



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

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# **CD-1 (321)**

*1601 West Georgia Street  
1601-1650 Bayshore Drive  
By-law No. 7232*

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

**Effective November 9, 1993**

*(Amended up to and including By-law No. 8760, dated December 9, 2003)*

**1** [Section 1 is not reprinted here. It contains a standard clause amending Schedule D (Zoning District Plan) to reflect this rezoning to CD-1.]

**2** **Intent**

The intent of this By-law is to permit the development of the site with residential use, hotel renovation and expansion, and some local retail, office and service uses in a form which complements and is compatible with the character of adjacent areas.

**3** **Definitions**

Words used in this By-law shall have the meaning assigned to them in the Zoning and Development By-law, except as provided below.

**Core-need Household** means a household which would have to spend more than 30 percent of its annual gross income on shelter (including utilities) in order to live in an average market rental unit which is adequate and suitable for its basic needs.

**Live-aboard** means a marine vessel used primarily for navigation and only incidentally for residential purposes, and that is not heavily dependent on shore-based facilities.

**Rental Incentive Units** means units which are secured by agreement for rental use only and which, when calculated for each building, have an average net floor area of no more than 69.7 m<sup>2</sup>.  
[8137; 99 11 30]

**4** The only uses permitted within the area outlined in black on Schedule “A”, which area shall be more particularly described as CD-1(321), subject to approval by Council of the form of development and to such conditions, guidelines and policies adopted by Council, and the only uses for which development permits will be issued are:

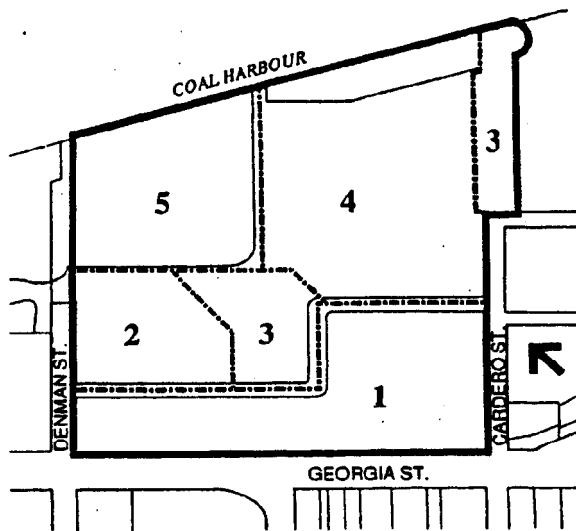
- (a) a maximum of 980 residential dwelling units provided in multiple dwellings or in conjunction with any of the uses listed below, provided that:
  - (i) a minimum of 230 units are provided in accordance with the requirements of the rental incentive;
  - (ii) of the units remaining, deducting those provided in accordance with (i) above:
    - a minimum of 21 percent shall be for family housing, all of which shall be designed in accordance with the Council-adopted “High-Density Housing for Families with Children Guidelines”;
    - a minimum of 13 percent shall be provided through government funded programs, targeted for core-need households or through such other affordable housing programs or initiatives as Council may approve; which housing programs or initiatives may include subsidized and market rental units or subsidized and market co-operative units [8410, 01 12 04] [8651; 03 03 11]
- (b) retail uses, but not including gasoline station — full serve, gasoline station — split-island, and vehicle dealer;
- (c) service uses, including hotel, but not including animal clinic, auction hall, bed and breakfast accommodation, body-rub parlour, drive-through service, funeral home, laundry or cleaning plant, motor vehicle repair shop, motor vehicle wash, photofinishing or photography laboratory, production studio, repair shop — class A, restaurant — drive-in, school — business, school — vocational or trade, and sign painting shop;
- (d) office uses;
- (e) community, cultural and recreational uses;
- (f) marine terminal or berth;
- (g) institutional use, limited to child day care facility; [8708; 03 07 24]
- (h) parking uses; and
- (i) accessory uses customarily ancillary to the above uses.  
[7324; 94 07 26]

**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 7232 or provides an explanatory note.

**5 Sub-Areas**

The district shall comprise 5 sub-areas, approximately as illustrated in Diagram 1 below.

Diagram 1



**6 Floor Area and Density**

6.1 The maximum floor area for uses listed in this table shall not exceed the totals set below.

Table 1

Use*	Maximum Total Floor Area
Residential Uses	102 000 m <sup>2</sup>
Retail, Service and Office Uses	4 225 m <sup>2</sup>
Hotel	49 710 m <sup>2</sup>

\* uses permitted but not listed in this table are not limited by this sub-section

6.2 The following shall be included in the computation of floor area:

- (a) all floors having a minimum ceiling height of 1.25 m, both above and below ground level, to be measured to the extreme outer limits of the building.

6.3 The following shall be excluded in the computation of floor area:

- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the residential floor area being provided;
- (b) patios and roof gardens for residential purposes only, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing;
- (d) the floors or portions of floors used for off-street parking and loading, taking on or discharging passengers, bicycle storage, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, that, for each area, is at or below the base surface, except that bicycle storage space may intrude above the base surface to the extent of 190 m<sup>2</sup> in area and 850 mm in height; [8566, 02 10 22] [8708; 03 07 24]

- (e) undeveloped floor areas located above the highest storey or half-storey with a ceiling height of less than 1.25 m and to which there is no permanent means of access other than a hatch;
- (f) all residential storage space 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; [8760; 03 12 09]
- (g) amenity areas accessory to residential use, including community rooms as required in section 8.3 of this by-law, provided that the total area excluded does not exceed 5 000 m<sup>2</sup>;
- (h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, 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. [8169; 00 03 14]

**6.4** The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure subject to the following:
  - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
  - (ii) no more than fifty percent of the excluded balcony floor area may be enclosed. [7512; 96 01 11]
- (b) interior public space, including atria and other similar spaces, provided that:
  - (i) the excluded area shall not exceed the lesser of 10 percent of the permitted floor area or 560 m<sup>2</sup>;
  - (ii) the excluded area shall be secured by covenant and right of way in favour of the City of Vancouver which set out public access and use; and
  - (iii) the Director of Planning first considers all applicable policies and guidelines adopted by Council; and
- (c) unenclosed outdoor areas underneath tower building overhangs, provided they are at grade level. [8137, 99 11 30]

**6.5** The maximum floor area for those uses listed in each sub-area shall be as set out in Table 2.

**Table 2 - Maximum Floor Area Totals (in square metres)**

Use*	Sub-Area (from Diagram 1)				
	1	2	3	4	5
Residential Uses	74 410	21 090	N/A	6 500	N/A
Retail, Service and Office Uses	630	640	N/A	2 490	465
Hotel			N/A	49 710	N/A

\* uses permitted, but not listed in this table are not limited by this sub-section.

**6.6** The maximum number of units in each sub-area shall be as set out in Table 3 below.

**Table 3 - Maximum Number of Dwelling Units**

Use	Sub-Area (from Diagram 1)				
	1	2	3	4	5
Maximum Number of Units	735	160	N/A	85	N/A

- 6.7 Notwithstanding Section 6.6, the maximum number of residential units may be increased or decreased by 5 percent in each sub-area, providing that the development total does not exceed 980 units.

## 7 Height

- 7.1 The maximum building height measured above the base surface, or as otherwise noted, but excluding the mechanical penthouse and roof, shall be as set out in Table 4.

**Table 4 - Maximum Height (in metres)**

Use	Sub-Area (from Diagram 1)				
	1	2	3	4	5
Maximum Height	74	50	0	55	5

- 7.2 Notwithstanding the above, for buildings located along the north side of West Georgia Street in Sub-Area 1 only, the maximum building height shall be measured from the building grades on West Georgia Street.  
[8203; 00 05 30]

## 8 Residential Component

- 8.1 Any development which combines residential with any other use shall have separate and distinct means of access from the residential component to streets and on-site parking.
- 8.2 Private, semi-private, public, outdoor spaces shall be clearly separated and distinguished from each other.
- 8.3 A community room shall be provided in every building containing core-need households.

## 9 Parking

- 9.1 Off-street parking shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except as follows:
- retail uses shall provide a minimum of 1 space for each 100 m<sup>2</sup> of gross floor area up to 300 m<sup>2</sup>, then 1 space for each 50 m<sup>2</sup> of gross floor area with a maximum of 10% over the minimum;
  - restaurant uses shall provide a minimum of 1 space for each 50 m<sup>2</sup> of gross floor area for the first 100 m<sup>2</sup> of gross floor area, 1 space for each 10 m<sup>2</sup> of gross floor area for the next 400 m<sup>2</sup> to a total of 500 m<sup>2</sup> of gross floor area, and 1 space for each 20 m<sup>2</sup> over 500 m<sup>2</sup> of gross floor area with a maximum of 10% over the minimum;
  - market owned residential dwelling uses shall provide a minimum of 0.9 spaces for each dwelling unit plus 1 space for each 200 m<sup>2</sup> of gross floor area, with a maximum of 1.1 spaces for each dwelling unit plus 1 space for each 200 m<sup>2</sup> of gross floor area, except that no more than 2.2 spaces for each dwelling unit need be provided;
  - market guaranteed rental residential dwelling uses shall provide a minimum of 1 space for each dwelling unit; [8137; 99 11 30]
  - live-aboard residential dwelling uses shall provide a minimum of 1.2 spaces for each live-aboard, with a maximum of 1.4 spaces for each live-aboard;
  - office uses shall provide a minimum of 1 space for each 93 m<sup>2</sup> of gross floor area with a maximum of 1 space for each 80 m<sup>2</sup> gross floor area;
  - recreational and cultural uses, including charter boat uses and facilities for parking bicycles, shall provide parking as determined by the Director of Planning in consultation with the City Engineer;

- (h) hotel uses shall provide 1 space for tour bus parking, having the dimensions of a loading space, for every 200 hotel rooms; and
- (i) hotel uses shall provide 1 additional space for every 50 hotel rooms.

**9.2** The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of off-street parking and passenger spaces required.

**9.3** The Director of Planning, before granting any relaxation pursuant to section 9.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

**9.4 Multiple-Use Developments**

For the purposes of this section uses with the same formula for determining required parking spaces shall be considered to be of the same class. If a development contains parking for more than one use as listed in section 4.2 of the Parking By-law, the total number of parking spaces shall be the sum of the parking spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a parking space required for one use shall be deemed not to meet the requirement for any other use in that development.

**9.5 Parking Space Requirement Exemptions**

The required number of off-street parking spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use.  
[8011; 99 04 13]

**10 Loading**

**10.1** Off-street loading shall be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law except that 1 loading bay shall be provided for every 200 dwelling units.

**10.2** The Director of Planning, in the exercise of his jurisdiction, may relax the provisions of this By-law in any case where literal enforcement would result in unnecessary hardship relating to the number of loading spaces required.

**10.3** The Director of Planning, before granting any relaxation pursuant to section 10.2, shall be satisfied that any property owner likely to be adversely affected is notified. Such notification shall be in the form appropriate to the circumstances.

**10.4 Multiple-Use Developments**

For the purposes of this section, uses with the same formula for determining required loading spaces shall be considered to be of the same class. If a development contains more than one use as defined in section 5.2 of the Parking By-law, the total number of loading spaces shall be the sum of the loading spaces required for the various classes of uses calculated separately and, unless otherwise permitted by the Director of Planning, in consultation with the City Engineer, taking into account the time-varying demand of uses, a loading space required for one use shall be deemed not to meet the requirement for any other use in that development.

**10.5 Loading Space Requirement Exemptions**

The required number of off-street loading spaces need not be provided where, subsequent to original construction of a building, any additions, alterations or change in use would, in total, result in an increase of less than 10 percent of the number of spaces required for the originally constructed building before any addition, alteration or change in use.  
[8011; 99 04 13]

**11 Acoustics**

All development permit applications shall require evidence in the form of a report prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below shall 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 will be defined simply as noise level in decibels.

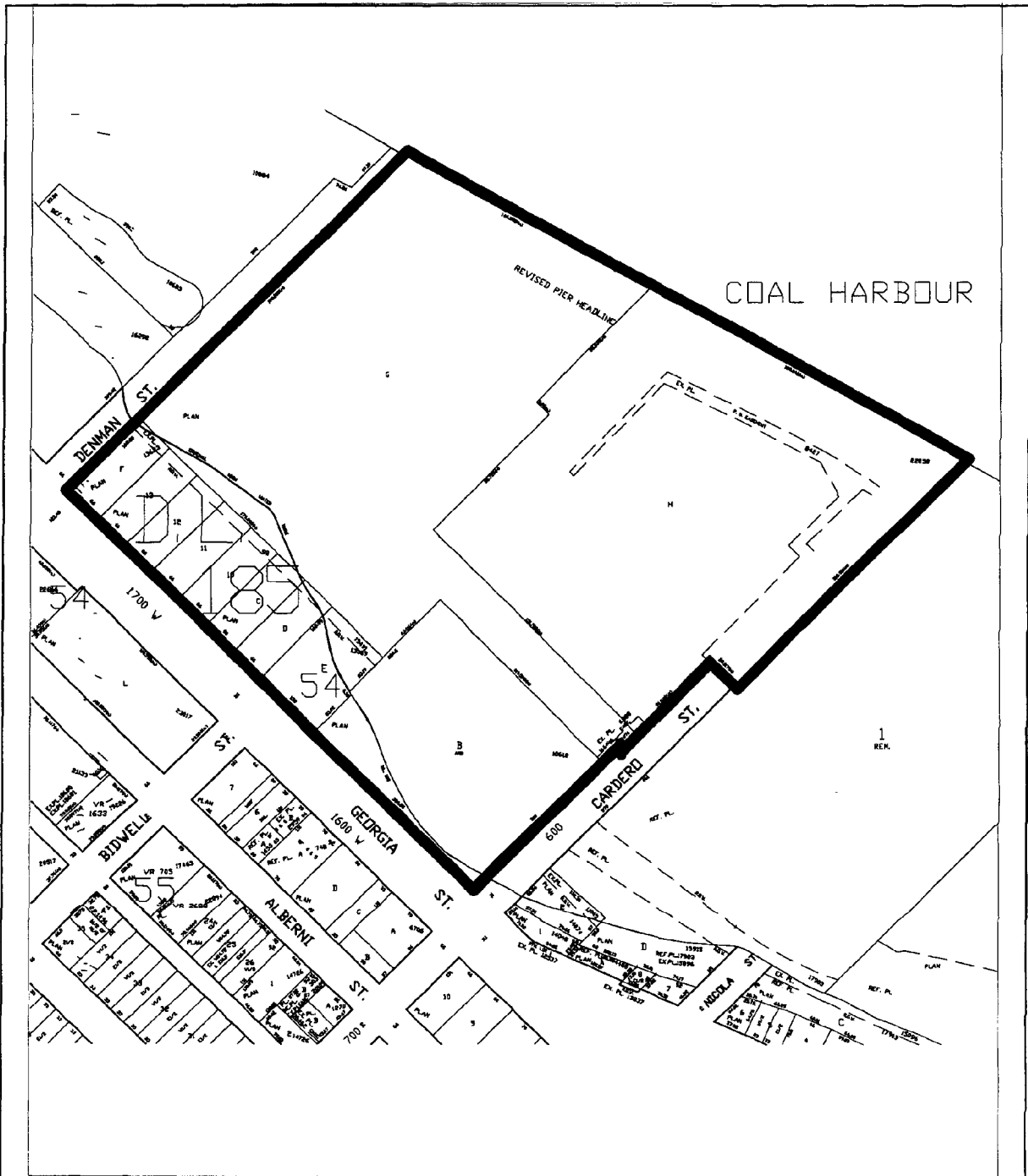
<b>Portions of Dwelling Units</b>	<b>Noise Level (Decibels)</b>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

[7515; 96 01 11]

**12** By-laws numbered 4015 and 4065 are repealed.

**13** *[Section 13 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and to certify the by-law number and date of enactment.]*

**By-law No. 7232 being a By-law to amend By-law No. 3575, being the Zoning and Development By-law**



The property outlined in black (█) was rezoned:  
From **CD-1** and **CWD** to **CD-1** by By-law No. 7232

<p><b>CD-1 (321) 1601 West Georgia St.</b></p> <p><b>City of Vancouver Planning Department</b></p>	date prepared: Nov.1994	
	sectional(s): M, N-6	
	scale: 1:2000	



