



## **City of Vancouver** *Zoning and Development By-law*

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# CD-1 (450)

*111 and 141 West Hastings Street,  
351 Abbott Street and 128 West Cordova Street  
By-law No. 9275*

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

**Effective May 16, 2006**

*(Amended up to and including By-law No. 9986, dated January 19, 2010)*

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 2-578 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 (450).

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 (450) 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) Live Work Use;
- (d) Light Industrial Uses;
- (e) Office Uses;
- (f) Institutional Uses;
- (g) Retail Uses;
- (h) Service Uses; and
- (i) 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 noise from surrounding land uses and street activities at levels permitted in industrial and downtown districts.

4 Density

4.1 The floor space ratio must not exceed 10.0322. [9698; 08 07 22] [9986; 10 01 19]

4.2 Computation of floor area must include:

- (a) all floors having a minimum ceiling height of 1.2 m, regardless of maximum ceiling height, including earthen floor, both above and below ground level, 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, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

[9342; 06 07 18]

4.3 Computation of floor space ratio must exclude: [9342; 06 07 18]

- (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 area of all exclusions must not exceed 8% of the provided residential floor area;
- (b) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;

**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 9275 or provides an explanatory note.

- (c) where floors are used for off street parking and loading, the taking on or discharging of passengers, bicycle storage, heating or 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 exclusion for a single 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 m<sup>2</sup> for a 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.

**4.4** Computation of floor space ratio may exclude, at the discretion of the Director of Planning: [9342; 06 07 18]

- (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 provided residential floor area, and
  - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) interior public space, including atria and other similar spaces if the Director of Planning first considers all applicable policies and guidelines adopted by Council except that:
  - (i) excluded space must not exceed 1 115 m<sup>2</sup>, and [9342; 06 07 18]
  - (ii) a covenant and statutory right of way in favour of the city and setting out public access and use must secure the excluded area.

**4.5** For the purpose of floor space ratio calculation: [9342; 06 07 18]

- (a) each square metre of floor area for above grade parking is to count as .70 square metres; and
- (b) Council deems the site area to be 10 038.86 m<sup>2</sup>. [9698; 08 07 22]

**4.6** 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. [9342; 06 07 18]

## 5 Building height

**5.1** The building height must not exceed 45.72 m measured above the base surface and to the top of all rooftop mechanical appurtenances or decorative elements, except that the Development Permit Board may increase this height to a maximum of 137.16 subject to View Protection Guidelines and other applicable Council policies and guidelines. [9342; 06 07 18]

**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. [9342; 06 07 18]

## 6 Parking, loading and bicycle storage

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

7 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.

<b>Portions of dwelling units</b>	<b>Noise levels (Decibels)</b>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

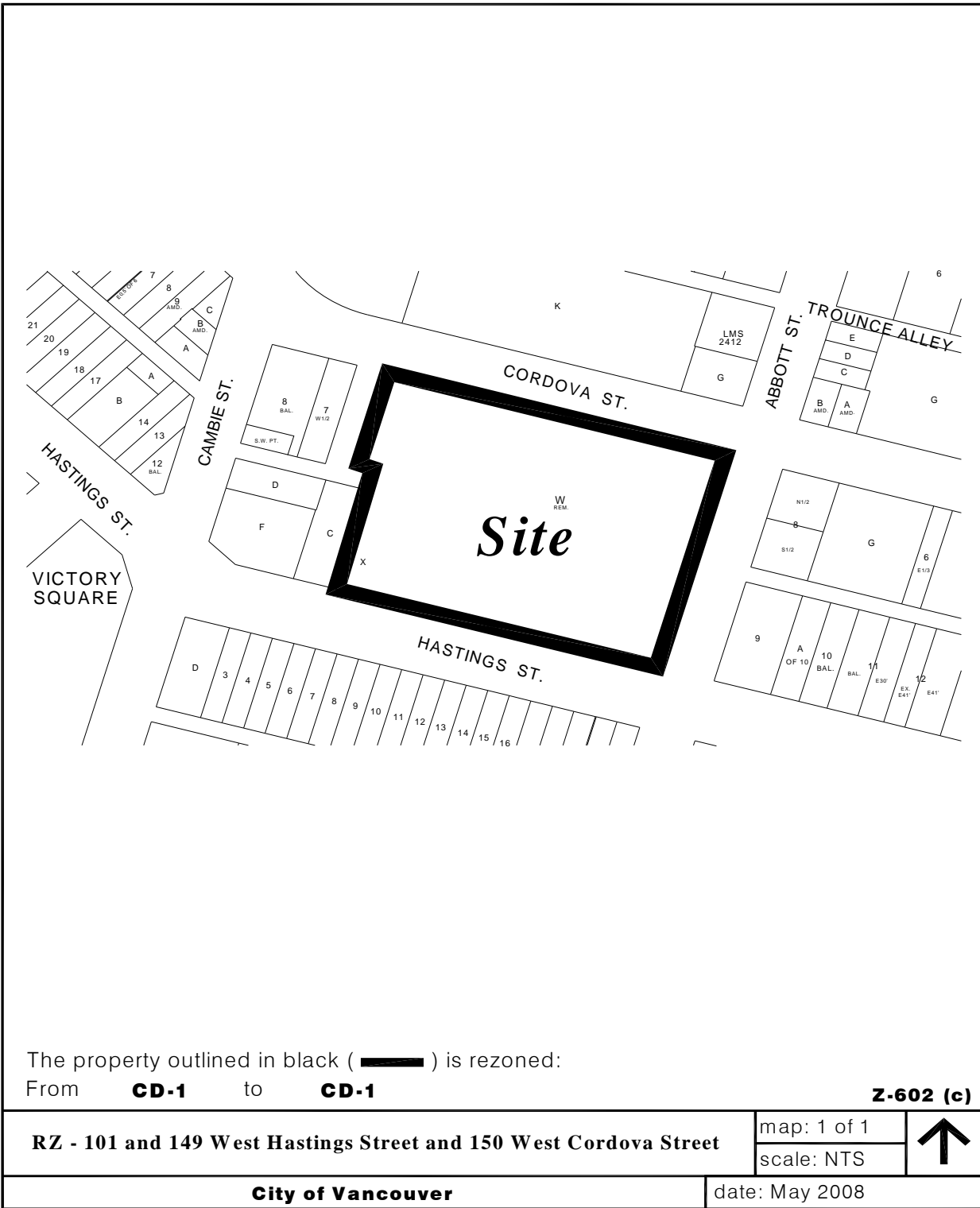
8 Severability

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.

9 Force and effect

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

ENACTED by Council this 16th day of May, 2006.



[9698; 08 07 22]