



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

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## **CD-1 (509)**

*1025 Robson Street*

*By-law No. 10310*

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

***Effective July 12, 2011***

**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-630 (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 (509).

2.2 Subject to approval by Council 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 (509) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling uses in conjunction with any of the other uses listed in this section 2.2;
- (b) Office Uses;
- (c) Parking Garage;
- (d) Public and Institutional Uses;
- (e) Retail Uses;
- (f) Service Uses;
- (g) Social, Recreational and Cultural Uses; and
- (h) Accessory Uses customarily ancillary to any of the uses listed in this section 2.2.

**3 Conditions of Use**

3.1 Only retail and service uses are permitted on the ground floor frontage to a depth of 7.6 m, except for entrances giving access to other uses in a building.

3.2 Dwelling units are in an “activity zone” as defined in the Noise Control By-law, and, as a result, are subject to the noise levels permitted in industrial and downtown districts.

**4 Floor area and Density**

4.1 Computation of floor space ratio must assume that the site consists of 2 282.18 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.

4.2 The maximum floor space ratio for all uses combined must not exceed 3.0 and the maximum floor space ratio for each use is:

Use	Floor Space Ratio
Retail and service uses	1.83
Residential uses	1.17
All non residential uses, other than retail and service uses, combined	1.17

4.3 Computation of floor space ratio must include all floors of all buildings, above and below ground level, measured to the extreme outer limits of the buildings.

4.4 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, except that the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided;

- (b) patios and 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 base surface, except that the exclusion for a parking space must not exceed 7.3 m in length;
- (d) all residential storage space above or below base surface;
- (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
- (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.

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

- (a) enclosed residential balconies if the Director of Planning or Development Permit Board 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) amenity areas to a maximum floor area of the lesser of 20 percent of permitted floor area or 929 m<sup>2</sup>.

4.6 The use of floor space excluded under section 4.4 must not include any purpose other than that which justified the exclusion.

## **5 Building height**

5.1 The building height for a building must not exceed 21.3 m measured from base surface.

5.2 The Director of Planning may, at his discretion, allow a greater height than otherwise permitted for the following:

- (a) mechanical appurtenances such as elevator machine rooms;
- (b) access and infrastructure required to maintain green roofs or urban agriculture, or roof-mounted energy technologies including solar panels and wind turbines, if the Director of Planning considers:
  - (i) their size and siting in relation to views, overlook, shadowing, and noise impacts, and
  - (ii) all applicable policies and guidelines adopted by Council; and
- (c) items similar to any of the above.

## **6 Parking 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.

**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 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 severs that part from this By-law, and is not to affect the balance of this By-law.

**9 Force and effect**

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

ENACTED by Council this 12th day of July, 2011.

