

City of Vancouver *Zoning and Development By-law*

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CD-1 (403)

55-67 East Hastings Street

By-law No. 8193

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

Effective May 2, 2000

(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

2.1 The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1(403), and the only uses permitted within the outlined area, subject to Section 2.2 and such other conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are

- (a) Cultural and Recreational Uses, limited to Artist Studio - Class A, Community Centre or Neighbourhood House, Library, and Theatre,
- (b) Dwelling Units,
- (c) Institutional Uses, limited to Child Day Care Facility, Detoxification Centre and Social Service Centre,
- (d) Manufacturing Uses, limited to Bakery Products Manufacturing, Clothing Manufacturing, Electrical Products or Appliances Manufacturing, Furniture or Fixtures Manufacturing, Jewellery Manufacturing, Leather Products Manufacturing, Miscellaneous Products Manufacturing - Class B, Printing or Publishing, and Software Manufacturing,
- (e) Office Uses,
- (f) Retail Uses, limited to Furniture or Appliance Store, Grocery or Drug Store and Retail Store,
- (g) Service Uses, limited to Barber Shop or Beauty Salon, Laundromat or Dry Cleaning Establishment, Print Shop, Repair Shop - Class B, Restaurant - Class 1, School - Arts or Self-Improvement, School - Business, School - Vocational or Trade, and Sign Painting Shop,
- (h) Recycling Depot,
- (i) 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, and
 - (ii) the Development Permit Board is satisfied that the use can be easily removed and is of low intensity or low in capital investment.

2.2 Conditions of Use

All uses, except residential, are limited to the ground floor.

3 Floor Space Ratio

3.1 The maximum floor space ratio is 4.58. except that residential uses must not exceed a floor space ratio of 4.21 and non-residential uses must not exceed a floor space ratio of 0.37. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 1,133.2 m², being the site size at time of application for rezoning, prior to any dedications.

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

- (a) all floors both above and below ground level, to be measured to the extreme outer limits of the building, 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 will be excluded in the computation of floor space ratio:

- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Development Permit Board, are similar to the foregoing and contribute to the amenity or environment of the Downtown-Eastside / Oppenheimer District, provided that the total area of all exclusions does not exceed eight percent of the provided residential floor area;

- (b) patios or roof gardens provided that any sunroofs or walls are approved by Director of Planning;
- (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 the base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
- (d) 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]
- (e) 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; [8289; 01 02 20]
- (f) amenity areas, including day care facilities, recreation facilities, and meeting rooms, to a maximum aggregate total of 10 percent of the total permitted floor area. [8337; 01 05 15]

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.

3.5 Floor space shall not be put to any use other than that which justified the exclusion.

4 Height

The maximum building height measured above the base surface, but excluding mechanical penthouse and roof, is 26.7 m and the building must not extend beyond 9 storeys.

5 Off-Street Parking and Loading

5.1 Off-street parking and loading and bicycle spaces must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that one parking space for every eight dwelling units must be provided.

5.2 The Director of Planning, on advice of the City Engineer, may grant a relaxation in the requirements of section 5.1 where enforcement would result in unnecessary hardship and where he is of the opinion that such relaxation will not adversely impact surrounding developments and residents or the parking needs of the residents or visitors to the site.

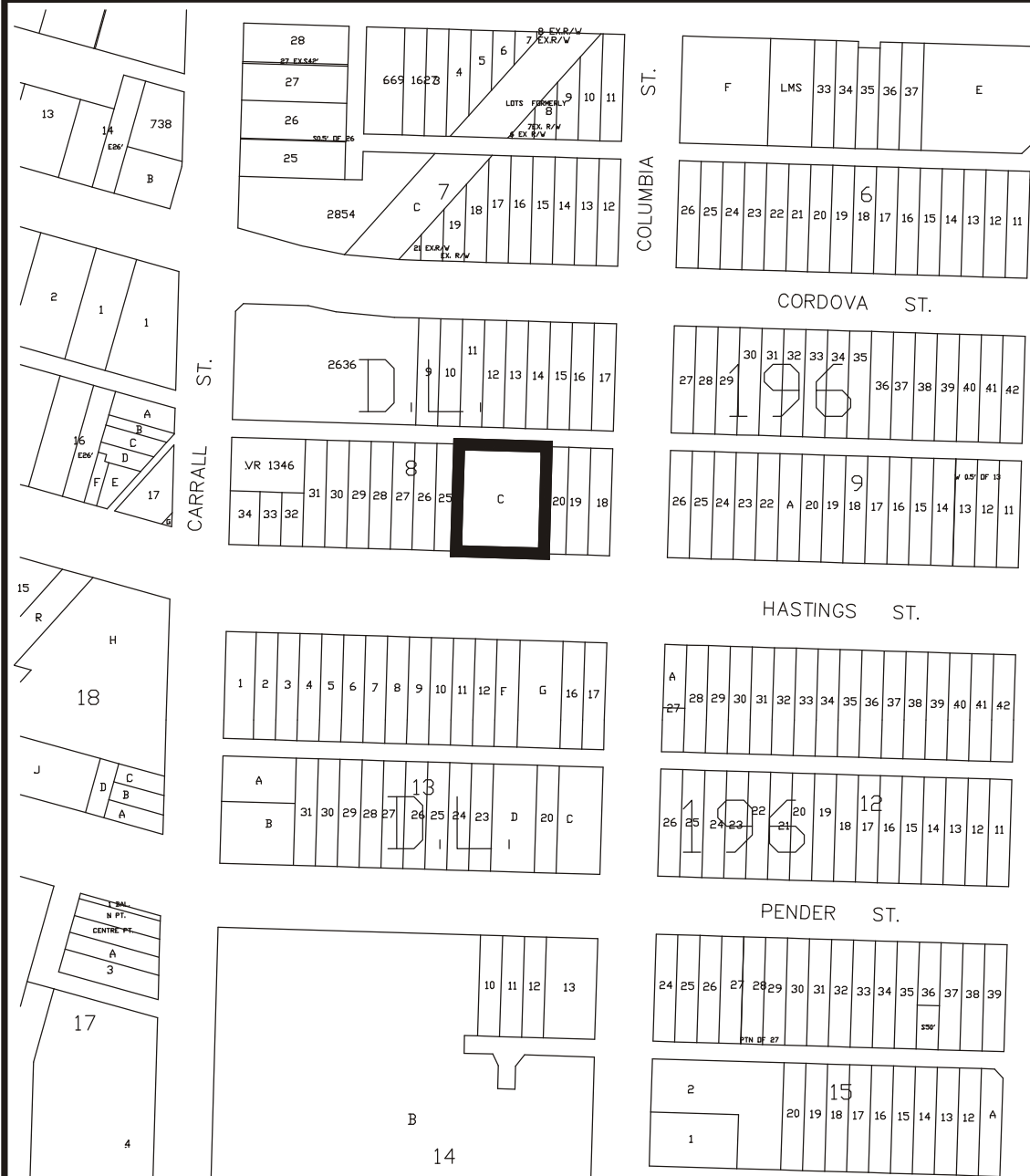
6 Acoustics

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.

Portions of Dwelling Units	Noise Level (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

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 certify the by-law number and date of enactment.]*

By-law No. 8193 being a By-law to amend By-law No. 3575
 being the Zoning & Development By-law



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

Z-504

RZ - 55 - 67 East Hastings Street

map: 1 of 1
 scale: 1:2000



City of Vancouver