



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

**Planning, Urban Design and Sustainability Department**

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## CD-1 (427)

*1001-1015 Denman Street*

***By-law No. 8978***

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

***Effective February 1, 2005***

*(Amended up to and including By-law No. 11725, dated January 24, 2017)*

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 (427).

2.2    Subject to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (427) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a)    Cultural and Recreational Uses, limited to Artist Studio - Class A, Arts and Culture Indoor Event, Billiard Hall, Club, Community Centre or Neighbourhood House, Fitness Centre, Library, Museum or Archives, and Theatre;
- (b)    Institutional Uses, limited to Child Day Care Facility and Social Service Centre;
- (c)    Office Uses, limited to Financial Institution, General Office, Health Care Office, and Health Enhancement Centre;
- (d)    Retail Uses, limited to Furniture or Appliance Store, Grocery or Drug Store, Retail Store, Secondhand Store, and Small-scale Pharmacy;
- (e)    Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Catering Establishment, Laundromat or Dry Cleaning Establishment, Photofinishing or Photography Studio, Print Shop, Repair Shop - Class B, Restaurant, School - Arts or Self-Improvement, School - Business, and School - Vocational or Trade; and
- (f)    Accessory Use customarily ancillary to any of the uses permitted by this section 2.2.

[11326; 15 07 21]

## 3     Density

3.1    The floor space ratio for all permitted uses must not exceed 1.96, except that the floor space ratio for retail and service uses must not exceed 1.20.

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

3.3    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, provided that the total floor area of all such exclusions must not exceed 8% of the permitted residential floor area;
- (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 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 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

**Note:**    *Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 8978 or provides an explanatory note.*

- (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.

[11725; 17 01 24]

### 3.4 Computation of floor space ratio 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 permitted residential floor area, and
  - (ii) enclosure of the excluded balcony floor area must not exceed 50%;
- (b) interior public space, including atria and other similar spaces, except that:
  - (i) the excluded area must not exceed the lesser of 10 percent of the permitted floor area or 600 m<sup>2</sup>,
  - (ii) the excluded floor area must be secured by covenant and right-of-way in favour of the city which sets out the public access and use, and
  - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council; and
- (c) amenity areas, including day care facilities and non-profit recreation facilities, to a maximum floor area of the lesser of 10% of the permitted floor area or 1 000 m<sup>2</sup>, provided, that in the case of day care facilities, the Director of Planning, on advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the immediate neighbourhood.

[11725; 17 01 24]

- 3.5 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]

## 4 Building height

- 4.1 The maximum building height, measured above the base surface must not exceed 18.3 m or five storeys. [9311; 06 06 13]

- 4.2 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]

[11725; 17 01 24]

## 5 Setbacks

The setback of a building must be at least:

- (a) 0 m from the Nelson Street property line;
- (b) 0 m from the Denman Street property line;
- (c) 2.4 m in the rear yard; and
- (d) 0 m from the property line along the lane.

[11725; 17 01 24]

## 6 Parking and loading, and bicycle storage

Any development or use of the site requires the provision, development, and maintenance of off-street parking, 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) C-5 District Schedule standards apply for retail and service uses; and
- (b) RM-5B District Schedule standards apply for residential uses.

7 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

8 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.

9 *[Section 9 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.]*

