



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

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## **CD-1 (365)**

*301 Jervis Street*

*By-law No. 7677*

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

**Effective November 26, 1996**

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

**Guidelines:**

*Marina Neighbourhood Sub-area 1B*

*(301 Jervis Street)*

*CD-1 Guidelines*

**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** **Definitions**

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

**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.

**3** The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (365), and the only uses permitted within the outlined area, 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:

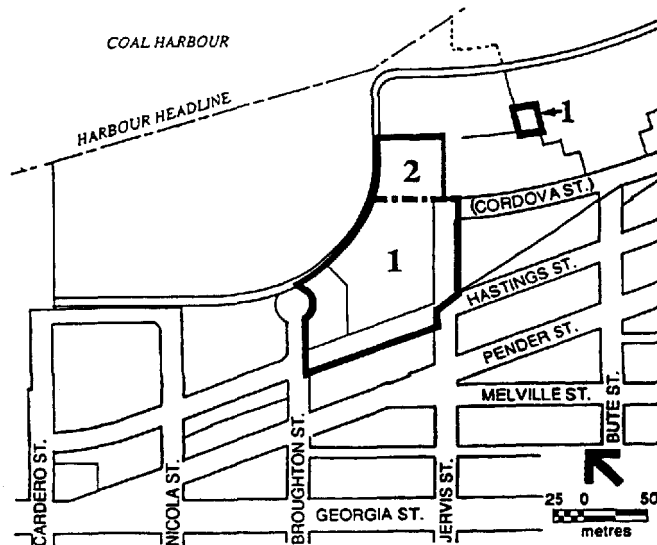
- (a) Dwelling Units, not exceeding 21 951 m<sup>2</sup> in total gross floor area, provided separately or in conjunction with any of the uses listed below, provided that:
  - (i) a minimum of 25 units [but not including the units provided under clause (ii) below] must be for family housing, all of which must be designed in accordance with the Council-adopted “High-Density Housing for Families with Children Guidelines”; and
  - (ii) a minimum of 40 units must be provided through government funded programs, targeted for core-need households or for such other affordable housing programs or initiatives as Council may generally define or specifically approve from time to time, which housing programs or initiatives may include subsidized and market rental units or subsidized and market co-operative units all of which must be designed for family housing consistent with clause (i) above; [8651; 03 03 11]
- (b) Cultural and Recreational Uses;
- (c) Institutional Uses, but not including Detoxification Centre, Hospital and School - University or College;
- (d) Office Uses;
- (e) Parking Uses;
- (f) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, and Vehicle Dealer;
- (g) 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, Photo Finishing or Photography Laboratory, Production or Rehearsal Studio, Repair Shop - Class A, Restaurant - Drive-in, School - Business, School - Vocational or Trade, and Sign Painting Shop; and
- (h) Accessory Uses customarily ancillary to that above uses.

**4** **Sub-areas**

The district will comprise 2 sub-areas, approximately as illustrated in Diagram 1 below.

*Note: Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 7677 or provides an explanatory note.*

Diagram 1



## 5 Floor Area and Density

5.1 The total floor area for the uses listed in Table 1 must not exceed the totals set opposite such uses, and any use permitted by section 3 but not listed in Table 1 is not limited by this sub-section 5.1.

Table 1

Use	Maximum Total Floor Area
Residential Uses	21 951 m <sup>2</sup>
Retail, Office, and Service Uses	1 060 m <sup>2</sup>

5.2 The following will 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.

5.3 The following will be excluded in the computation of floor area:

- (a) open residential balconies or sun decks 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 such 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 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; 02 10 22]
- (e) areas of undeveloped floors which are 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.

- (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; 03 12 09]
- (g) amenity areas accessory to residential use, including the requirement of section 7.3, provided that the total area excluded which is at or above the base surface does not exceed 2 000 m<sup>2</sup>;
- (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; 00 03 14]

**5.4** 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.

[7874; 98 04 21]

**5.5** The total floor area in each sub-area for the uses listed in Table 2 must not exceed the applicable totals set opposite such uses, and any use permitted by section 3 but not listed in Table 2 is not limited by this sub-section 5.5.

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

Use	Sub-Area (from Diagram 1)	
	1	2
Residential Use	4 170	17 781
Retail, Office and Service Uses	---	1 060

**5.6** The maximum number of units in each sub-area must be as set out in Table 3 below.

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

	Sub-Area (from Diagram 1)	
	1	2
Maximum Number of Units	40	151

## **6 Height**

**6.1** The maximum building height, measured from the building grade on Broughton Street for sub-area 1 and the building grades on Cordova Street for sub-area 2, but excluding the mechanical penthouse and roof, must be as set out in Table 4.

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

	Sub-Area (from Diagram 1)	
	1	2
Maximum Height	30	79

**6.2** Notwithstanding Section 6.1, the Development Permit Board may permit an increase in the maximum height in sub-area 2 by up to 10 percent, providing that it first considers:

- (a) 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.

## **7 Residential Component**

**7.1** Any development which combines residential with any other use must have separate and distinct means of pedestrian access to the residential component from streets and on-site parking.

**7.2** Private, semi-private and public outdoor spaces must be clearly separated and distinguished from each other.

**7.3** In every building intended to contain core-need households a community meeting room must be provided.

## **8 Parking**

**8.1** Off-street parking must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that:

- (a) retail uses must 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 percent greater than the minimum calculated using this clause;
- (b) restaurant uses must 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 percent greater than the minimum calculated using this clause;
- (c) dwelling uses, not including units designated for core-need or seniors housing, must 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;
- (d) recreational and cultural uses must be provide parking as determined by the Director of Planning in consultation with the City Engineer; and
- (e) the visitor component of the dwelling use parking required by clause (c), being 0.2 spaces per dwelling unit, may be located off-site provided the spaces are located no further than 150.0 m away from the site containing the dwelling units.

**8.2** 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.

**8.3** The Director of Planning, before granting any relaxation pursuant to section 8.2, 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.

**8.4 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.

**8.5 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; 99 04 13]

**9 Loading**

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

**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 loading 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 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.

**9.5 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; 99 04 13]

**10 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 will 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.

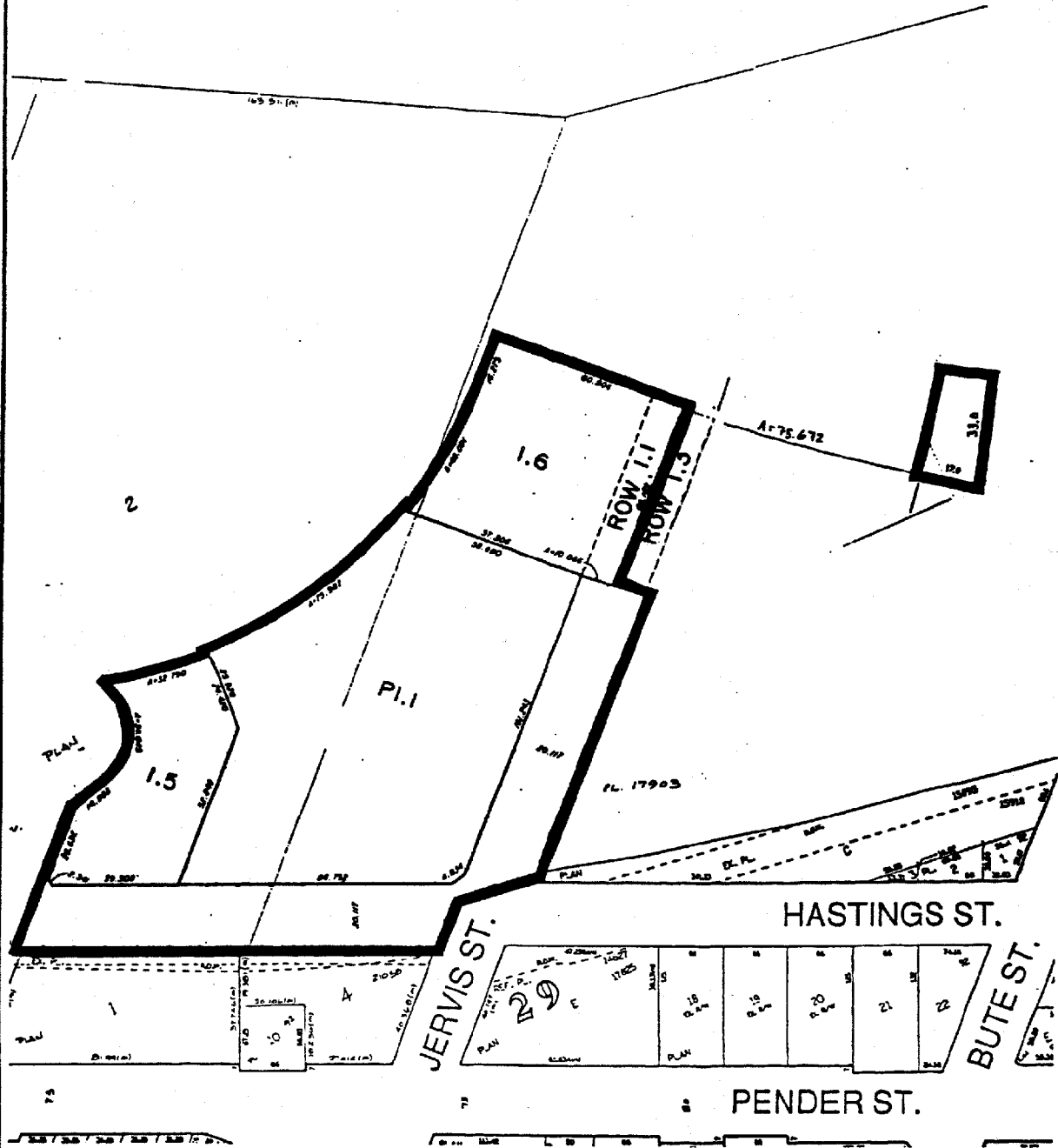
<b>Portions of Dwelling Units</b>	<b>Noise Level (Decibels)</b>
bedrooms	35

living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

[7874; 98 04 21]

- 11** *[Section 11 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. 7567 being a By-law to amend By-law No. 3575  
being the Zoning & Development By-law



The property outlined in black ( **█** ) is rezoned:  
From **CWD** to **CD-1**

**Z-443(b)**

**RZ-301 Jervis Street**

map: 1 of 1  
scale: 1:2000



**City of Vancouver**



