



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

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## CD-1 (458)

*1655-1675 West 3rd Avenue*

*By-law No. 9543*

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

***Effective November 13, 2007***

*(Amended up to and including By-law No. 9840, dated April 21, 2009)*

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 (458).

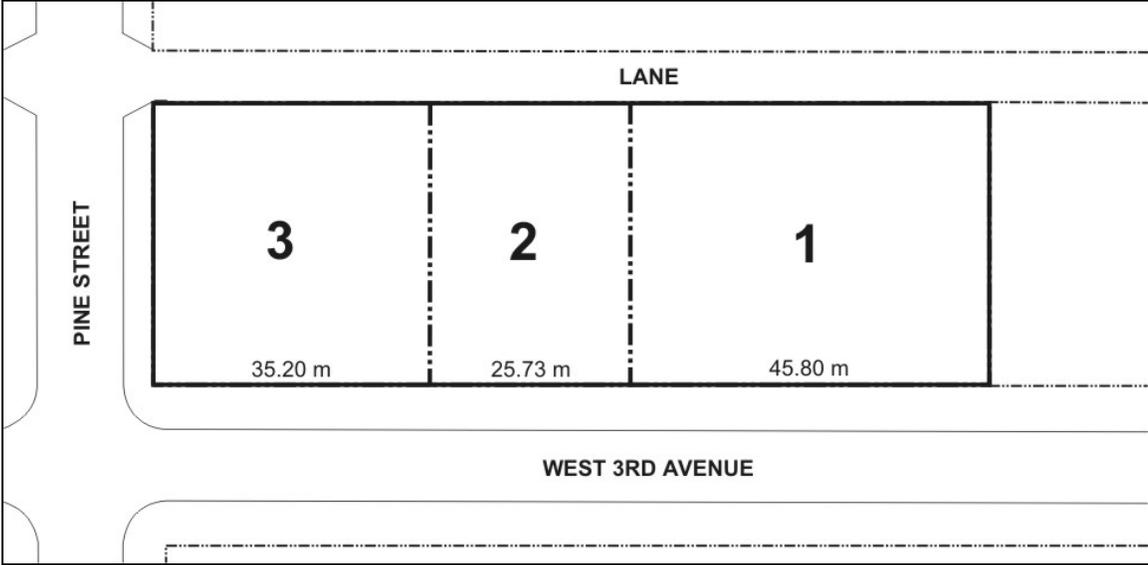
2.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (458) and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses;
- (b) Office Uses;
- (c) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, and Liquor Store;
- (d) Service Uses, limited to Barber Shop or Beauty Salon, Bed and Breakfast Accommodation, Laundromat or Dry Cleaning Establishment, Motor Vehicle Repair Shop, Motor Vehicle Wash, Photofinishing or Photography Laboratory, Photofinishing or Photography Studio, Print Shop, Restaurant – Class 1, School – Arts or Self-Improvement, School – Business, Wedding Chapel, or Work Shop; and
- (e) Accessory Uses customarily ancillary to the uses listed in this section 2.2.

3 Sub-areas

3.1 The site is to consist of sub-areas 1, 2, and 3 illustrated in Diagram 1:

Diagram 1



3.2 Only sub-area 1 may include dwelling uses.

3.3 Only sub-area 3 may include vehicle dealer and motor vehicle repair shop uses.

**Note:** Information included in square brackets [ ] identifies the by-law numbers and dates for the amendments to By-law No. 9543 or provides an explanatory note.

## 4 Density

- 4.1** Computation of floor area must assume that the site consists of 3 868 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this By-law, and before any dedications.
- 4.2** Subject to sections 3.2 and 3.3, the floor area for all uses, combined, must not exceed 7 736 m<sup>2</sup>, of which the floor area for:
- (a) all dwelling uses, combined, must not exceed 3 868 m<sup>2</sup>;
  - (b) all office uses, retail uses and service uses, combined, in sub-area 1 must not exceed 683 m<sup>2</sup>;
  - (c) all office uses, retail uses and service uses, combined, in sub-area 2 must not exceed 1 661 m<sup>2</sup>;
  - (d) all office uses, retail uses and service uses, combined, in sub-area 3 must not exceed 1 524 m<sup>2</sup>; and
  - (e) all retail uses, combined, in each of sub-area 2 and sub-area 3 must not exceed 1 000 m<sup>2</sup>.
- 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, measured to the extreme outer limits of the building;
  - (b) stairways, fire escapes, elevator shafts, and other features which the Director of Planning considers similar, measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located; and
  - (c) in the case of dwelling uses, if the distance from a floor to the floor above or, in the absence of a floor above, to the top of the roof rafters or deck exceeds 3.7 m, an additional amount equal to the area of the floor area below the excess height except for additional amounts that represent undeveloped floor areas beneath roof elements which the Director of Planning considers to be for decorative purposes and to which there is no means of access other than a hatch, residential lobbies, and mechanical penthouses.
- 4.4** Computation of floor space ratio 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;
  - (b) patios and roof gardens, 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:
    - (i) at or below base surface, or
    - (ii) above base surface and where developed as off-street parking are situate in an accessory building situate in the rear yard, except that the exclusion for a parking space must not exceed 7.3 m in length;
  - (d) amenity areas, recreation facilities, and meeting rooms accessory to residential uses, not to exceed 10% of the permitted floor area;
  - (e) undeveloped floor area 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> for a dwelling unit, there is to be no exclusion for any of the residential storage space above base surface for that unit; [9840; 09 04 21]
  - (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 clauses does not apply to walls in existence before March 14, 2000; and [9840; 09 04 21]

- (h) uncovered parking and vehicle storage on the rooftop of the building for vehicle dealer use. [9840; 09 04 21]

## 5 Building height

**5.1** The building height must not exceed 15.3 m, except that the upper front portion of the building must remain within an envelope that starts at the front property line at a height of 11.0 m and extends back and up at an angle of 38 degrees until reaching the maximum height.

**5.2** The Director of Planning, at his or her discretion, may permit a height greater than 15.3 m for:

- (a) architectural appurtenances, such as elevator enclosures and stairwells, that:
  - (i) are necessary to give access to a rooftop garden,
  - (ii) combined, do not exceed one-third of the width of the building as measured on any elevation drawings, and
  - (iii) combined, do not cover more than 10% of the roof area on which they are situated as viewed directly from above; and
- (b) railings, screens, planters, and other similar elements that are an integral part of the rooftop garden or of the decks and balconies.

## 6 Setbacks

**6.1** The setback of a building from the rear property line must be:

- (a) 7.0 m for dwelling uses;
- (b) 4.0 m for other uses except as set out in subsection (c);
- (c) 0.0 m for parking, loading, and service uses separated from the lane by screening; and
- (d) 0.0 m for the building existing on the date of enactment of this By-law.

**6.2** The depth of the setback for landscaping must not be less than 1.5 m along Pine Street for the width of the site and measured from the street line for Pine Street adjacent to the site.

## 7 Parking, loading, and bicycle spaces

Any development or use of the site requires the provision and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking spaces, loading spaces, and bicycle spaces, all as defined under the Parking By-law, except that there must be at least one parking space for each 70 m<sup>2</sup> of gross floor area of residential use.

## 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.

<b>Portions of dwelling units</b>	<b>Noise levels (Decibels)</b>
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 signature to pass the by-law and certify the by-law number and date of enactment.]*



**Z-582(a)**

RZ - 1655-1675 W 3rd Avenue

map: 1 of 1  
scale: 1:2000



**City of Vancouver**

date: June 27, 2006