



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

*Planning and Development Services, 453 W. 12th Ave Vancouver, BC V5Y 1V4 tel 604.873.7000 fax 604.873.7100*  
planning@vancouver.ca

## CD-1 (591)

*228 - 246 East Broadway and  
180 Kingsway*

*By-law No. 11124*

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

***Effective November 25, 2014***

## 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-642 (c) 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 (591).
- 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 (591), 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;
  - (d) Manufacturing Uses;
  - (e) Office Uses;
  - (f) Retail Uses;
  - (g) Service Uses;
  - (h) Utility and Communication Uses, limited to Public Utility; and
  - (i) Accessory Uses customarily ancillary to any use permitted in this section 2.2.

## 3 Floor area and Density

- 3.1 The floor space ratio for all uses must not exceed 5.55.
- 3.2 For the purposes of computing floor space ratio, the site is deemed to be 4 978.7 m<sup>2</sup>, being the site size at the time of application for rezoning, prior to any dedications.
- 3.3 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.
- 3.4 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) no enclosure of balconies is permissible for the life of the building.
  - (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
  - (c) amenity areas for the social and recreational enjoyment of residents or employees, or providing a service to the public, including facilities for general fitness, general recreation, and child day care, provided that the total area excluded does not exceed 1 000 m<sup>2</sup>;
  - (d) residential storage 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;
  - (e) 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, which are at or below base surface, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; and

- (f) tool sheds, trellises and other garden structures, which support the use of intensive green roofs and urban agriculture, and those portions of stairways and elevator enclosures, which are at the roof level providing access to the garden areas.

#### 4 Building height

Building height must not exceed 65.53 m.

#### 5 Horizontal Angle of Daylight

5.1 Each habitable room must have at least one window on an exterior wall of a building.

5.2 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.

5.3 Measurement of the plane or planes referred to in section 5.2 must be horizontally from the centre of the bottom of each window.

5.4 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 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.

5.5 An obstruction referred to in section 5.2 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 (591).

5.6 A habitable room referred to in section 5.1 does not include:

- (a) A bathroom; or
- (b) A kitchen whose floor area is the lesser of:
  - (i) less than 10% of the total floor area of the dwelling unit, or
  - (ii) less than 9.3 m<sup>2</sup>.

5.7 The Director of Planning or the Development Permit Board may relax the horizontal angle of daylight requirement if:

- (a) all applicable Council policies and guidelines are first considered; and
- (b) there is an unobstructed view of not less than 3.7 m.

#### 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.

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

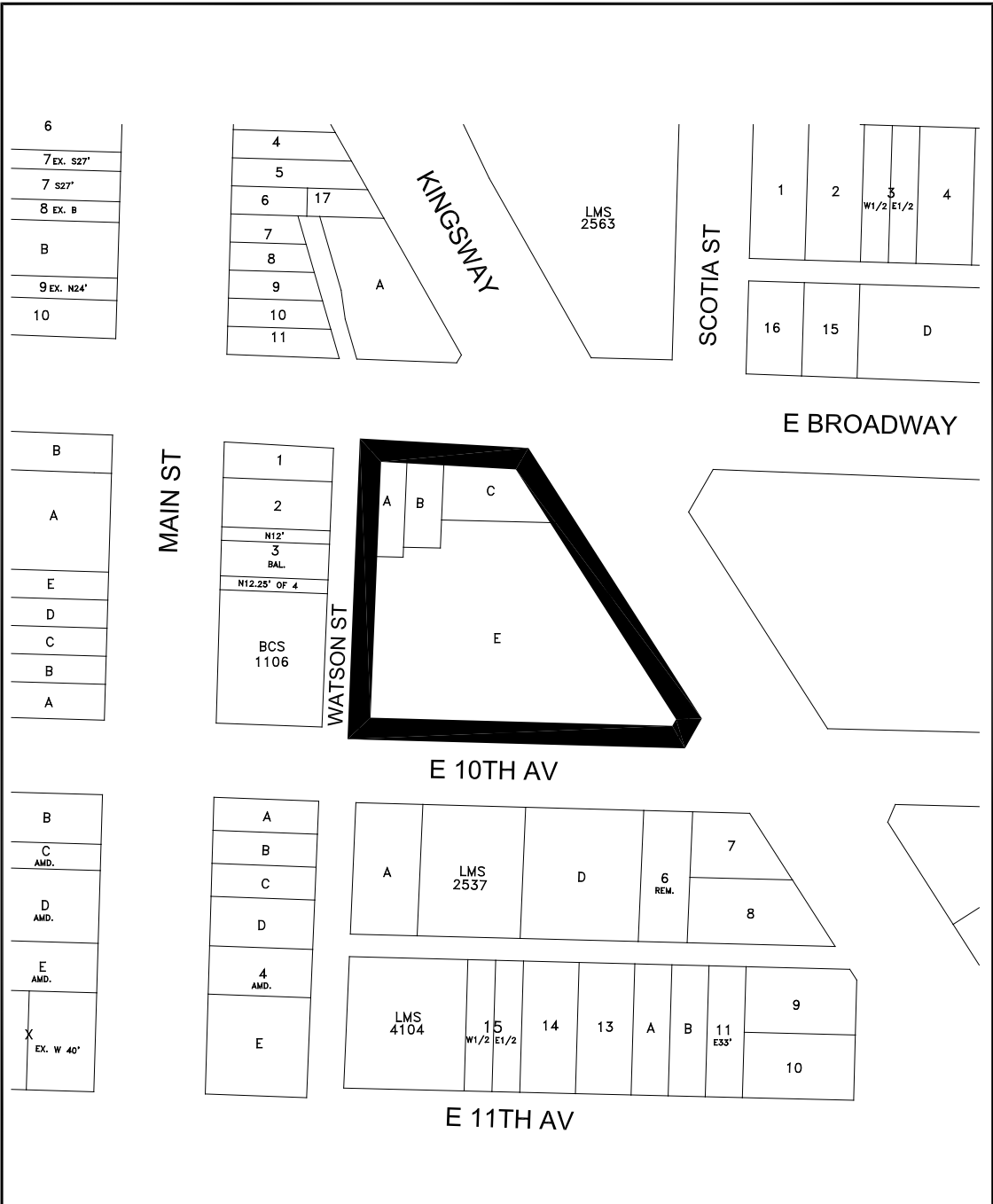
7 Severability

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 25th day of November, 2014.



The properties outlined in black (  ) are rezoned:  
 From **C-3A** to **CD-1**

**Z-642 (c)**

<b>RZ - 228-246 East Broadway and 180 Kingsway</b>	map: 1 of 1	
	scale: NTS	
<b>City of Vancouver</b>	date: 2012-02-09	