



City of Vancouver *Zoning and Development By-law*

Planning, Urban Design and Sustainability Department

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CD-1 (426)

1120 West Georgia Street

By-law No. 8943

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

Effective November 2, 2004

(Amended up to and including By-law No. 12072, dated April 17, 2018)

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 Definitions

Words in this By-law have the meanings given to them in the Zoning and Development By-law except that:

General Office Live-Work means the use of premises for a dwelling unit, general office, or both uses in conjunction with one another, provided that:

- (a) any such use must not include a health enhancement centre or any dating service, entertainment service, exotic dancer business, social escort service or other similar business, as determined by the Director of Planning in consultation with the Chief License Inspector; and
- (b) any development permit for such premises will be for dwelling units, general office, and dwelling unit combined with general office.

3 Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (426).

3.2 The only uses permitted within CD-1 (426), 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) General Office Live-Work;
- (d) Institutional Uses;
- (e) Office Uses;
- (f) Retail Uses;
- (g) Service Uses; and
- (h) Accessory Use customarily ancillary to any of the uses permitted by this section 3.2.

4 Conditions of use

Dwelling units, including dwelling units within a hotel, 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.

5 Density

5.1 For the purpose of computing floor space ratio, Council deems the site size to be 4 823.3 m², being the site size at the time of the rezoning application and before dedication of any part of the site.

5.2 The floor space ratio for all permitted uses must not exceed 13.50, or 65 151.5 m².
[8973; 04 12 14] [9129; 05 10 20] [12072; 18 04 17]

5.3 Subject to section 5.4, the total floor area for each use listed in Table 1 must not exceed the total set opposite such use but this section does not limit the total floor area for any use permitted by section 3.2 but not listed in Table 1.

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 8943 or provides an explanatory note.*

Table 1 - Maximum Floor Area in Square Metres (m²)

Use	Maximum Floor Area
General office live-work	29 707
Dwelling units within a hotel	3 120
Dwelling units not within a hotel	17 750
Total	50 577

[9129; 05 10 20] [9239; 06 03 21]

- 5.4** The maximum floor area for any use listed in Table 1 may increase by an amount equal to not more than 10% so long as the maximum floor area for either or both the other uses, as the case may be, decreases by a corresponding amount and the total maximum floor area for all uses listed in Table 1 does not increase.
- 5.5** Subject to section 5.2, the substitution of residential floor area for non-residential floor area is permissible.
- 5.6** Computation of floor space ratio and floor area must exclude: [9311; 06 06 13]
- (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 and the maximum exclusion for a tandem parking space for hotel use must not exceed 12.0 m;
 - (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.
- 5.7** Computation of floor space ratio and floor area may exclude: [9311; 06 06 13]
- (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%;
 - (b) ancillary social and recreational amenities primarily for the enjoyment of residents and employees including 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, which, in the opinion of the Director of Planning are similar to the foregoing, except that such ancillary facilities must not exceed 5% of allowable floor space in the principal use; and
 - (c) unenclosed outdoor areas at grade and podium levels underneath tower building overhangs.

- 5.8 For the purposes of sections 5.6, 5.7, and 7, Council deems general office live-work and dwelling units within a hotel to be residential uses.
- 5.9 The use of floor space excluded, under sections 5.6 and 5.7, from the computation of floor space ratio and floor area must not be for any purpose other than that which justified the exclusion. [9311; 06 06 13]
- 5.10 Computation of floor space ratio and floor area must include all floors having a ceiling height of 1.2m, both above and below ground level, measured to the extreme outer limits of the building. [8973; 04 12 14] [9311; 06 06 13]

6 Building Height

- 6.1 The building height, measured above the base surface to the top of the roof slab above the uppermost habitable floor, must not exceed 191.7 m, except that mechanical appurtenances and decorative roof may increase the building height to no more than 196.9 m. [9311; 06 06 13]
- 6.2 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]

7 Parking and loading

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

- (a) for dwelling units, dwelling units within a hotel, and general office live-work units, the following parking requirements apply:
 - (i) for units less than 44 m² gross floor area, a minimum of 0.3 parking space for each unit and a maximum of 0.5 parking space for each unit,
 - (ii) for units of 44 m² gross floor area up to and including 70 m² gross floor area, the number of parking spaces is to increase at a rate of 0.025 parking space per square metre, and
 - (iii) for units of more than 70 m² gross floor area, the number of parking spaces is to increase at a rate of 0.008 parking space per square metre, except that in no case are required parking spaces to exceed 2.0 for each unit or permitted parking spaces to exceed 2.2 for each unit;
- (b) for grocery store, drug store, and liquor store uses, the following parking requirements apply:
 - (i) 1 space for each 100 m² gross floor area for the initial 300 m² gross floor area, and at a rate of 1 space for each 50 m² gross floor area in excess of 300 m² gross floor area,
 - (ii) the parking spaces for grocery store use must be a minimum width of 2.7 m for standard parking spaces and 2.6 m for small car spaces, except that the Director of Planning, in consultation with the General Manager of Engineering Services, may relax these requirements to 2.5 m and 2.3 m respectively,
 - (iii) for grocery store use, the maximum number of small car stalls must not exceed 15% of the parking required for this use, and
 - (iv) the maximum parking permitted is to be no more than 20% above the minimum required;
- (c) for a spa, the following parking requirements apply:
 - (i) any portion which operates as an amenity for the sole use of hotel guests or site residents does not require parking, and
 - (ii) any other spa use must provide parking as specified in Section 4.3.1 of the Parking By-law;

- (d) for hotel use, the Director of Planning in consultation with the General Manager of Engineering Services may permit tandem parking spaces used exclusively for hotel valet operations, except that the total number of tandem parking spaces must not exceed 25% of total hotel parking;
- (e) for residential use, the following loading requirements apply:
 - (i) for 99 or fewer dwelling units, no requirement,
 - (ii) for 100 to 299 dwelling units, at least one Class B loading space, and
 - (iii) for 300 or more dwelling units, at least two Class B loading spaces, except that if arrangements for residential Class B loading to share loading facilities with other on-site uses are satisfactory to the Director of Planning, then the Director of Planning, in consultation with the General Manager of Engineering Services, may relax the requirement for residential Class B loading;
- (f) all Class B residential loading spaces must have a minimum 3.8 m unobstructed overhead vertical clearance, including all related manoeuvring and access aisles;
- (g) all other non-residential Class B or larger loading spaces must have a minimum 4.27 m unobstructed overhead clearance and all related manoeuvring and access aisles; and
- (h) bicycle parking for general office live-work units must comply with section 6.2.1.2 of 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 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

9 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.

10 *[Section 10 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.]*

Schedule A

