



City of Vancouver *Zoning and Development By-law*

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CD-1 (423)

1475 Howe Street

By-law No. 8925

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

Effective September 14, 2004

(Amended up to and including By-law No. 8974, dated January 18, 2005)

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 have the meanings given to them in the Zoning and Development By-law except that:

General Office Live-Work 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 dwelling units, general office, and dwelling unit combined with general office.

3 Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (423).

3.2 The only uses permitted within CD-1 (423), 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 151 Dwelling Units;
- (b) General Office Live-Work, limited to 4 General Office Live-Work units; and
- (c) Accessory Use customarily ancillary to any of the uses permitted by this section 3.2.

4 Conditions of use

4.1 Each general office live-work unit must have a separate and exclusive pedestrian entrance facing Pacific Street.

5 Density

5.1 The floor space ratio for all permitted uses must not exceed 4.95.

5.2 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 and contribute to the amenity or environment of the Downtown District, except that the total floor area of all such exclusions must not exceed 8% of the residential floor area being provided;
- (b) patios or roof gardens only 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 are at or below the base surface, except that the maximum exclusion for a parking space must 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;

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 8925 or provides an explanatory note.

- (e) covered exterior entry walkways and corridors that provide weather protection; and [8974; 05 01 18]
- (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.

5.3 Computation of floor space ratio, at the discretion of the Director of Planning or Development Permit Board, may exclude:

- (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 except that:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided, and
 - (ii) enclosure of the excluded balcony floor area must not exceed 50%;

and

- (b) ancillary social and recreational uses primarily for the enjoyment of residents and employees including saunas, swimming pools, squash courts, gymnasiums, workout rooms, games rooms, hobby rooms, and other uses of a public service, social, or recreational nature, which, in the opinion of the Director of Planning, are similar to the foregoing, except that such ancillary facilities must not exceed 5% of allowable floor space in the principal use.

5.4 For the purposes of section 5.2 and 5.3, Council deems “general office live-work” to be a residential use.

5.5 The use of floor space excluded, under section 5.2 and 5.3, from the computation of floor space ratio must not be for any purpose other than that which justified the exclusion. [8974; 05 01 18]

5.6 Computation of floor space ratio must include all floors having a minimum ceiling heights of 1.2 m, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building.

6 Building height

6.1 The maximum building height, measured above the base surface, must not exceed 91.4 m. [8974; 05 01 18]

6.2 Section 10.11 Relaxation of Limitations on Building Height of the Zoning and Development By-law does not apply beyond 91.4 m.

7 Setbacks

The setback of a building must be at least:

- (a) 3 m from the south property boundary;
- (b) 3.7 m from the east property boundary;
- (c) 3 m from the north property boundary; and
- (d) 10.2 cm from the west property boundary.

8 Parking and loading, and bicycle storage

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 that:

- (a) each dwelling unit must have a minimum of 0.8 off-street parking spaces and one additional parking space for each 200 m² of gross floor area;
- (b) each dwelling unit must have a maximum of 0.2 parking spaces beyond the minimum number of parking spaces; and
- (c) the Director of Planning and General Manager of Engineering Services, on conditions that are satisfactory to them, may allow:
 - (i) the substitution of co-operative vehicles and associated parking spaces for required parking spaces at a 1:3 ratio, up to 1 co-operative vehicle for each 60 dwelling units, rounded to the nearest whole number, and
 - (ii) if the owner provides 4 co-operative vehicles and associated parking spaces, a reduction in the total number of parking spaces to 191.

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 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.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

10 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.

11 Force and effects

This By-law is to come into force and take effect on the date of its enactment.

12 *[Section 12 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.]*

