



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

**Planning, Urban Design and Sustainability Department**

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## CD-1 (489)

*1201 - 1215 Bidwell Street and 1702 - 1726 Davie Street*

*By-law No. 10101*

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

***Effective July 20, 2010***

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

## 1 Zoning District Plan amendment

This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-617 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

## 2 Uses

**2.1** The description of the area shown within the heavy black outline on Schedule A is CD 1 (489).

**2.2** Subject to Council approval of the form of development, 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 (489) 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 Personal Training Centre;
- (b) Dwelling Uses, in conjunction with any use listed in this section 2.2;
- (c) Office Uses;
- (d) Retail Uses, limited to Adult Retail Store, Grocery or Drug Store, Grocery Store with Liquor Store, Liquor Store, Pawnshop, Retail Store, Secondhand Store, and Small-scale Pharmacy; [12084; 18 05 01]
- (e) Service Uses, limited to Animal Clinic, Barber Shop or Beauty Salon, Beauty and Wellness Centre, Cabaret, Catering Establishment, Laundromat or Dry Cleaning Establishment, Neighbourhood Public House, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Repair Shop – Class B, Restaurant, School – Arts or Self-Improvement, School – Business, School – Vocational or Trade; and
- (f) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

## 3 Density

**3.1** The floor space ratio for all uses, combined, must not exceed 6.27.

**3.2** Computation of floor space ratio must include all floors, both above and below ground level, measured to the extreme outer limits of the building.

**3.3** Computation of floor space ratio must exclude:

- (a) open residential balconies or sun decks, 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) the floors or portions of floors 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, which are at or below the base surface except that the exclusion for a parking space must not exceed 7.3 m in length for the purpose of exclusion from floor space ratio computation;
- (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> for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that 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 does not apply to walls in existence prior to March 14, 2000; and

**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 10101 or provides an explanatory note.

- (f) with respect to exterior:
  - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation, or
  - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),

the area of such walls that exceeds 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any wall referred to in this section meets the standards set out therein.

### 3.4 Computation of floor space ratio may exclude, at the discretion of the Director of Planning:

- (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 provided 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 if the Director of Planning first considers all applicable policies and guidelines adopted by Council except that:
  - (i) excluded space must not exceed the lesser of 10% of the permitted floor area and 600 m<sup>2</sup>,
  - (ii) a covenant and statutory right of way in favour of the city and setting out public access and use must secure the excluded area, and
  - (iii) the Director of Planning must first consider all applicable policies and guidelines adopted by Council; and
- (c) amenity floor areas except that the excluded space must not exceed the lesser of 10% of the permitted floor area and 1 000 m<sup>2</sup>.

## 4 Building height

4.1 The building height, measured above base surface, must not exceed 64.0 m.

4.2 Despite section 4.1 of this By-law and section 10.11 of the Zoning and Development By-law, a planted sustainable green wall may extend 2 m more or less above the maximum height of the building.

## 5 Parking, loading, and bicycle spaces

Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law, except that there must be:

- (a) for non-dwelling uses:
  - (i) at least one parking space for each 145 m<sup>2</sup> of gross floor area,
  - (ii) no more than one parking space for each 115 m<sup>2</sup> of gross floor area,
  - (iii) at least 1% of parking spaces designated as shared vehicle parking spaces for use by visitors who are using a shared vehicle, and
  - (iv) one disability parking space for the first 500 m<sup>2</sup> of gross floor area, and 0.4 disability parking space for each additional 1 000 m<sup>2</sup> of gross floor area; and

- (b) for dwelling uses:
- (i) at least the lesser of one parking space for each 140 m<sup>2</sup> of gross floor area and one parking space for each dwelling unit,
  - (ii) no more than 0.5 parking space for each studio dwelling unit, one parking space for each one bedroom dwelling unit, 1.5 parking spaces for each two bedroom dwelling unit, and two parking spaces for each three or more bedroom dwelling unit,
  - (iii) at least 0.1 parking spaces and no more than 0.2 parking spaces for each dwelling unit for visitor parking supplied from the minimum required and maximum allowable parking spaces,
  - (iv) 0.02 shared vehicle parking spaces for each dwelling unit, and, for parking calculation purposes, any number larger than or equal to 0.5 is to equal one, [10183; 10 12 14]
  - (v) at least 0.008 loading spaces, Class A for one to 299 dwelling units,
  - (vi) at least 0.006 loading spaces, Class A for more than 299 dwelling units, and
  - (vii) one disability parking space for the first seven dwelling units, and 0.034 disability parking spaces for each dwelling unit thereafter.

## 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 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

## 7 Severability

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

## 8 Force and effect

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

ENACTED by Council this 20<sup>th</sup> day of July 2010.

