site registers an agreement, satisfactory to the city, dealing with the operation of the facility by the city or a delegate of the city.

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 8740 or provides an explanatory note.*

- 4.4** Subject to section 4.2, the substitution of residential floor area for non-residential floor area is permissible.
- 4.5** Computation of floor space ratio must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, to be measured to the extreme outer limits of the building. [8890; 04 07 06]
- 4.6** 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 and contribute to the amenity or environment of the Downtown District, except that the total floor area of all such exclusions must not exceed 8% of the residential floor area being provided;
 - (b) patios or roof gardens only 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 the base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
 - (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; and
 - (e) 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, except that this clause does not apply to walls in existence prior to March 14, 2000. [8890; 04 07 06]
- 4.7** Computation of floor space ratio may exclude:
- (a) enclosed residential balconies, if the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%; and
 - (b) saunas, tennis courts, swimming pools, squash courts, gymnasiums, workout rooms, games rooms, hobby rooms, day care centres, public libraries, other uses of a public service, social or recreational nature and social and recreational amenities primarily for the enjoyment of downtown residents and employees, which, in the opinion of the Director of Planning are similar to the foregoing, except that such ancillary facilities must not exceed the lesser of 20% of allowable floor space ratio or 929 m². [8890; 04 07 06]
- 4.8** For the purpose of calculating floor space ratio, each 1 m² of gross floor area for above-grade parking must count as 0.7 m². [8890; 04 07 06]
- 4.9** The use of floor space excluded, under this By-law, from the computation of floor space ratio must not be for any purpose other than that which justified the exclusion. [9311; 06 06 13]

5 Retail Use Continuity

- 5.1** For the purpose of this section 5.1, “retail use continuity” means the provision and permanent maintenance of continuous pedestrian oriented retail store type display windows or other equal and suitable display as the Development Permit Board may approve.
- 5.2** Entrances to buildings including offices, hotels, banks, and financial institutions must not exceed a total of 25 feet of frontage unless they otherwise provide approved retail continuity.
- 5.3** Ground floors having frontage on Robson Street must contain retail or service uses, subject to such conditions, regulations, and design guidelines that apply or that the Development Permit Board or Director of Planning may determine.
- 5.4** The pedestrian access from Robson Street to each retail or service use must be direct.
- 5.5** Despite section 5.3, the Development Permit Board or Director of Planning may permit social, recreational, cultural, public, and institutional uses if the Development Permit Board or Director of Planning is of the opinion that there is a need for any such use and subject to such conditions, regulations, and design guidelines that apply or that the Development Permit Board or Director of Planning may determine.

6 Public Realm Design

- 6.1** The design and detail of buildings, semi-public open spaces, and setback areas must complement the design of the public realm.
- 6.2** Streetscape designs as outlined in guidelines, manuals, and policies adopted by Council must form an integral part of development permit applications.
- 6.3** In considering public realm design, aspects to consider include setbacks requirements, paving, lighting, planting, driveway crossings, pedestrian entrances and walks, seating, display windows, weather protection, garbage storage, and loading facilities.

7 Height

- 7.1** The maximum building height, measured above the base surface, and including all architectural and mechanical appurtenances, must not exceed 91.44 m. [9311; 06 06 13]
- 7.2** Section 10.11, entitled Relaxation of Limitations on Building Height, of the Zoning and Development By-law, does not apply to this By-law. [9311; 06 06 13]

8 Parking and Loading

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

9 Acoustics

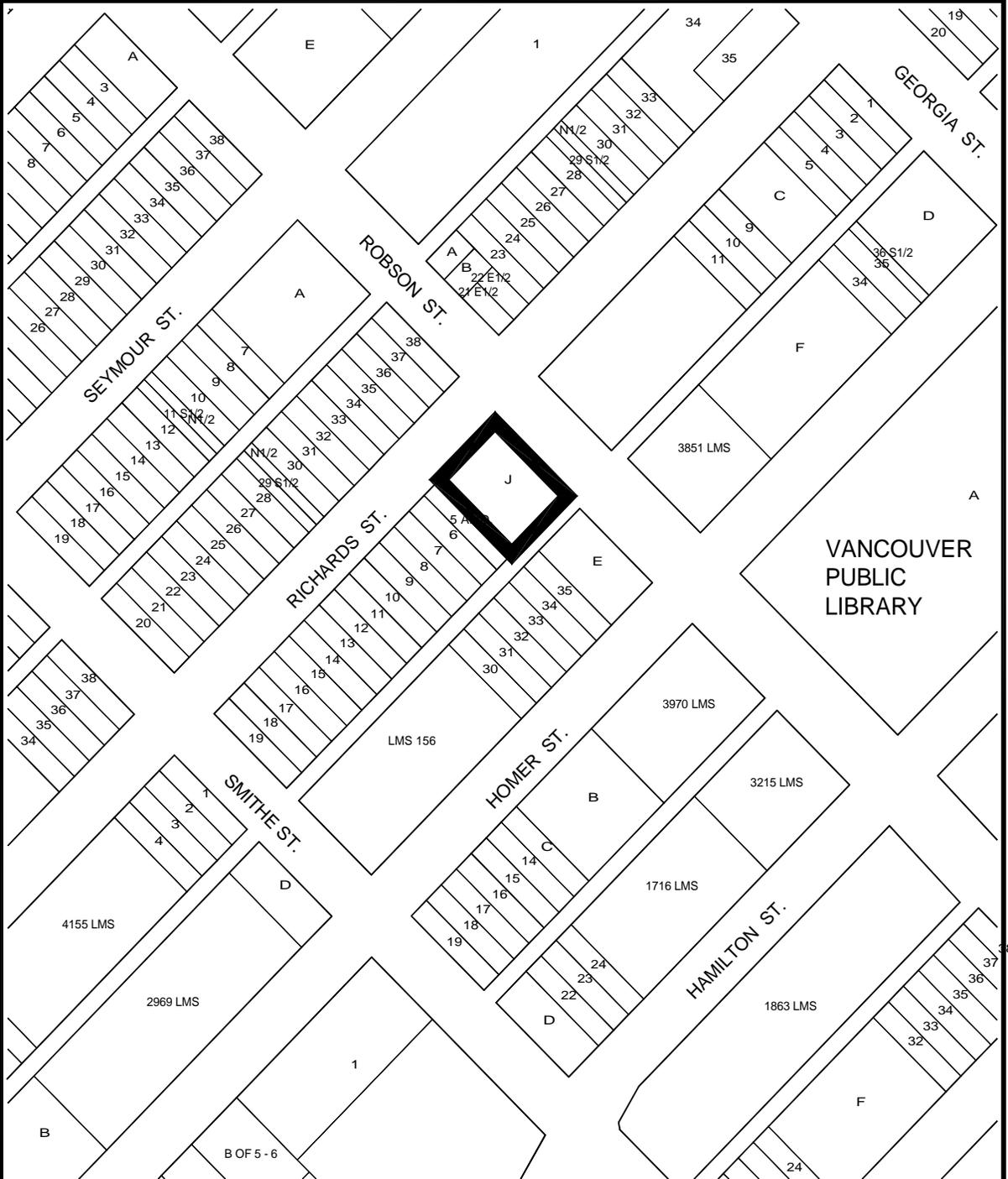
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of the dwelling units listed below do not exceed the noise level 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

- 10 Severability
A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law.
- 11 *[Section 11 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]*

By-law No. 8740 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-545

RZ - 488 Robson Street

map: 1 of 1

scale: 1:2000



City of Vancouver