

CD-1 (705)

1500 West Georgia Street

By-law No. 12176

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

Effective July 24, 2018

Amended up to and including:

By-law No. 12664, dated March 31, 2020

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.

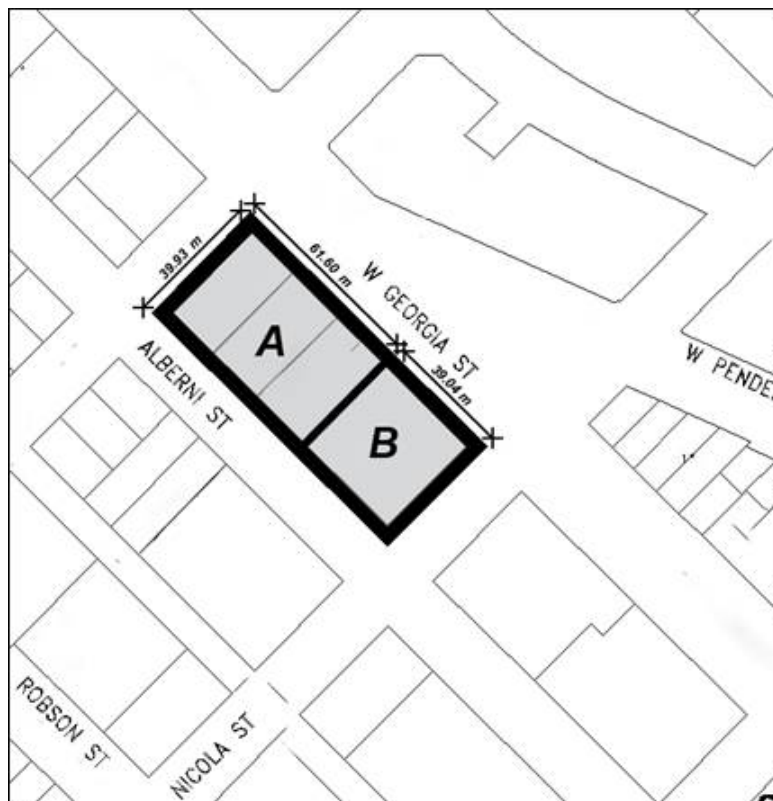
1 Zoning District Plan Amendment

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-731 (e) attached as Schedule A to this by-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

2 Sub-Areas

The site is to consist of two sub-areas generally illustrated in Figure 1, solely for the purpose of allocating maximum permitted building height and floor area, and permitted uses.

Figure 1



3 Uses

- 3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (705).
- 3.2 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 the 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, limited to Arts and Culture Indoor Event and Fitness Centre;
 - (b) Dwelling Uses, limited to Dwelling Units in conjunction with any of the uses listed in this by-law;
 - (c) Office Uses, limited to Financial Institution, General Office, Health Care Office and Health Enhancement Centre;
 - (d) Retail Uses, limited to Retail Store;
 - (e) Service Uses, limited to Barber Shop or Beauty Salon, Beauty and Wellness Centre, and Restaurant - Class 1; and
 - (f) Accessory Use customarily ancillary to any use permitted by this section.

4 Conditions of use

- 4.1 All dwelling units must be in sub-area B.
- 4.2 The design and layout of at least 35% of the dwelling units must:
- (a) be suitable for family housing;
 - (b) include two or more bedrooms, of which:
 - (i) at least 25% of the total dwelling units must be two-bedroom units,
 - (ii) at least 10% of the total dwelling units must be three-bedroom units; and
 - (c) comply with Council's "High Density Housing for Families with Children Guidelines".
- 4.3 All commercial uses must be carried on wholly within an enclosed building except for:
- (a) Restaurant;
 - (b) Retail Store; and
 - (c) Display of flowers, plants, fruits, and vegetables, in conjunction with a permitted use.

5 Floor area and density

- 5.1 Computation of floor space ratio must assume that the site consists of 4,017.9 m², being the site size at the time of the application for the rezoning evidenced by this by-law, prior to any dedications.
- 5.2 The floor space ratio for all uses combined must not exceed 10.93. [12664; 2020 03 31]
- 5.3 The floor area for all uses combined in each sub-area must not exceed the maximum floor area set out in the table below.

Sub-Area	Maximum Floor Area
A	19,969.8 m ²
B	23,945.8 m ²

[12664; 2020 03 31]

- 5.4 In sub-area B, the maximum permitted floor area for dwelling uses must not exceed 23,798.0 m², of which 492.0 m²:
- (a) must be limited to open balcony, in excess of that excluded pursuant to subsection 5.6 (a); and
 - (b) may not be enclosed for the life of the building.
- 5.5 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.
- 5.6 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; and

- (d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit there will be no exclusion for any of the residential storage area above base surface for that unit.

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

- (a) residential amenity areas, except that the total exclusion must not exceed, in aggregate, the lesser of 20 % of the permitted residential floor area or 929 m²; and
- (b) unenclosed outdoor areas at grade level underneath tower building overhangs, except that those areas must remain unenclosed for the life of the building.

5.8 The use of floor area excluded under section 5.6 or 5.7 must not include any use other than that which justified the exclusion.

6 Building height

The building height, measured above the base surface to the top of roof slab of the uppermost habitable floor, must not exceed the maximum heights set out in the table below, except that no part of the development shall protrude into the approved view corridors, as set out in the City of Vancouver View Protection Guidelines.

Sub-Area	Maximum Building Height
A	72 m
B	134 m

7 Horizontal angle of daylight

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

7.2 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.

7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.

7.4 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.

- 7.5 An obstruction referred to in section 7.2 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 (705).
- 7.6 A habitable room referred to in section 7.1 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.

8 Acoustics

A development permit application for dwelling uses must include an acoustical report prepared by a licensed professional acoustical engineer demonstrating that the noise levels in those portions of dwelling units listed below will not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq24) sound level and will be defined simply as noise level in decibels.

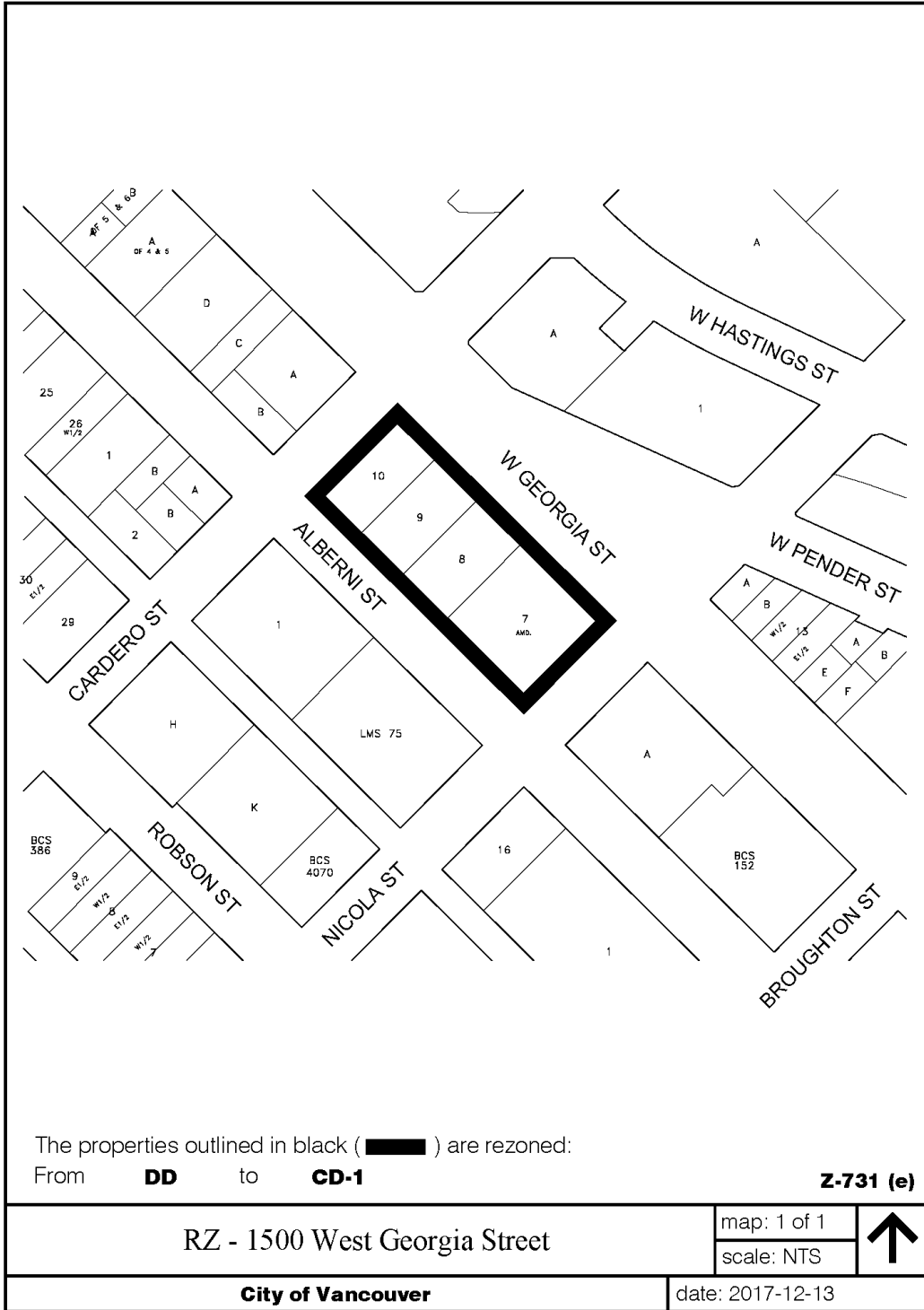
Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

9 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.

- 10 *[Section 10 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.]*

Schedule A



Public Hearing – January 16, 2018 – Item 7 – [Agenda](#)

Summary – Rezone from DD to permit the development of a 43-storey tower containing 220 market strata residential units while retaining the existing office building on the site, at a height of 91.4 m and a floor space ratio (FSR) of 10.82, under the West End Community Plan.

By-law enacted on July 24, 2018 – [By-law No. 12176](#)

Public Hearing – February 25, 2020 – Item 3 – [Agenda](#)

Summary – Amend CD-1 (705), By-law No. 12176, to increase the permitted floor space ratio (FSR) from 10.82 to 10.93 and to increase the maximum floor area of sub-area A by 432.2 m² (4,652.2 sq. ft.) to correct an error in the floor area calculation for the existing, retained office building.

By-law enacted on March 31, 2020 – [By-law No. 12664](#)