



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

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## CD-1 (413)

### *801 West Georgia Street*

### *By-law No. 8536*

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

**Effective July 30, 2002**

*(Amended up to and including By-law No. 9472, dated May 15, 2007)*

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 description of the area shown within the heavy black outline on Schedule A will be CD-1 (413).

**2.2** The only uses permitted within CD-1 (413), subject to such conditions as Council may by resolution prescribe, and the only uses for which the Director of Planning or Development Permit Board will issue development permits, are:

- (a) Dwelling units, in conjunction with any of the other uses listed in this section 2.2, which the Director of Planning or Development Permit Board may approve if the aggregate floor space ratio for Office Uses, Retail Uses, and Service Uses is 9.0 or more, and which dwelling units will be in an “activity zone” as defined in the Noise Control By-law, and, as a result, will be subject to the noise levels permitted in commercial and industrial districts; [8627; 03 02 11]
- (b) Office Uses;
- (c) Parking Uses;
- (d) Retail Uses, limited to Retail Store;
- (e) Service Uses, limited to Barber Shop or Beauty Salon, Cabaret, Hotel, Neighbourhood Public House, Photofinishing or Photography Studio, Restaurant; and
- (f) Accessory Use customarily ancillary to any of the uses permitted by this section 2.

## 3 Floor Area and Density

**3.1** The floor space must not exceed 47 413 m<sup>2</sup>, subject to an increase of a maximum of 2 669 m<sup>2</sup> upon compliance with section 3.1(b), and the floor area for:

- (a) development on PID: 024-570-605, Lot F, Block 41, District Lot 541, Plan LMP42609 must not exceed 17 000 m<sup>2</sup>; and
- (b) development on PID: 024-570-613, Lot G, Block 41, District Lot 541, Plan LMP42609 must not exceed 31 655 m<sup>2</sup>, except that the Development Permit Board may approve additional floor area not exceeding 2 669 m<sup>2</sup> in a development permit application subject to a condition of development approval that, before issuance of the development permit, the applicant provide evidence, satisfactory to the Director of Legal Services, that the applicant has purchased heritage bonus density from an eligible donor site, equal to the requested additional floor area. [8627; 03 02 11]

**3.2** Computation of floor space ratio and floor area must include all floors having a minimum ceiling height of 1.2 m, including earthen floor, to be measured to the extreme outer limits of the building. [8890; 04 07 06] [9311; 06 06 13]

**3.3** Computation of floor space ratio and floor area must exclude: [9311; 06 06 13]

- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing and contribute to the amenity or environment of the Downtown District, except that the total area of all exclusions must not exceed 8% of the residential floor area;
- (b) patios or roof gardens, if the Director of Planning has approved any sunroofs or walls that form part of such patios or roof gardens;
- (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, except that the exclusion for a parking space must not exceed 7.3 m in length;

**Note:** *Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 8536 or provides an explanatory note.*

- (d) storage space associated with dwelling uses, except that if the storage space is at or above base surface, the maximum exclusion will be 3.71 m<sup>2</sup> for each dwelling unit;
- (e) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause will not apply to walls in existence before March 14, 2000;
- (f) amenity areas ancillary to the principal use that provide for the social and recreational enjoyment of residents and employees, or for a service to the public, including facilities for physical fitness, general recreation and child day care, if the excluded area does not exceed 929 m<sup>2</sup> for any development; and
- (g) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing. [8627; 03 02 11]  
[8890; 04 07 06]

**3.4** Computation of floor space ratio and floor area may exclude: [9311; 06 06 13]

- (a) enclosed residential balconies, if 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 must not exceed 8% of the residential floor area for dwelling units, and
  - (ii) the enclosed area of the excluded balcony floor area must not exceed 50%; and
- (b) interior public space, including atria and other similar spaces, if:
  - (i) the excluded area does not exceed the lesser of 10% of the permitted floor area or 557.4 m<sup>2</sup>,
  - (ii) the site owner grants to the City a section 219 covenant and statutory right of way, on terms and with priority of registration satisfactory to the Director of Legal Services, securing the excluded area for public access and use, and
  - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council.

[8890; 04 07 06]

**3.5** The use of floor space excluded, under this By-law, from the computation of floor space ratio and floor area must not be for any purpose other than that which justified the exclusion.  
[9311; 06 06 13]

**3.6** For the purpose of floor area calculation, each 1 m<sup>2</sup> of gross floor area for above-grade parking will count as 0.7 m<sup>2</sup>, except that in the case of an automated parking system, each 1 m<sup>2</sup> of the effective useable floor area of the parking system, including vehicle storage racks and vehicle elevator areas, but excluding void spaces or other similar unusable areas, will count as 0.7 m<sup>2</sup> of floor area. [8627;03 02 11] [8890; 04 07 06]

**4** Height

**4.1** The maximum building height measured above the base surface to the roof of the uppermost occupied floor must not exceed 141.7 m, except that the Development Permit Board may permit an increase:

- (a) in maximum building height measured to the roof of the uppermost occupied floor of habitable space to 148.4 m for the purposes of improving the liveability of dwelling unit and hotel uses;

- (b) for a decorative roof, including architectural appurtenances such as towers, turrets, and cupolas and mechanical appurtenances such as elevator machine rooms and chimneys, to 155.9 m if:
    - (i) the Development Permit Board is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances,
    - (ii) the roof does not add to the floor area otherwise permitted, and
    - (iii) the Development Permit Board first considers all applicable policies and guidelines adopted by Council; and
  - (c) for a rooftop architectural appurtenance, to a further height of 162.0 m but limited to a relatively transparent glass box, about 2.4 m by 2.4 m in cross-sectional area.
- [8628; 03 02 11]

**4.2** The Director of Planning or Development Permit Board may permit a decorative roof, which may include architectural appurtenances such as towers, turrets, and cupolas, and mechanical appurtenances such as elevator machine rooms and chimneys, to exceed the height restriction in section 4.1 if:

- (a) the Director of Planning or Development Permit Board is satisfied that the roof enhances the overall appearance of the building and appropriately integrates mechanical appurtenances;
- (b) the roof does not add to the floor area otherwise permitted; and
- (c) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council.

**4.3** Section 10.11, entitled Relaxation of Limitations on Building Height, of the Zoning and Development By-law, does not apply to this By-law. [9311; 06 06 13]

## 5 Off-Street Parking and Loading

**5.1** Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of the Parking By-law, of off-street parking, loading, and bicycle storage, except that:

- (a) the relaxations and exemptions in the Parking By-law will be available;
- (b) there must be at least one Class B loading space for each 200 dwelling units, applied as follows:
  - (i) less than 99 dwelling units - no requirement,
  - (ii) 100 to 299 dwelling units - at least one Class B loading space, and
  - (iii) 300 or more dwelling units - at least two Class B loading spaces;
- (c) there must be at least two Class A and two Class B loading spaces for the commercial uses;
- (d) there must be a minimum overhead clearance of 3.8 m for all Class B loading spaces and related maneuvering and access aisles; and
- (e) the Development Permit Board may approve off-street parking spaces in an automated parking system, and, with respect to such off-street parking spaces, may relax the requirements of sections 4.7 and 4.8 of the Parking By-law, including minimum parking space dimensions, aisle dimensions, and other requirements but excluding requirements for the number, size, and location of disability parking spaces which will continue to apply.

[8627; 03 02 11]

**5.2** The required number of off-street parking spaces are not necessary if, subsequent to original construction of a building, any additions, alterations, or changes in use would, in total, result in an increase of less than 10% of the number of spaces required for the originally constructed building before any addition, alteration, or change in use.

**5.3** The Parking By-law including, without limitation, the design standards in section 4.8 thereof will apply.

- 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 do 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 is defined simply as noise level in decibels.

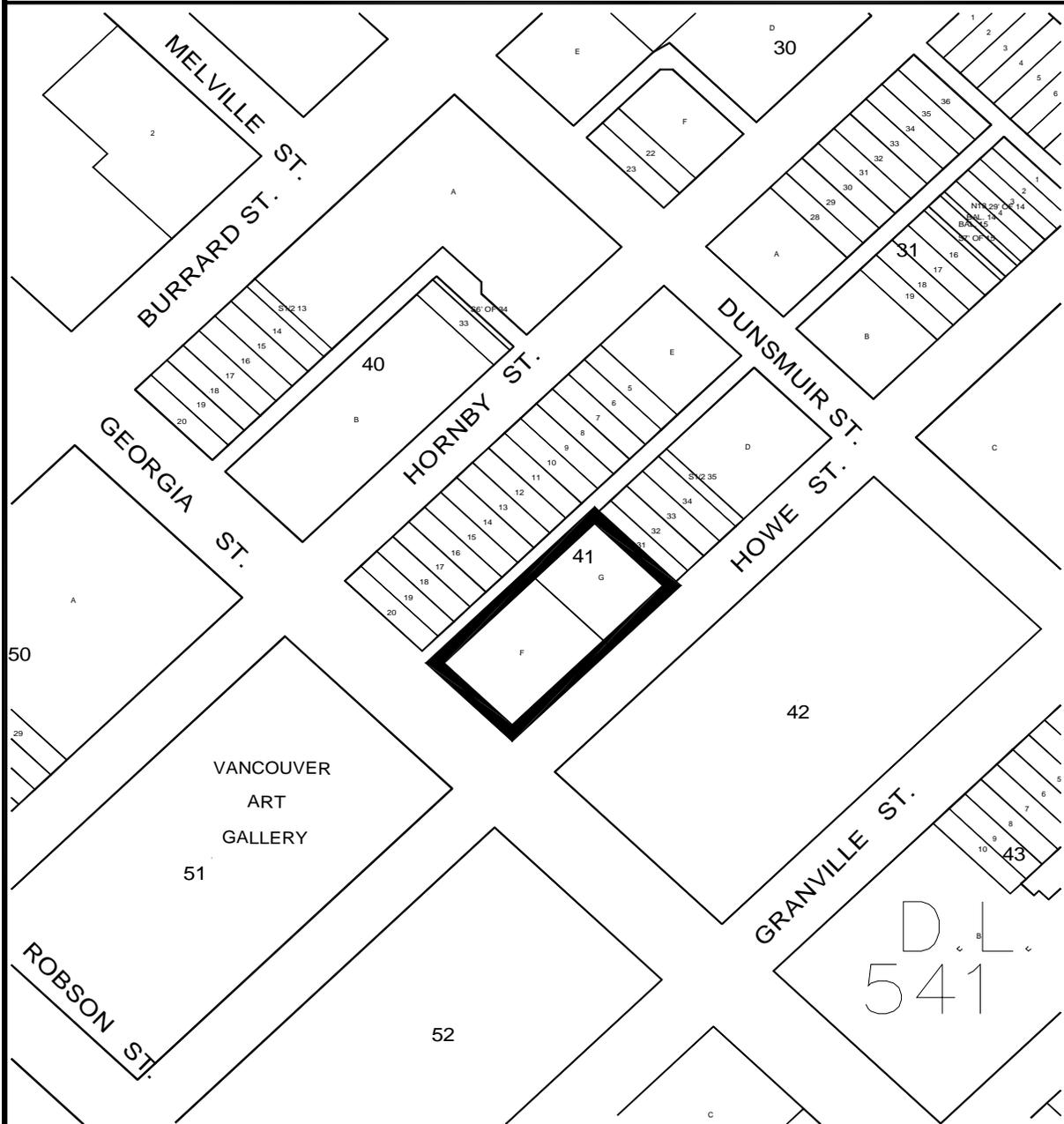
<b>Portions of dwelling units</b>	<b>Noise levels (Decibels)</b>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

[9472; 07 05 15]

- 7 *[Section 7 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]*

By-law No. 8536 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



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

**Z-531**

RZ - 801 West Georgia Street

map: 1 of 1

scale: 1:2000



**City of Vancouver**