



**City of Vancouver** *Zoning and Development By-law*  
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## **CD-1 (364)**

*501 Bute Street*  
*By-law No. 7681*

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

**Effective November 26, 1996**

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

**Guidelines:**

*Harbour Green Neighbourhood*

*(501 Bute Street)*

*CD-1 Guidelines*

**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** **Definitions**

Words used in this By-law will 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.

**3** The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (364), and the only uses permitted within the outlined area, 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:

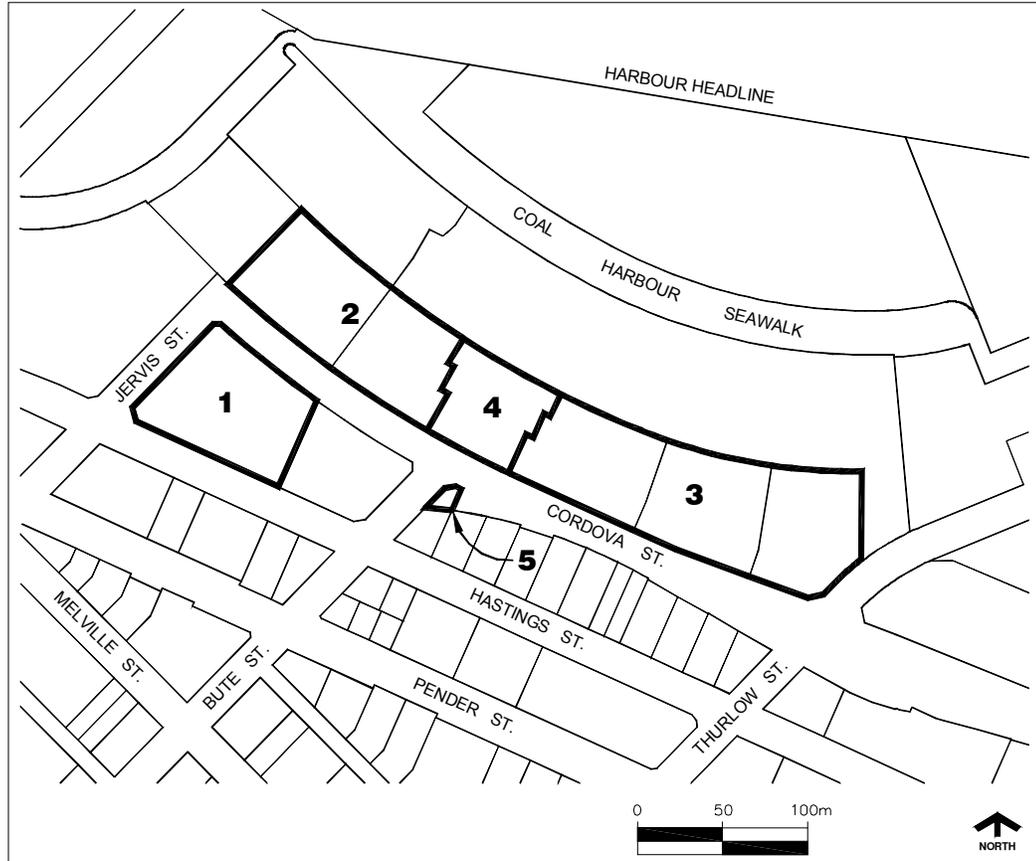
- (a) Dwelling Units, not exceeding 125 633 m<sup>2</sup> in total gross floor area, provided separately or in conjunction with any of the uses listed below, provided that:
  - (i) a minimum of 177 units [but not including the units provided under clause (ii) below] must be for family housing, all of which must be designed in accordance with the Council-adopted “High-Density Housing for Families with Children Guidelines”; and
  - (ii) a minimum of 110 units must be provided through government funded programs, targeted for core-need households or for such other affordable housing programs or initiatives as Council may generally define or specifically approve from time to time, which housing programs or initiatives may include subsidized and market rental units or subsidized and market co-operative units all of which must be designed for family housing consistent with clause (I) above; [8651; 03 03 11]
  - (iii) a minimum of 174 units must be provided through government funded programs, targeted for core-need households or for such other affordable housing programs or initiatives as Council may generally define or specifically approve from time to time, which housing programs or initiatives may include subsidized and market rental units or subsidized and market co-operative units but need not be designed consistent with clause (I) above, [8312; 01 03 13] [8651; 03 03 11]
- (b) Cultural and Recreational Uses;
- (c) Parking Uses;
- (d) Retail Uses;
- (e) Service Uses; and
- (f) Accessory Uses customarily ancillary to the above uses.

*Note: Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 7681 or provides an explanatory note.*

#### 4 Sub-areas

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

Diagram 1



[8553; 02 10 01]

#### 5 Floor Area and Density

5.1 The total floor area for uses listed in Table 1 must not exceed that totals set opposite such uses, and any use permitted in section 3, but not listed in Table 1, is not limited by this sub-section 5.1.

Table 1

Use	Maximum Total Floor Area
Residential Uses	125 633 m <sup>2</sup>
Retail and Service Uses	425 m <sup>2</sup>

[7922; 98 07 21] [8312; 01 03 13][8553; 02 10 01]

5.2 The following will be included in the computation of floor area:

- (a) all floors having a minimum ceiling height of 1.2 m, both above and below ground level, to be measured to the extreme outer limits of the building.

**5.3** The following will be excluded in the computation of floor area:

- (a) open residential balconies or sundecks, 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 such 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 approves the design of sunroofs or walls;
- (c) a publicly-accessible rooftop plaza in sub-area 5 only;
- (d) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing; [8700; 03 07 08]
- (e) 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; [8566; 02 10 22]
- (f) areas of undeveloped floors which are located:
  - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or
  - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;
- (g) 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]
- (h) amenity areas accessory to residential use, including the requirement of section 7.2, provided that the total area excluded which is at or above the base surface does not exceed 1 000 m<sup>2</sup> for sub-area 1, and 5 000 m<sup>2</sup> for sub-areas 2 and 3 combined; and
- (i) additional elevator and lobby, if required to separate non-market family and adult housing;
- (j) 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]

**5.4** 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; [7874; 98 04 21]
- (b) accessory uses customarily ancillary to park use. [7923; 98 07 21]

**5.5** The total floor area in each sub-area for uses listed in Table 2 must not exceed the applicable totals set opposite such uses, and any use permitted by section 3 but not listed in Table 2 is not limited by this sub-section 5.5.

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

Use	Sub-Area (from Diagram 1)				
	1	2	3	4	5
Residential Use	22 145	40 319	63 169	---	
Retail and Service Uses	---	---	---	250	175

Despite Table 2, the Retail and Service Uses for Sub-Area 5 will be limited to Restaurant.

[7923; 98 07 21] [8312; 01 03 13] [8553; 02 10 01]

5.6 Notwithstanding sub-section 5.5, the Development Permit Board may permit a maximum of 5 000 m<sup>2</sup> to be transferred between sub-areas 2 and 3, provided that the total for these two sub-areas does not exceed 103 488 m<sup>2</sup>

5.7 The maximum number of units in each sub-area must 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	284	352	563	---	---

[8312; 01 03 13] [8553; 02 10 01]

5.8 Notwithstanding sub-section 5.7, the Development Permit Board may permit an increase in the maximum number of dwelling units in sub-areas 2 and 3 by five percent, provided that the total number of units for these two sub-areas does not exceed 907.

## 6 Height

The maximum building height, measured from the building grades on Cordova Street but excluding the mechanical penthouse and roof, must 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	81	99	108	5	3.8*

\*Development limited to one storey, excluding rooftop railings, planters, and other plaza features which, in the opinion of the Director of Planning, are similar. [8553; 02 10 01]

## 7 Residential Component

7.1 Private, semi-private and public outdoor spaces must be clearly separated and distinguished from each other.

7.2 In every building intended to contain core-need households, a community meeting room must be provided.

## 8 Parking

8.1 Off-street parking must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that:

- (a) dwelling uses, not including units designated for core-need or seniors housing, must 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 125 m<sup>2</sup> of gross floor area, except that no more than 2.2 spaces for each dwelling unit need be provided;
- (b) the visitor component of the dwelling use parking required by clause (a), being 0.2 spaces per dwelling unit, may be located off-site provided the spaces are located no further than 150.0 m away from the site containing the dwelling units;
- (c) parking need not be provided for retail and service uses in cases where the retail and service uses do not exceed 425 m<sup>2</sup> in floor area, and [7923; 98 07 21] [8553; 02 10 01]
- (d) dwelling uses provided through government funded programs targeted for core-need households or such other non-market housing programs or initiatives as Council may

generally define or specifically approve from time to time must provide 1.1 spaces for each dwelling unit. [8312; 01 03 13]

**8.2** 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.

**8.3** The Director of Planning, before granting any relaxation pursuant to section 8.2, 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.

**8.4 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.

**8.5 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]

**9 Loading**

**9.1** Off-street loading must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that one loading bay must be provided for every 200 dwelling units and off-street loading need not be provided for retail and service uses in cases where the retail and service uses do not exceed 425 m<sup>2</sup> in floor area.  
[7923; 98 07 21] [8553; 02 10 01]

**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 loading 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 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.

**9.5 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]

**10 Acoustics**

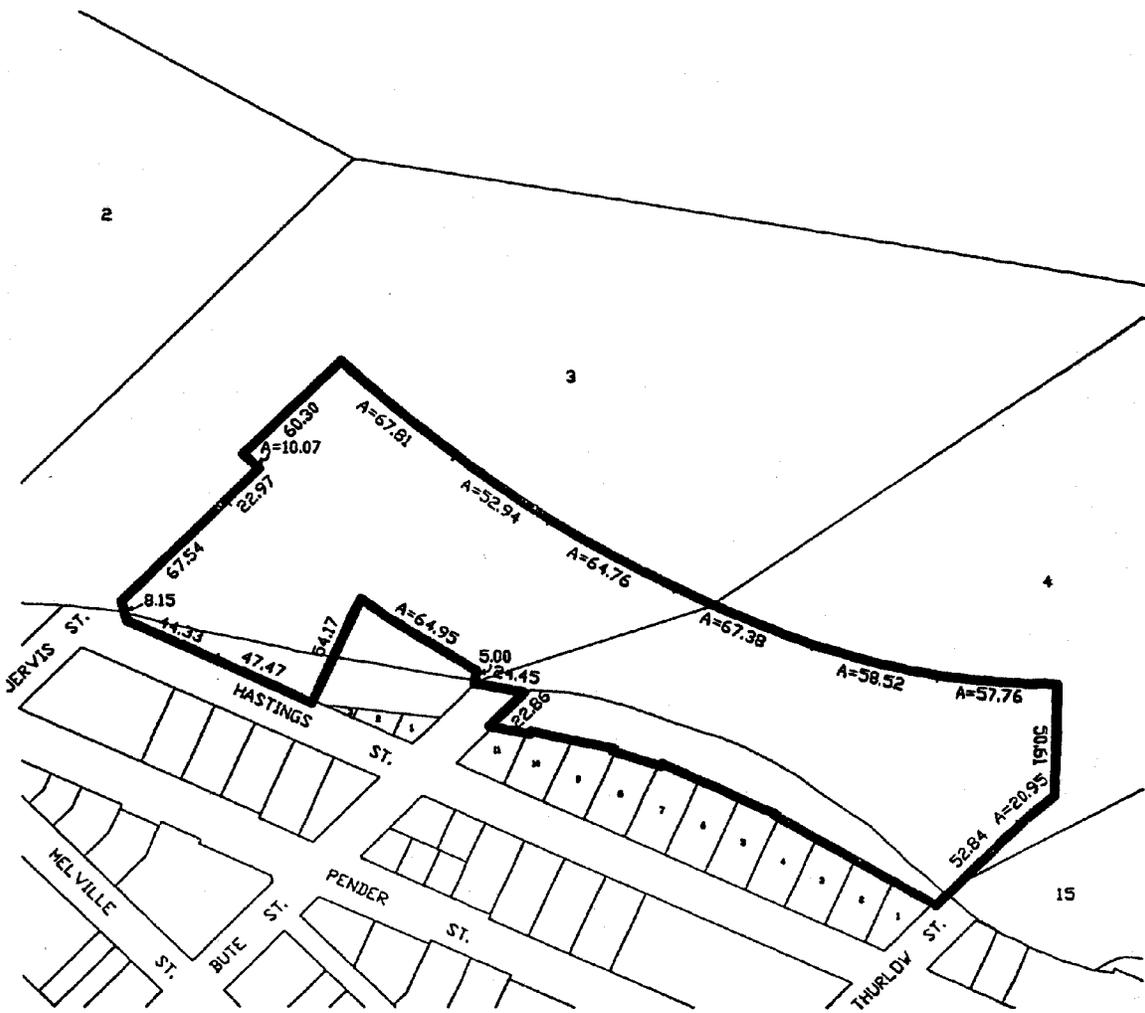
All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below will not exceed the noise level 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 Levels (Decibels)</b>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

[7874; 98 04 21]

**11** *[Section 11 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. ~~711~~ BEING A BY-LAW TO AMEND BY-LAW No. 3575  
BEING THE ZONING & DEVELOPMENT BY-LAW



The property outlined in black (—) is rezoned:  
From **CWD** To **CD-1**

**Z-443(d)**

**RZ 501 Bute Street**

map: 1 of 1

**City of Vancouver Planning Department**

scale: 1:3000



