



City of Vancouver *Zoning and Development By-law*

Community Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 ☎ 604.873.7344 fax 873.7060

planning@city.vancouver.bc.ca

CD-1 (316)

526-528 West Hastings Street

By-law No. 7209

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

Effective November 2, 1993

(Amended up to and including By-law No. 8760, dated December 9, 2003)

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 **Uses**

The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1(316) and the only uses permitted within the outlined 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 Units;
 - (b) Retail Uses;
 - (c) Office Uses;
 - (d) Service Uses;
 - (e) Hall;
 - (f) School - University or College;
 - (g) Accessory Uses customarily ancillary to the above-uses.
- [7749;97 05 27]

3 **Floor Space Ratio**

- 3.1**
- (a) The floor space ratio shall not exceed 7.30.
 - (b) Notwithstanding (a), in no case shall the density of residential use exceed floor space ratio 3.00.
 - (c) The Director of Planning may permit an increase in the floor space ratio for hotel use, provided that the increase shall not exceed a maximum of 15% of the floor area of that portion of the development having floor-to-floor dimensions of less than 3.1 m and used for guest accommodation and ancillary corridors, service and access areas;
 - (d) Notwithstanding (a) and (b), the Director of Planning may permit a further increase in the permitted floor space ratio, to a maximum of 5% of total floor area, for any development or use on the site provided that the facade of the Toronto Dominion Bank Building is restored and maintained.

In determining the increase in floor area or density that may be permitted, the Director of Planning shall first consider:

- (a) the cost of the heritage-related restoration;
- (b) the value of the increased floor area; and
- (c) the impact on the livability and environmental quality of the neighbourhood.

3.2 The following shall be included in the computation of floor space ratio:

- (a) all floors, including earthen floor, to be measured to the extreme outer limits of the building;
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

3.3 The following shall be excluded in the computation of floor space ratio:

- (a) open residential balconies, sun decks, porches 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 provided residential floor area;
- (b) patios and roof gardens, provided that 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. 7209 or provides an explanatory note.

- (c) where floors are used for off-street parking and loading, 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, provided that the maximum exclusion for a parking space shall 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, provided that the maximum exclusion for parking space shall not exceed 7.3 m in length;
- (d) amenity areas accessory to a residential use, facilities, recreation facilities and meeting
 - (i) in the case of day care facilities, the Planning, on the advice of the Director is satisfied that there is a need for a the immediate neighbourhood; and
 - (ii) the total area being excluded for amenity areas shall not exceed the lesser of 10 percent of the permitted floor space or 1 000 m², with an additional 10 percent of the permitted floor space or 500 m², whichever is lesser, for day care facilities where these are included;
- (e) areas of undeveloped floors located above the highest storey or half-storey, or adjacent to a 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) floors located at or below finished grade with a ceiling height of less than 1.2 m;
- (g) 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; [8760; 03 12 09]
- (h) The following ancillary facilities provided that the total area of such excluded facilities does not exceed 20 percent of allowable floor space ratio or 1 000 or, whichever is the lesser.
 - (i) saunas;
 - (ii) tennis courts;
 - (iii) swimming pools;
 - (iv) squash courts;
 - (v) gymnasiums and workout rooms;
 - (vi) games rooms and hobby rooms;
 - (vii) day care centres;
 - (viii) libraries (public);
 - (ix) other uses of a public service, social or recreational nature, which, in the opinion of the Development Permit Board, are similar to the above;
- (i) 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; 00 03 14]

3.4 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; 96 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 600 m²;
 - (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.

4 Height

- 4.1 The maximum building height measured above the base surface shall be 91.5 m.
- 4.2 The Director of Planning may permit a building to exceed the maximum building height set out in section 4.1 after taking particular account of overshadowing, obstruction of any Council-approved views and other environmental criteria.

5 Off-street Parking and Loading

- 5.1 Off-street parking and loading spaces shall be provided, developed and maintained in accordance with the Parking By-law except parking to be provided as follows:
- (a) for hotel use a minimum of one off-street parking space per two sleeping units to a maximum of one space per sleeping unit shall be provided;
 - (b) off-street parking spaces for all other non-residential uses to be in accordance with Downtown Standard Area 1; and
 - (c) for market residential uses off-street parking shall be provided at a minimum of 0.4 spaces per dwelling unit and a maximum of 0.6 spaces per dwelling unit, plus one space per 100 m² gross floor area (except that no more than 2.2 spaces per unit need be provided).
- 5.2 Off-street loading spaces for hotel patron use shall be provided on the basis of one tour bus space per 200 rooms and one taxi/valet space per 50 rooms.

6 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 Level (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

[7515; 96 01 11]

- 7** *[Section 7 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.]*

By-law No. 7209 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 DD to CD-1

