

CD-1 (432)

950 Quebec Street

By-law No. 9088

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

Effective July 19, 2005

Amended up to and including:

By-law No. 9311, dated June 13, 2006

By-law No. 13770, dated July 25, 2023

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. [13770; 2023 07 25]

Uses

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (432).
- 2.2 The only uses permitted within CD-1 (432), 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) Dwelling Uses, limited to Multiple Dwelling, of which at least 25% must be for family housing; and
 - (b) Accessory Use customarily ancillary to any of the uses permitted by this section 2.2.

Conditions of Use

- 3.1 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.
- 3.2 The design of family housing units must be in accordance with Council’s “High-Density Housing for Families with Children Guidelines”.

Density

- 4.1 The floor space ratio for all permitted uses must not exceed 19 983 m².
- 4.2 Computation of floor space ratio and floor area must include 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. [9311; 06 06 13]
- 4.3 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;
 - (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:

- (i) are at or below the base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length, or
 - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, not to exceed 250 m² of the total permitted residential floor area; areas of undeveloped floors located:
- (i) above the highest storey or half-storey, and to which there is no permanent means of access other than a hatch, or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (e) 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
- (f) 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.

4.4 Computation of floor space ratio and floor area, at the discretion of the Director of Planning or Development Permit Board, 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 subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the total permitted residential floor area, and
 - (ii) the total enclosed area of excluded balcony floor area must not exceed 50%;
- (b) windows recessed into the building face to a maximum depth of 160 mm, except that the Director of Planning may allow a greater depth to improve building character; and
- (c) unenclosed outdoor areas at grade level underneath tower building overhangs if the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, except that the

total area of all overhang exclusions must not exceed 1% of the total permitted residential floor area.

- 4.5 The use of floor space excluded, under this By-law, 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]

Building Height

- 5.1 The building height, measured above base surface, must not exceed 59.4 m or 22 storeys. [9311; 06 06 13]
- 5.2 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]

Parking and Loading, and Bicycle Storage

6. 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]
- (a) there must be a minimum of 0.5 parking space for each dwelling unit and one additional parking space for each 100 m² of gross floor area; and
- (b) the Director of Planning and General Manager of Engineering Services, on conditions that are satisfactory to them, may allow the substitution of co-operative vehicles and associated parking spaces for required parking spaces at a 1:3 ratio, up to 1 co-operative vehicle for each 60 dwelling units, rounded to the nearest whole number.

Acoustics

7. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic 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

8. 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

9. *[Section 9 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.]*

Public Hearing – March 25, 2004 – Item 5 – [Agenda](#)

Summary – To rezone to permit a 167 unit, 22-storey residential building. The Noise Control By-law will also be amended at time of enactment.

By-law enacted on July 19, 2005 – By-law No. [9088](#)

Public Hearing – May 16, 2006 – Item 4 – [Agenda](#)

Summary – To amend various downtown CD-1 bylaws to add missing standard provisions and to correct an error in the sign bylaw.

By-law enacted on July 19, 2005 – By-law No. [9311](#)

Public Hearing – July 13, 2023 – Item 1 – [Agenda](#)

Summary – To amend CD-1 (832) (Comprehensive Development) District By-law for 319-359 West 49th Avenue to increase the FSR from 2.30 to 2.50 for a four-storey mixed-use building and permit an increase in commercial units from five to seven and strata-titled residential units from 51 to 64.

By-law enacted on July 25, 2023 – By-law No. [13770](#)