

# **CD-1 (312)**

1529 West Pender Street, 560-588 Cardero Street, 535 Nicola Street, 499 Broughton Street and 1199 West Cordova Street (formerly 300 Cardero Street)

## **By-law No. 7200**

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

Effective October 19, 1993

### *Amended up to and including:*

By-law No. 7324, dated July 26, 1994  
By-law No. 7512, January 11, 1996  
By-law No. 7515, January 11, 1996  
By-law No. 7520, dated February 20, 1996  
By-law No. 7632, dated October 8, 1996  
By-law No. 7956, dated December 8, 1998  
By-law No. 8011, dated April 13, 1999  
By-law No. 8169, dated March 14, 2000  
By-law No. 8566, dated October 22, 2002  
By-law No. 8651, dated March 11, 2003  
By-law No. 8760, dated December 9, 2003  
By-law No. 11578, dated July 26, 2016  
By-law No. 12060, dated March 13, 2018  
By-law No. 13085, dated July 20, 2021

### **Guidelines:**

Marina Neighbourhood  
(300 Cardero Street)  
CD-1 Guidelines for Land Development

### **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-398 (a) 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 Intent

The intent of this By-law is to permit the development of the district with primarily residential use, and with some local retail, service and marina uses in a form which complements and is compatible with the character of adjacent areas.

## 3 Definitions

Words used in this By-law shall have the meaning assigned to them in the Zoning and Development By-law, except as provided below.

**Boatshed** means a covered, floating structure that is fixed in position on the water, either totally enclosed or open on the sides, and used for the storage and protection of boats.

**Core-need Household** means a household which would have to spend more than 30 percent of its annual gross income on shelter (including utilities) in order to live in an average market rental unit which is adequate and suitable for its basic needs.

**Floating Home** means a floating building or marine vessel used principally for residential purposes, that relies heavily on shore-based facilities, and is not primarily intended for navigation.

**Live-aboard** means a marine vessel used primarily for navigation and only incidentally for residential purposes.

4 The only uses permitted within the area outlined in black on Schedule “A”, which area shall be more particularly described as CD-1(312), subject to approval by Council of the form of development and to such conditions, guidelines and policies adopted by Council, and the only uses for which development permits will be issued are:

- (a) multiple dwellings, not exceeding 71 794 m<sup>2</sup> in total gross floor area, provided separately or in conjunction with any of the uses listed below, provided that:  
[7520; 1996 02 20] [7956; 1998 12 08]
  - (i) a minimum of 97 units (but not including the units provided under clause (ii) below) shall be for family housing, all of which shall be designed in accordance with the Council-adopted “High-Density Housing for Families with Children Guidelines”;
  - (ii) a minimum of 99 units shall be provided through government funded programs targeted for core-need households or through such other affordable housing programs or initiatives as Council may approve, which

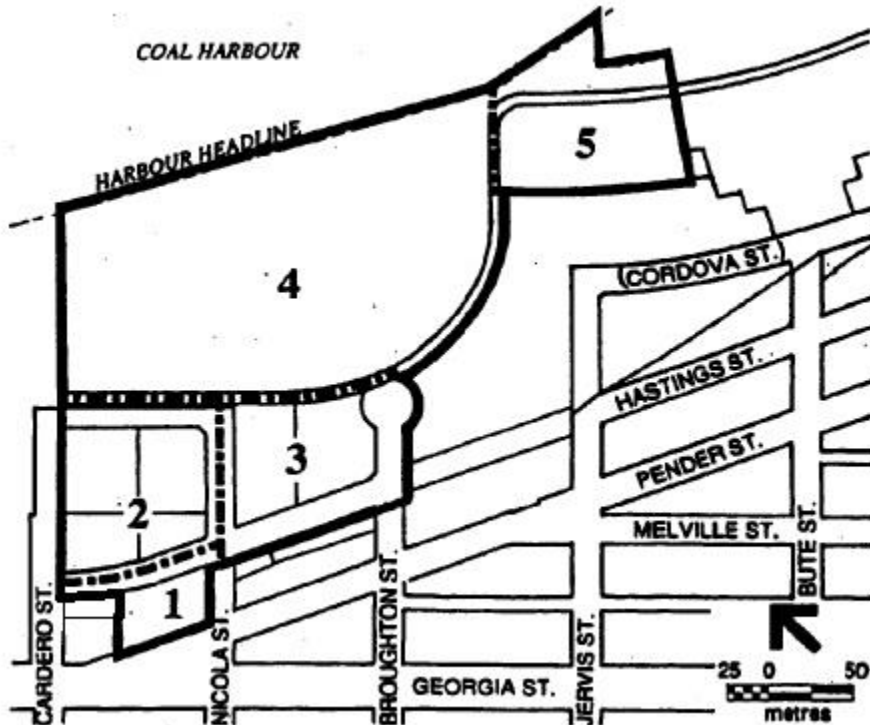
housing programs or initiatives may include subsidized and market rental units or subsidized and market co-operatives units and shall be designed for family housing consistent with clause (i) above; [7324; 1994 07 26] [7520; 1996 02 20] [8651; 2003 03 11]

- (b) multiple dwellings not exceeding 13 905 m<sup>2</sup> in total gross floor area, each dwelling unit having a net floor area of less than 70 m<sup>2</sup>, provided they are for rental use only and secured by an agreement acceptable to the City; [7956; 1998 12 08]
- (c) retail uses, but not including gasoline station — full serve, gasoline station — split-island, and vehicle dealer;
- (d) service uses, but not including hotel, animal clinic, auction hall, bed and breakfast accommodation, body-rub parlour, drive-through service, funeral home, laundry or cleaning plant, motor vehicle repair shop, motor vehicle wash, photofinishing or photography laboratory, production studio, restaurant — drive-in, school — business, school — vocational or trade, and sign painting shop;
- (e) office uses;
- (f) cultural and recreational uses including a marina having a maximum of 400 berths of which a maximum of 100 are for live-aboards and a maximum of 25 are for floating homes, except that any boatsheds in the marina shall be limited to those required for temporary use by a marine repair business approved under clause (g) of this section, or those needed for a public authority use;
- (g) repair shop — class A, provided it is located within a marina;
- (h) public authority use;
- (i) public utility;
- (j) parking uses; and
- (k) accessory uses customarily ancillary to the above uses.

## 5 Sub-areas

The district shall comprise 5 sub-areas, approximately as illustrated in Diagram 1 below.

Diagram 1



[11578; 16 07 26]

## 6 Floor Area and Density

6.1 The total floor area for the uses listed in Table 1 shall not exceed the totals set opposite such uses, and any use permitted by section 4 but not listed in Table 1 is not limited by this sub-section 6.1.

Table 1

Use	Maximum Floor Area
Residential Uses	85 699 m <sup>2</sup>
Retail, Service and Office Uses combined	9 598 m <sup>2</sup>

[7520; 1996 02 20] [7956; 1998 12 08] [12060; 2018 03 13] [13085; 2021 07 20]

6.2 The following shall be included in the computation of floor area:

- (a) all floors having a minimum ceiling height of 1.2 m, both above and below ground level, to be measured to the extreme outer limits of the building.

6.3 The following shall be excluded in the computation of floor area:

- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the residential floor area being provided;
- (b) patios and roof gardens for residential purposes only, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing;
- (d) the floors or portions of floors used for off-street parking and loading, taking on or discharging passengers, bicycle storage, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, that, for each area, is at or below the base surface; [8566; 2002 10 22]
- (e) undeveloped floor areas located above the highest storey or half-storey with a ceiling height of less than 1.2 m and to which there is no permanent means of access other than a hatch;
- (f) 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> per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; [8760; 2003 12 09]
- (g) amenity areas accessory to residential use, including the requirement of section 8.3, provided that for all uses, except the family housing described in section 4(a)(ii) and the units described in section 4(b) above the total area excluded does not exceed 3 000 m<sup>2</sup>; [7520; 1996 02 20]
- (h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000. [8169; 2000 03 14]

6.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided that 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 does not exceed eight percent of the residential floor area being provided; and

- (ii) no more than fifty percent of the excluded balcony floor area may be enclosed;

[7512; 1996 01 11]

- (b) interior public space, including atria and other similar spaces, provided that:

- (i) the excluded area shall not exceed the lesser of 10 percent of the permitted floor area or 560 m<sup>2</sup>;

- (ii) the excluded area shall be secured by covenant and right of way in favour of the City of Vancouver which set out public access and use; and

- (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

6.5 The total floor area in each sub-area for the uses listed in Table 2 shall not exceed the applicable totals set opposite such uses, except that

- (a) in sub-area 1, the Development Permit Board or Director of Planning may permit any combination of office, retail and service uses, provided that the total floor space for office, retail and service uses does not exceed 2 820 m<sup>2</sup>, and any use permitted by section 4 but not listed in Table 2 is not limited by this sub-section 6.5. [7956; 1998 12 08]

**Table 2 - Maximum Floor Area (in square metres)**

Use	Sub-Area (from Diagram 1)				
	1	2	3	4	5
Residential Uses	15 131	37 568	33 000	-	N/A
Retail, Service and Office Uses combined	2 820	1 998	1 570	1 800	

[7520; 1996 02 20] [7956; 1998 12 08] [12060; 2018 03 13] [13085; 2021 07 20]

6.6 The maximum number of units in each sub-area shall be as set out in Table 3.

**Table 3 - Maximum Number of Dwelling Units**

	Sub-Area (from Diagram 1)				
	1	2	3	4	5
Maximum Number of Units	281	341	280	---	N/A

[7520; 1996 02 20] [7956; 1998 12 08]

## 7 Height

- 7.1 The maximum building height measured above the base surface, but excluding the mechanical penthouse and roof, shall be as set out in Table 4.

**Table 4 - Maximum Height (in metres)**

	Sub-Area (from Diagram 1)				
	1	2	3	4	5
Maximum Height	84	62	65	6	N/A

[7956; 1998 12 08]

- 7.2 Notwithstanding Section 7.1, the Development Permit Board may permit an increase in the maximum height in sub-areas 2 and 3 by up to 10 percent and in sub-area 4 by up to 1.0 m for a fixed restaurant structure, providing that it first considers: [7632; 1996 10 08]
- (a) the intent of this Schedule, all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential and commercial areas; and
  - (b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and open space, the waterfront walkway, streets and existing views.

## 8 Residential Component

- 8.1 Any development which combines residential with any other use shall have separate and distinct means of pedestrian access to the residential component from streets and on-site parking.
- 8.2 Private, semi-private and public outdoor spaces shall be defined and distinguished from each other.
- 8.3 In every building intended to contain core-need households a community room shall be provided.

## 9 Parking

- 9.1 Off-street parking shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except as follows:
- (a) retail uses shall provide a minimum of 1 space for each 100 m<sup>2</sup> of gross floor area up to 300 m<sup>2</sup>, then 1 space for each 50 m<sup>2</sup> of gross floor area, subject to a maximum number of spaces of 10% greater than the minimum calculated using this clause;
  - (b) restaurant uses shall provide a minimum of 1 space for each 50 m<sup>2</sup> of gross floor area up to 100 m<sup>2</sup>, then 1 space for each 10 m<sup>2</sup> of gross floor area for the next 400 m<sup>2</sup> to a total of 500 m<sup>2</sup> of gross floor area, and thereafter 1 space for each 20

m<sup>2</sup> over 500 m<sup>2</sup> of gross floor area, subject to a maximum number of spaces of 10% greater than the minimum calculated using this clause;

- (c) multiple dwelling units larger than 52 m<sup>2</sup> (gross floor area), not including units in sub-area 1 or units designated for the rental incentive, core-need or seniors housing, shall provide a minimum of 0.9 spaces for each dwelling unit plus 1 space for each 200 m<sup>2</sup> of gross floor area, with a maximum of 1.1 spaces for each dwelling unit plus 1 space for each 125 m<sup>2</sup> of gross floor area, except that no more than 2.2 spaces for each dwelling unit need be provided; [7956; 1998 12 08]
- (d) multiple dwelling units larger than 52 m<sup>2</sup> (gross floor area) in sub-area 1, not including units designated for the rental incentive, core-need or seniors housing, shall provide a minimum of 0.3 spaces for each dwelling unit plus 1 space for each 100 m<sup>2</sup> of gross floor area, with a maximum of 0.5 spaces for each dwelling unit plus 1 space for each 100 m<sup>2</sup> of gross floor area, except that no more than 2.2 spaces for each dwelling unit need be provided; [7956; 1998 12 08]
- (e) multiple dwelling units less than or equal to 52 m<sup>2</sup> gross floor area shall provide a minimum of 0.5 space per dwelling unit, subject to a maximum of 1.0 space per dwelling unit; [7956; 1998 12 08]
- (f) live-aboard residential dwelling uses shall provide a minimum of 1.2 spaces for each live-aboard to a maximum of 1.4 spaces for each live-aboard;
- (g) floating home residential dwelling uses shall provide a minimum of 1.4 spaces for each floating home to a maximum of 1.6 spaces for each floating-home;
- (h) office uses shall provide a minimum of 1 space for each 93 m<sup>2</sup> of gross floor area with a maximum of 1 space for each 80 m<sup>2</sup> of gross floor area;
- (i) recreational and cultural uses shall provide parking as determined by the Director of Planning in consultation with the City Engineer;
- (j) the visitor component of residential use parking in all sub-areas except sub-area 1, 0.2 spaces per dwelling unit, may be located off-site provided it is located no further than 150 m away from the site containing the dwelling units; [7956; 1998 12 08]
- (k) a maximum visitor component of 0.2 space per dwelling unit shall be provided in sub-area 1, except that the Director of Planning, in consultation with the City Engineer, taking into account the time varying demand of uses, may reduce the visitor component to a minimum of 0.05 space per dwelling unit; and [7956; 1998 12 08]
- (l) commercial, live-aboard and floating home uses located within the marina shall provide parking at locations as determined by the Director of Planning in consultation with the City Engineer.



- 9.2 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of off-street parking and passenger spaces required.
- 9.3 The Director of Planning, before granting any relaxation pursuant to section 9.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

#### 9.4 Multiple-Use Developments

For the purposes of this section uses with the same formula for determining required parking spaces shall be considered to be of the same class. If a development contains parking for more than one use as listed in section 4.2 of the Parking By-law, the total number of parking spaces shall be the sum of the parking spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a parking space required for one use shall be deemed not to meet the requirement for any other use in that development.

#### 9.5 Parking Space Requirement Exemptions

The required number of off-street parking spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use.

[8011; 1999 04 13]

### **10 Loading**

Off-street loading shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law except that one loading bay shall be provided for every 200 dwelling units.

- 10.2 The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of loading spaces required.
- 10.3 The Director of Planning, before granting any relaxation pursuant to section 10.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

#### 10.4 Multiple-Use Developments

For the purposes of this section, uses with the same formula for determining required loading spaces shall be considered to be of the same class. If a development contains more than one use as defined in section 5.2 of the Parking By-law, the total number of loading spaces shall be the sum of the loading spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of

uses, a loading space required for one use shall be deemed not to meet the requirement for any other use in that development.

#### 10.5 Loading Space Requirement Exemptions

The required number of off-street loading spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use.

[8011; 1999 04 13]

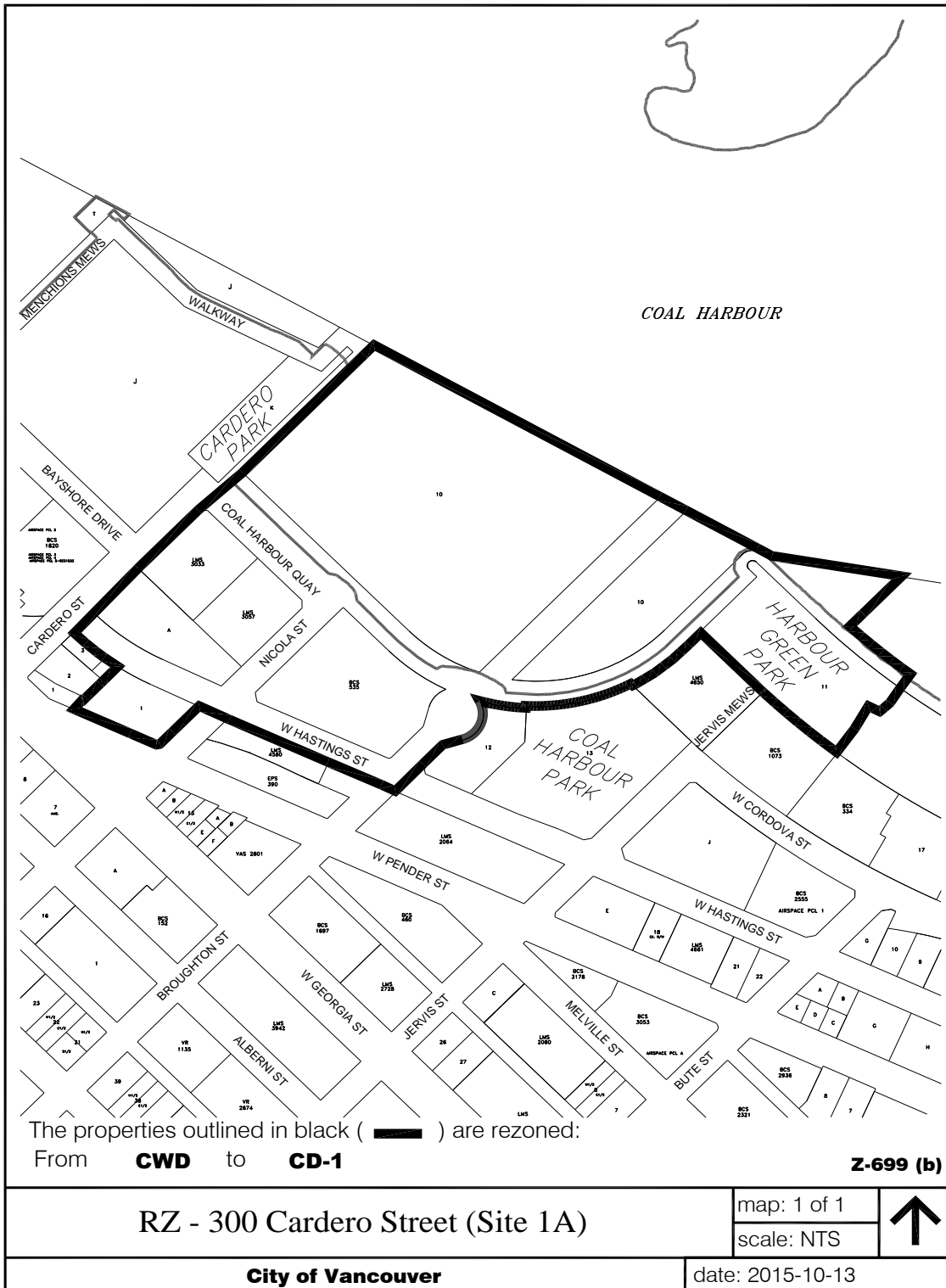
### 11 Acoustics

All development permit applications shall 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 shall 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 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]

12 *[Section 12 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.]*



[11578; 2016 07 26]

Public Hearing – December 11, 1991 – Item 1

Summary – Rezone from CWD (Central Waterfront District) to permit a maximum of 850 dwelling units within a maximum total of 85,110 m<sup>2</sup> of residential floor area.

By-law enacted on October 19, 1993– [By-law No. 7200](#)

Public Hearing – June 23, 1994 – Item 6

Summary – Text amendment to implement Council's recently revised 20% affordable housing policy, which would allow Council to consider non-market housing programs that serve households other than those in "core-need".

By-law enacted on July 26, 1994 – [By-law No. 7324](#)

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

Summary – Text amendment to continue to permit a maximum of 8% of permitted residential floor area to be excluded from FSR for balconies but to permit no more than half of excluded floor area to be enclosed.

By-law enacted on January 11, 1996 – [By-law No. 7512](#)

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 – January 18 and February 6, 1996 – Item 1

Summary – Amend CD-1 (312), By-law No. 7200, to permit a 99-unit mixed-income family housing co-operative, in lieu of 122 designated dwelling units, 41 of which were family units and 81 of which were non-family. This would consequently reduce the overall maximum number of dwelling units allowed in the Coal Harbour Marina Neighbourhood from 850 to 827.

By-law enacted on February 20, 1996 – [By-law No. 7520](#)

Public Hearing – September 10, 1996 – Item 5 – [Agenda](#)

Summary – Amend CD-1 (312), By-law No. 7200, to permit a 1.0 m (3 ft.) height increase to a waterfront commercial building for a restaurant use.

By-law enacted on October 8, 1996 – [By-law No. 7632](#)

Public Hearing – March 24, 1998 – Item 3 – [Agenda](#)

Summary – Amend CD-1 (312), By-law No. 7200, to increase residential floor space with an equivalent reduction in the amount of commercial floor space to allow for a tower proposal with 11 townhouse units along Hastings Street, converting 1,095 m<sup>2</sup> of market rental to market strata.

By-law enacted on December 8, 1998– [By-law No. 7956](#)

Public Hearing – February 23, 1999 – Item 3 – [Agenda](#)

Summary – Text amendment to provide parking and loading relaxation provision clauses.

By-law enacted on April 13, 1999 – [By-law No. 8011](#)

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 – October 22, 2002 – Item 4 – [Agenda](#)

Summary – Text amendment to allow for floor space exemptions for passenger drop off and arrival, bicycle storage and areas for heating and mechanical equipment consistent with other CD-1 by-laws and zoning schedules.

By-law enacted on October 22, 2002– [By-law No. 8566](#)

Public Hearing – February 27, 2003 – Item 4 – [Agenda](#)

Summary – Text amendment to change the term “non-market housing” to “affordable housing”.

By-law enacted on March 11, 2003– [By-law No. 8651](#)

Public Hearing – November 20, 2003 – Item 1 – [Agenda](#)

Summary – Text amendment to amend the wording regarding residential storage space floor area exclusions to make them consistent with administrative practice.

By-law enacted on December 9, 2003– [By-law No. 8760](#)

Public Hearing – February 23, 2016 – Item 3 – [Agenda](#)

Summary – Amend CD-1 (312), By-law No. 7200, to remove 620 Cardero Street from the by-law as a result of a consequential amendment.

By-law enacted on July 26, 2016 – [By-law No. 11578](#)

Public Hearing – February 20, 2018 – Item 1 – [Agenda](#)

Summary – Amend CD-1 (312), By-law No. 7200, to remove separate limits on office use and retail-service use in the by-law to allow conversion of 684 m<sup>2</sup> of vacant retail store space to office use.

By-law enacted on March 13, 2018 – [By-law No. 12060](#)

Public Hearing – July 13, 2021 – Item 1 – [Agenda](#)

Summary – Amend CD-1 (312), By-law No. 7200, to correct an inconsistency in the commercial land use provisions for the Coal Harbour waterfront by allowing the same commercial use provisions as permitted in neighbouring CD-1 districts.

By-law enacted on July 20, 2021 – [By-law No. 13085](#)