

# **CD-1 (365)**

480 Broughton Street  
*(formerly 301 Jervis Street)*

## **By-law No. 7677**

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

***Effective November 26, 1996***

*Amended up to and including:*

By-law No. 7874, dated April 21, 1998

By-law No. 8169, dated March 14, 2000

By-law No. 8566, dated October 22, 2002

By-law No. 8760, dated December 9, 2003

By-law No. 13230, dated January 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**

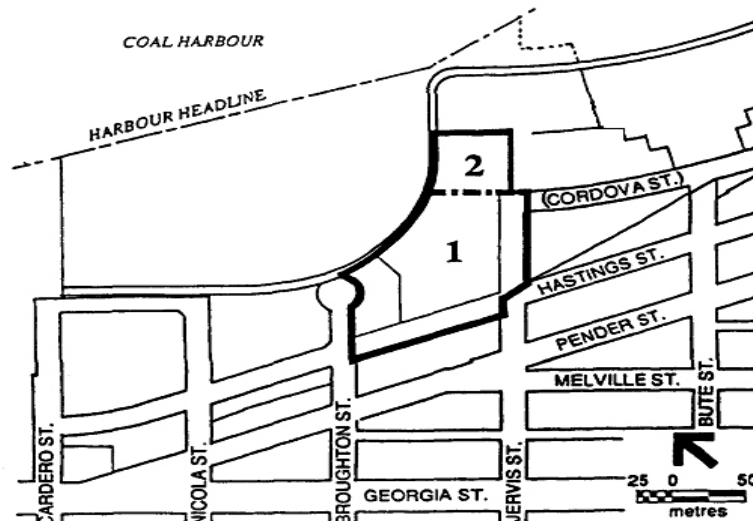
1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-762 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D of By-law No. 3575.

## **Designation of CD-1 District**

2. The area shown included within the heavy black outline on Schedule “A” shall be more particularly described as CD-1 (365), 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 23 254 m<sup>2</sup> in total gross floor area, provided separately or in conjunction with any of the uses listed below, provided that: [13230; 2022 01 25]
    - (i) a minimum of 25 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 60 units must be social housing, of which 35 units must be suitable for family housing in accordance with the High-Density Housing for Families with Children Guidelines; [13230; 2022 01 25]
  - (b) Cultural and Recreational Uses;
  - (c) Institutional Uses;
  - (d) Office Uses;
  - (e) Parking Uses;
  - (f) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, and Vehicle Dealer;
  - (g) Service Uses, but not including Hotel, 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, Photo Finishing or Photography Laboratory, Production or Rehearsal Studio, Repair Shop - Class A, Restaurant - Drive-in, School - Business, School - Vocational or Trade, and Sign Painting Shop; and
  - (h) Accessory Uses customarily ancillary to that above uses.

## Sub-areas

### 3. Diagram 1



[13230; 2022 01 25]

## Floor Area and Density

- 4.1 The total floor area for the uses listed in Table 1 must not exceed the totals set opposite such uses, and any use permitted by section 2 but not listed in Table 1 is not limited by this sub-section 4.1. [13230; 2022 01 25]

**Table 1** [13230, 2022 01 25]

Use	Maximum Total Floor Area
Dwelling Uses	23 254 m <sup>2</sup>
Retail, Office, and Service Uses	1 060 m <sup>2</sup>

- 4.2 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.
- 4.3 The following will 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 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 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; [8566; 02 10 22]
- (e) 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.
- (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, provided that the total area excluded which is at or above the base surface does not exceed 2 000 m<sup>2</sup>; [13230; 2022 01 25]
- (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]

4.4 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]

4.5 The total floor area in each sub-area for the uses listed in Table 2 must not exceed the applicable totals set opposite such uses, and any use permitted by section 2 but not listed in Table 2 is not limited by this sub-section 4.5. [13230; 2022 01 25]

**Table 2 - Maximum Floor Area Totals (in square metres) [13230; 2022 01 25]**

Use	Sub-Area (from Diagram 1)	
	1	2
Residential Use	5 473	17 781
Retail, Office and Service Uses	---	1 060

- 4.6 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 [13230; 2022 01 25]**

	Sub-Area (from Diagram 1)	
	1	2
Maximum Number of Units	60	151

## Height

- 5.1 The maximum building height, measured from the base plane for sub-area 1, but excluding the mechanical penthouse and roof, is 38.82 m. [13230; 2022 01 25]

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

	Sub-Area (from Diagram 1)	
	1	2
Maximum Height	30	79

- 5.2 The maximum building height, measured from the building grades on Cordova Street for sub-area 2, but excluding the mechanical penthouse and roof, is 79 m. [13230; 2022 01 25]
- 5.3 Notwithstanding Section 5.1, the Development Permit Board may permit an increase in the maximum height in sub-area 2 by up to 10 percent, providing that it first considers:
- (a) all applicable policies and guidelines adopted by Council and the relationship of the development with nearby residential and commercial areas; and
  - (b) the height, bulk, location and overall design of the building and its effect on the site, surrounding buildings and open space, the waterfront walkway, streets and existing views.

[13230; 2022 01 25]

## Residential Component

- 6.1 Any development which combines residential with any other use must have separate and distinct means of pedestrian access to the residential component from streets and on-site parking.
- 6.2 Private, semi-private and public outdoor spaces must be clearly separated and distinguished from each other.

## Acoustics

9. A development permit application for dwelling uses must include an acoustical report prepared by a registered professional acoustic engineer demonstrating that the noise levels in those portions of the 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

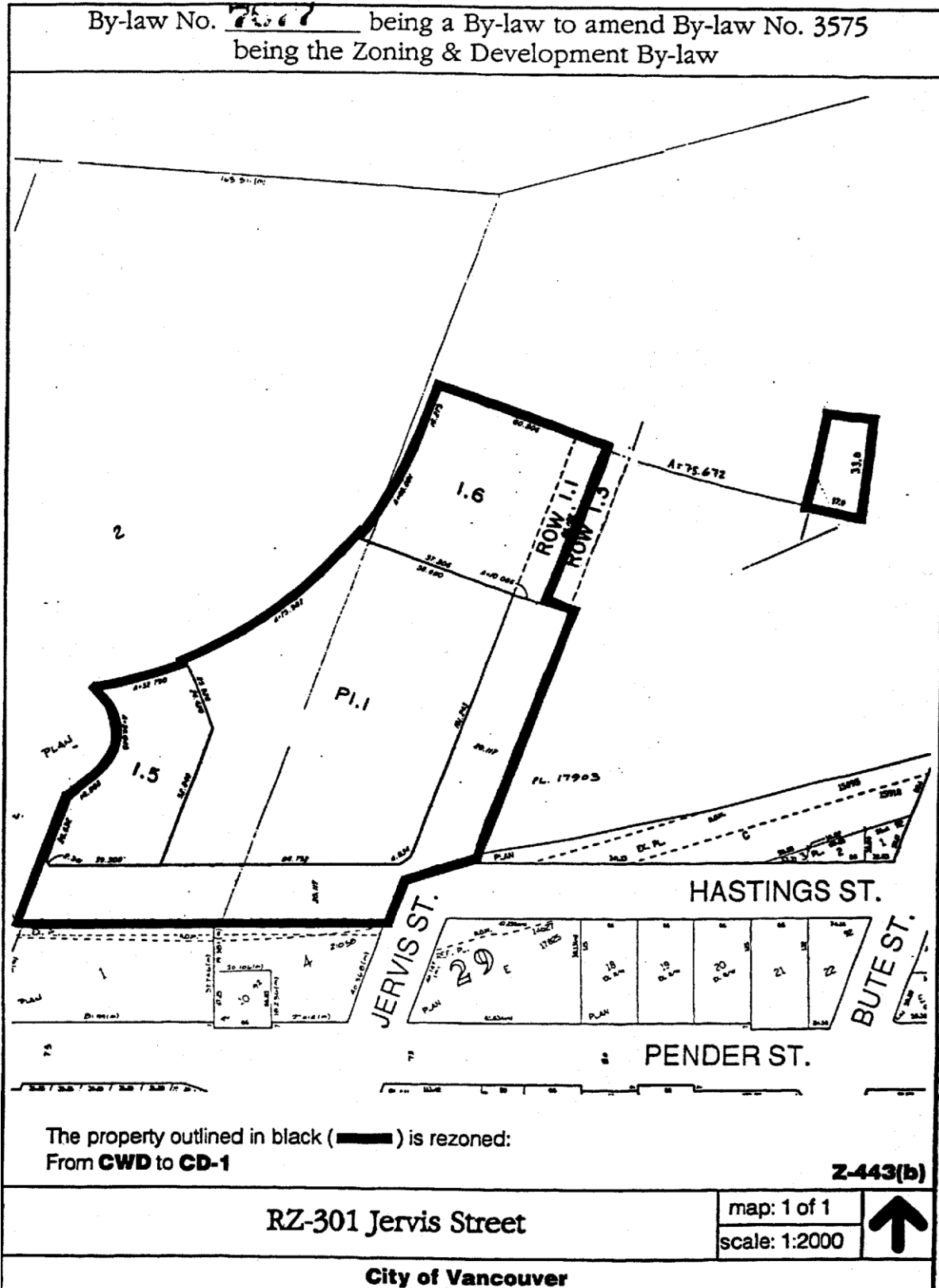
[7874; 98 04 21] [13230; 2022 01 25]

### Force and Effect

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**

By-law No. ~~7567~~ being a By-law to amend By-law No. 3575  
being the Zoning & Development By-law



Public Hearing – May 16, 1995 – Item 3 – [Agenda](#)

Summary – To rezone Sub-area 1B of its Coal Harbour Development, a portion of the previously-approved Marina Neighbourhood. If approved, the proposed development would include both non-market and market housing, community facilities, and limited commercial use along the waterfront.

By-law enacted on November 26, 1996 – [By-law No. 7677](#)

Public Hearing – March 24, 1998 – Item 1 – [Agenda](#)

Summary – The amendments would correct or clarify various sections of the Zoning and Development By-law, CD-1 By-laws and Official Development Plans.

By-law enacted on April 21, 1998 – [By-law No. 7874](#)

Public Hearing – March 14, 2000 – Item 3 – [Agenda](#)

Summary – There are two options proposed to amend the Coal Harbour Official Development Plan with respect to the Jervis Street-end view cone. One is proposed by the applicant, while an alternative is recommended by the Director of Current Planning.

By-law enacted on March 14, 2000 – [By-law No. 8169](#)

Public Hearing – N/A

Summary – Housekeeping amendments to the Zoning & Development By-law (including CD-1s) and Official Development Plans.

By-law enacted on October 22, 2002 – [By-law No. 8566](#)

Public Hearing – November 20, 2003 – Item 1 – [Agenda](#)

Summary – Housekeeping amendments to the Zoning & Development By-law (including CD-1s) and Official Development Plans.

By-law enacted on December 9, 2003 – [By-law No. 8760](#)

Public Hearing – June 15, 29 and 30, 2021 – Item 5 – [Agenda](#)

Summary – To amend CD-1 (365) (Comprehensive Development) District to permit an increased maximum floor area and dwelling unit count for social housing in sub-area 1 (480 Broughton Street) to allow one extra storey, to provide further amendments which support these changes, and to update parts of the by-law to current standards. An increase to the maximum height from 30.00 m (98.40 ft.) to 38.82 m (127.36 ft.) and the total maximum residential floor area from 4,170 sq. m (44,886 sq. ft.) to 5,473 sq. m (58,911 sq. ft.) are proposed.

By-law enacted on January 25, 2022 – [By-law No. 13230](#)