



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

**Planning, Urban Design and Sustainability Department**

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## CD-1 (420)

*1402-1436 Kingsway and 4050 Knight Street*  
***By-law No. 8880***

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

***Effective June 22, 2004***

*(Amended up to and including By-law No. 12084, dated May 1, 2018)*

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 is CD-1 (420).

2.2 The only uses permitted within CD-1 (420), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, not including Arcade, Bingo Hall, Casino, Golf Course or Driving Range, Marina, Park or Playground, Riding Ring, Stadium or Arena, and Zoo or Botanical Garden;
- (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this By-law and Multiple Dwelling;
- (c) Institutional Uses, not including Ambulance Station, Detoxification Centre, and Hospital;
- (d) Manufacturing Uses, limited to Jewellery Manufacturing and Printing or Publishing;
- (e) Office Uses;
- (f) Residential Unit associated with and forming an integral part of an Artist Studio;
- (g) Retail Uses, limited to Furniture or Appliance Store, Grocery or Drug Store, Grocery Store with Liquor Store, Liquor Store, Retail Store, and Secondhand Store; [12084; 18 05 01]
- (h) Service Uses, not including Body-rub Parlour, Drive-through Service, Funeral Home, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Motor Vehicle Wash, Production or Rehearsal Studio, Repair Shop-Class A, Restaurant-Drive-in, and Work Shop;
- (i) Utility and Communication Uses, limited to Public Utility and Radiocommunication Station;
- (j) Wholesale Uses, limited to Wholesaling-Class A and Wholesaling-Class B;
- (k) Accessory Uses customarily ancillary to any of the uses permitted by this section 2; and
- (l) Interim Parking Use subject to a parking management plan as determined by the Director of Planning in consultation with the City Engineer.

## 3 Conditions of Use

Despite section 2.2, the following uses are not permitted at grade on the Kingsway or Knight street frontage, except for entranceways: Bowling Alley, Fitness Centre, Hall, Rink, Swimming Pool, Club, Dwelling Uses, Community Care Facility, Group Residence, General Office except for insurance, travel agency or real estate office, Auction Hall, Bed and Breakfast Accommodation, Cabaret, School- Elementary or Secondary, School-University or College, School-Arts or Self Improvement, School- Business, and School-Vocational or Trade. [9674; 08 06 24]

## 4 Floor space ratio

4.1 The floor space ratio must not exceed 3.86. [9440; 07 03 13]

4.2 At least 2 508 m<sup>2</sup> of floor area must consist only of a grocery store, being the use of premises to retail food, including food manufactured on the premises as an integral part of the retail operation, and an accessory drug store or other use customarily ancillary to a grocery store, or a grocery store with liquor store, where the grocery store is as defined in this section 4.2, but does not include Neighbourhood Grocery Store or specialty shops such as bakeries, butchers, delicatessens, candy shops, and ice cream parlours which limit sales to a particular type of food. [9440; 07 03 13] [12084; 18 05 01]

**Note:** *Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 8880 or provides an explanatory note.*

**4.3** Computation of floor space ratio must: [9440; 07 03 13]

- (a) assume that the site includes all parcels to which this By-law applies, and consists of 10 196 m<sup>2</sup>; and
- (b) include measurement of all floors of all buildings including accessory buildings, both above and below ground level, to the extreme outer limits of the building.

[9175; 05 11 01]

**4.4** Computation of floor space ratio must exclude: [9440; 07 03 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, except that the total area of all exclusions must not exceed 8% of the residential floor area being provided;
- (b) patios and roof gardens if the Director of Planning first approves the design of sunroofs and walls;
- (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:
  - (i) are at or below the base surface, except that the maximum exclusion for a parking space must not exceed 7.3 m in length, or
  - (ii) are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, except that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, including child day care facilities, recreational facilities, and meeting rooms accessory to a residential use, to a maximum total area of 10% of the total permitted floor area if, for child day care facilities the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood;
- (e) residential storage space, except that where the space is provided at or above base surface, the maximum exclusion is 3.7 m<sup>2</sup> per dwelling unit; and
- (f) 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.

**4.5** If: [9440; 07 03 13]

- (a) the Director of Planning first considers all applicable policies and guidelines adopted by Council, and approves the design of any balcony enclosure;
- (b) despite subsection (a), the total area of all open and enclosed balcony or sundeck exclusions does not exceed 8% of the residential floor area being provided; and
- (c) despite subsection (a), the enclosed portion of the excluded balcony floor area does not exceed 50%;

then the Director of Planning may permit the exclusion of enclosed residential balconies from the computation of floor space ratio.

**5** Height

The maximum building height measured above the base surface must not exceed 54.0 m and the building must not exceed 17 storeys, except that the Development Permit Board may permit an increase for mechanical appurtenances and elevator rooms. [9440; 07 03 13]

6 Horizontal angle of daylight

6.1 All habitable rooms in buildings used for residential or hotel purposes must have at least one window on an exterior wall that complies with the following:

- (a) the location of the window must be such that a plane or planes, extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, are unobstructed over a distance of 24.0 m; and
- (b) measurement of the plane or planes referred to in subparagraph (a) must be horizontal from the centre of the bottom of the window.

6.2 For the purpose of section 6.1, obstructions include:

- (a) the theoretically equivalent buildings located on any adjoining sites in any R district in a corresponding position by rotating the plot plan of the proposed building 180 degrees about a horizontal axis located on the property lines of the proposed site;
- (b) part of the same building including permitted projections;
- (c) accessory buildings located on the same site as the principal building; and
- (d) the maximum size building permitted under the appropriate C or M District Schedule in the Zoning and Development By-law if the site adjoins a C or M site.

6.3 For the purpose of section 6.1, habitable rooms do not include:

- (a) bathrooms; or
- (b) kitchens, unless the floor area is more than 10% of the total floor area of the dwelling unit or 9.3 m<sup>2</sup>, whichever is the greater.

7 Parking, loading, bicycle, and passenger spaces

7.1 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, bicycle, and passenger spaces, except that:

- (a) for dwelling units, the following loading space requirements apply:
  - (i) for 99 or fewer dwelling units, no requirement,
  - (ii) for 100 to 299 dwelling units, at least one Class B loading space, and
  - (iii) for 300 or more dwelling units, at least two Class B loading spaces; and [9440; 07 03 13]
- (b) if this By-law requires more than one Class B loading space on a site, there must be a minimum unobstructed vertical clearance of 3.8 m for all Class B loading spaces and related maneuvering and access aisles. [9440; 07 03 13]

7.2 The relaxation and mixed-use reduction provisions of the Parking By-law apply.

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 External design

**9.1** Each grade-level use that fronts onto Kingsway or Knight Street, and each grade level commercial use that fronts onto King Edward Avenue, must include any one or a combination of display windows, individualized tenancy unit design, building articulation, pedestrian entrance definition via a recess or projecting canopy, or any other architectural features that facilitate pedestrian interest.

**9.2** Each individual commercial occupancy that fronts onto Kingsway or Knight Street must include direct pedestrian access at the fronting street at or near grade level.

**9.3** Each dwelling use must include a pedestrian access separate from other uses.

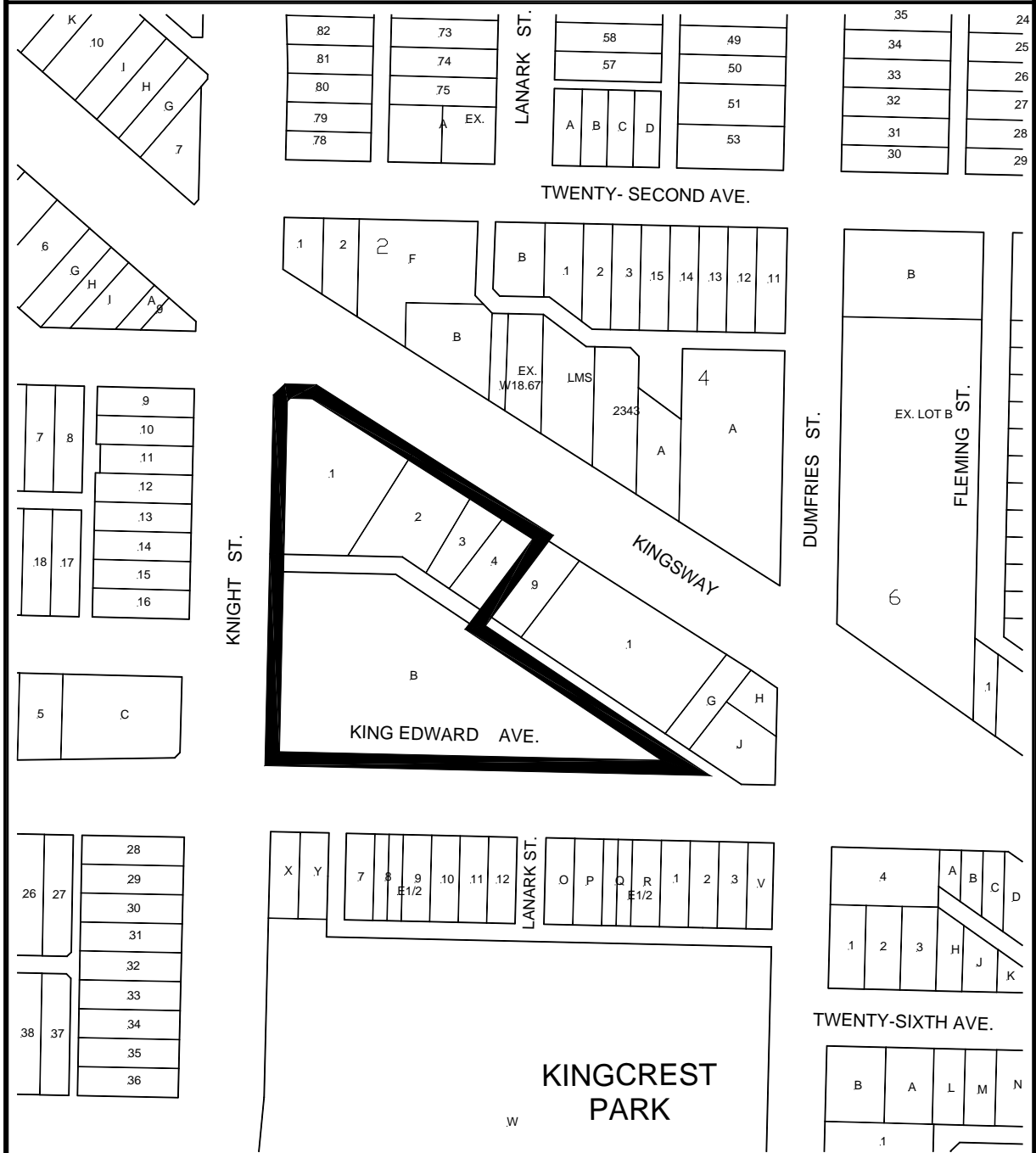
10 Severability

If a court having jurisdiction decides that any part of this By-law is void or unenforceable, such a decision is not to affect the balance of the By-law.

11 *[Section 11 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. 8880 being a By-law to amend By-law No. 3575

being the Zoning & Development By-law



The property outlined in black (  ) is rezoned:  
From **C-2** to **CD-1**

**Z-543**

**RZ - 1402-1436 Kingsway & 4050 Knight Street**

map: 1 of 1

scale: 1:2000



**City of Vancouver**