

CD-1 (563)

1396 Richards Street
(1388 Richards Street)

By-law No. 10874

Being a By-law to Amend Zoning and Development By-law No. 3575

Effective March 11, 2014

Amended up to and including:

By-law No. 12142, dated June 19, 2018

By-law No. 13157, dated October 25, 2022

Consolidated for Convenience Only

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to this CD-1 By-law or provides an explanatory note.

Zoning District Plan Amendment

1. 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-661 (c) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

Uses

- 2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (563).
- 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 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) Dwelling Uses;
 - (c) Institutional Uses, limited to Child Day Care Facility;
 - (d) Retail Uses;
 - (e) Service Uses; and
 - (f) Accessory Uses customarily ancillary to the uses permitted in this section.

Conditions of Use

3. The design and lay-out of at least 25% of the dwelling units must:
 - (a) be suitable for family housing;
 - (b) include two or more bedrooms; and
 - (c) comply with Council's "High Density Housing for Families with Children Guidelines".

Floor Area and Density

- 4.1 For the purposes of computing floor space ratio, the site is deemed to be 2,786.6 m², being the site size at the time of application for rezoning, prior to any dedications.4.2 The floor space ratio for all uses must not exceed 8.87.
- 4.3 Computation of floor area 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.

4.4 Computation of floor area 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:
 - (i) the total area of all such exclusions must not exceed 12 % of the residential floor area, and
 - (ii) the balconies must not be enclosed for the life of the building;
- (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 the 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, except that if the residential storage space above base surface exceeds 3.7 m² for a dwelling unit there will be no exclusion for any of the residential storage space above base surface for that unit;

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

- (a) amenity areas, except that the exclusion must not exceed, in aggregate, the lesser of 20 % of the permitted floor area or 929 m²; and
- (b) Child Day Care Facility secured to the City's satisfaction for public use and benefit.

4.6 The use of floor area excluded under section 4.4 or 4.5 must not include any purpose other than that which justified the exclusion.

Building Height

- 5.1 The building height, measured above base surface, must not exceed 127.4 m, except that the building must not protrude into the approved view corridors, as set out in the City of Vancouver View Protection Guidelines.

Horizontal Angle of Daylight

- 6.1 Each habitable room must have at least one window on an exterior wall of a building.
- 6.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 6.3 Measurement of the plane or planes referred to in section 6.2 must be horizontally from the centre of the bottom of each window.

- 6.4 If:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of the unobstructed view is not less than 3.7 m;
- the Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement.
- 6.5 An obstruction referred to in section 6.2 means:
- (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 (563).
- 6.6 A habitable room referred to in section 6.1 does not include:
- (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

Acoustics

7. 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.

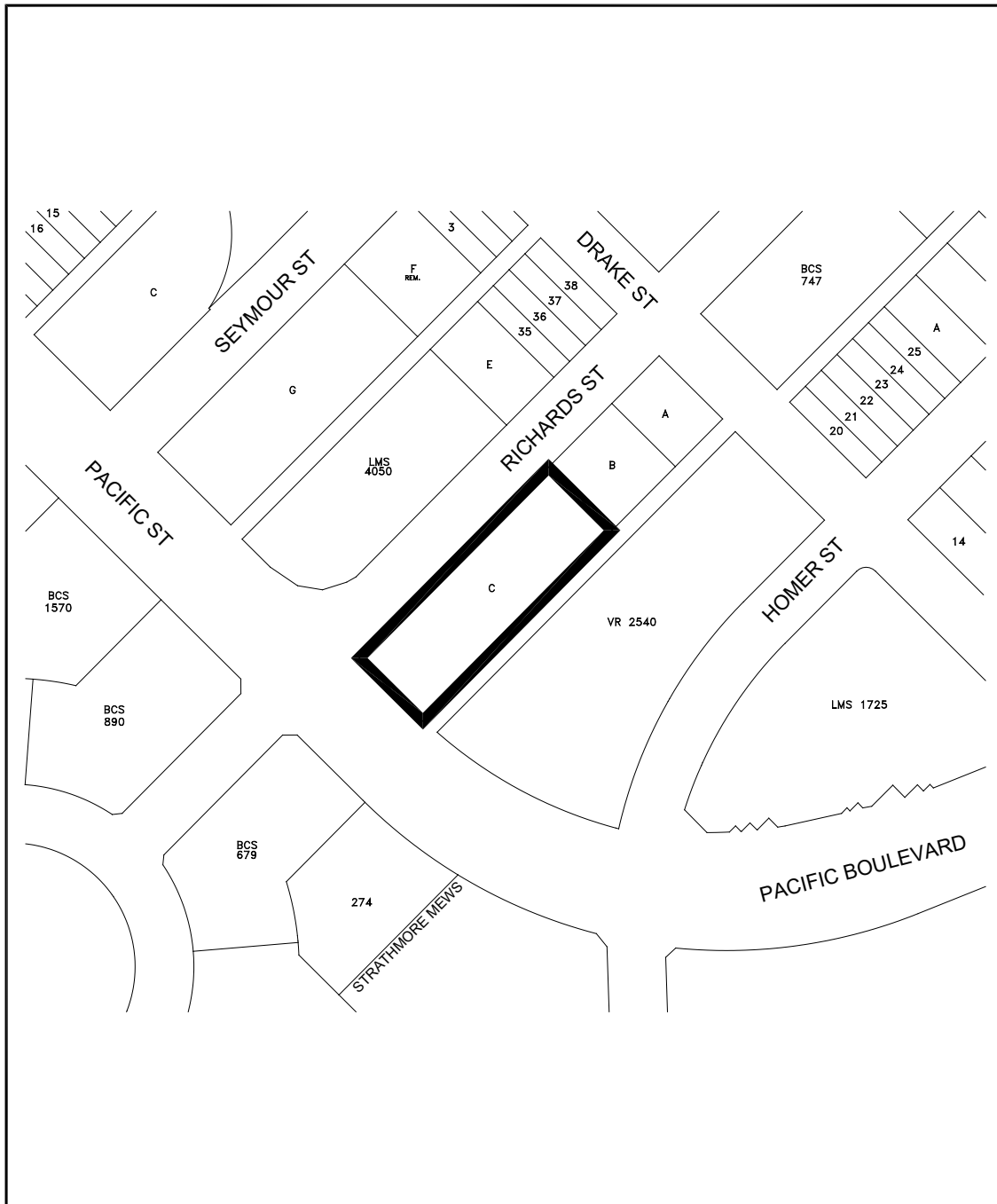
Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

Severability

8. 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.

Force and Effect

9. *[Section 9 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and certify the by-law number and date of enactment.]*



The property outlined in black () is rezoned:
From **DD** to **CD-1**

Z-661 (c)

RZ - 1396 Richards Street	map: 1 of 1	
	scale: NTS	
City of Vancouver	date: 2013-05-21	

Public Hearing – June 18, 2013 – Item 5 – [Agenda](#)

Summary – To rezone 1396 Richards Street from DD (Downtown) District to a CD-1 (Comprehensive Development) District to build a 42-storey mixed-use building with 269 residential units, of which up to 130 would be rental units, and a 37-space childcare facility.

By-law enacted on March 11, 2014 – [By-law No. 10874](#)

Public Hearing – June 5, 2018 – Item 2 – [Agenda](#)

Summary – Amend the by-laws for 17 CD-1 (Comprehensive Development) Districts to enable Public Bike Share as a permitted use within those districts and to add 14 new locations to the area where Public Bike Share is permitted as described in section 10.36.1 of the Zoning and Development By-law.

By-law enacted on June 19, 2018 – [By-law No. 12142](#)

Public Hearing – July 28, 2022 – Item 1 – [Agenda](#)

Summary – Miscellaneous amendments to CD-1 (818) at 720 Beatty Street and 701 Expo Boulevard and CD-1 (563) at 1396 Richards Street (1388 Richards Street) to improve clarity, update references, correct inadvertent errors or omissions, and/or improve the administration of the by-laws.

By-law enacted on October 25, 2022 – [By-law No. 13157](#)