

CD-1 (248)

1523 Davie Street (Gabriola Mansion)

By-law No. 6564

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

Effective September 26, 1989

Amended up to and including:

By-law No. 7515, dated January 11, 1996

By-law No. 8169, dated March 14, 2000

By-law No. 12747, dated July 21, 2020

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.

1 The “Zoning District Plan” annexed to By-law No. 3575 as Schedule “D” is hereby amended according to the plan marginally numbered Z-365(b) and attached to this By-law as Schedule “A”, and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule “A” of this By-law, and Schedule “A” of this By-law is hereby incorporated as an integral part of Schedule “D” of By-law No. 3575.

2 The area shown included within the heavy black outline on Schedule ‘A’ is rezoned to CD-1 and the only uses permitted within the said area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are:

(a) Dwelling Uses, limited to Multiple Dwelling and Infill Multiple Dwelling; and

(b) Accessory uses ancillary to those uses listed in this section 2.

[12747; 2020 07 21]

3 Floor area and density

3.1 Computation of floor area must assume that the site area is 2,410 m², being the site area at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

3.2 The floor space ratio for all uses must not exceed 0.87.

3.3 Computation of floor area 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 permitted floor area, and

(ii) the balconies must not be enclosed for the life of the building;

(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 exclusion for a parking space must not exceed 7.3 m in length; and

(d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.

3.4 Computation of floor area may exclude amenity areas, except that the total exclusion for amenity areas must not exceed 10% of permitted floor area.

3.5 The use of floor area excluded under sections 3.3 and 3.4 must not include any use other than that which justified the exclusion.

[12747; 2020 07 21]

4 Building Height

Building height, measured from base surface, must not exceed 16.05 m in height calculated from base surface to the top of any parapet. [12747; 2020 07 21]

5 Acoustics

A development permit application for dwelling uses must include an acoustical report prepared by a licensed professional acoustical engineer demonstrating that the noise levels in those portions of 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

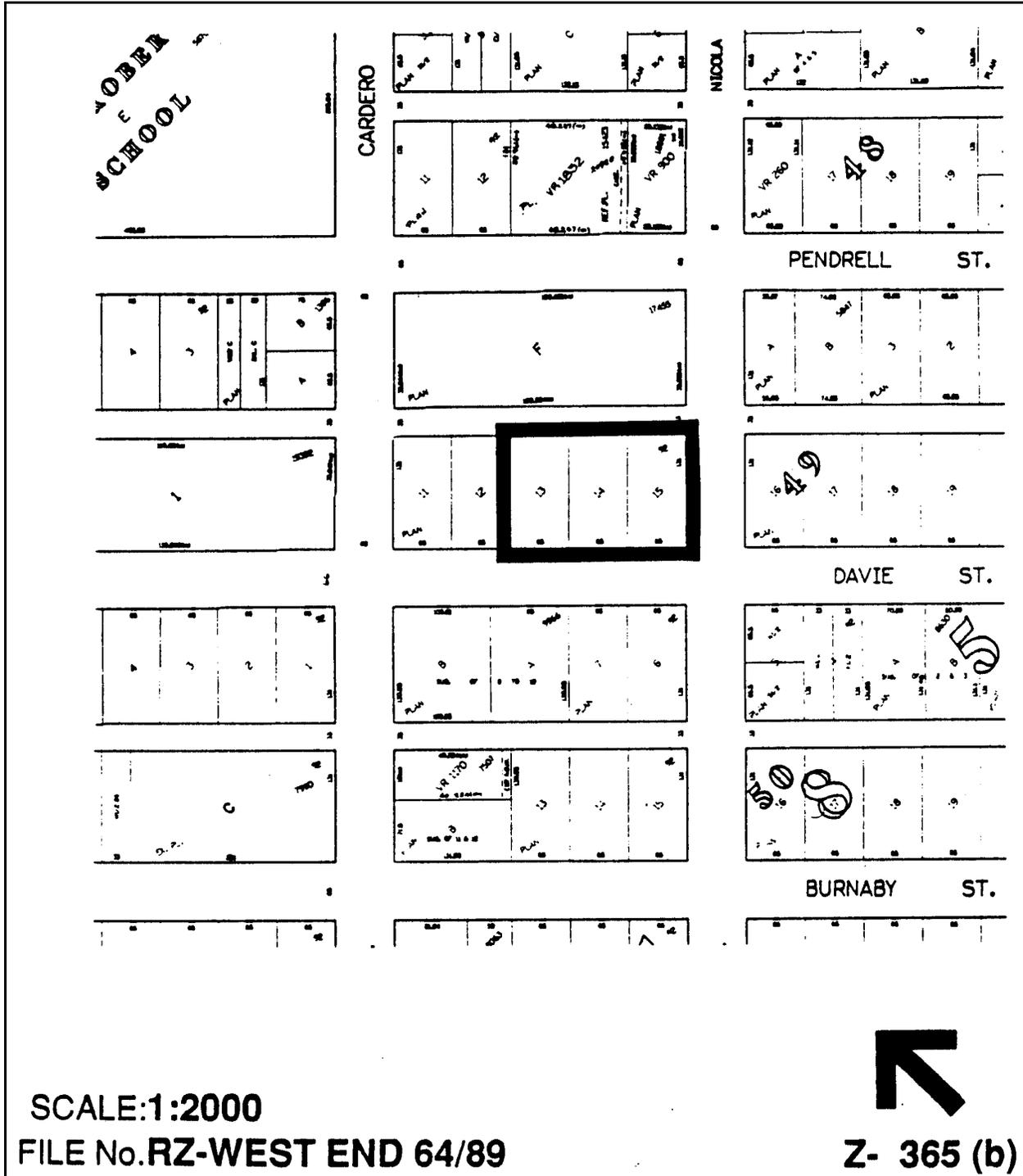
[7515; 1996 01 11] [12747; 2020 07 21]

8 *[Section 8 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and to certify the by-law number and date of enactment.]*

Schedule A

By-law No. 6564 being a By-law to amend By-law No. 3575, being the Zoning and Development By-law

The property shown below () outlined in black is rezoned from WED to CD-1



Public Hearing – August 30, 1989 – Item 1

Summary – Rezone from West End District (WED) to permit restaurant, retail, residential or limited cultural, recreational or office use of Gabriola Mansion, as part of amendments to various areas of the West End being rezoned to various zoning districts.

By-law enacted on September 26, 1989– [By-law No. 6564](#)

Public Hearing – September 12, 1995 – Item 2 – [Agenda](#)

Summary –Text amendment to delete the acoustic requirement for balconies, terraces, patios, etc.

By-law enacted on January 11, 1996– [By-law No. 7515](#)

Public Hearing – February 24, 2000 – Item 1 – [Agenda](#)

Summary –Text amendment to provide floor space exclusions to provide construction incentives to control building envelope leaks.

By-law enacted on March 14, 2000– [By-law No. 8169](#)

Public Hearing – November 14, 2017 – Item 2 – [Agenda](#)

Summary – Amend CD-1 (248), By-law No. 6564, to increase the maximum floor space ratio from 0.35 to 0.87 to allow for the conversion of the existing heritage building into 16 rental dwelling units, for the construction of four rental infill townhouses along the lane, and for the restoration and designation of significant heritage features.

By-law enacted on July 24, 2020 – [By-law No. 12747](#)