

475 Howe Street  
and 819 West Pender Street

**BY-LAW NO. 10819**

**A By-law to amend  
Zoning and Development By-law No. 3575  
to rezone an area to CD-1**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

**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-649 (b) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

**Definitions**

2. In this by-law:

“View Shadow” means an existing building that penetrates into a view corridor approved by Council and blocks a portion of that view across an area extending from the view point origin to the mountains.

**Uses**

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (555).

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

- (a) Cultural and Recreational Uses;
- (b) Institutional Uses;
- (c) Office Uses;
- (d) Retail Uses;

- (e) Service Uses; and
- (f) Accessory Uses customarily ancillary to any use permitted by this section 3.2.

#### **Conditions of Use**

4. Only retail and service uses are permitted on floors located at street level and fronting on Howe Street and on West Pender Street, and are subject to all applicable regulations, Council guidelines and policies, as determined by the Director of Planning or Development Permit Board.

#### **Height**

5.1 The building height, measured above base surface, must not exceed 106 m, except that the building must not protrude into Council-approved view corridors, as set out in the City of Vancouver View Protection Guidelines.

5.2 Notwithstanding section 5.1 of this By-law, the Director of Planning may permit an increase in building height to a maximum of 129 m, if the building is located entirely within a view shadow and does not further block a Council-approved view corridor.

#### **Floor area and density**

6.1 Computation of floor area must assume that the site consists of 1 738 m<sup>2</sup>, being the site size at the time of the application for the rezoning evidenced by this by-law.

6.2 The floor space ratio for all uses combined must not exceed 21.5.

6.3 Computation of floor area must include 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.

6.4 Computation of floor area must exclude:

- (a) patios and roof gardens only if the Director of Planning first approves the design of sunroofs and walls; and
- (b) 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 base surface, except that the exclusion for a parking space must not exceed 7.3 m in length.

6.5 Computation of floor area may exclude amenity areas, at the discretion of the Director of Planning or the Development Permit Board, except that the total exclusion must not exceed the lesser of 20% of the permitted floor area or 929 m<sup>2</sup>.

6.6 The use of floor space excluded under sections 6.4 or 6.5 must not include any purpose other than that which justified the exclusion.

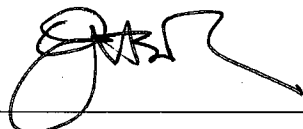
**Severability**

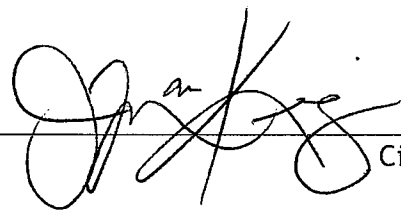
7. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

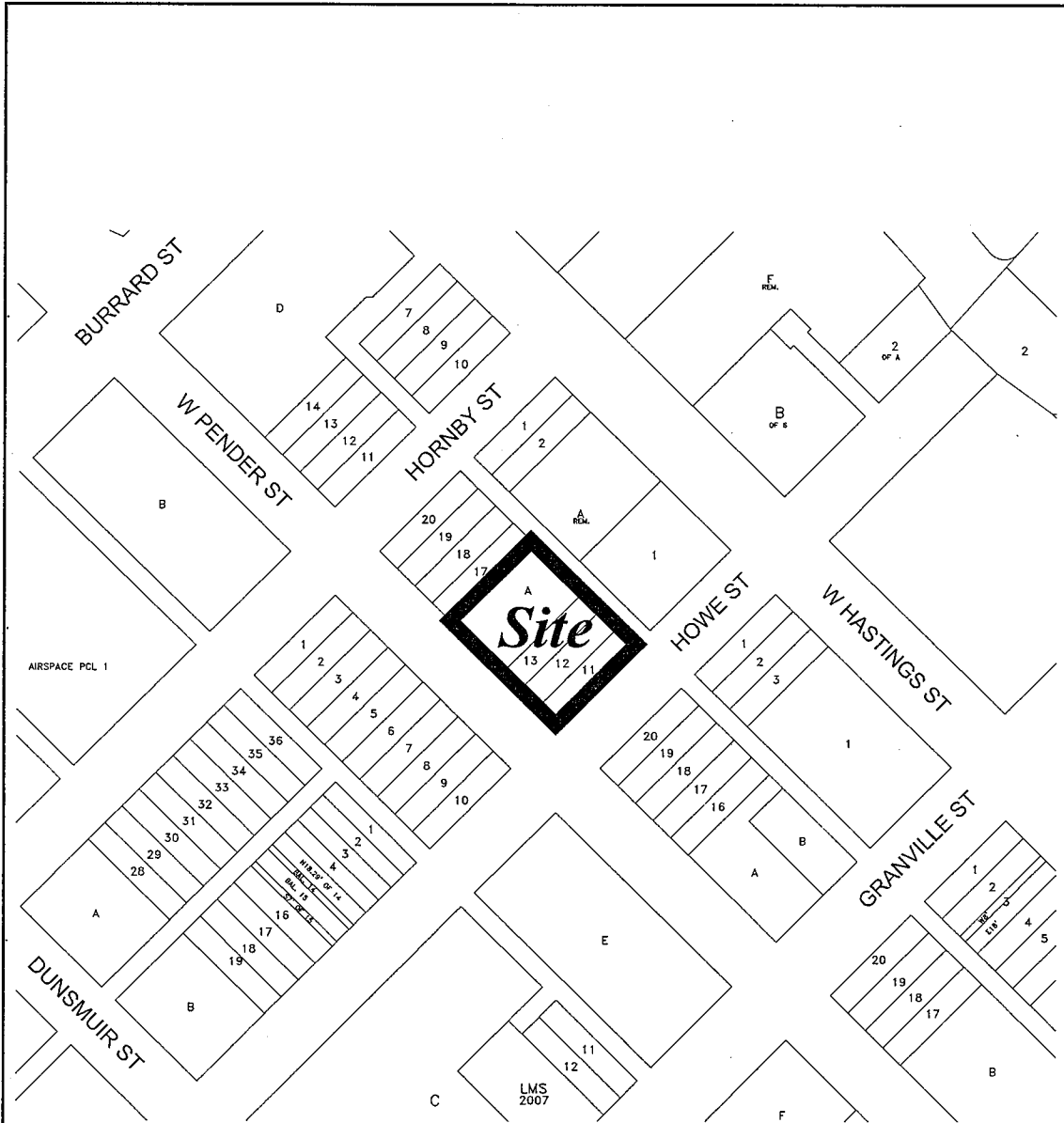
**Force and effect**

8. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 22<sup>nd</sup> day of October, 2013.

  
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Mayor

  
\_\_\_\_\_  
City Clerk



The properties outlined in black (            ) are rezoned:  
 From **DD** to **CD-1**

**Z-649 (b)**

RZ - 475 Howe Street & 819 West Pender Street

map: 1 of 1

scale: NTS



**City of Vancouver**

date: 2012-10-02