



City of Vancouver *Zoning and Development By-law*

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CD-1 (440)

1750 Davie Street

By-law No. 9167

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

Effective November 1, 2005

(Amended up to and including By-law No. 9311, dated June 13, 2006)

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 Uses

2.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (440).

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 (440) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses but only in conjunction with another use listed in this section 2.2;
- (b) Office Uses;
- (c) Retail Uses, but not including Adult Retail Store, Liquor Store, or Pawnshop and Secondhand Store;
- (d) Service Uses, but not including Body-rub Parlour, Cabaret, Funeral Home, Hotel, Neighbourhood Public House, Production or Rehearsal Studio, or Restaurant - Class 2; and
- (e) Accessory Uses customarily ancillary to any use permitted by this section 2.2.

3 Conditions of Use

3.1 Except for entrances, each floor of a dwelling unit must be at least 2.0 m above grade along the fronting street.

3.2 A dwelling unit accessory use at grade must be at a depth of at least 10.7 m from the fronting street.

4 Floor Space Ratio

4.1 The floor space ratio for the 12-storey residential tower, including two commercial units, in existence on the date of enactment of this By-law, must not exceed 3.13, and the floor space ratio for the proposed one-storey commercial podium facing Davie Street, including four commercial units and the residential entry into the residential tower, must not exceed 0.25.

4.2 The floor space ratio for any development other than referred to in section 4.1 must not exceed 2.37.

4.3 Computation of floor space ratio must include:

- (a) 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; and
- (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

4.4 Computation of floor space ratio must exclude:

- (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;
- (b) patios and roof gardens if the Director of Planning first approves the design of sunroofs and walls;

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 9167 or provides an explanatory note.*

- (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 maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) amenity areas, including day care facilities, recreation facilities, and meeting rooms, not to exceed 10% of the total permitted floor area;
- (e) areas of undeveloped floors 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 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 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; and
- (g) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause does not apply to walls in existence prior to March 14, 2000.

4.5 Computation of floor space ratio may exclude, in the discretion of the Director of Planning, enclosed residential balconies if the Director of Planning first considers all applicable policies and guidelines adopted by Council and approves the design of any balcony enclosure, except that:

- (a) the total area of all open and enclosed balcony or sundeck exclusions must not exceed 8% of the residential floor area being provided; and
- (b) enclosure of the excluded balcony floor area must not exceed 50%.

4.6 The use of floor space excluded, under this By-law, from the computation of floor space ratio must not be for any purpose other than that which justified the exclusion. [9311; 06 06 13]

5 Height

The height of a building measured above the base surface must not exceed 18.3 m.

6 Frontage

The frontage for each individual commercial occupancy located on a floor having an elevation less than 2.0 m above street grade must not exceed 9.1 m, except that if the Director of Planning is satisfied that the scale of development at such location will relate to pedestrians, the Director of Planning may relax this requirement.

7 Parking and loading, and bicycle storage

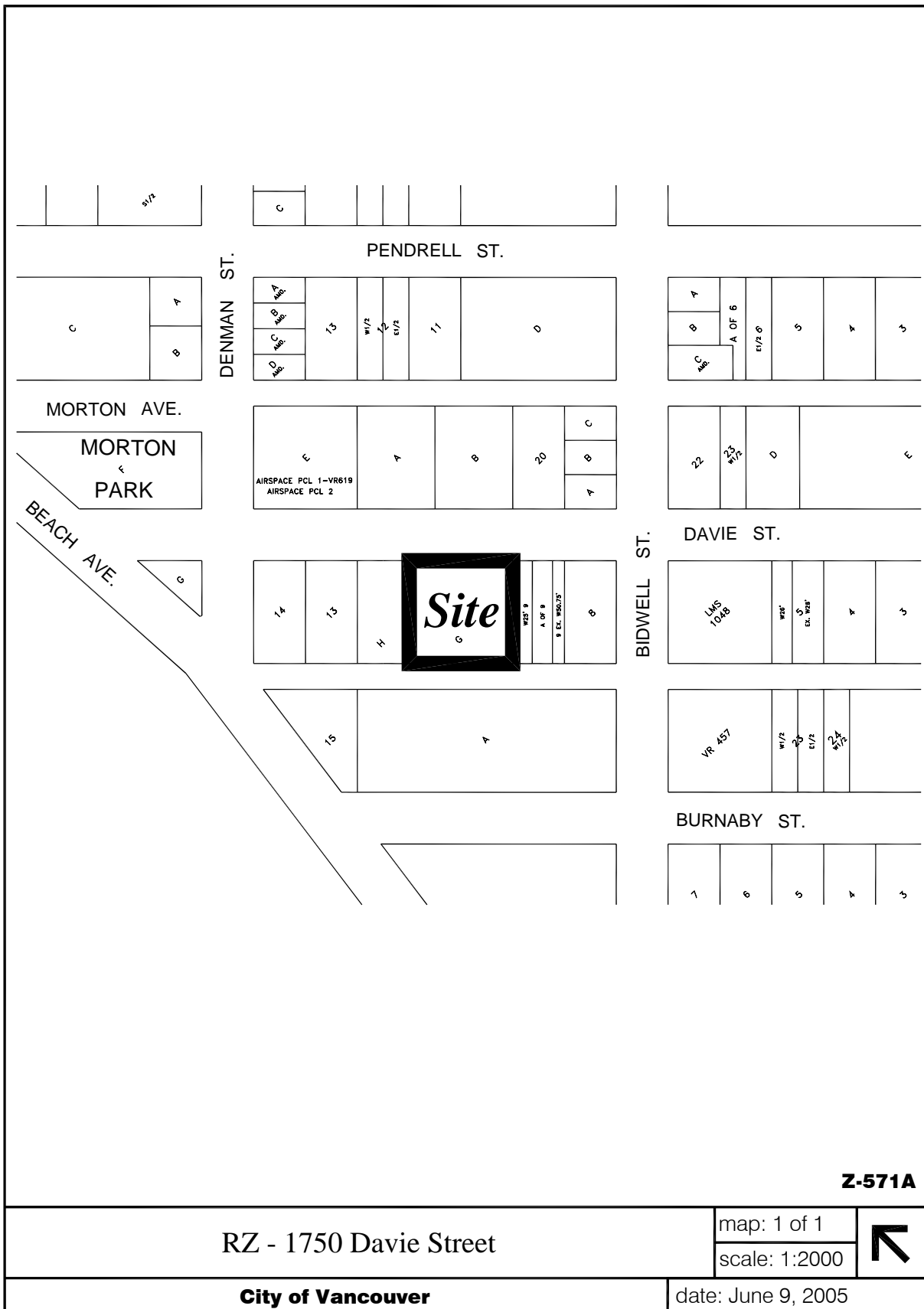
Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, and bicycle storage, except that the site must maintain at least the 50 parking spaces existing as at the date of enactment of this By-law unless the Director of Planning, in consultation with the General Manager of Engineering Services, allows a minimal reduction in the number of such spaces in order to provide for disability parking spaces or to meet minimum bicycle parking requirements.

- 8 **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 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.

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 is not to affect the balance of the By-law.

- 10 *[Section 10 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]*



Z-571A

RZ - 1750 Davie Street

map: 1 of 1
scale: 1:2000



City of Vancouver

date: June 9, 2005