

City of Vancouver *Zoning and Development By-law*

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CD-1 (366)

500 Pacific Street By-law No. 7675

(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:

Beach Neighbourhood

(500 and 600 Pacific 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 in this By-law shall 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.

Public Ferry Dock means a dock located on a water lot providing water access for public ferry transportation, but does not include any private marina or berth uses.

3 **Uses**

The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1(366), 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 in multiple dwellings or in conjunction with any of the uses listed below, not exceeding 2266 dwelling units provided that:
 - (i) a minimum of 13.8% of the 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 11.3% of the units shall be provided through government funded programs targeted for core-need households or for such affordable family housing programs or initiatives as City 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 and shall be designed for family housing consistent with clause (i) above; and
 - (iii) a minimum of 7.8% of the units shall be provided through government funded programs targeted for core-need households or for such affordable non-family housing programs or initiatives as City 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 but need not be designed consistent with clause (i) above;
- (b) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, and Vehicle Dealer;
- (c) Service Uses, but not including Auction Hall, Bed and Breakfast Accommodation, Body-rub Parlour, Drive-through Service, Funeral Home, Hotel, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Production or Rehearsal Studio, Repair Shop - Class A, Restaurant - Drive-in, School - Vocational or Trade, and Sign Painting Shop
- (d) Office Uses;
- (e) Child Day Care Facility;
- (f) Cultural and Recreational Uses, but not including Arcade, Golf Course or Driving Range, Riding Ring, Stadium or Arena, and Zoo or Botanical Garden;
- (g) Public Ferry Dock;
- (h) Parking Uses;
- (i) Public Authority Use;
- (j) Marina Uses;

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 7675 or provides an explanatory note.

- (k) Accessory Uses customarily ancillary to the above uses;
- (l) Interim Uses not listed above and Accessory Uses customarily ancillary thereto, provided that:
 - (i) the Development Permit Board considers that the use will be compatible with and not adversely affect adjacent development that either exists or is permitted by this By-law;
 - (ii) the Development Permit Board is satisfied that the use can be easily removed and is of low intensity or low in capital investment;
 - (iii) the Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to the subject site; and
 - (iv) development permits are limited in time to periods not exceeding three years.

4 Floor Area and Density

4.1 The total floor area for uses listed in Table 1 must not exceed the totals set opposite such uses, and any use permitted in section 3, but not listed in Table 1, is not limited by this sub-section 4.1.

Table 1

Use	Maximum Floor Area
Residential Uses	230 446 m ²
Retail, Service and Office Uses	1 950 m ²

4.2 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.

4.3 The following will 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, 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;
- (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 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]
- (g) amenity areas accessory to residential use, including the requirement of section 6.3 of this by-law, provided that the total area excluded which is at or above the base surface does not exceed 18 000 m²;
- (h) child day care facilities; and
- (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.

- 4.4** The Director of Planning may permit the following to be excluded in the computation of floor area:
- (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;
 - (b) windows recessed into the building face to a maximum depth of 160 mm, except that the Development Permit Board may allow a greater depth in cases where it improves building character.

4.5 The Development Permit Board may permit an increase in the maximum:

- (a) residential floor area for the site of up to 1% so long as the aggregate maximum residential floor area for all the sites covered by the CD-1 by-laws listed in the first column of Table 2 does not exceed the total listed in the second column of Table 2;
- (b) retail, service and office floor area for the site of up to 1% so long as the aggregate maximum retail, service and office floor area for all the sites covered by the CD-1 by-laws listed in the first column of Table 2 does not exceed the total listed in the third column of Table 2.

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

Neighbourhood	Land Uses	
	Residential	Retail, Service and Office
Area 1 (By-law No. 7675)	230 446	1 950
Area 2 (By-law No. 7156)	114 247	1 858
Area 3 (By-law No. 6757)	84 379	3 720
Area 4/5A (By-law No. 7248)	221 183	34 610
Total	650 255	42 138

5 Height

- 5.1** The maximum building height measured above the base surface, excluding the mechanical penthouse and roof, will be 110 m.
- 5.2** The Development Permit Board may permit an increase in the maximum height of a building where it is satisfied that the relaxation will enhance the livability of residential units and provided it considers all applicable policies and guidelines adopted by Council, subject to the following:
- (a) the floor level of ground floor residential units, the principal entrance and the entrance lobby, are a maximum of 2.0 m above the building grades of the closest street; and
 - (b) the height measured from the lobby floor level must not exceed the maximum height.

6 Residential Component

- 6.1 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
- 6.2 Private, semi-private, and public outdoor spaces shall be clearly separated and distinguished from each other.
- 6.3 In every building intended to contain core-need households a community room shall be provided.

7 Off-Site Parking

- 7.1 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 shall provide a minimum of 1 space for each 100 m² of gross floor area up to 300 m², then 1 space for each 50 m² of gross floor area, subject to a maximum number of spaces 10 percent greater than the minimum calculated using this clause,
 - (b) restaurant uses shall provide a minimum of 1 space for each 50 m² of gross floor area for the first 100 m² of gross floor area, then 1 space for 10 m² of gross floor area for the next 400 m² to a total of 500 m² of gross floor area, then 1 space for each 20 m² over 500 m² of gross floor area, subject to a maximum number of spaces 10 percent greater than the minimum calculated using this clause;
 - (c) multiple dwelling uses, not including units described in clause (d) or units designated for core-need subsidized seniors housing, shall provide a minimum of 1 space for each 200 m² of gross floor area plus 0.9 spaces for each dwelling unit, except that no more than 2.2 spaces per dwelling unit need be provided;
 - (d) family non-market housing shall provide a minimum of 1.1 spaces for each dwelling unit; and
 - (e) office uses shall provide a minimum of 1 space for each 93 m² of gross floor area with a maximum of 1 space for each 80 m² of gross floor area.
- 7.2 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.
- 7.3 The Director of Planning, before granting any relaxation pursuant to section 7.2, 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.
- 7.4 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.
- 7.5 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.

8 Off-Street Loading

- 8.1 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 shall be provided for every 200 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 loading 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** 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.
- 8.5** 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.

9 Acoustics

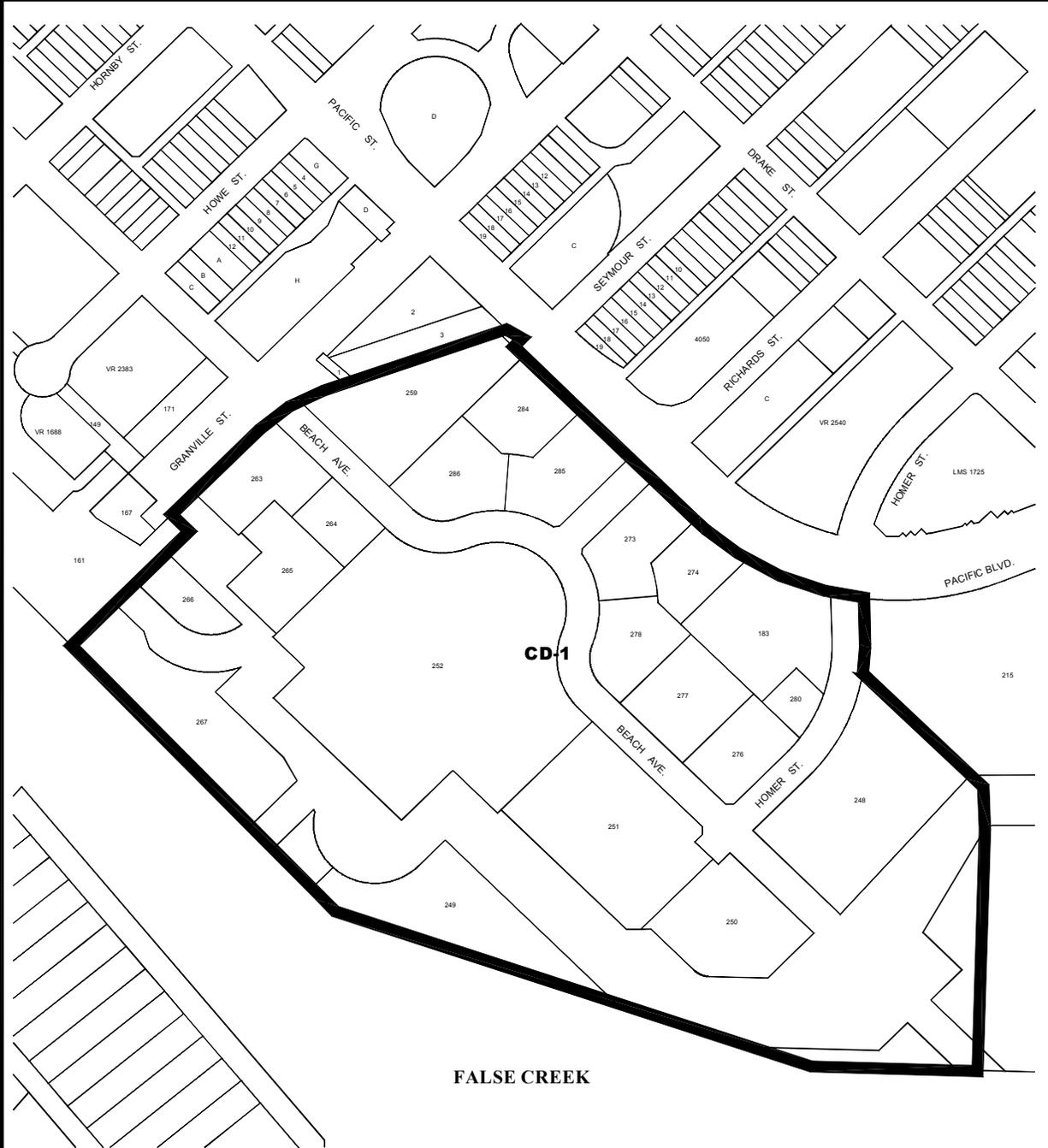
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall not exceed the noise level 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

[8714; 03 07 29]

- 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. 8714 being a By-law to amend By-law No. 3575
being the Zoning & Development By-law



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

Z-541

RZ - 500 & 600 Pacific Street

map: 1 of 1

scale: NTS



City of Vancouver