



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

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## CD-1 (419)

### *1201 West Hastings Street*

### *By-law No. 8819*

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

***Effective March 23, 2004***

*(Amended up to and including By-law No. 9311, dated June 13, 2006)*

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 defined in the Zoning and Development By-law are to have the same meanings in this By-law except that, in this By-law:

**General Office Live-Work Use** means the use of premises for a dwelling unit, general office, or both uses in conjunction with one another, provided that:

- (a) any such use must not include a health enhancement centre or any dating service, entertainment service, exotic dancer business, social escort service or other similar business, as determined by the Director of Planning in consultation with the Chief License Inspector; and
- (b) any development permit for such premises will be for a dwelling unit, general office, and dwelling unit combined with general office; and

**Grocery Store** means the use of premises for the retailing of food, including food which is manufactured on the premises as an integral part of the retail operation but does not include any such premises which may be described as a warehouse store, discount warehouse, or factory outlet, or a warehouse or wholesale club whose membership is open to other than institutions, government agencies and licensed businesses, and does not include Neighbourhood Grocery Store or specialty shops such as bakeries, butchers, delicatessens, candy shops and ice cream parlours where sales are limited to a particular type of food.

## 3 Uses

**3.1** The description of the area shown within the heavy black outline on Schedule A is CD-1 (419).

**3.2** The only uses permitted within CD-1 (419), subject to such conditions as Council may by resolution prescribe, and to the conditions set out in this By-law, and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses limited to Dwelling Units;
- (b) General Office Live-Work Use, limited to five premises;
- (c) Grocery Store; and
- (d) Accessory Use customarily ancillary to any of the uses permitted by this section 3.

## 4 Conditions of Use

**4.1** Each premises containing a general office live-work use must have its own individual entrance facing West Hastings Street.

**4.2** Dwelling units are in an “activity zone” as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.

## 5 Density

**5.1** The maximum floor space ratio is 6.8, but the floor space ratio for:

- (a) a dwelling unit or general office live-work use must not exceed 6.0; and
- (b) a grocery store use must not exceed 0.8.

**Note:** *Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 8819 or provides an explanatory note.*

- 5.2** Computation of floor space ratio must include all floors having a minimum ceiling height of 1.2 m, both above and below ground level, measured to the extreme outer limits of buildings.
- 5.3** Computation of floor space ratio must exclude:
- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, except that the total floor area of all such exclusions must not exceed 8% of the residential floor area being provided;
  - (b) patios and roof gardens for residential purposes only if 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 portion of a floor used for off-street parking, loading, and bicycle storage that, for each parking area, is at or below the base surface;
  - (e) amenity areas accessory to residential use;
  - (f) areas of undeveloped floors 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;
  - (g) 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; and
  - (h) 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 does not apply to walls in existence prior to March 14, 2000.
- 5.4** The Director of Planning may permit exclusion from the computation of floor space ratio of 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 except that:
- (a) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided; and
  - (b) enclosure of the excluded balcony floor area must not exceed 50%.
- 5.5** The use of floor space excluded, under this By-law, from the computation of floor space ratio must not be for any purpose other than that which justified the exclusion. [9311; 06 06 13]
- 6** Height
- 6.1** The maximum building height, measured above the base surface, must not exceed 83.8 m, except that the Director of Planning or Development Permit Board, as the case may be, may permit an increase in height to 91.4 m if:
- (a) the Director of Planning or Development Permit Board first considers the height, bulk, location, and overall design of the building, and its effect on the site, surrounding buildings and streets, and existing views;
  - (b) in the opinion of the Director of Planning or Development Permit Board:
    - (i) the additional height enhances the overall appearance of the building and the top of the building as seen on the skyline,
    - (ii) the design of the higher portion of the building minimizes shadow impact on the waterfront walkway, and
    - (iii) the higher portion of the building is predominantly glazed, appropriately integrates all mechanical equipment enclosures, and considers lighting so as not to impact neighbours; and
  - (c) the area of the floor plate of the higher portion of the building is no greater than 50% of a typical floor plate, excluding mechanical equipment.

**6.2** Section 10.11 - Relaxation of Limitations on Building Height - of the Zoning and Development By-law does not apply to any increase in maximum building height, measured above the base surface, beyond 91.4 m.

**7** Parking and loading

**7.1** Any development or use of the site requires the provision, development, and maintenance of off-street parking and loading and bicycle storage in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, except as varied by section 7.2.

**7.2** The following parking space requirements apply:

- (a) for a grocery store use:
  - (i) a minimum of one parking space for each 100 m<sup>2</sup> of gross floor area for the first 300 m<sup>2</sup> of gross floor area,
  - (ii) a minimum of one parking space for each 50 m<sup>2</sup> of gross floor area in excess of 300 m<sup>2</sup> of gross floor area,
  - (iii) despite section 7.2(a)(i) and (ii), the maximum number of parking spaces permitted must be no more than 20% above the minimum number of parking spaces required, and
  - (iv) the maximum number of small car parking spaces must not exceed 15% of the parking spaces required;
- (b) for a general office live-work use, parking must comply with the requirements prescribed for Downtown District Area III in accordance with section 4.3.1 of the Parking By-law; and
- (c) for a dwelling unit:
  - (i) a minimum of 0.9 parking space,
  - (ii) one additional space for each 200 m<sup>2</sup> of gross floor area, and
  - (iii) despite section 7.2(c)(i) and (ii), the maximum number of parking spaces permitted must be no more than 1.1 parking spaces plus one additional parking space for each 125 m<sup>2</sup> of gross floor area.

**8** 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

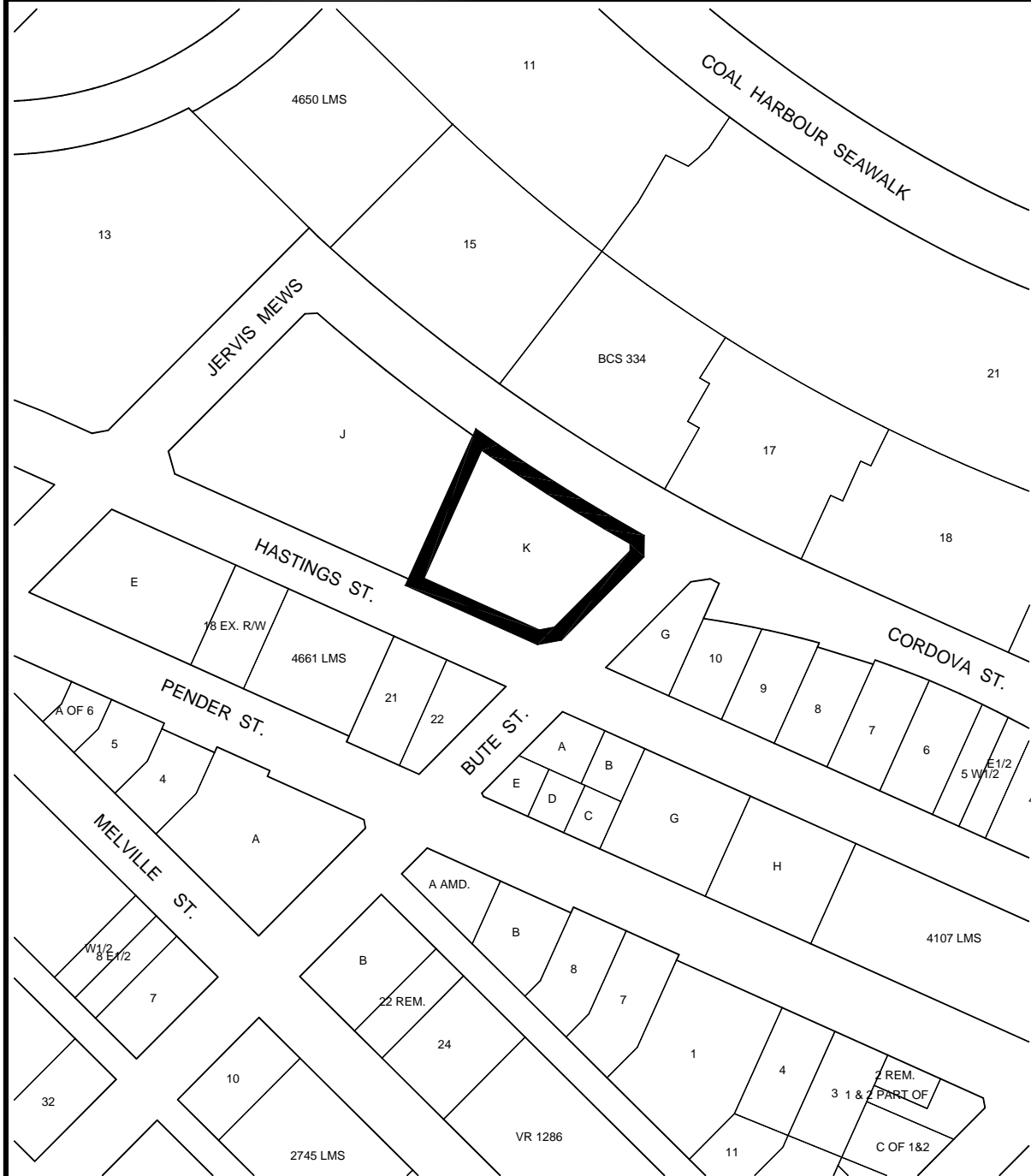
**9** Severability

A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law.

**10** *[Section 10 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. 8819 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



The property outlined in black ( **K** ) is rezoned:

From **CWD & DD** to **CD-1**

**Z-545**

**RZ - 1201 W Hastings Street**

map: 1 of 1

scale: 1:2000



**City of Vancouver**