



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

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## **CD-1 (493)**

*745 Thurlow Street*

*By-law No. 10131*

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

***Effective September 21, 2010***

*(Amended up to and including By-law No.10587, dated October 30, 2012)*

## **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-603 (a) 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 (493).

**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 (493) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses;
- (b) Institutional Uses;
- (c) Office Uses;
- (d) Retail Uses;
- (e) Service Uses; and
- (f) Accessory Use customarily ancillary to any use permitted by this section 2.2.  
[10587; 12 10 30]

## **3 Floor area and density**

**3.1** Computation of floor space ratio must assume that the site consists of 2 412.6 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.

**3.2** Floor space ratio for all uses combined must not exceed 16.1.  
[10198; 11 01 18] [10587; 12 10 30]

**3.3** 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, measured to the extreme outer limits of the building.

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

- (a) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls;
- (b) 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 maximum exclusion for a parking space must not exceed 7.3 m in length;
- (c) undeveloped floor area located above the highest storey or half-storey with a ceiling height of less than 1.2 m, and to which there is no permanent means of access other than a hatch;
- (d) amenity areas including day care facilities, recreation facilities, and meeting rooms, except that the total area excluded must not exceed 1 000 m<sup>2</sup>; and
- (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 shall not apply to walls in existence prior to March 14, 2000; and  
[10198; 11 01 18]
- (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 subsection (ii) meets the standards set out therein.  
[10198; 11 01 18]

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

- (a) windows recessed into the building face to a depth of no more than 160 mm, except that the Director of Planning or Development Permit Board may allow a greater depth in cases where it improves building character;
- (b) unenclosed outdoor areas at grade level underneath building overhangs, if:
  - (i) the Director of Planning or Development Permit Board first considers all applicable policies and guidelines adopted by Council and approves the design of any overhangs, and
  - (ii) the area of all overhang exclusions does not exceed 1% of the residential floor area being provided;
- (c) passive solar appurtenances to reduce solar heat gain;
- (d) structures such as pergolas, trellises, and tool sheds which support the use of intensive green roofs and urban agriculture; and
- (e) unenclosed outdoor areas recessed into or projecting from the building's exterior envelope, such as an open balcony, sundeck, porch, or roof garden, which the Director of Planning or Development Permit Board considers to contribute to the building's energy performance character or amenity, except that their total area must not exceed 2% of total floor area.

**3.6** The use of floor space excluded under section 3.4 or 3.5 must not include any purpose other than that which justified the exclusion. [10587; 12 10 30]

## **4 Height**

**4.1** The building height, measured above the base surface, must not exceed 91.44 m.

**4.2** Section 10.11 of the Zoning and Development By-law is to apply to this By-law, except that if:

- (a) in the opinion of the Director of Planning or Development Permit Board, higher structures such as:
  - (i) elevator enclosures, lobbies, and stairwells that provide access for building occupants to rooftop common area,
  - (ii) guardrails that do not exceed the minimum height specified in the Building By-law, and
  - (iii) pergolas, trellises, and tool sheds that support the use of intensive green roofs and urban agriculture,will not unduly harm the liveability and environmental quality of the surrounding neighbourhood; and
- (b) the Director of Planning or Development Permit Board first considers:
  - (i) all applicable policies and guidelines adopted by Council,
  - (ii) the submission of any advisory group, property owner, or tenant, and
  - (iii) the effects on public and private views, shadowing, privacy, and open spaces,the Director of Planning or Development Permit Board may allow a greater height for any such structure.

**5 Parking, loading, and bicycle parking**

Any development or use of the site requires the provision, development and maintenance of off-street parking, loading and bicycle parking, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law.  
[10198; 11 01 18]

**6 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.

**7 Force and effect**

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

ENACTED by Council this 21st day of September, 2010.

